

ORDINANCE NO. 2017-05

AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, REPEALING AND REPLACING THE VINEYARD ZONING MAP; AMENDING ZONING ORDINANCE CHAPTER 6: ESTABLISHMENT OF ZONING DISTRICTS TO RETITLE AS ESTABLISHMENT OF DISTRICTS AND ZONING TABLES, RELOCATING ZONING USE TABLES FROM CHAPTER 32 TO CHAPTER 6; AMENDING ZONING ORDINANCE CHAPTER 16: GENERAL PROPERTY DEVELOPMENT, SECTION 1623: REQUIREMENTS FOR FENCES AND WALLS STANDARDS, REFERENCING CHAPTER 7, AMENDING SECTIONS 1628 & 1629 TO CLARIFY CLEARVIEW REQUIREMENTS; AMENDING ZONING ORDINANCE CHAPTER 17: SUPPLEMENTARY DEVELOPMENT STANDARDS ADDING A NEW SECTION 1718: MIXED-USE SELF-STORAGE TO PROVIDE DEVELOPMENT STANDARDS FOR FACILITY LAYOUT, DESIGN AND SITE USE; AMENDING ZONING ORDINANCE CHAPTER 30: DEFINITIONS TO CONSOLIDATE ALL ZONING DEFINITIONS INTO CHAPTER 30 AND ADDING NEW DEFINITIONS TO CORRELEATE WITH NEW USES OF CHAPTER 6; REPEALING ZONING ORDINANCE CHAPTER 32: TABLE OF USES AND DEVELOPMENT STANDARDS IN ITS ENTIRETY, PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, AND PROVING AN EFFECTIVE DATE.

WHEREAS, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of the Utah Municipal Code, permits Vineyard to ensure the health, safety and welfare of the community through local land use planning and the adoption of land use ordinances; and

WHEREAS, Vineyard is authorized to amend the City's Zoning Ordinance pursuant to Utah Municipal Code § 10-9a-102(2); and

WHEREAS, the Planning Commission held a public hearing on June 7, 2017 and after fully considering public comment and staff recommendations, recommended approval to the Vineyard City Council; and

WHEREAS, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on June 14, 2017; and

WHEREAS, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed Vineyard Zoning Map and text amendments to the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF VINEYARD:

SECTION 1: REPEAL AND REPLACE VINEYARD ZONING MAP is hereby adopted as follows:

See attached Exhibit A: Vineyard Zoning Map.

SECTION 2: AMENDMENTS TO ZONING ORDINANCE CHAPTER 6 are hereby adopted as follows:

See attached Exhibit B: Chapter 6 Establishment of Districts and Zoning Tables.

SECTION 3: AMENDMENTS TO ZONING ORDINANCE CHAPTER 16 are hereby adopted as follows:

See attached Exhibit C: Chapter 16 General Property Development Standards.

SECTION 4: AMENDMENTS TO ZONING ORDINANCE CHAPTER 17 are hereby adopted as follows:

See attached Exhibit D: Chapter 17 Supplementary Development Standards.

SECTION 5: AMENDMENTS TO ZONING ORDINANCE CHAPTER 30 are hereby adopted as follows:

See attached Exhibit E: Chapter 30 Definitions.

SECTION 6: That the Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose of this Ordinance.

SECTION 7: REPEALER CLAUSE. All Vineyard Ordinances, or parts thereof, which are in conflict herewith are hereby repealed.

SECTION 8: SAVINGS AND SEVERABILITY CLAUSE. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct, and independent of all other provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 9: PUBLICATION. This Ordinance, or summary thereof, shall be published in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 10: EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED by the Vineyard City Council, June 14, 2017.

ATTEST:



Pam Spencer, City Recorder



Randy Farnworth, Mayor



PASSAGE BY MUNICIPAL COUNCIL
ROLL CALL VOTE

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ROLL CALL VOTE:

MAYOR RANDY FARNWORTH
COUNCILMEMBER TYCE FLAKE
COUNCILMEMBER JULIE FULLMER
COUNCILMEMBER DALE GOODMAN
COUNCILMEMBER NATHAN RILEY

MOTION	SECOND	AYES	NAYS	ABSENT
		X		
	X	X		
X		X		
		X		
				X
		4		1

TOTALS

This Ordinance was passed by the Municipal Council of Vineyard Utah on the 14th day of June, 2017, on a roll call vote as described above.

II

MAYOR'S ACTION

Mayor's Action: X Approved Disapproved

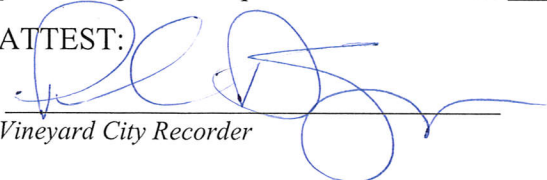
III

CITY RECORDER'S CERTIFICATE AND ATTEST

This Ordinance was recorded in the office of the Vineyard City Recorder on the 15th day of June, 2017

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance No. 2017-05

ATTEST:



Vineyard City Recorder



Exhibit A: Vineyard Zoning Map



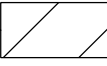












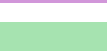







VINEYARD ZONING MAP

DRAFT
MAY 2017



Utah Lake

ZONES

-  PD Overlay
-  OS: Open Space
-  A-1: Agriculture
-  R&A-5: Residential Agricultural
-  RE-20: Residential Estates
-  R-1-15: Single-Family Residential
-  R-2-15: Residential
-  R-1-10: Single-Family Residential
-  R-1-8: Single-Family Residential
-  HDR-1: High Density Residential
-  HDR-2: High Density Residential
-  BP: Buisness Park
-  FOI: Flex Office & Industry
-  M: Manufacturing
-  I-1: Industrial
-  PF: Public Facility
-  RC: Regional Commercial
-  RMU: Regional Mixed Use
-  TC: Town Center
-  The Forge: Mixed Use
-  Waters Edge: Special Purpose

Note: For additional requirements and sub-district information regarding the Waters Edge, Town Center, The Forge and Regional Mixed Use Districts refer to Chapter 7 of the zoning ordinance.

