

**MINUTES OF THE  
STAFF REPORT MEETING OF  
GARDEN CITY, UTAH**

The Garden City Town Council held staff report meeting on Thursday, November 3, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 4:05 p.m.

Town Council Members present:

John Spuhler, Mayor  
Darin Pugmire  
Chuck Stocking  
Bruce Warner

Others Present:

Kathy Hislop  
Riley Argyle  
Bob Peterson  
Anita Weston  
Zan Murray

**TOWN ENGINEER REPORT, ZAN MURRAY**

Mr. Murray said that they turned in the application for the grant with USDA. There are a few documents that we need to complete and turn in. The final documents should be in and done next week. At that point it could go in for final review at USDA.

Mayor Spuhler said that he has talked to Mr. Mecham regarding the easement for the Shundahai water tank. There has been no response from the property owner. If there is not response by Friday at 5 p.m. then we will pursue eminent domain on the easement that we need.

Mr. Murray showed the plan for the boardwalk that will start at 350 south. He has worked with Mr. & Mrs. Sprouse on the location. They still have a few questions, so Mr. Murray will continue to work with them on their concerns. They would like to see the trail closed during non-peak times to minimize the use during that time. The Council Members agreed that there shouldn't be much traffic during that time and so there should be minimal impact during that time. The Council agreed that sovereign lands closes the beach at 10 pm and we lock the park at 10 pm every night so we may want to look into a gate on the new boardwalk and close it at 10 pm. Mr. Argyle said that there is already a 6' man gate that would deter people from the trail, and it can be locked at 10 pm.

Mr. Murray said that he has followed up on the water rights with Swan Creek. There has been a couple protests, but they are working through them.

## PUBLIC WORKS DEPARTMENT REPORT, RILEY ARGYLE

Mr. Argyle said that they have been working to re-do the Christmas lights and they are almost completed. They have also changed the batteries in the solar lights so they shouldn't flicker anymore.

Mr. Argyle said that we need to look at a bobtail for the city. He said that it will save money on the backhoe for 4-6 years. He said the bobtail would cost us about \$80,000 and they can save about \$24,000 on the backhoe over 4 years. The bobtail would help with labor costs. The Council discussed this option.

Mr. Argyle said that we lease a loader for \$7,000 per year. The company has a program that if we purchase a loader for \$109,000 and keep it for a year then we sell it back to them for \$120,000 in 1 year. The Council would like to look at the contract before making a decision.

## BUILDING INSPECTOR REPORT, GEORGE PEART

There were no new building permits last month.

## CODE ENFORCEMENT OFFICER REPORT, BOB PETERSON

Mr. Peterson explained that he is still working on the lien project. We sent out an intent to lean on 8 individuals, 3 are now making payments, so we will be doing a lien on the other 5 properties. He said that overall the project is a success.

Mr. Peterson is still working on an insurance audit to make sure that we are getting the best deal on our insurance premiums, coverage, etc. They have until the end of the year to get their proposal to us.

Mr. Peterson is also working with the SITLA committee. They were in town last week to tour the property. They have an engineer assigned to the project that loves the area and our slogan. One of the big proposals is to put in a trick park. Mayor Spuhler said that we would have to annex that property but they are interested in annexing. We would just have to present the annexation to their Board. Bear River Association of Government is working with SITLA on the planning of this project.

The staff meeting was closed at 5 pm.

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

The Garden City Town Council held their regularly scheduled meeting on Tuesday, November 3, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:00 p.m.

Town Council Members present:

John Spuhler, Mayor  
Pat Argyle  
Darin Pugmire  
Chuck Stocking  
Bruce Warner

Others Present:

Kathy Hislop  
Riley Argyle  
Bob Peterson  
Mitch Poulson

**ROLL CALL**

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Argyle, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

**APPROVAL OF MINUTES**

Minutes of the Town Council Meeting held on October 8, 2015

Council Member Pugmire made the motion to approve the minutes of the regular Town Council meeting held on October 8, 2015 as written. Council Member Warner seconded the motion with the changes that he was a voting member during the past meeting. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**BUSINESS LICENSE DISCUSSION/APPROVAL**

Elite Education Global, request to conduct an education business for study abroad students at 69 N Paradise Parkway Unit #224. Melissa Spuhler

Council Member Warner said that he didn't see anything on the application that is a problem. Ms. Spuhler Said that they are just moving their business from Logan to Garden City.

Council Member Pugmire made the motion to approve the business license of Elite Education Global. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**COVENANT TO RUN WITH THE LAND, REQUEST TO ENCUMBER PARCELS 41-17-04-013 AND 41-17-04-014 TO BUILD A DECK ADDITION TO AN EXISTING HOME. JOHN FITZGERALD**

Council Member Argyle made the motion to approve the parcels 41-17-04-013 and 41-17-04-014 to be combined. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**PUBLIC COMMENTS**

There were no public comments.

**AWARD ENGINEERING SERVICES RFP**

Mayor Spuhler said that we did receive a lot of applications for the engineering RFP and he did review them, but he is happy with the current Engineer. He said that the rates are about the same as the current Engineer. Council Member Argyle said that Mr. Murray does an excellent job and really does have the cities well being in his mind while working on our projects. Council Member Warner said that we now have a good history with him and he is involved in our projects, it would be hard to lose him.

Council Member Warner made the motion to approve to continue to use JUB Engineering and award the RFP to them. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**MISCELLANEOUS ITEMS**

**Appoint new Planning Commission Member, Joey Stocking**

Mayor Spuhler said that he thinks Mr. Stocking will be a good fit for the Planning Commission.

Council Member Argyle made the motion to approve Joey Stocking as our new Planning Commission Member. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### Fishing Clinic, Council Member Pugmire

Council Member Pugmire said that the fishing clinic would be set up through the UDWR, who is willing to back this project. They hand out a manual that will help the kids and introduce them to fishing. This project can help them pass off projects for Boy Scouts, etc. The kids can win items as they work through the project.

The cities involvement would be to find an instructor to oversee this program. Council Member Argyle asked if there can be a few instructors. There are a lot of people in town that would be great instructors.

There would be a cost for the kids to join that we can use for the instructors, or to help the kids get set up with fishing equipment. We can set up this program however we want.

### Internet Service Options

Council Member Warner said that his son has a broadband company and they serve small rural communities. They set up broadband companies. The Council Members discussed the cost of internet here and the service. The Council agreed that they would like to meet with him about setting up a broadband company for our city.

Council Member Warner said that they can come during a council meeting to present what they can do for the community. The Council agreed that he should come in January to present what they can do for Garden City.

## **PUBLIC HEARING**

Mayor Spuhler opened the public hearing at 6:00 p.m.

## **ROLL CALL**

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Argyle, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

## **ORDINANCE DISCUSSION**

Ordinance #15-30, an ordinance updating the water impact fee

The only change is to set the impact fees by resolution.

There were no comments from the public.

**DISCUSSION REGARDING CREATING AN ENTERPRISE ZONE IN GARDEN CITY TO FACILITATE AN ENVIRONMENT WHERE BUSINESSES CAN CAPITALIZE ON INCENTIVES AVAILABLE THROUGH THE STATE OF UTAH**

Mr. Mitch Poulson explained that he is the economic director for Rich County and they are working to get an enterprise zone for each town to make it a more business friendly environment. It is an administrative tool where the town will work with the county and the state. We enter into an agreement with the state that would allow businesses to take advantage of tax breaks that are available in the State of Utah.

Mr. Poulson said that this is for new business or new hires. There are other tax incentives for the enterprise zone.

**ADJOURNMENT OF THE PUBLIC HEARING**

Council Member Pugmire made the motion to close the public hearing at 6:05 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Council Member Warner made the motion to open the regular meeting again. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**ORDINANCE DISCUSSION/APPROVAL**

Ordinance #15-30, an ordinance updating the water impact fee

This does not change the fee's. it just sets them by resolution, not ordinance.

