



ORDINANCE NO. O-24-04

AN ORDINANCE AMENDING TITLE 9, CHAPTER 7, ARTICLE D, AND ARTICLE E, OF THE ZONING REGULATIONS PERTAINING TO THE REINSTATEMENT OF THE R-4 RESIDENTIAL ZONING DISTRICT AND THE RENUMBERING OF THE RM-12 ZONING DISTRICT

WHEREAS, the Garland City Planning and Zoning Commission has recommended that the Residential Zone R4 section of the Garland City Code be reinstated and the numbering for the RM-12 zone be revised to better fit the overall development in Garland City; and

WHEREAS, public hearings were held on August 13, 2024, and September 4, 2024, to receive public input and comment regarding the proposed amendment to the City's Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Garland, Utah, as follows:

Section 1. That Garland City Code be amended and to now include the following:

- 1) The reinstatement with modifications of the R-4 Zone as shown in Attachment 1.
- 2) For the inclusion of R-4 in Section 9-5-1 as shown below.
- 3) The renumbering with minor modifications of the RM-12 zoning district Chapter to 9-7E as shown below.

9-5-1: ESTABLISHMENT OF ZONES:

For the purpose of this title, the land within the city to which this title applies is divided into classes or zones as follows:

Agricultural zone	A1
Residential zone	R1
Residential zone	R2
Residential zone	R3

Residential zone	<u>R4</u>
Residential Multiple zone	RM12
Commercial zone	C1
Manufacturing zone	M1
Highway zone	H1
Manufactured home zone	MH1
Public facilities zone	PF

[9-7D-E-1](#): Use Regulations

[9-7DE-2](#): Area, Width, Yard, Height and Coverage Regulations

[9-7D-E-3](#): Group Dwellings

9-7D-E-1: USE REGULATIONS:

In residential zone RM12, no building or structure, or land shall be used, and no building or structure shall be erected which is arranged, intended, or designed to be used for other than one or more of the following uses:

Any use permitted in residential zones R1, R2 and R3.

Boarding houses and lodging houses.

Hospitals, sanitariums, clinics, except animal hospitals and clinics, convalescent homes, nursing homes, child daycare centers, and wedding chapels.

Parking lots.

Two-family dwellings; multiple residential dwellings; group dwellings.

Accessory uses and buildings customarily incidental to the above. (Ord., 9-3-1996)

9-7DE-2: AREA, WIDTH, YARD, HEIGHT AND COVERAGE REGULATIONS:

- A. Area: Multi-family dwellings may have reduced Lot Regulations in the RM12. Site Plan Permit ([see Chapter 16 of this Title](#)) and subdivision approval required.

The minimum lot area shall be six thousand (6,000) square feet for each one-family dwelling, with seven hundred fifty (750) additional square feet for each additional dwelling unit in a dwelling structure having more than one dwelling unit; not less than five thousand (5,000) square feet for any other main building.

Maximum density: The maximum number of dwelling units is limited initially to 8 units per acre. Density limit may be increased as defined below in section L.

B. Width: The minimum width of any lot shall be seventy feet (70').

C. Side Yard: The minimum side yard setback for any dwelling regulated by this section shall be ten feet (10') except where a side yard is adjacent to an R1, R2, or R3 zone in which the minimum setback shall be thirty feet (30').

D. Front Yard: The minimum depth of the front yard for main buildings and for private garages shall be thirty feet (30').

E. Rear Yard: The minimum depth of the rear yard for main buildings and for private garages shall be twenty-five feet (25') except when the rear yard is adjacent to a single-family residential zone (R1, R2, R3) in which case the rear yard minimum depth shall be forty feet (40').

Rear yards shall be separated from adjoining properties with a decorative wall or decorative fence, sufficient to provide adequate aesthetics, screening, separation, and security.

F. Height: No building shall be erected to a height greater than thirty-six feet (36'), and no dwelling structure shall be erected to a height less than one story.

G. Maximum Number of Stories above ground is 2 ½. The minimum height of a dwelling in stories above grade: 1

H. Accessory buildings:

The maximum height of an accessory building in feet: 15

Accessory buildings adjacent to the front, side, or rear yard of any residential zone, shall be shorter than 15 feet.

Accessory buildings larger than 800 sq ft shall follow the front, side, and rear yard setback requirements as defined above.

No accessory building shall contain a greater square foot floor area than the principal building to which it is accessory. No accessory building or group of accessory buildings in any residential district shall cover more than thirty (30) percent of the rear yard.

I. Coverage: No building or group of buildings with their accessory buildings shall cover more than sixty percent (60%) of the area of the lot. (Ord., 9-3-1996)

J. Any multi-family building or group of buildings shall be managed by a homeowner association (HOA), or similar, which manages common areas, including green space, parking lot, accessory buildings, and landscaping areas. The HOA shall be responsible for the maintenance and appearance of the complex and shall be liable for code violations levied by the city

K. Open space shall be provided to any building or group of buildings that contains more than 2 dwelling units per building. A common open space shall be provided at a rate of 220 sq ft per dwelling unit (~0.5 acre per 100 units), with a minimum size of open space not less than 1000 sq ft.

a. Open space may be split into multiple areas, but no individual area less than 1000 sq ft will count towards the open space requirement defined above.

b. Open space shall be of semi-regular shape such that line of sight is maintained from any two points within the space.

c. 50% of retention/detention area may count toward the open space requirement providing that the remaining open space is adjacent to the retention/detention area.

d. Open space may include a yard, playground, patio, sports court, botanical, or vegetable garden, maintained natural trail, or similar.

e. Open space must be separated from vehicle parking and roadway in a manner that prevent normal vehicle access.

f. Picnic/bowery/pergola structures which are open on at least 3 sides and are less than 15 feet in height are considered part of the open space.

g. In a phased development 33% of total open space requirements shall be contained in phase I land area and construction of open space shall be 50% completed by the completion of phase I and 100% completed prior to the commencement of the final phase of development.

h. Single-building dwelling units do not need to be included in Open Space calculations.

Sidewalks adjacent to roadways or parking lots shall not count towards Open Space surface area requirements.

L. Density Increase Provision – The unit per acre density requirement within the development may be increased from 8 units per acre up to 12 units per acre if the following conditions are met:

a. A common open space shall be provided at a rate of 435 sq ft per dwelling unit (~1 acre per 100 dwelling units), with a minimum size of open space not less than 1500 sq ft.

b. Open space shall be made generally available for use by the public without a fee.

i. Managing association may restrict/enforce usage times (to daylight hours or similar) to prevent noise or other nuisance.

ii. Managing association may also restrict and enforce prohibitions against activities that risk property damage, public safety, or create a nuisance (loud music performances, public protest, high-risk sports activity, etc.).

iii. Managing associate may require reservation and assess reasonable deposit or use fee for use of any individual amenities (bowery, fire pit, sports court, vegetable garden) but cannot restrict general usage of open space.

The provisions of this ordinance shall take effect upon passage, signature of the mayor and after being posted or published as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF GARLAND, UTAH, THIS 18th DAY OF SEPTEMBER 2024.

CITY OF GARLAND

By: *Linda Bourne*
Linda Bourne, Mayor

ATTEST: *Sharlet Anderson*
Sharlet Anderson, Recorder



Voting by the City Council

	"YES"	"NO"
Jeanette Atkinson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sharla Nelson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Josh Munns	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tena Allen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Losee	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda Bourne (if tied)	<input type="checkbox"/>	<input type="checkbox"/>

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Attachment 1
(R-4 Zoning District Text)