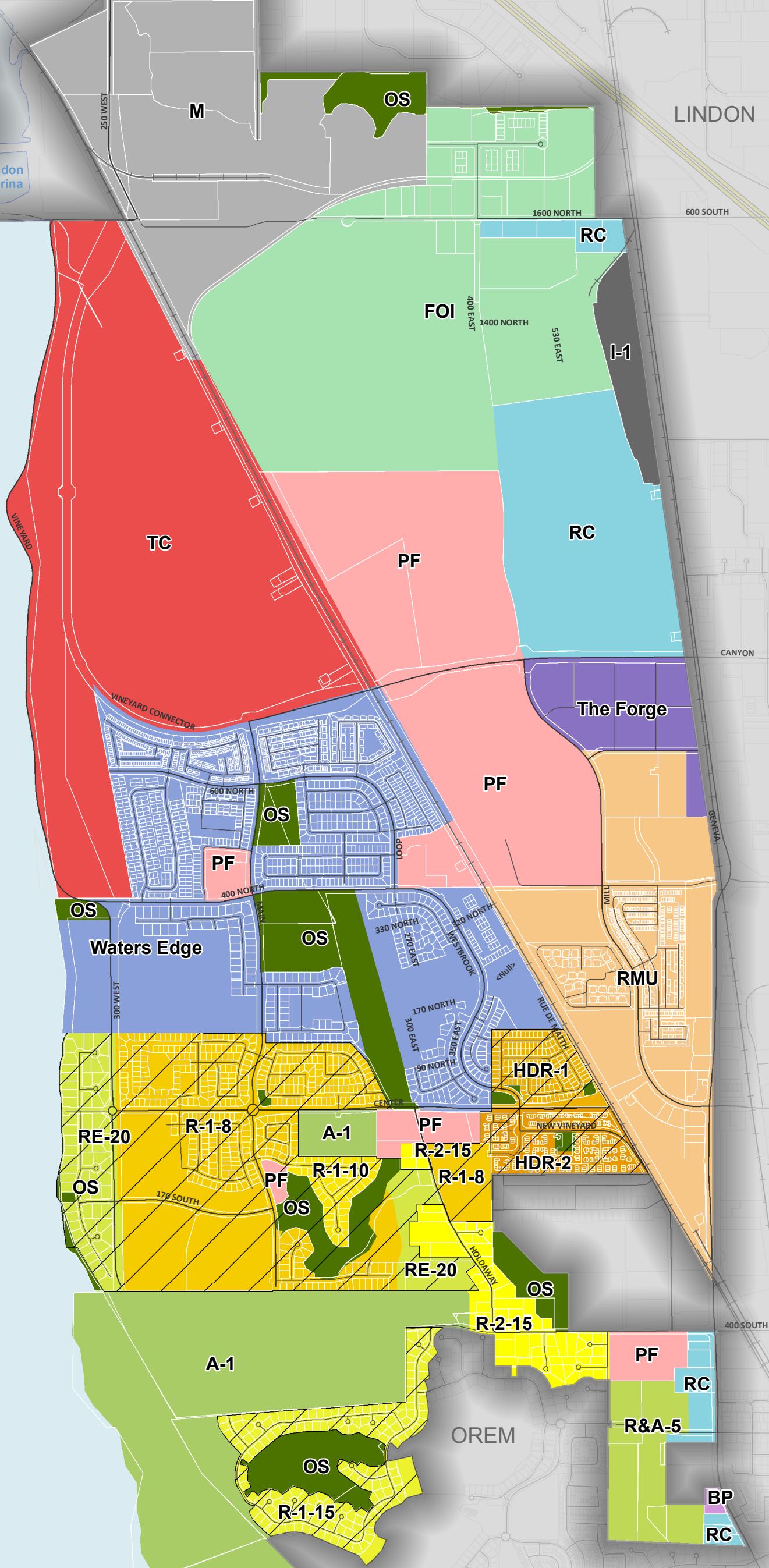


Exhibit B: Chapter 6 Establishment of Districts and Zoning Tables

CHAPTER 6 Establishment of ~~Zoning~~ Districts and Zoning

Tables

Section 601—Zoning by Districts:

In accordance with the provisions of LUDMA that allows the cCouncil to divide the area of the cityTown into zZoning dDistricts, as shown on the Vineyard ~~Town~~-Zoning ~~Districts~~-Map, the various zZoning dDistricts regulate and restrict the erection, construction, reconstruction, alteration, repair and use of buildings, ~~and~~ structures and ~~the use of~~ land. All uses, activities, buildings and structures, and all required aApprovals, pPermits, and lLicenses shall comply with the provisions, standards, and requirements of the applicable zZoning dDistrict. As provided by LUDMA, neither the size of a zZoning dDistrict nor the number of landowners within the zZoning dDistrict may be used as evidence of the illegality of a zZoning dDistrict or the invalidity of any decision of a land use aAuthority.

~~To achieve the purposes of this Ordinance, the following Zoning Districts are provided:~~

Section 602— Establishment of Districts

In order to carry out the provisions of this ordinance the Table of Zoning Districts divides the city of Vineyard into the following zoning districts:

Table of Zoning Districts

<u>Standard Districts</u>	<u>OS</u>	<u>Open Space</u>
	<u>A-1</u>	<u>Agriculture - 1 District</u>
	<u>RA-5</u>	<u>Residential Agriculture District</u>
	<u>RE-20</u>	<u>Residential Estates - 20 District</u>
	<u>R-1-15</u>	<u>Single-Family - 15 District</u>
	<u>R-2-15</u>	<u>Residential R-2-15 District</u>
	<u>R-1-10</u>	<u>Single-Family - 10 District</u>
	<u>R-1-8</u>	<u>Single-Family - 8 District</u>
	<u>HDR-1</u>	<u>High Density Residential - HDR-1 District</u>
	<u>HDR-2</u>	<u>High Density Residential - HDR-2 District</u>
	<u>BP</u>	<u>Business Park District</u>
	<u>FOI</u>	<u>Flex Office Industry District</u>
	<u>M</u>	<u>Manufacturing District</u>
	<u>I-1</u>	<u>Industrial Zone - 1 District</u>
	<u>PF</u>	<u>Public Facility</u>
<u>RC</u>	<u>Regional Commercial District</u>	
<u>Special Purpose Districts</u>	<u>RMU</u>	<u>Regional Mixed-Use</u>
	<u>TC</u>	<u>Town Center</u>
	<u>FMU</u>	<u>Forge Mixed-Use</u>
	<u>WE</u>	<u>Water's Edge</u>
	<u>PD</u>	<u>Planned Development Overlay District</u>

~~1. —Agricultural District~~

- 1 1.1. Agriculture (A-1)
- 2
- 3 2. ~~Residential Agriculture District~~
- 4 2.1. ~~Residential Agriculture (R&A-5)~~
- 5
- 6 3. ~~Residential Estates Districts~~
- 7 3.1. ~~Residential Estates (RE-40)~~
- 8 3.2. ~~Residential Estates (RE-30)~~
- 9 3.3. ~~Residential Estates (RE-20)~~
- 10
- 11 4. ~~Single-Family Residential Districts~~
- 12 4.1. ~~Single-Family (R-1-15)~~
- 13 4.2. ~~Single-Family (R-1-10)~~
- 14 4.3. ~~Single-Family (R-1-8)~~
- 15
- 16 5. ~~Multiple Residential Districts~~
- 17 5.1. ~~Residential (R-2-15,000)~~
- 18 5.2. ~~High-Density Residential District (HDR-1)~~
- 19 5.3. ~~High-Density Residential District (HDR-2)~~
- 20
- 21 6. ~~Business Park and~~
- 22 6.1. ~~Business Park (BP)~~
- 23
- 24 7. ~~Commercial Districts~~
- 25 7.1. ~~Community Commercial (CC)~~
- 26 7.2. ~~Regional Commercial (RC)~~
- 27
- 28 8. ~~Manufacturing Districts~~
- 29 8.1. ~~Light Manufacturing (LM)~~
- 30 8.2. ~~Manufacturing (M)~~
- 31
- 32 9. ~~Special Purpose Districts~~
- 33 9.1. ~~Planned-Development Overlay District (PD)~~
- 34 9.2. ~~Regional Mixed Use (RMU)~~
- 35 9.3. ~~Town-Center (TC)~~
- 36 9.4. ~~Lake-Oriented Mixed Use (LMU)~~
- 37 9.5. ~~WatersEdge~~
- 38 9.6. ~~The Forge Mixed Use (MU)~~
- 39

Section 6032—Zoning Districts Purpose:

The ~~z~~Zoning ~~d~~Districts of the ~~city~~Town are provided to achieve the purposes of the ~~g~~General ~~p~~Plan, ~~the~~ purposes of all ~~adopted~~ Land ~~u~~Use ~~o~~Ordinances, ~~including this Ordinance,~~ and the purposes of LUDMA.