Council Member Pugmire made the motion to approve ordinance #15-30. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**RESOLUTION DISCUSSION/APPROVAL**

Resolution #R15-10, a Resolution to update the culinary water impact fee schedule

Council Member Warner moved to approve Resolution R15-10. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Resolution #R15-12, a Resolution to adopt an Enterprise Zone in the corporate limits of the Town of Garden City

The Council Members agreed to make the entire city an enterprise zone.

Council Member Argyle made the motion to approve Resolution R15-12. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

ENTERPRISE ZONE DISCUSSION/APPROVAL, TO ADOPT GARDEN CITY AS AN ENTERPRISE ZONE TO FACILITATE BUSINESS EXPANSION AND RETENTION THROUGH STATE INCENTIVES.

Council Member Argyle made the motion to approve all of Garden City as an enterprise zone. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

COUNCIL MEMBER REPORTS

Council Member Stocking said that he has checked out the rec center in Park City and it is very nice. Council Member Argyle said that Evanston has a nice rec center that is closer to the size we need. The Council discussed what they want or need in a rec center and where we can put the building.

Council Member Argyle explained that they checked out the price on the flag pole project. It will cost about \$40,000. We are working applying for the TRT grant for the project. The project is designed and ready to go this spring if we get the grant. Council Member Argyle is getting prices for the monument and will present it to the Council Members for approval.

The Council discussed options for training of employees. It was decided to continue the way it has been done in the past.

Council Member Warner said that implementing the insurance requirement has created a bit of confusion. He said that we need to council with the people that they need to have appropriate liability insurance for their business and they need to have the contact person listed on their insurance policy.

The Council Members discussed, at length, the insurance requirement for nightly rentals. They also discussed requiring commercial liability insurance for the businesses. The Council agreed to look at the ordinance for changes next season.

Mayor Spuhler said that he met with the PERG group and they are very happy on what has happened on the beaches last year. They added to our permit so we can put tables and volley ball

nets on the beach. It can't be permanently affixed and has to be removed each year at the end of the season.

### PAYMENT VOUCHERS

Council Member Pugmire made the motion to pay the vouchers. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### EXECUTIVE SESSION

Council Member Stocking made the motion to go into executive session to discuss legal matters at 7:02 p.m. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Council Member Warner made the motion to end the executive session at 7:25 p.m. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### ADJOURNMENT

There being no further business to discuss Council Member Pugmire made the motion to adjourn the meeting at 7:25 p.m. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

APPROVED:

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John Spuhler, Mayor

Attest:

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Kathy Hislop, Town Clerk

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

The Garden City Town Council held a special meeting on Thursday, November 12, 2015 at the Garden City Office Building B, located at 69 N. Paradise Parkway, Building C. Council Member Pugmire opened the meeting at 9:30 a.m.

Town Council Members present:

Pat Argyle  
Darin Pugmire  
Chuck Stocking  
Bruce Warner via speaker phone

Others Present:

Kathy Hislop  
Bob Peterson

**ROLL CALL**

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

**DISCUSSION/APPROVAL FOR PURCHASE OF A 1999 FREIGHTLINER FL-80 4X4  
DUMP TRUCK TO BE USED BY THE PUBLIC WORKS DEPARTMENT**

Council Member Pugmire explained the reason for the meeting is to purchase a new vehicle. He said that the dump truck is in good shape and is DOT inspected. Mr. Tom Peterson will fly into Denver to pick up the vehicle, then drive it home the same day. The only other cost would be approximately \$25,000 for the sander and plow.

Council Member Pugmire said that we are purchasing a bobtail truck to help get the snow plowing done quicker and to deliver dirt material.

The total purchase price is \$47,500.

Council Member Argyle made the motion to approve the purchase of the bobtail for the city. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for. Motion carried.

The Council discussed the purchase of the sander and the plow for the new bobtail.

# 2015 Water Conservation management Plan

Town of Garden City

69 N Paradise Parkway  
PO Box 207  
Garden City, Utah 84028

December 2015

Prepared by:  
Riley Argyle  
Garden city Water Director

Water Conservation Management Plan

## **A     Introduction:**

This updated version is to deliver a cost-effective, adequate and reliable supply of high quality water to its residents and other contracting entities. To assure this supply, the Town is updating this water conservation management plan as a first step in planning and preparing to meet future needs in a proactive manner. The Garden City Water Conservation Coordinator is Riley Argyle, The Public Works Director.

Water demand management, supply planning and a conservation program provide the Town of Garden City with a balanced approach to meet growth expectations and comply with Utah State Law as required by H.B 418 during the 1998 General Session of the Utah Legislature. The goal is to provide water based on the cost of service not only for current needs but also to meet future growth. Metering, pricing and other important conservation elements have been discussed and can be implemented incrementally as funding and other resources are identified. This plan incorporates a beginning citizen education program to help residents understand the important role of the individual in demand-side management.

## **B     Background:**

The Town of Garden City is a small community located in the top northeast corner of Utah on the western shore of Bear Lake. The site was considered a garden spot in the valley and is well known for its raspberry crops. A strong agricultural foundation exists among long-term community members, although this is gradually decreasing as new development occurs.

Garden City is a resort community with a year-round population of 567 that explodes to between 15,000 and 30,000 during the summer with people recreating at Bear Lake. This presents a unique challenge in providing reliable, adequate and efficient infrastructure to meet summer use without placing an undue financial burden on year-round residents. In addition, the greatest growth is occurring with single family dwellings with a corollary increase in landscape water use. The town uses an inverted rate schedule based on usage, thus having a greater impact on larger water users. Water meters have been installed and are required on all new developments and residential homes. The Town Council has been concerned about inequitable impacts to senior citizens and has implemented a “discounted water rate” for qualifying senior citizens using federal criteria that provides a monthly “lifeline” amount of water. Issues of fairness and equity are a factor since the impact to Garden City’s water system is based primarily on temporary, summer time users, and any policies and procedures should ensure they pay their fair share. The greater challenge, however, is that these temporary residents consider Garden City a “vacation home” and do not want government nor political intrusion into their lives – they have that at their primary residence.

**C Community Values:**

A 1997 survey sponsored by the Town Council found that respondents value open space and having development pay for itself. Respondents strongly favored small parks and preserving the berry patches. Thus, it becomes clear that respondents value the beauty of the green hillsides, and want to maintain an attractive, nicely landscaped community that includes parks as well as agricultural lands. The Town Council is committed to maintaining the beauty of the Town of Garden City while promoting “wise water use” through incentives and education as much as possible.

Most respondents (99%) either owned or were buying their home, and strongly supported single-family dwelling with on 12% supporting multi-family dwellings. This is especially significant since more than 68% of the respondents were 55 years old or older (43% were 65 or older) with two or less family members in their home. Approximately 56% of the respondents had incomes of \$43,650 or more a year, and respondents included 22% who were full time residents with 55% being summer or weekend residents.

Since most of the dwellings are second homes for respondents, the higher income is not unexpected. However, it again reinforces the need for fairness and equity in establishing policies and practices that promote “wise water use”.

**D Existing Water Resources:**

The Town of Garden City has two springs and one well:

Source	CFS	GPM	Status
Swan Creek Spring	2.5	1,122	In Use
Payne Spring	0.13	56	In Use
Well	0.328	147	Not In Use

The Town has 4.08 cfs (1,831 gpm) in water rights with 3,178 cfs (1,426 gpm) in use. Garden City uses 70% of the water from Payne Spring which is reported to be 105 gpm. Current storage capacity is:

Payne/Pickleville	600,000 volume/gallons
Treatment Plant Tank	500,000 volume/gallons
Harbor Village	50,000 volume/gallons
Elk’s Ridge	500,000 volume/gallons

Garden City currently has three storage tanks with a total storage capacity of 700,000 gallons. The Payne/Pickleville 600,000 gallon storage tank serves the south end of the water system and has a 6,070 foot overflow elevation. Two of Garden City’s storage tanks have a combined 120,000 gallons capability that serves Harbor Village and Buttercup Estates with 6,200 foot

overflow elevation. The Town will continue to partner with new development to develop additional storage capacity to meet the increasing needs of developments higher on the mountain.

