ORDINANCE #21-22

AN ORDINANCE CHANGING COMMERCIAL SETBACKS

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

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

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

NOW THEREFORE, be it ordained by the Garden City Town Council and the Planning Commission that Ordinances #11C-500 be changed as follows:

CHAPTER 11C-1500 C Commercial Zone

Area		Minimum Setbacks (in feet)		
District	Area in Square Feet	Front (Side facing road)	Side	Rear
C1	Minimum of 6000 ft.	20 5 Feet, if allows foot traffic to exit path of travel. 20' if not	Ten (10) Feet 20' total side setbacks can be 0&20, 10&10, 5&15 ...with adjoining property owners agreement	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
C4	Minimum of 6000 ft.	20 Feet	Ten (10) Feet	Ten (10) Feet

Lots under 7500 sq. ft. cannot be split

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, pool halls and miniature golf course.
  4.   Hotels and Motels
  5.   Restaurants and Fast Food Establishments
  6.   Department Stores
  7.   A single-family residence and/or employee housing as long as construction is integrated into the commercial structure and is 50% or less of the total square footage and must be located either above or behind the commercial space.

B.   Conditional Uses.
  1.   Automobile Dealers
  2.   Gas Stations with Convenience Stores
  3.   Farmer's and Artisan's Market
  4.   RV Park
  5.   Stand Alone Accessory Building

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

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.   Small scale manufacturing provided all uses shall be within an enclosed building.
  7.   Lumber yard, provided all uses shall be within an enclosed building.
  8.   A single-family residence and/or employee housing as long as construction is integrated into the commercial structure and is 50% or less of the total square footage and must be located either above or behind the commercial space.

B.   Conditional Uses.
1.   Automobile service stations for garages for repair of vehicles
2.   Farmer's & Artisan's Market
3.   RV Park
4.   Stand Alone Accessory Building

C. Non-Listed Uses see Ordinance #11C-105

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 for either single-
        family residence or multiple family residences as long as construction
        complies with the setbacks and guidelines of the respective type of
        residency.
        a.   When C3 Zone property is used for the establishment of a
                business next to a residence, the business owner will be required
                to install a fence up to 8 feet between the two properties to
                provide 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 install a fence, up to eight feet (8'), between the two properties
                for privacy.
B.   Conditional Uses.
1.   Farmer's & Artisan's Market
2.   RV Park
3.   Church
4.   Storage Sheds (Can be no closer than 300' to Hwy 89, SR30 or 300 West)
5.   Stand Alone Accessory Building

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

11C – 1505 C4 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
7. a. When C3 Zone property is used for the establishment of a business next to a residence, the business owner will be required to install a fence up to 8 feet between the two properties to provide 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 install a fence, up to eight feet (8'), between the two properties for privacy.

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

B. Conditional Uses.
1. Automobile Dealers
2. Gas Stations with Convenience Stores
3. Farmer's and Artisan's Market
4. RV Park
5. Sexually Oriented Business
6. Kennels
7. Stand Alone Accessory Building

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

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

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

11C-1508 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-1509 Architectural Standards. To ensure that Garden City continues to be aesthetically pleasing, all commercial buildings and any structure along Paradise Parkway within the commercial zones will be required to meet certain architectural standards. All commercial buildings and any structure along Paradise Parkway within the commercial zones, shall have an outer appearance that is consistent with surrounding structures. All commercial buildings and any structure along Paradise Parkway shall have 3 exterior walls (one of which must face the street) that are made of wood, glass, stone, brick, or stucco. To maintain a consistent

aesthetically pleasing look in the town, the street facing exterior wall shall have a minimum of 25% stone or brick. Other materials for exterior walls or 25% decorative exterior may be approved by the Planning Commission. All materials are to have an earth tone color in nature and appearance, per palette as set by resolution. Architecture elevations must be reviewed and approved by the Planning Commission.

PASSED AND ADOPTED by the Garden City Town Council, Garden City, UT this 12th day of August, 2021.

APPROVED: ATTEST:

_____   _____
Mike Leonhardt, Mayor   Kathy Hislop, Town Clerk

Voting: Aye   Nay
Argyle   ___   ___
Hansen   ___   ___
Parry   ___   ___
Pope   ___   ___
Leonhardt, Mayor   ___   ___