- 1. Agricultural District (A-1). The ~~Agriculture District (A-1) District~~ is provided to allow locations within the ~~city~~Town devoted primarily to the raising of livestock, ~~and/or the growing of~~ crops, and to preserve and protect the continued use of the property for agricultural purposes by excluding ~~the location of residential and other~~ incompatible development. ~~to preserve areas for agricultural use.~~ Additionally, this ~~d~~District is provided to allow very low-density residential uses compatible with ~~and~~

1 recognizing the environmental values and qualities of the property. The ~~Agriculture (A-1)~~ District
2 recognizes and allows existing agricultural and farming activities to continue, consistent with the
3 provisions and requirements of the ~~Agriculture (A-1)~~ District.
4

5 ~~2. Residential Agriculture Districts (RA-5). The Residential Agriculture (R&A-5) District is provided to~~
6 ~~allow low-density residential uses with the opportunity for the keeping of domestic livestock and~~
7 ~~the operation and maintenance of small farms and hobby farms. The primary land uses allowed are~~
8 ~~small farms, single-family dwellings, and associated and compatible accessory uses. The R&A-5~~
9 ~~District is to provide a location within the Town for a residential and agricultural environment where~~
10 ~~the residents may engage in agricultural pursuits, including the keeping of livestock.~~

11 2.
12 3. Residential Estates Districts (RE-20). The ~~Residential Estates Districts (RE-40, RE-30, and RE-20)~~
13 District are provided for low-density residential estates neighborhoods with a quality of openness.
14 ~~These Districts are~~ intended to promote, preserve, and protect single-family residential
15 development. The principal land use allowed is single-family dwellings and accessory uses in
16 recognition and sensitivity to the physical environment of the District.
17

18 4. Single-Family Residential (R-1-15, R-1-10 and R-1-8) Districts. The ~~Single-Family Residential Districts~~
19 ~~(R-1-15, R-1-10 and R-1-8) Districts~~ are provided to maintain and allow opportunities for average
20 sized lot medium-density single-family residential areas for single-family residential dwellings.
21

22 5. Multiple Residential ~~Districts (R-2-15, HDR-1 and HDR-2)~~. The ~~Multiple Residential Districts (R-2-~~
23 ~~15,000, and HDR-1 and HDR-2) Districts~~ are provided to allow medium and high-density multiple
24 family residential areas. These ~~Districts~~ allow the development of single-family, duplex units,
25 townhouses, condominiums and apartments to provide a full range of housing choices for cityTown
26 residents and ~~provided with~~ amenities and conveniences in a pleasing and attractive residential
27 environment with adequate light, air, open space, and landscaped areas.
28

29 6. Business Park (BP) District. The purpose of the ~~Business Park (BP)~~ District is to provide an attractive
30 and nuisance free environment for the establishment of professional offices, light assembly and
31 warehouse development in a campus-like and convenient setting.
32

33 7. ~~Community Commercial and~~ Regional Commercial (RC) District. The ~~Community Commercial (CC)~~
34 ~~District and the purpose of the Regional Commercial (RC)~~ District is to provide areas for the location
35 of various types of commercial uses and activities needed to serve the residents of the cityTown,
36 and surrounding areas.
37

38 8. Flex Office & Industry (FOI) ~~Light Manufacturing and Manufacturing Districts~~. The purpose of the
39 Light
40 Manufacturing (LM) District FOI District is to provide an area in the city to foster economic
41 development, establish employment centers and provide flexible development standards to
42 accommodate business expansion. Land uses in the FOI District will be concentrated in information
43 technology, pharmaceuticals, light manufacturing, biotechnology, light industrial and business
44 development and will primarily be contained within quality structures and limit external impacts to
45 surrounding properties.
46

47 9. Manufacturing and Industrial (M and I-1): The purpose of the ~~Manufacturing (M) and I-1~~ Districts is
48 to recognize and provide for ~~the~~ established manufacturing and industrial uses existing in the

1 ~~cityTown~~ and also provide an environment for larger and more intensive industrial uses that do not
2 require, and may not be appropriate, for a nuisance free environment.

3
4 10. Open Space (OS): The purpose of the OS District is to establish areas for enhanced natural
5 environments and outdoor recreation. This district is intended to preserve, maintain and protect
6 open space resources; protect access to Utah Lake and to encourage development of a
7 comprehensive network of permanent, multifunctional publicly and privately owned open spaces in
8 the city.

9
10 11. Public Facilities (PF): The purpose of the PF District is to provide areas for public facilities and to
11 recognize the public and institutional nature of particular parcels of land within the city. This district
12 is intended to ensure that the public, quasi-public, and institutional uses of property is related to the
13 policies of the general plan.

14
15 ~~9.12. Special Purpose Zoning Districts. The Special Purpose Zoning Districts of Planned Development~~
16 ~~Overlay (PD) is are provided as an overlay Zoning District to meet specific needs and goals of the~~
17 ~~cityTown~~ as follows:

18
19 ~~9.1.12.1. Planned Development Overlay (PD). The PD lanned Development District is provided as~~
20 ~~an overlay -zZoning dDistrict to allow residential development opportunities with a greater~~
21 ~~degree of flexibility than may be allowed by the underlying zZoning dDistrict(s). The PD District~~
22 ~~requires creativity and uniqueness in the proposed development with recognition of the~~
23 ~~environmental and community values existing on the development site. The PD District also~~
24 ~~promotes the efficient use of all land resources and requires the provision of development and~~
25 ~~community amenities, with the preservation of the natural and scenic qualities of the~~
26 ~~development site.~~

27
28 ~~9.2.12.2. Regional Mixed Use (RMU). The purpose of the Regional Mixed Use District (RMU)~~
29 ~~District is to promote the goals of the general plan in areas of the cityTown that are designated~~
30 ~~by the general plan for a combination of land uses in a mixed-use development pattern either~~
31 ~~horizontal or vertical design. This zoning designation recognizes that adherence to a traditional~~
32 ~~pattern of development standards would preclude the application of a more flexible approach.~~
33 ~~Commercial, employment, and residential uses are encouraged to be provided with intensities~~
34 ~~and densities that promote a mix of day and nighttime activities. Developments within this~~
35 ~~district shall be compatible with surrounding existing and planned land uses.~~