As indicated above, a well is currently not in use, and as increasing development occurs, it is anticipated the well will be developed with the appropriate infrastructure. Therefore, a reliable and adequate supply of water is available and not being used at present, and the Town Council is currently seeking other alternatives to put the well on line. The Town Council is committed to working with new development to provide new storage capability.

Garden City has constructed and installed a new state of the art treatment plant along with a 500,000 gallon water tank. The treatment plant is a micro filtration system, designed and constructed by Pall Corporation. Currently the treatment plant has a capacity to flow 3 million gallons per day (mgd), with an option to increase the size depending on need.

**E Current and Future Water Use:**

1 Current Use

There are currently 762 equivalent residential users and 728 commercial ERU's with a total of 1504 in service or obligated. Approximately 52% of the current use is for residential customers, while 48% is for commercial customers, including motels, campgrounds, marinas, a church, etc. Our current water use in gallons per capita per day (gpcd) is approximately 220 gpcd total water use. This is an estimated figure due to the number of recreational users Garden City sees each year.

- a. Residential: An inverted monthly allocation based on the size of the hookup (3/4", etc.) is charged at a fixed rate. The minimum monthly rate is \$43 per hookup for 15,000 gallons per month with a corollary increase based on total water usage.
- b. Commercial: A contractual agreement is in place with all commercial/industrial users greater than a 3/4" connection, giving them a monthly allocation for a fixed dollar amount. The allocation is based on ERU's of the commercial establishment, with the monthly allocation based on the ERU calculation. These rates are set by the Town Council through ordinances and resolutions.

Source	Current Annual Use (Millions)
Swan Spring	338.13
Payne Spring	79.55

Residential Use/Commercial Use	Current Annual Use (Millions)
Residential	225.54
Commercial	192.14

2 Projected Future Use

The 60% increase in known future growth is primarily single family housing, which will include lawns. A smaller number of units are planned for mobile homes and multi-family housing, which historically use less water for landscape.

<b>Service Connections</b>	<b>Current Use</b>	<b>2050 Future Increase</b>
Residential Units	776	465
Commercial Units	728	436

The developmental impact of single family residences with lawns will be a significant challenge, particularly in developing an educational demand-side management program. Past experience has demonstrated that a message that is effective with year-round residents has little impact on part time residents who may have greater financial resources. Resentment of part time residents can be significant since they consider this vacation home a “haven” from regular concerns. Pricing incentives, metering and other conservation strategies will continue to be studied as part of the Town’s strategy to promote water conservations.

3. Service Area

The Garden City water system currently extends 8 miles.

**F. Water Quality Issues:**

The Town Council is committed to an active water quality, pollution prevention program with an emphasis to mitigate landscape runoff. Homeowners frequently use fertilizer and pesticides to maintain a beautiful, green landscape, and then apply significant amounts of water. Water use has decreased due to the new metering program. A joint water conservation and pollution prevention program can help residents understand appropriate landscape watering techniques while maintaining the beauty and quality of Bear Lake. This is a high priority issue as new development continues to move higher on the mountainside, with an ever increasing potential for downstream runoff.

**G. Water Budget:**

Resolution R14-02 dated April 10, 2014 updated the water rates and hook-on fees that are assessed for both residential and commercial properties.

The Garden City current rate structure is as follows:

Monthly Fees: (residential only)

¾" \$43.00 @ 15,000 gallons per month

Monthly fees for residential service wholesaled under a bulk meter will be charged at a ¾" monthly fee per ERU.

Monthly Fees: (commercial only)

The minimum commercial connection is one unity/ERU or one ¾" connection.

Monthly fees for commercial connections are assessed @ \$43.00 per month per unit/ERU with a base gallon of 15,000 gallons.

Water Use Overages: (residential and commercial)

Overage rate for the next 5,000 gal (per 1,000 gallons)	\$1.00
Overage rate for 5,000 to 10,000 gal (per 1,000 gallons)	\$2.00
Overage rate for over 10,000 gal(per 1,000 gallons)	\$3.00

Water service provided outside the Garden City limits is charged at 1.5% of the city limit rate.

These fees are based on actual costs, with monthly fees giving a gallons-per-month allocation target based on an inverted rate schedule for residents. Funding is being identified to increase storage capability, with new development working in partnership with the Town to provide storage capability.

The rate structure analysis, which was prepared by Lewis, Young, Robertson & Burningham and JUB Engineering, included a process to identify the potential for using a "water Budget" based on lot size, family size and weather condition (evaporation data). This model encourages appropriate watering (whether year-round resident or temporary resident) and penalize those who over water. Consideration can still be given to any resident with unique constraints, including financial, considering a "lifeline" criteria.

However, it is important to understand that the Town of Garden City employs 3 full -time and 3 seasonal employees for the water department, and that financial and staffing constraints limit the ability of the Town in implementing state-of-the-art, sophisticated measures that may be possible in larger communities.

The Town Council will continue to consider a variety of options, with the goal of promoting water efficiency that is fair and equitable, and maintains the beauty for which the community is well know.

## H. Current Water Management Programs:

As indicated in paragraph G above, the Town of Garden City employs a full-time water department manager, full-time water operators, and seasonal water operators. Previous efforts have been focused on assuring the Town's water quality is maintained as well as building new storage capacity to meet growth. An active leak detection program has been in place, both internally on the Town's system as well as externally. Significant time has been spent in working with new development to build the storage capacity as well as assessing and development. In 2000 the Town Council implemented an impact fee ordinance. This ordinance will offset costs associated with capital improvements, as identified in an adopted plan, and growth demand projects.

## I. Problems, Opportunities and Goals

Several challenges and opportunities present themselves:

1. Pollution Prevention: As indicated earlier, a proactive pollution prevention program is critical in order for the Town to maintain the high quality of its recreational ambience and the quality of Bear Lake. This can also be a benefit, however, since an education program can help the public understand that "watering right" can give them a beautiful yard without using as much water. The community survey found respondents were well educated and valued the environmental qualities of their community; therefore, any education program will take advantage of these values to promote wise water use.
2. Metering: The importance of metering is acknowledged, but the economic impact to year-round residents is great. Garden City has enacted a water metering program where every connection is read by radio read equipment. Garden City has worked hard to enact this meter program, making sure all the meters are up to date and functioning correctly. Garden City has been metering water for the past 4 years.

Currently all meters are new due to the metering program. Garden City will address the meter replacement in 10-15 years or as needed.

The metering program helped with water conservation as it educated water users as to the abundance of water they had previously been using. We have seen the water conservation measures being implemented by individual water users.

## J. Water Conservation Programs:

1. Leak Detection: The Town has an ongoing internal leak detection program and will continue to budget annual resources to address this issue. Increase emphasis will be placed on seepage and other diversions that impact the wastewater treatment systems.
2. Metering: The town council will continue to address the issue of metering all water users as indicated in paragraph I-1 and 2 above.

3. Pricing: See paragraph G above on Water Budget. Again, the uniqueness of Garden City with its significant summertime increase raises serious issues unlike any other municipality in the state. Some areas see significant tourism during the winter time, but that does not impact outdoor landscape water usage. Others may see increased summertime tourists who are “pass-through” only, and not building summertime vacation homes. The issues of who pays, how much and why is always a serious, politically volatile issue, but coupled with part time residents who have less of a political and social connection to the community, an even greater effort is necessary to ensure that everyone pays their “fair share.”
4. Education: The most effective way to change the attitude of the public is through education. An education program that focuses on the joint benefit of water conservation and pollution prevention through incentive is preferred by the Town Council rather than ordinances.
  - a. Current conservation can be divided into two areas: Supply side and Demand side. Supply side conservation measures are actions taken by the Town within its source, storage and supply system. Demand side conservation takes place with the user, within homes and businesses. The Town has been actively planning supply side water conservation. An example would be to “low water landscape” at the Town Offices. Demand side water conservation activities, by the Town has been more aggressive.

One of the primary purposes of this plan is to investigate the demand side water conservation activities that the Town could implement to reduce water demand. The Town has a water savings cost of 30 percent of total water demand by the year 2022 based on saving 20 percent in outdoor use. Using average supply condition, the 10 percent savings would also offer projects and their associated operations and maintenance costs.

- b. Literature on appropriate landscape watering will be made available to all residents and include a strong emphasis on watering techniques such as watering hours, sprinkler system retrofits that reduce runoff, and encouraging low water landscaping. Literature and other information in the Water Conservation Tool Box received from the Utah Water Conservation Forum will be used and will be sent out to all users on a regular basis in the water bills.
- c. The Town will continue to partner with USU Extension, the Master Gardener program, and the Natural Resources Conservation Council, as well as other associated groups and individuals.
- d. School Programs: The children of Garden city residents travel several miles to school in Randolph, and thus no local school activities are available. However, the Town will work cooperatively with other local communities to fund literature and/or other resources for use in the various schools. Likewise, we will work

cooperatively with any students who are interested in doing a project within our town boundaries.

- e. Landscape Ordinance: It is suggested that the Town council create a model landscape ordinance for all new development in an attempt to curb water use. A commercial ordinance, for areas, would require developers to submit a landscape plan which would require efficiency standards in the irrigation system, low water-use plants and an attractive but water wise design. The developer must meet the requirements of the ordinance.

The proposed ordinance for residential homeowners would be a public education ordinance. As homeowners apply for water, they would receive a water education packet containing information about water use efficiency and resources to help them achieve this in their landscapes. The intention of the packet would heighten public awareness.

**K. Other Issues:**

The other issues of drought are deliberately not being addressed in this plan due to its short-term focus. Our objective is to manage resources in a sustainable way for the long term, and while there are many financial and staffing constraints to implementing programs that exist in larger communities, the Town Council is working to move ahead pro-actively as resources allow.

**L. Future Evaluations:**

A review of our water conservation program will be accomplished annually during the regular budget cycle as we look at the water department. At that time, the Town Council will re-evaluate current programs and practices, and based on this annual assessment, implement education programs that meet the community's need and promote demand-side management policies. By doing this annual assessment during the budget cycle, funding can be identified and programs modified and implemented as appropriate.

This **Water conservation Management Plan** was reviewed, discussed and adopted at an official Town Council meeting for the Town of Garden City on the 10<sup>th</sup> day of December, 2015.

APPROVED:

Attest:

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John Spuhler, Mayor

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Kathy Hislop, Town Clerk



## GARDEN CITY SHORT TERM RENTAL APPLICATION

Owner or Property Management Company Name: <i>Bearlake project management</i>
Owner or Property Management Company Address: <i>605 W Logan Rd #9</i>
Owner or Property Management Company Phone #: <i>435-881-9774</i>
Emergency Contact Name and Phone #: <small>(must live within 15 minutes of property &amp; be available 24/7)</small> <i>Same</i>
Contact Persons E-mail address: <i>bearlakeprojectmanagement@yahoo.com</i>
Utah State Tax Number: <small>(must be registered to Garden City)</small>

The following information and documentation shall be contained in the application and provided to the Clerk:

- A. Completed Application signed by the Owner.
- B. Proof of Ownership for each unit.
- C. Site Plan drawn to scale for each unit, including the parking area with each parking space mapped out.
- D. Proof of valid insurance for each unit being licensed for short term rentals.
- E. Floor plan drawn to scale with dimensions.
- F. Zone designation and street address for each unit.
- G. If direct vehicular access from the Property to a public street is not shown on the Site Plan, the Application must include a Temporary Access Easement from the owners of each property over which vehicles must pass to access the Property. All Temporary Access Easements shall be signed and notarized by the owner or owners of the property or properties granting the Temporary Access Easements. Upon the termination of any Temporary Access Easement, it shall be the responsibility of the Owner to obtain a new Temporary Access Easement from the new property owner. Failure to obtain a replacement Temporary Access Easement shall be cause for termination of the License.

- H. Copies of currently valid Town and State Sales Tax collection and accounting numbers in the name of the Owner or the Property Management Company.
- I. The name, address, and contact information including a 24-hour contact phone number for the person at the Property Management Company managing the Property; or, if there is no Property Management Company, the name, address and contact information, including a 24-hour contact phone number, of a person living with 15 minutes of the property(s), who may be the Owner or Owner's Agent, and who can be contacted in the event of an emergency.
- J. Inspection by the Garden City Building Inspector and Garden City Fire Chief.
- K. A signed acknowledgement on the application, that the Owner, Property Management Company, and/or Owner's agent, if any, have read all of the Town's regulations pertaining to the operation of a Short Term Rental.
- L. The Owner shall sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations. If there is a Property Management Company or other agent of the Owner managing the Short Term Rental, the agent or an authorized officer of the Property Management Company, or both, shall also sign the application certifying the accuracy of the information submitted and agreeing to comply with all regulations.

**Fill out one section for each location you are renting:** (you may need to fill out a second application for more locations).

Owner of Property: <i>Mike Lee</i>	Owners Phone #: <i>801-808-6778</i>
Address of Property: <i>561 W Raspberry patch</i>	Subdivision or resort where property is located:
Owners mailing address:	<i>1800 N Ridge Road Warship VA 84017</i>

Owner of Property:	Owners Phone #:
Address of Property:	Subdivision or resort where property is located:
Owners mailing address:	

As the Owner/Property Management Company for the above listed properties I understand that I am responsible for:

1. The Owner or Property Management Company, or other agent of Owner shall:
  - a. mail or provide directly to the party signing any rental agreement or reserving the Property a copy of all Short Term Rental rules and regulations as soon as possible, but no later than 10 days after reserving the Property; and

- b. prominently display, on the Property, all of the rules and regulations pertaining to Short Term Rentals.
- c. collect appropriate Sales, Resort, and Transient Rental Taxes.
2. Each Short Term Rental shall have a clearly visible and legible notice within the unit, on or adjacent to the front door, containing the following information:
  - a. The name of the Property Management Company, agent, and/or Owner of the Property, living with 15 minutes of the property(s), contact persons telephone number at which that party may be reached on a 24-hour basis;
  - b. The maximum number of occupants permitted by the license;
  - c. The maximum number of vehicles permitted on the property and that all vehicles must be parked on the Property;
  - d. The number and location of all on-site parking spaces and the parking rules for seasonal snow removal;
3. The trash pick-up day and notification of all rules and regulations regarding trash removal, including without limitation, when trash may be left out and that animal-proof containers must be used.

I further understand that the following are prohibited activities for short term rentals, as defined by ordinance:

1. Occupancy beyond the specified amount in the License.
2. Parking of vehicles in non-compliance with section 8-607, of the Garden City Municipal Code.
3. Outdoor sleeping of individual(s), which exceeds the permitted occupancy.
4. Any unauthorized commercial activities.
5. The preparation of any food on site for persons other than the allowed occupants and the allowed guests.

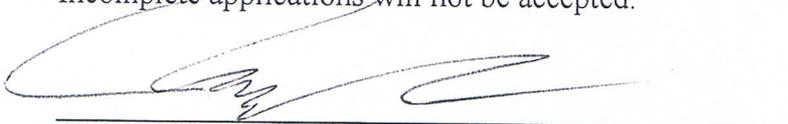
The short term rental property authorized by this ordinance must be managed properly. As a condition to holding a valid short term rental license, the licensee agrees to provide or arrange to provide for adequate maintenance. The minimum services required and management regulations include:

1. Structural maintenance to preserve substantial code compliance as described herein.
2. Routine upkeep, including painting and repair to a level that is consistent with the level of maintenance on adjoining or nearby properties.
3. Trash collection which insures that trash containers are not left at the curb for any period in excess of twenty-four (24) hours and the property must be kept free of the accumulated garbage and refuse. All large boxes must be collapsed and trash bagged and placed in the appropriate receptacles.