36
37 ~~9.3.12.3. Town Center (TC). The purpose of the Town Center TC zoning d District (TC) is to~~
38 ~~facilitate the creation of an urban-style community center with places to visit, live, work,~~
39 ~~recreate, and shop. It promotes a mix of uses, including: residential, professional office, retail~~
40 ~~commercial, and community amenities. It also anticipates a future multi-modal transit hub with~~
41 ~~commuter rail, light rail, and bus service.~~

42
43 ~~9.4. Lake Oriented Mixed Use (LMU). The purpose of the lake oriented mixed use district (LMU) is to~~
44 ~~provide for a mix of residential, office, commercial, parks, trails, and open space uses oriented~~
45 ~~to the shoreline of Utah Lake to preserve lake views, and to provide access to shoreline~~
46 ~~recreational features. The LMU district is intended to provide a transition in uses between the~~
47 ~~recreational and open space uses of the lake shore protection zone to the urban mixed uses of~~
48 ~~the TC district to the east. Development in the LMU district will be designed in a manner that:~~

- 1 • ~~Protects constrained and sensitive lands adjacent to Utah Lake;~~
- 2 • ~~Conserves open space land near to and adjacent to Utah Lake, including those areas~~
- 3 ~~containing unique or natural features by setting them aside from development;~~
- 4 • ~~Provides greater design flexibility and efficiency in the siting of services and infrastructure,~~
- 5 ~~including the opportunity to reduce length of roads, utility runs, and the amount of paving~~
- 6 ~~required for development;~~
- 7 • ~~Provides incentives for the creation of greenway systems and open space within the Town~~
- 8 ~~for the benefit of present and future residents;~~
- 9 • ~~Provides incentives and design alternatives for landowners to minimize impacts on views~~
- 10 ~~and access to Utah Lake;~~
- 11 • ~~Conserves scenic views and elements of the Town's rural and scenic character and~~
- 12 ~~minimizes perceived density by minimizing views of new development from existing or~~
- 13 ~~planned roads.~~

14
15 9-5-12.4. Water's Edge (WE). The ~~WatersEdge~~WE District is a master planned community that
16 includes a range of residential homes, from large homes on large lots to multi-
17 family/condominium housing and is located within a network of open spaces including parks,
18 trails, and native open areas. The ~~WE~~WatersEdge District has been designed to promote an
19 active family lifestyle where residents are encouraged to walk between neighborhoods and
20 several community gathering places including the Utah Lake shoreline. ~~WatersEdge residents~~
21 ~~will enjoy living in a community that is unique among Utah County neighborhoods.~~

22
23 9-6-12.5. The Forge Mixed Use (FMU). The ~~Forge Mixed Use ("FMU")~~ District is intended to
24 encourage a mixture of commercial, office and residential uses within an urban neighborhood
25 atmosphere. Development in the ~~Forge~~FMU District is intended to provide a pedestrian
26 oriented, safe, and attractive streetscape, and a controlled and compatible setting for
27 residential and commercial development. The standards are intended to achieve established
28 objectives for urban and traditional design, pedestrian amenities, and land use regulation.

29
30 **Section 6043— Vineyard Zoning Districts Map(s):** ~~As provided by the provisions of LUDMA that allows~~
31 ~~the Council to divide the area of the Town into Zoning Districts, the Vineyard Town Zoning Districts Map,~~
32 ~~attached hereto, is incorporated herein by reference and identifies the number, shape, location, and~~
33 ~~area of each Zoning District provided by the Town.~~

34 1. The boundaries of these zoning districts are established as shown in the official Vineyard Zoning
35 Map adopted by the Vineyard City Council, as amended, which map is made a part of this ordinance.

36
37 2. Unless otherwise designated on the zoning map, district boundary lines are lot lines; the centerlines
38 of streets, alleys, railroad rights of way, municipal corporate lines; or other lines drawn to scale on
39 the zoning map.

40
41 3. Where a lot is divided at the effective date hereof, or by subsequent amendments, by a zoning
42 district boundary line, the less restrictive zoning requirements may be extended not more than
43 twenty-five feet (25') into the more restrictive zoning district adjacent to the zoning district
44 boundary line.

45
46 4. Interpretation of the exact location of a zone district boundary shall be resolved by the commission,
47 by reference to the zoning map of the city.

48

1 **Section 605 – District Use Table**

- 2
- 3 1. District Use Table: The district use table lists all use types and zoning districts where the use
- 4 type is permitted (P), allowed through the provision of a conditional use permit (C), permitted as
- 5 an accessory use (A) to a principle use or permitted for temporary timeframe (T).
- 6 2. Prohibited Uses: All uses marked with an “x” in the district use table or not specifically listed are
- 7 prohibited, except where state or federal law otherwise preempts local land use regulation.
- 8 3. Additional Requirements: In addition to requirements listed at the bottom of the district use
- 9 table, additional requirements for specific uses are listed in Chapter 7 Special Purpose Districts,
- 10 Chapter 16 General Property Development Standards and Chapter 17 Supplementary
- 11 Development Standards of the zoning ordinance.
- 12 4. Accessory Use: An accessory use, unless otherwise permitted in the zoning ordinance, shall not
- 13 commence and no accessory structure shall be constructed without a principal use first being
- 14 lawfully established on the subject site.

15

16 <<Insert District Use Table>>

17

18

19 **Section 606 – Dimensional Standards Table**

- 20
- 21 1. Unless otherwise specified, development in the city shall comply with the standards set forth in
- 22 the Dimensional Standards Table. Special purpose districts standards are located in Chapter 7 of
- 23 this ordinance.
- 24 2. Dimensional standards regulating accessory buildings of Section 1703 shall apply.
- 25 3. All other applicable development standards are located within various chapters of the zoning
- 26 ordinance.

27

28 <<Insert Dimensional Standards Table>>

29

30

P = Permitted Use; C = Conditional Use; T = Temporary Use; N = Non-Permitted Use; X^X = Indicates Additional Standards Below

ZONING DISTRICT USES		OS	A-1	R&A-5	RE-20	R-1-15	R-1-10	R-1-8	R-2-15	HDR-1	HDR-2	RMU	FMU	BP	RC	FOI	M	PF
RESIDENTIAL	Dwelling, Multiple-Family	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N	N	N
	Dwelling, Single-Family	N	P	P	P	P	P	P	P	P	N	P	N	N	N	N	N	N
	Dwelling, Two-Family	N	N	N	N	N	N	N	P	P	N	P	P	N	N	N	N	N
	Model Home	N	P	P	P	P	P	P	P	P	P	P	P	N	N	N	N	N
	Residence for Persons with a Disability	N	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	N	N	N	N	N	N	N
	Residence for Persons with a Disability that are Substance Abuse Facilities located within 500 feet of a school.	N	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	C ⁵	N	N	N	N	N	N	N
	Residential Facility for Elderly Persons	N	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	P ²	N	N	N	N	N	N	N
COMMERCIAL	Agriculture, Commercial	P	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Animal Hospital	N	N	N	N	N	N	N	N	N	N	P	N	N	P	P	P	N
	Financial Institution	N	N	N	N	N	N	N	N	N	N	P	P	C	P	P	N	N
	Billboard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Car Wash	N	N	N	N	N	N	N	N	N	N	C	N	N	C ³	C	P	N
	Chemical Manufacture, Storage, and Distribution (Existing)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Commercial Day Care/Preschool Center	N	N	N	N	N	N	N	N	N	N	C	C	C	C	C ³	N	N
	Commercial Plant Nursery	N	C	C	N	N	N	N	N	N	N	C	N	N	P	P	P	N
	Commercial Recreation, Indoor	N	N	N	N	N	N	N	N	N	N	C	C	C	P	N	N	N
	Commercial Recreation, Outdoor	N	C	C	N	N	N	N	N	N	N	C	N	C	C	N	N	N
	Composting Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
	Construction Sales and Service	N	N	N	N	N	N	N	N	N	N	P	N	N	C	C	P	N
	Contractor's Office/Storage Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P
	Distribution Center	N	N	N	N	N	N	N	N	N	N	C	N	C	N	N	N	P
	Drive-thru Facility	N	N	N	N	N	N	N	N	N	N	C	C	N	C	N	P	N
	Dry Cleaning	N	N	N	N	N	N	N	N	N	N	P	P	N	P	P	N	N
	Flammable Liquids or Gases Manufacture, Storage and Distribution	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	C
	Funeral Home/Mortuary	N	N	N	N	N	N	N	N	N	N	C	N	C	N	N	N	N
	Golf Course	C	C	C	N	C	N	N	N	N	N	N	N	N	N	N	N	N
	Health and Fitness Facility	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N
	Hotel	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	N	N
	Hybrid Production Facility	N	N	N	N	N	N	N	N	N	N	C	C	N	C	P	N	N
	Kennel, Commercial	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P ²	P ²
Kennel, Outdoor Commercial	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C ²	C ²	N	
Laundry, Commercial	N	N	N	N	N	N	N	N	N	N	C	C	N	N	P	P	N	
Laundry, Self Serve	N	N	N	N	N	N	N	N	N	N	P	P	P	N	P	P	N	
Manufacturing, Heavy	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	
Manufacturing, Light	N	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	N	
Medical and Dental Clinic	N	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N	N	
Medical or Dental Laboratory	N	N	N	N	N	N	N	N	N	N	P	P	P	N	P	P	N	

COMMERCIAL

Motel	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	N	N
Motor Vehicle Fueling Station	N	N	N	N	N	N	N	N	N	N	C	N	N	C	C	N	N
Nightclub	N	N	N	N	N	N	N	N	N	N	C	C	N	C	N	N	N
Nursing Care Facility	N	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N
Nursing Home, Convalescent Care	N	C	C	C	C	C	C	C	C	C	N	N	N	N	N	N	N
Office	N	N	N	N	N	N	N	N	N	N	P	P	P	P ⁴	P ⁴	N	N
Pawnshop	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N
Personal Care Services	N	N	N	N	N	N	N	N	N	N	P	P	N	P	N	N	N
Personal Instruction Service	N	N	N	N	N	N	N	N	N	N	P	P	C	P	C	N	N
Private Club	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	N	N
Restaurant	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N
Retail Sales and Services	N	N	N	N	N	N	N	N	N	N	P	P	P ³	P	P ³	N	N
Retail Sales and Services (Community Commercial)	N	N	N	N	N	N	N	N	N	N	P	P	N	N	N	N	N
Retail Sales and Services (Regional)	N	N	N	N	N	N	N	N	N	N	P	P	N	P	N	N	N
Salvage Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
Sexually Oriented Business	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
Storage - Self Service Mixed-Use Facility	N	N	N	N	N	N	N	N	N	N	C ²	N	C ²	C ²	C ²	N	N
Storage - Self Service	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N
Storage of Recreational Vehicles	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N
Trailer/RV Camping Facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Vehicle and Equipment Rental	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N
Vehicle and Equipment Repair (Major)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	P	N
Vehicle and Equipment Repair (Minor)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	P	N
Vehicle and Equipment Sale and Rental New or Used (Heavy)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N
Vehicle and Equipment Sale or Rental or Sale - New or Used (Light)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P	N	N
Warehouse	N	N	N	N	N	N	N	N	N	N	N	N	C	N	P	P	N
Warehouse Club	N	N	N	N	N	N	N	N	N	N	C	N	N	C	N	N	N
Wholesale Distribution	N	N	N	N	N	N	N	N	N	N	C	N	C	N	P	P	N

C AND INSTITUTIONAL

Assembly, Place of	N	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C	C	C	N	N	N	N
Commuter and Light Rail Facilities and Station	N	N	N	N	N	N	N	N	N	N	P	P	C	C	C	C	C
Earth Station (Satellite Dish Farm)	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	P	N
Educational Facility	N	C	C	C	C	C	C	C	C	C	P	P	P	C	N	N	N
Emergency Care Facility	N	N	N	N	N	N	N	N	N	N	P	P	C	N	N	N	N
Environmental Remediation Activities	N	N	N	N	N	N	N	N	N	N	P	P	C	C	C	C	C
Farmers' Market	N	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C
Heliport	N	N	N	N	N	N	N	N	N	N	C	N	N	C	N	C	N
Hospital	N	N	N	N	N	N	N	N	N	N	C	C	N	N	N	N	N
Liquor Store (State Owned)	N	N	N	N	N	N	N	N	N	N	C	C	N	C	N	N	N
Major Facility of a Public Utility	C	C	C	C	C	C	C	C	C	C	C	N	N	C	C	C	C
Minor Facility of a Public Utility	P	P	P	P	P	P	P	P	P	P	C	C	P	C	P	P	P
Museum	N	N	N	N	N	N	N	N	N	N	P	P	C	C	N	N	N

PUBLI	Open Space and Trails	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Parks and Associated Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Park and Ride Facility	N	N	N	N	N	N	N	N	N	N	P	N	C	N	P	P	N
	Power Plant	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
	Public Use	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P
	Recycling Collection Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P	N
	Recycling Processing Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
	Transit Passenger Hub (Intermodal)	N	N	N	N	N	N	N	N	N	N	P	P	N	C	C	C	C
	Wireless Telecommunications Site/Facility	N	C ²	C ²	N	N	N	N	N	N	N	C ²	C ²	C ²	N	C ²	C ²	C ²

ACCESSORY USES	Accessory Building	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	N	N	N	N	N	
	Accessory Dwelling Unit	N	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	N	N	N	N	N	
	Accessory Dwelling Unit for Owner or Employee	N	P	P	N	N	N	N	N	N	N	N	N	N	N	C	C	N	
	Accessory Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Billboard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Domestic Livestock and Fowl	N	p ²	p ²	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Home Day Care	N	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N
	Home Occupation	N	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	N	N	N	N	N	N
	Home Preschool	N	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N
	Household Pets, Noncommercial	N	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	N	N	N	N	N	N
	Open/Outdoor Display of Products or Merchandise	N	N	N	N	N	N	N	N	N	N	C	N	N	C	C	P	N	N
	Seasonal Use	T ⁵	N	N	N	N	N	N	N	N	N	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	N	N	N
	Sign - Temporary	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶
	Swimming Pool	P	C ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	N	N	N	N
	Temporary Use	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵
	Tennis Court/Sports Court	C	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	N	C

- 1 Religious institutions are allowed through the provision of a conditional use permit. No other assembly uses as defined in chapter 30 of this ordinance are permitted.
- 2 See Chapter 17 for additional use development standards.
- 3 Use is allowed as an accessory use to a principle use.
- 4 Use shall not exceed 25% of the net square footage of a single building or development.
- 5 See Chapter 13 for additional use standards.
- 6 See Chapter 24 for signage requirements.