By signing this document I represent that I have read and am familiar with the Short Term Rental Ordinance, Section 8-600 of the Garden City Municipal Code, and that I will conform to all the requirements therein. I also certify that this rental house/unit complies with all applicable health, safety, fire, and related public safety requirements. I further acknowledge that I understand that it is my responsibility to contact the Garden City Office at any point that I make a change to a rental unit which might affect the information on my application.

I understand that this license does not preclude me from following the appropriate Homeowner Association CC&R's and obtaining approval from the appropriate Homeowner Association for each unit, prior to commencing any rental. I further understand that not all subdivisions within the Garden City limits allow short term rentals and my unit may be located within one such subdivision.

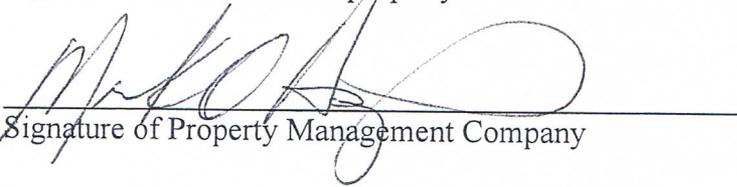
Incomplete applications will not be accepted.



Signature of the Owner of property

10-1-2015

Date



Signature of Property Management Company

10-1-2015

Date

Signature of Contact Person

Date

Application fee, **NON-REFUNDABLE**: \$100 plus \$130 per unit

pd 130<sup>00</sup> SPIN  
12-2-15

The foregoing application was \_\_\_\_\_ approved \_\_\_\_\_ disapproved at a meeting of the Garden City Town Council held on \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_.

# Evidence of Personal Lines Property and Liability Insurance

Timothy J Rosendahl Insurance Agency, Inc.  
1755 PROSPECTOR AVE STE 102  
PARK CITY, UT 84060  
(435) 615-7716  
(026/638)



American Family Mutual Insurance Company  
6000 American Parkway  
Madison, WI 53783

For customer service and claims service,  
24 hours a day, 7 days a week  
1-800-MY AMFAM (1-800-692-6326)  
amfam.com

<b>Insured's Name and Address:</b> Michael and Macie Lee 1800 N Ridge Rd Coalville, UT 84017	This evidence of property and liability insurance is issued as a matter of information only and confers no right upon the certificate holder named below. This evidence does not affirmatively or negatively amend, extend, or alter the coverage, terms, exclusions, and conditions afforded by the policy(ies) referenced below
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The policies of insurance listed below have been issued to the insured named above for the policy period stated.

### PROPERTY COVERAGES

<b>Policy Number:</b> 41001-38126-48	<b>Effective Date:</b> 08/13/2015	<b>Expiration Date:</b> 08/13/2016	
Policy Type	Property Location	Property Coverage	Amount of Insurance
Home Owners Policy	561 W Raspberry Patch Rd Unit 19 Garden City, UT 84028	Cov. A Dwelling	\$ 225,000.00
		Cov. B Other Struct. (Fire & E.C.)	\$ 5,000.00
		Cov. C Pers. Prop (Fire & E.C.)	\$ 112,500.00
		Other:	\$
		Deductible(s) [List Property deductible names]	\$ 1,000.00

### LIABILITY COVERAGES

Type of Insurance	Policy Number	Policy Date		Limits of Liability
		Effective	Expiration	
Homeowners or Manufactured Homeowners Liability	41001-38126-48	08/13/2015	08/13/2015	Bodily Injury and Property Damage Each Occurrence \$ 1,000,000.00
Personal Liability Umbrella				Bodily Injury and Property Damage Each Occurrence \$
Other:				Each Occurrence \$

### REMARKS (Including Special Conditions/Endorsements)

### CANCELLATION

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

CERTIFICATE HOLDER'S NAME AND ADDRESS	NATURE OF INTEREST
Scott T. VanOrden His successors and or assigns	Loan Number NA
	<input type="checkbox"/> Mortgagee <input checked="" type="checkbox"/> Loss Payee <input type="checkbox"/> Other (Specify) _____
	Date Issued: 08/13/2015 Authorized Representative: Ronney Darden
TO AGENT: It is very important that you mail a copy to American Family on the date issued, along with the application.	

This document has been recorded electronically. Please see the attached copy to view the County Recorder's stamp as it now appears in the public record. www.mvte.com

Date 8-13-15 Entry 220436  
Submitted by Mountain View Title

File No.: 143530  
When Recorded Mail To:  
Michael Lee  
1800 N Ridge Rd  
Wanship, UT 84017

**WARRANTY DEED**

**Scott T. Vanorden,**  
grantor,

hereby CONVEY(S) AND WARRANT(S) to

**Michael Lee and Macie Lee, Husband and Wife as joint tenants**  
grantee,

of UT

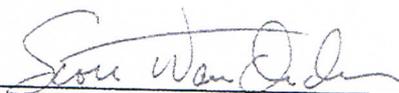
for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following tract of land in **Rich County, Utah:**

LOT 19, RASPBERRY PATCH ESTATES, UNIT #2, AS SHOWN BY THE OFFICIAL PLAT OF SAID SUBDIVISION FILED OCTOBER 20, 1987, AS FILING NO. 36053, IN BOOK N5, AT PAGE 53, IN THE OFFICE OF THE RECORDER OF RICH COUNTY, UTAH.  
LESS AND EXCEPTING THEREFROM ALL THOSE CERTAIN OIL, GAS AND MINERAL RIGHTS AS PREVIOUSLY RESERVED IN THAT CERTAIN WARRANTY DEED RECORDED IN BOOK E5, AT PAGE 461, IN THE OFFICE OF THE RECORDER OF RICH COUNTY, UTAH.

Serial Number: 41-17-03-019  
Subject to easements, restrictions and rights of way of record.  
WITNESS, the hands of said grantors, **August 12, 2015**

Signed in the presence of:

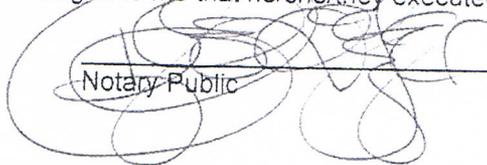
\_\_\_\_\_

  
\_\_\_\_\_  
**Scott T. Vanorden**

State of **Utah**  
County of **Weber**

On the **12th day of August, 2015**, personally appeared before me, **Scott T. Vanorden**, being the signer (s) of the instrument herein and who duly acknowledged to me that he/she/they executed the same.



  
\_\_\_\_\_  
Notary Public

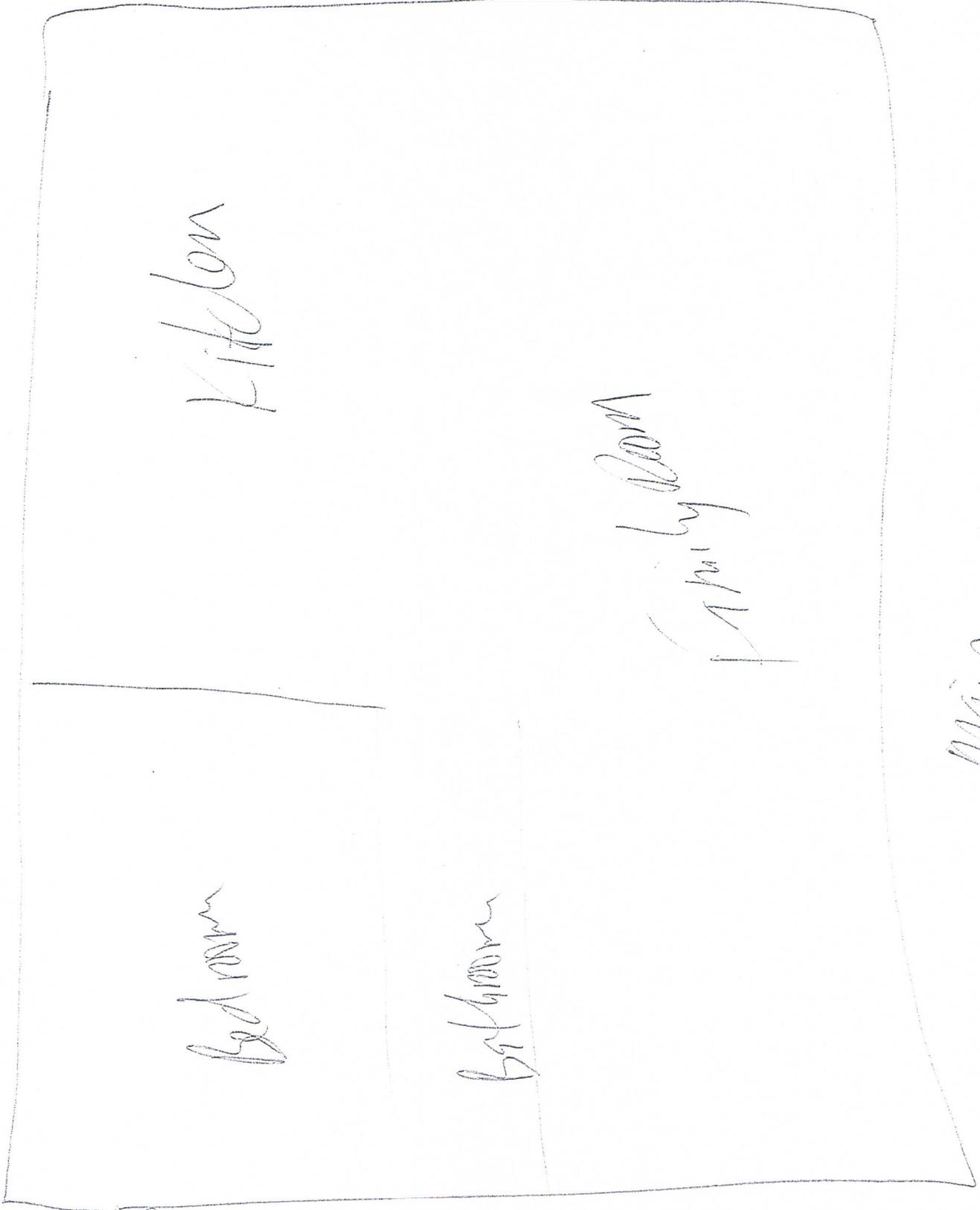
Bedroom #2

Bedroom #1

Bathroom

Mechanical Room Family Room

Basement



Bed room

Kitchen

Bathroom

Family Room

Main

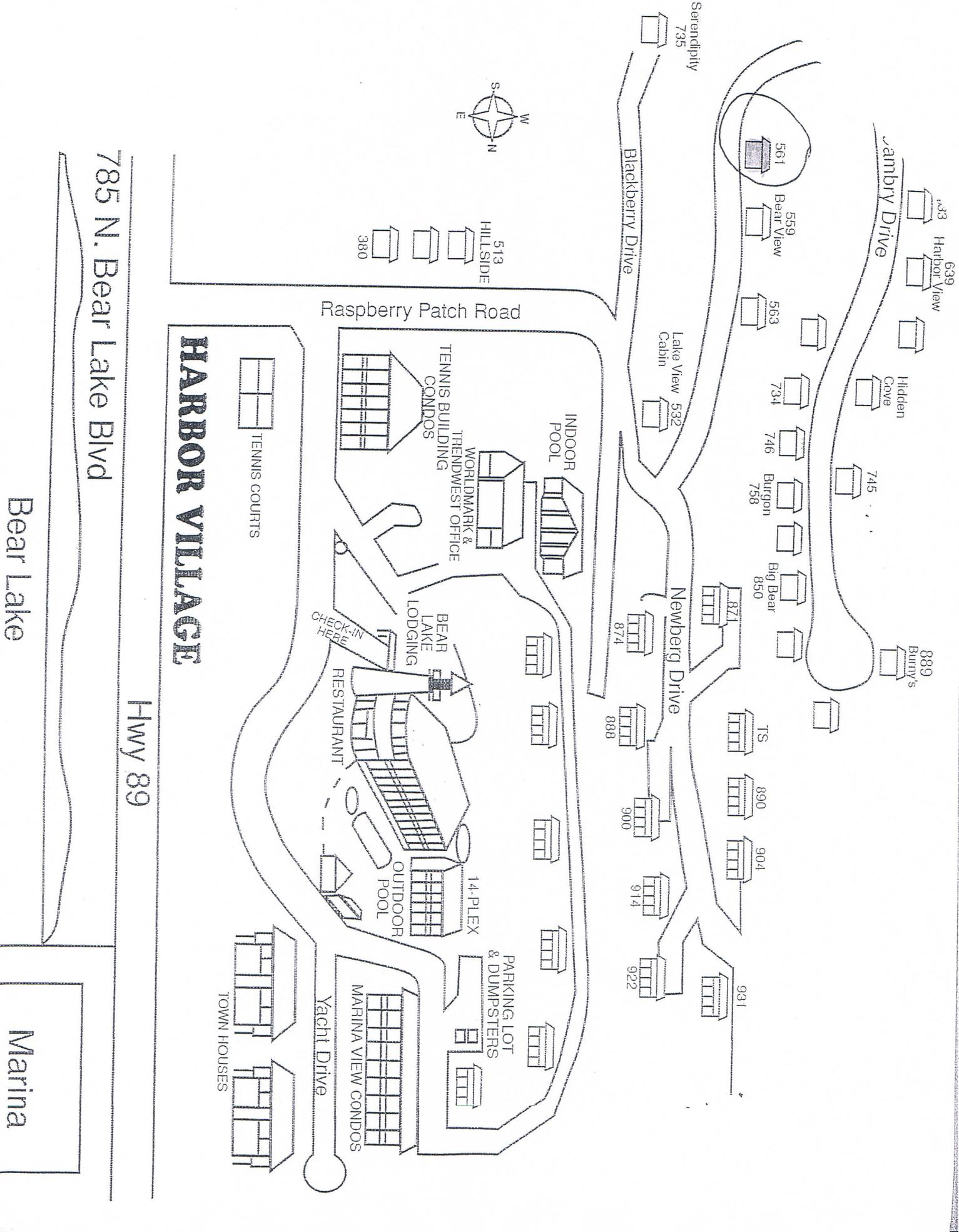
Bedroom  
# 5

Bathroom

Bedroom  
# 4

Open  
Porch

60 Ft



785 N. Bear Lake Blvd

Hwy 89

Bear Lake

Marina

**HARBOR VILLAGE**

Raspberry Patch Road

Blackberry Drive

Newberg Drive

Camby Drive

CHECK-IN HERE

RESTAURANT

BEAR LAKE LODGING

OUTDOOR POOL

14-PLEX

WORLDWARK & TRENDWEST OFFICE

TENNIS BUILDING CONDOS

INDOOR POOL

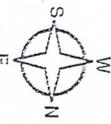
PARKING LOT & DUMPSTERS

MARINA VIEW CONDOS

Yacht Drive

TOWN HOUSES

TENNIS COURTS



513 HILL SIDE  
380

Lake View Cabin 532

561 Bear View

559 Bear View

563

734

746

Burgon 758

Big Bear 850

877

TS 890

890

904

914

922

931

639 Harbor View

Hidden Cove

745

889 Bunny's

888

890

904

914

922

931

Serendipity 735

# GARDEN CITY FIRE DISTRICT

P.O. BOX 248 145 WEST LOGAN ROAD

GARDEN CITY, UTAH 84028

PHONE/FAX (435) 946-3557

## FIRE SAFETY INSPECTION REPORT

Business Name: BEAR LAKE Rental Properties Inspection Date: 12/3/2015

Business Address: 561 W. Raspberry Patch Rd. Suite: \_\_\_\_\_ Business Phone: 435-881-9774