Standards	OS	A-1	R&A-5	RE-20	R-1-15	R-1-10	R-1-8	R-2-15	HDR-1	HDR-2	RMU	BP	RC	FOI	M	PF
Minimum Lot Size	NA	40 Acres	5 Acres	40,000 sf	15,000 sf	10,000 sf	8,000 sf	15,000 sf per SFD or 25,000 sf per Two-Family Dwelling	10,000 sf plus 5,000 sf per multi-family unit.	8,000 sf plus 4,500 sf per multi-family unit.	10 acres ¹ .	40,000 sf	NA	20,000 sf	20,000 sf	NA
Maximum Base Density allowed by a PD Overlay District in Units Per Acre	NA	1 unit per 20 acres	1 unit per 5 acres	1.75 units per acre	2.32 units per acre	3.5 units per acre	4.35 units per acre	2.33 SFD units per acre. 2.8 two-family dwelling units per acre.	2-12 units per acre with an average of 8 units per acre.	9.7 units per acre.	26 units per acre ¹ .	NA	NA	NA	NA	NA
Minimum Lot Width	NA	Lot width to lot length ration not less than 1:3		100'	90'	80'	80'	100' for SFD and 120' for Two-Family Dwellings.	60' unless otherwise approved by the City Council.	120'	See standard # 1 below.	140'	NA	100'	100'	NA
Minimum Distance Between Condominium & Multi-Family Units Primary Buildings located on the same Lot or Parcel.	NA	NA	NA	NA	NA	NA	NA	NA	30'	30'	See standard # 1 below.	NA	NA	NA	NA	NA
Minimum Building Height	No primary building within any district shall be erected to a height less than one (1) story entirely above grade.															
Maximum Building Height ²	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	52' and 4 stories.	6 stories or 90', whichever is higher.	NA	4 stories or 60', whichever is higher.	4 stories or 60', whichever is higher.	NA
Minimum Front Yard	NA	30'	30'	30'	30'	30'	20'	20'	20'	20'	See standard # 1 below.	30'	20'	25'	25'	NA
Minimum Side Yard - Interior Lots	NA	30'	30'	30'	30'	30'	20'	A total of at least 20' between the two side yards, with no side yard of less than 8'.	20', unless otherwise approved by the City Council.	20'		25'	20'	20'	20'	NA
Minimum Side Yard for Corner Lots	NA	30'	30'	30'	30'	30'	20'	20'	20'	20'		25'	25'	25'	25'	NA
Minimum Rear Yard	NA	30'	30'	30'	30'	30'	20'	20'	20'	20'		25'	25'	25'	25'	NA

Maximum encroachment of Architectural Features Encroaching into required setbacks	NA	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	NA
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Additional Standards:

1. See Chapter 7 for additional RMU Districts standards.
2. Building height is measured from the top of the back of curb to the highest point of the building or structure. See also definition of "Building Height."

Exhibit C: Chapter 16 General Property Development Standards

CHAPTER 16

General Property Development Standards

Section 1601—Purpose:

The purpose of general development standards is to further the purposes of the General Plan, this Ordinance and all other Land Use Ordinances. Compliance with all general development standards, as well as all other requirements of this Ordinance, and all other Federal, State, and Local requirements, as applicable, is required for any Land Use Application approval required by this Ordinance, or any other Approval, Permit, or License required by all other Land Use Ordinances.

Section 1602—Applications Required:

All requests to establish a use, or construction, alteration, enlargement, repair, or removal of any building, structure, or part thereof, shall be initiated by the submission of a Land Use Application, as required by all Land Use Ordinances and/or Building Permit Application, as required by the adopted Building Code, as applicable.

Section 1603—Land Use Application Approval and Building Permit Required Prior to Any Construction:

The construction, alteration, enlargement, repair, or removal of any building, structure, or part thereof shall not be commenced until after the receipt of a Land Use Application approval, or Building Permit Approval, as applicable.

Section 1604—Allowed Uses:

All uses allowed within the ~~Town~~city are identified in the [District Use Table](#)~~Tables of Uses~~, as contained in Chapter ~~632~~, herein.

Section 1605—Prohibited Uses:

Any use not specifically provided in the [District Use Table](#)~~Tables of Uses~~, either as a Temporary (T) Use, Permitted (~~P-1 or P-2~~) Use, or Conditional (C) Use, is hereby declared a prohibited use in [the City of](#) -Vineyard~~Town~~.

Section 1606 —Uses on Land Purchased, Leased, or other Arrangement from Federal or State Government:

Land purchased, leased, or otherwise acquired or obtained from a Federal or State agency shall comply with all requirements of this Ordinance, and the [city](#)~~Town~~'s other Land Use Ordinances.

Section 1607—All Uses, Buildings, and Structures to Comply with Zoning District Requirements:

Every building or structure erected, reconstructed, altered, enlarged or moved, and every building, structure, or land, rearranged, designed or intended for any use shall be built or used only as allowed by the requirements of this Ordinance, including the requirements of the Zoning District in which the building, structure, or use is located, and all other Land Use Ordinances.

Section 1608—Subdivision and Sale of Property:

No person shall subdivide any land parcel, located wholly or in part within the [cityTown](#), for any purpose unless ~~and until~~ an approval for such subdivision has been received from the applicable Land Use Authority, as identified by the [cityTown](#)'s Subdivision Ordinance.

Section 1609—Allowed Minimum Use of Legal Lots:

Nothing in this Ordinance shall be construed to prevent the establishment of one (1) single family dwelling on any legal lot or parcel of land, as determined by the Planner, provided that such lot or parcel is located in a Zoning District that permits single family dwellings, and all proposed construction can qualify for a Building Permit, as required herein.

Section 1610—General Building Requirements:

1. **Minimum Width of Dwelling Units.** All dwelling units shall be a minimum of twenty-four (24) feet wide at the narrowest point, excluding any accessory structure. The building width shall be considered the lesser of the two (2) primary dimensions of the building.
2. **Permanent Foundation Required.** All buildings shall be located on and permanently attached to a site-built permanent foundation that meets the Building Code, as adopted.
3. **Minimum Off-Street Parking Requirements.** A minimum of two (2) off-street parking spaces shall be provided with each dwelling unit.

Section 1611—Minimum Height of All Primary Buildings:

No building shall be erected to a height less than one (1) story entirely above grade.