No.	Violations	No.	Locations/Remarks	Cleared																		
<b>ACCESS-</b>																						
1	<input checked="" type="checkbox"/> Maintain fire lane free of obstructions			/ /																		
2	<input checked="" type="checkbox"/> Provide address numbering which is visible from street			/ /																		
3	<input checked="" type="checkbox"/> Provide supra box for fire dept. access																					
<b>EXITING</b>																						
4	<input checked="" type="checkbox"/> Remove obstructions at exits, doors, aisles, corridors, stairways, etc.			/ /																		
5	<input checked="" type="checkbox"/> Exit door to open without a key or any special knowledge or effort																					
6	<input checked="" type="checkbox"/> Provide sign over main exit door(s)			/ /																		
7	<input checked="" type="checkbox"/> Repair non-operable exit door hardware			/ /																		
8	<input checked="" type="checkbox"/> Removed obstructions from door required to be closed																					
9	<input checked="" type="checkbox"/> Remove locks & latches from doors with panic hardware			/ /																		
10	<input checked="" type="checkbox"/> Remove storage from attic, under-floor and concealed spaces																					
11	<input checked="" type="checkbox"/> Provide/maintain exit sign/emergency lighting			/ /																		
<b>FIRE EXTINGUISHERS</b>																						
12	<input checked="" type="checkbox"/> Have fire extinguisher serviced and tagged			/ /																		
13	<input checked="" type="checkbox"/> Provide/mount fire extinguisher as indicated																					
14	<input checked="" type="checkbox"/> Provide clear access to fire extinguisher			/ /																		
15	<input checked="" type="checkbox"/> Post a sign indicating fire extinguisher location																					
16	<input checked="" type="checkbox"/> Maintain 3 foot clearance for access/use of fire appliances/equipment			/ /																		
<b>FIRE PROTECTION SYSTEMS</b>																						
17	<input checked="" type="checkbox"/> Secure all system control valves in the open position	<p style="font-size: 1.2em; margin: 0;">PASSED INSPECTION</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"></td> <td style="width: 35%; text-align: center;">Re-inspection dates</td> <td style="width: 35%; text-align: center;">Inspector</td> </tr> <tr> <td>18</td> <td style="text-align: center;">1<sup>st</sup></td> <td style="text-align: center;">/ /</td> </tr> <tr> <td>19</td> <td style="text-align: center;">2<sup>nd</sup></td> <td style="text-align: center;">/ /</td> </tr> <tr> <td>20</td> <td style="text-align: center;">3<sup>rd</sup></td> <td style="text-align: center;">/ /</td> </tr> <tr> <td>21</td> <td style="text-align: center;">Refer to FPB</td> <td style="text-align: center;">/ /</td> </tr> <tr> <td>22</td> <td style="text-align: center;">Hearing</td> <td style="text-align: center;">/ /</td> </tr> </table>				Re-inspection dates	Inspector	18	1 <sup>st</sup>	/ /	19	2 <sup>nd</sup>	/ /	20	3 <sup>rd</sup>	/ /	21	Refer to FPB	/ /	22	Hearing	/ /
	Re-inspection dates				Inspector																	
18	1 <sup>st</sup>				/ /																	
19	2 <sup>nd</sup>				/ /																	
20	3 <sup>rd</sup>				/ /																	
21	Refer to FPB				/ /																	
22	Hearing	/ /																				
18	<input checked="" type="checkbox"/> Replace damaged, corroded or painted sprinkler heads/ Fire department connection (FDC) caps																					
19	<input checked="" type="checkbox"/> Provide annual certification for sprinkler/standpipe system																					
20	<input checked="" type="checkbox"/> Provide sprinkler coverage in unprotected areas																					
21	<input checked="" type="checkbox"/> Provide spare sprinkler heads and/or compatible wrench																					
22	<input checked="" type="checkbox"/> Hood and duct extinguishing system to be serviced and tagged																					
23	<input checked="" type="checkbox"/> Remove grease from hood, duct, and filters ( keep clean)																					
<b>FIRE ALARM SYSTEMS</b>																						
24	<input checked="" type="checkbox"/> Maintain, repair, inspect, and/or test fire alarm system																					
<b>FIRE SEPARATIONS</b>																						
25	<input checked="" type="checkbox"/> Repair holes in required fire resistive construction																					
26	<input checked="" type="checkbox"/> Provide/repair self or automatic closing fire rated assemblies																					
<b>ELECTRICAL</b>																						
27	<input checked="" type="checkbox"/> Discontinue use of extension cords		District attorney / /																			
28	<input checked="" type="checkbox"/> Install permanent wiring for fixed or stationary appliance																					
29	<input checked="" type="checkbox"/> Provide cover plates for all junction boxes		Final clearance / /																			
30	<input checked="" type="checkbox"/> Remove exposed wiring or protect in approved conduit																					
31	<input checked="" type="checkbox"/> Provide a clear work space at all electrical panels ( 30" in width, 36" in depth and 78" in height) Remove exposed wiring or protect in approved conduit																					
32	<input checked="" type="checkbox"/> Labeling electrical rooms and breaker																					
<b>FLAMMABLE LIQUIDS - COMPRESSED GASES</b>																						
33	<input checked="" type="checkbox"/> Provide flammable liquid storage cabinet or reduce storage																					
34	<input checked="" type="checkbox"/> Remove all fueled vehicles or equipment from buildings																					
35	<input checked="" type="checkbox"/> Secure compressed gas cylinders																					
<b>STORAGE - HOUSEKEEPING</b>																						
36	<input checked="" type="checkbox"/> Arrange storage in an orderly manner to provide access/egress																					
37	<input checked="" type="checkbox"/> Remove combustible storage from boiler, mechanical, or electrical rooms																					
38	<input checked="" type="checkbox"/> Reduce storage to 24 " below ceiling or 18" from sprinkler heads																					
39	<input checked="" type="checkbox"/> Provide approved metal container from oily rag storage																					
40	<input checked="" type="checkbox"/> Remove waste & rubbish material from the premises daily																					
41	<input checked="" type="checkbox"/> Keep dumpster 5 ' away from buildings																					
42	<input checked="" type="checkbox"/> Clearance from ignition sources																					
<b>MISCELLANEOUS</b>																						
43	<input checked="" type="checkbox"/> Other violations and comments																					
<b>NO VIOLATIONS NOTED THIS DATE - THANK YOU FOR BEING SAFE</b>																						

You are hereby notified to correct all violations immediately or show cause why you should not be required to re-inspection will be conducted after \_\_\_\_\_ days from the date of this notice. Willful failure to comply with this notice is a misdemeanor. Violations which are not corrected immediately and or remain after the re-inspection may be processed as a criminal offense. Thank you for your assistance and cooperation in minimizing the fire and life loss in your community.

BY ORDER OF THE FIRE CHIEF

SIGNATURE OF RECIPIENT: \_\_\_\_\_  
 \_\_\_\_\_ Owner \_\_\_\_\_ manager \_\_\_\_\_ employee \_\_\_\_\_ other  
 Inspecting Officer: \_\_\_\_\_  
 FPB \_\_\_\_\_ COMPANY \_\_\_\_\_ Shift \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_

Planning Commission Comments  
12-2-15

Re-zone

Commission Member House made the motion to re-zone Residential Estates to Residential Estates/Agricultural Zone. Commission Member DeGroot seconded the motion. Motion carried. Roll Call Vote: Commission Member House for, Commission Member Stevens for, Commission Member Stone for, Commission Member DeGroot for, Commission Member Bourne for, Commission Member Stocking against, Commission Member Gifford against.

(They will have this on the agenda for next month to work on setbacks)

Ordinances

#15-37

Commission Member Gifford made the motion to approve #15-37. Commission Member Stocking seconded the motion. All in favor and the motion carried.

#15-38

Commission Member House made the motion to approve #15-38 as written. Commission Member DeGroot seconded the motion. Motion Carried. Roll Call Vote: Commission Member House for, Commission Member Stevens for, Commission Member Stone for, Commission Member DeGroot for, Commission Member Bourne for, Commission Member Stocking against, Commission Member Gifford against.

#15-39

Commission Member Stevens made the motion to approve it. Commission Member House seconded the motion. All in favor and the motion carried.

#15-40

Commission Member House made the motion to approve #15-40 with the changes of; #2, all overnight campgrounds shall have a current business license...#3 subject to provisions of Section 11C to 803 to 806, 11C-1803 says it shall be unlawful to store or occupy any recreational vehicle on any vacant lot, #804A says it's unlawful to camp on any vacant lot, #11C-805A should say Occupation of one recreational vehicle not belonging to the property owner on his homesite shall be permitted for no more than 10 consecutive days and # E will go down to say restroom facilities available for all occupants of recreational vehicles and tents and # F 11C-805 B and we're striking no permanent pads are allowed and the last one is 11C-806 from 11C-805. Commission Member Gifford seconded the motion. All in favor and the motion carried.

REAR LAKE WATER COMP. 026 KIMBALL  
78 AC 10-682 TR  
019 05-551  
SUNOCO LID BKT 015  
4.92 AC

Golf Course

Golf Course #6

Bear Lake Golf Course & Resort, Inc.

Bear Lake Golf Course & Resort  
23.83 AC - KE 113  
011

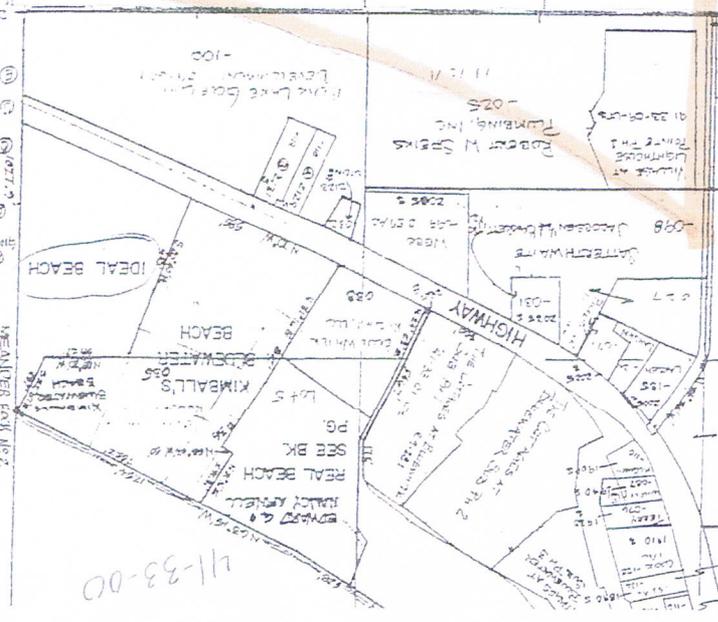
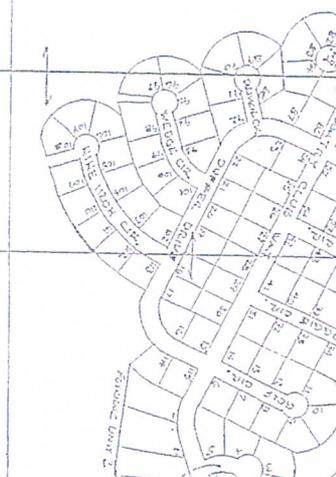
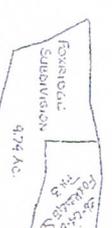
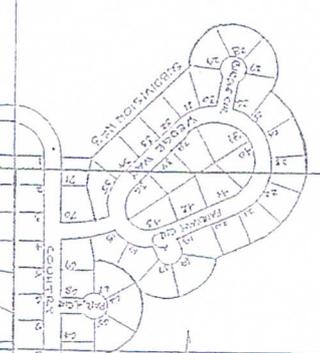
Bear Lake Golf Course & Resort  
008  
KE 113

Bear Lake Golf Course Dev. Corp.  
35.52 AC - 025  
007  
Loren & Lorna Hodges, et al  
KE-150

Bear Lake Golf Course  
35 AC  
007  
29-109  
Development

Bear Lake Golf Course Dev Corp  
012  
013  
610-1791

Bear Lake Golf Course  
025  
Robert M. Spinks  
Tumbling, Inc.



41-33-00

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## ORDINANCE #15-36

### AN ORDINANCE UPDATING THE DARK SKY 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 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-600 be changed as follows?

#### Chapter 11A-600 - Dark Sky Ordinance

11A-601 Title - This ordinance together with the amendments thereto, shall be known and may be cited as the Garden City Dark Sky Ordinance.

11A-602 Purpose - The general purpose of this Ordinance is to protect and promote safety and the ability to view the night sky, by establishing regulations for exterior lighting. This Ordinance establishes standards for exterior lighting in order to accomplish the following:

- A. To protect against direct glare and excessive lighting;
- B. To promote safe roadways for motorists, cyclists and pedestrians;
- C. To protect the ability to view the night sky;
- D. To allow for flexibility in the style of lighting;
- E. To provide lighting guidelines.

11A-603 Scope - All exterior lighting installed after the effective date of this Ordinance in any and all zoning districts in the Town of garden City shall be in conformance with the requirements established by this Ordinance.

11A-604 Criteria - The Planning Commission shall have the authority to require new lighting to meet the recommendations and guidelines of this Ordinance.

- A. ~~It is encouraged that~~ All area lights, including street lights, parking area lights and landscape lights to be ~~down-lit shielded from shining up. to reflect light down.~~  
**(Solar city street lights are exempt from this section).**
- B. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Sensor activated lights are encouraged.

- C. ~~The average footeandle lighting level for new and existing service stations is required to be no greater than 30 footeandles.~~
- D. Upward Flagpole lighting is permitted.
- E. Landscape lighting is allowed.
- F. All radio, communication, and navigation towers that require lights shall have dual lighting capabilities. For daytime, the white strobe light may be used, and for nighttime, only red lights shall be used.
- G. ~~Neon lights are only permitted pursuant to the Sign Ordinance.~~

11A-605 Violations - A violation of this Ordinance, or any provision thereof, shall be punishable by a civil penalty **established by resolution.** ~~of one hundred dollars (\$100) and each day of violation shall constitute a separate offense for the purpose of calculating the civil penalty.~~

11A-606 Repealer Clause - All Town of Garden City Ordinances or Resolutions or parts thereof which are in conflict herewith are hereby repealed.

APPROVED:

Attest:

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

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

Voting:

	Aye	Nye
Argyle	—	—
Pugmire	—	—
Stocking	—	—
Warner	—	—
Spuhler, Mayor	—	—

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:

---

John Spuhler, Mayor

---

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.

<u>Minimum Setbacks (in feet)</u>			
<u>District</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
RE/AG-1	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.

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 AND OVERNIGHT CAMPING 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 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 and Overnight Camping

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. 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.
  - 3. Subject to all provisions in Chapter 11C-803 to 11C-806.

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

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

- A. It is unlawful to 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 **not belonging to the property owner** 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.~~ restrooms facilities available for all occupants of recreational vehicles and tents.
- F. Recreational Vehicles placed on a lot as allowed by paragraph (11C-805-B) 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.~~

11C-806 Violations - A violation of this Ordinance, or any provision thereof, shall be punishable by a civil penalty established by resolution.