Section 1612—Exceptions to Maximum Height Limitations:

The requirement for maximum building height shall not apply to:

1. Flagpoles.
2. Steeples.

Section 1613—CityTown Policy on Basements:

Because of random subsurface water flows associated with soil and weather conditions, the construction of basements is discouraged within the cityTown. All property owners proposing to include a basement in any building construction are advised to investigate the level of ground water to determine the advisability of a basement. The cityVineyard-Town accepts no responsibility for any property damage cause by the flooding of any basement.

Section 1614—Time Limits for Use and Building Permit Approvals:

All Use approvals, and all Building Permit approvals, shall be valid for a maximum period of one hundred eighty (180) days, from the date of approval. If work has not commenced, or a use or building established within one hundred eighty (180) days from date of approval, the Approval, Permit or License shall be void and a new Application, Approval, Permit or License required.

Section 1615—Buildable Area:

Every lot or parcel created after the effective date of this Ordinance shall have a buildable area sufficient to establish a building or structure thereon, which meets the minimum standards of the Zoning District in which the lot or parcel is located. Buildable areas shall be required to be identified for each lot on all subdivision plats and plans for the purposes of ensuring that a buildable lot or parcel is provided, and to inform future owners of the approved buildable area. Any area located within an easement may not be included within any buildable area unless the easement beneficiary executes and records a release of the easement in a form acceptable to the CityTown Attorney.

Section 1616—Lot Standards – Noncomplying Lots Prohibited:

Every lot existing, or created, shall comply with the minimum lot size, frontage, and all other requirements of this Ordinance, and the Towncity’s other Land Use Ordinances, or prior enactments, for the Zoning District in which such lot is located. No lot shall be created that does not conform to the Zoning District requirements in which it is located.

Section 1617—Every Building or Structure to be on a Lot:

All buildings and structures, as defined herein, shall be located and maintained on a separate legal lot, such lot meeting all requirements of the Land Use Ordinances, including the requirements of the Zoning District in which the lot is located.

Section 1618—Lot Frontage Required:

Every lot shall have frontage upon a dedicated or publicly approved road or street, or right-of-way providing direct access to a dedicated or publicly approved road or street. The required lot frontage shall be not less than the minimum lot width requirement as measured at the minimum front, as required by the Zoning District in which the lot is located, except as follows:

1. For lots which front upon a curve or cul-de-sac, the distance may be reduced to not less than fifty (50) feet provided that the side lot lines radiate in such a manner that the width of the lot at the minimum setback line is not less than the minimum requirement of the Zoning District, or
2. The lot has been approved as a flag lot.

Section 1619—Lots in Two (2) or More Zoning Districts:

Where a lot of record at the time of passage of this Ordinance, or any amendment thereto, falls into two (2) or more Zoning Districts, the requirements of the more restrictive Zoning District shall apply.

Section 1620—Required Yard Areas for One Building Only:

1. No required yard or setback area for a lot or building shall be considered as providing the required yard or setback for any other lot or building.
2. No area required to meet the lot width, area, setback, or other requirements of this Ordinance for any lot or building may be divided, sold, or leased separate from such lot or building.

Section 1621—Front Yard Parking Prohibited:

In all Zoning Districts, no vehicle parking shall be permitted in any required front yard setback areas, except on driveways located in residential zones that directly access a garage or carport.

Section 1622—Required Yards to be Unobstructed—Exceptions:

1. All required setback areas shall ~~to~~ be open to the sky and unobstructed except for permitted and approved accessory buildings and structures and for projections of sills unenclosed steps, unwallled stoops, bay-windows, unenclosed porches; and similar building features, provided that such features do not encroach more that three (3) feet into the required setback area.
2. Walls and fences, complying with the requirements of this Ordinance and required approval by a Land Use Authority, as provided herein.

Section 1623—Requirements for Fences and Walls:

1. Height.

1.1. Unless required by a Land Use Authority no fence, wall, or similar structure shall be erected on any required rear or side yard to a height in excess of six (6) feet, measured from natural or finished grade, whichever is lower, except fences located on the front

property line or on the side property line within the front yard shall not be higher than forty two (42) inches.

~~1.1.~~

1.2. Fence and wall heights located on rear and side property lines, and immediately adjoining any road or street right-of-way shall not exceed a maximum height of six (6) feet, except required clear view areas.

~~1.2.1.3.~~ Any fence and wall higher than six (6) feet, measured from natural or finished grade, whichever is lower, shall require a Building Permit.

~~1.3.1.4.~~ Solid, sight-obscuring fences and walls, separating commercial and industrial Zoning Districts from all other zones, may be required as a buffering and screening treatment with a minimum height of six (6) feet, except for required clear view areas. Additional fence height may be required, including the provision of three (3) feet of open fence, such as wrought iron, to the top of any fence along rear property boundaries for safety and security purposes.

~~1.4-1.5~~ Fence height shall be measured from the highest point of the fence or wall to natural or finished grade, whichever is lower, and which has not been specifically altered to increase fence or wall height. ~~When a difference in grade exists on either side of a fence, the height of the fence shall be measured from:~~

~~1.4.1. The average elevation of the finished grade of the adjoining properties on each side of the fence line, which average elevation shall not exceed two (2) feet; or~~

~~1.4.2. The average natural elevation.~~

~~1.4.3. No ground shall be filled or bermed to exceed the maximum allowed height of fences or walls.~~

~~1.5. Fence and wall heights located on rear and side property lines, and immediately adjoining any road or street right-of-way shall not exceed a maximum height of six (6) feet, except required clear view areas.~~

2. **Compatible Design.** All walls and fences shall be compatible with the surrounding landscape and the architecture and building materials of buildings on and adjacent to the property.

3. **Quality of Construction.** All walls and fences shall be constructed in a workman-like manner according to industry standards.

4. **Maintenance of Fences and Walls.** All fences and walls shall be maintained in good repair. Areas adjacent to the wall or fence shall be maintained by the property owner.

4.5. Special Zoning Districts or Planned Developments. In addition to these standards, property located within a special zoning district shall comply with all applicable requirements of

[Chapter 7 of this code. Property located within a planned development shall comply with all standards listed in any associated development agreement.](#)

Section 1624—Adequate Public Facilities:

Land shall only be developed to the extent that adequate public infrastructure, facilities, and services are available, or will be available concurrent with the development activity, and sufficient to meet the needs of the proposed development. A Land Use Authority may require a “Public Facilities and Services” analysis to be provided to determine if adequate public facilities and services are available to serve the proposed development and if such development will change the existing levels of service, or will create a demand for services that exceeds existing service levels.

Public facilities and services that may be required by a Land Use Authority to be included in a Public Facilities and Services analysis include, but are not limited to, road and street facilities, intersections and bridges, culinary water facilities, sanitary sewer facilities, storm drainage facilities, fire protection and suppression facilities, park and recreational facilities, culinary water pressure, adequate fire flows, fire and emergency services and response times, police protection services and response times, and other required public facilities and services. A Land Use Authority may deny a Land Use Application if the demand for public facilities and services exceeds existing service levels, or require the Applicant for a Land Use Application to provide the required infrastructure, facilities, or services, concurrent with demand, consistent with all applicable legal authorities.

Section 1625—Culinary Water and Sanitary Sewer Requirements:

All dwellings and other structures used for human occupancy shall be served by an adequate culinary water and sewage disposal facility approved by the Utah County Health Department.

Section 1626—Utilities:

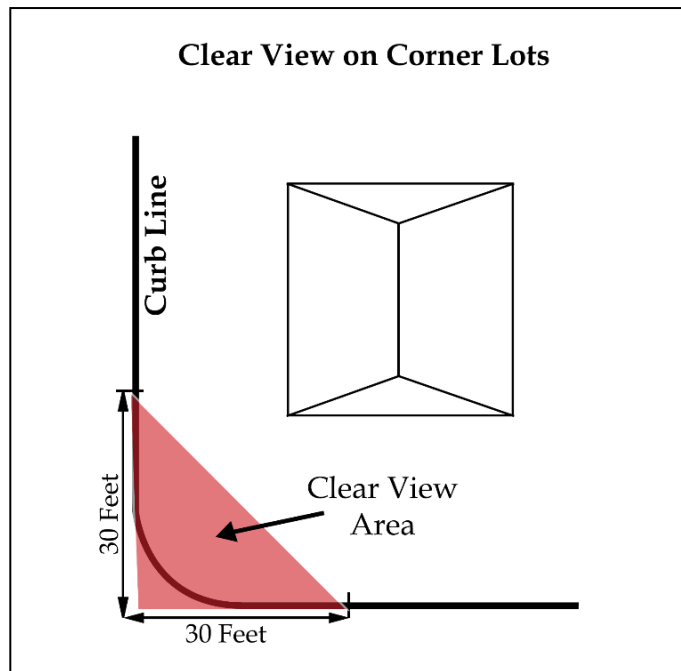
1. All primary buildings shall be connected to all necessary and required utilities.
2. All water, sewer, telephone, cable television, power, and other utilities shall be provided underground, with the following exceptions;
 - 2.1. Transformers, pedestals, fire hydrants, and other appurtenances normally associated with “underground” utility installations are permitted on the surface of the ground.
 - 2.2. The development of existing lots in areas of the ~~city~~Town now served with existing aboveground utilities, are exempt from this requirement.

Section 1627—Required Streets, Curb, Gutter, Sidewalks, and Trails:

1. The installation of necessary streets, street widening and improvement(s), curbs, gutters, sidewalks, and trails of a type as required by the Land Use Ordinances of the [cityTown](#) shall be required as a condition of any required Approval, Permit, or License.
2. The Council may provide that the installation of necessary streets, street widening and improvement, curbs, gutters, sidewalks, and trails be delayed until a date certain, or provided as part of any area-wide improvement plan(s). The timing of any improvement plan(s) shall be at the sole discretion of the Council.

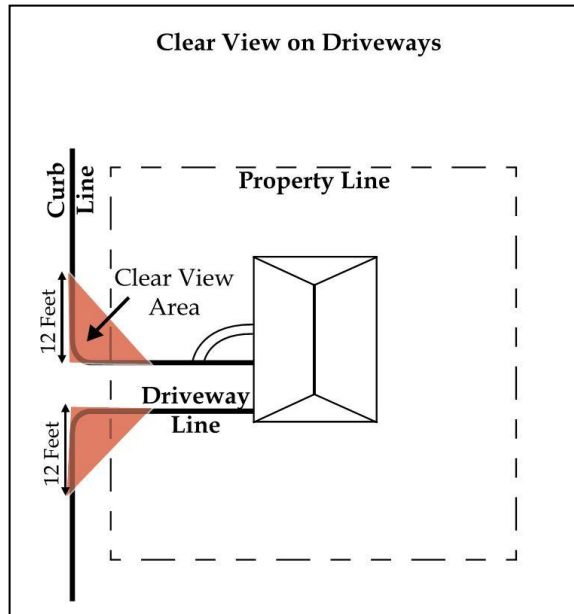
Section 1628—Clear View Triangle on Corner Lots at Intersecting Streets:

In all Zoning Districts, no view obstruction including a sight-obscuring fence, wall, sign, or other similar structures, and no landscaping which exceeds two (2) feet in height shall be placed on any corner lot within a triangular area formed by a diagonal line connecting lines located at the curb line thirty (30) feet from the projected intersection of such curb lines. Where no curb exists, the clear view area shall include that portion of the corner lot lying within a triangular area formed by a diagonal line connecting lines located at the property line twenty (20) feet from the intersection of said property line. ~~the street property lines and a line connecting them at a point thirty (30) feet from the intersection of the street lines except for a reasonable number of trees pruned high enough to permit unobstructed vision for automobile drivers, bicyclists and pedestrians.~~



Section 1629—Clear View Triangle on Driveways:

In all Zoning Districts, no view obstruction including a sight-obscuring fence, wall, sign, or other similar structures, and no landscaping which exceeds two (2) feet in height shall be placed within a triangular area formed by a diagonal line connecting lines located at the curb line and driveway line twelve (12) feet from the projected intersection of such lines. ~~driveway line, the street property line, and a line connecting them at points twelve (12) feet along the driveway line and twelve (12) feet along the street property line, except for a reasonable number of trees pruned high enough to permit unobstructed vision for automobile drivers, bicyclists and pedestrians.~~



Section 1630—Required Property Maintenance:

All buildings, uses, lots, and parcels located within the city Town shall be maintained and operated in a manner to enhance community pride and beautification. No junk, rubbish, weeds, or other unsightly material or conditions shall be permitted on any lot, right-of-way, or easement, or as part of any building or use.

Section 1631—Noxious Weeds:

All property owners shall comply with the requirements of the Utah Noxious Weeds Act, Utah Code Annotated, 1953, as amended.

Exhibit D: Chapter 17 Supplementary Development Standards

CHAPTER 17 Supplementary Development Standards

1 **Section 1701—Purpose:**

2 The purpose of supplementary development standards is to further the purposes of the General Plan, this
3 Ordinance, all other Land Use Ordinances. Supplementary development standards address the use,
4 location, construction, and operation of particular uses and activities. Compliance with supplementary
5 development standards, as applicable, as well as all other requirements of this Ordinance, and all other
6 Land Use Ordinances, and all other Federal, State, and Local requirements are required for any Land
7 Use Application approval required by this Ordinance, or any other Approval, Permit, or License
8 required by other Land Use Ordinances.
9

10 **Section 1702—Additional Height Allowed for Public Buildings:**

11 Public buildings and churches proposed in a Residential Zoning District may be erected to a height
12 greater than the maximum building height, required by the Zoning District in which the building is
13 located, provided the building is set back from required setback lines a distance of one (1) foot for each
14 additional foot of building height above the maximum height allowed in the Zoning District.
15

16 **Section 1703—Accessory Buildings:**

- 17 1. Accessory buildings and accessory uses may be authorized in association with a primary building or
18 primary use.
19
- 20 2. Accessory buildings and accessory uses shall only be authorized concurrently with, or following,
21 the establishment of the primary building or primary use.
22
- 23 3. An accessory garage may be attached to, or detached from, the primary building.
24
- 25 4. An accessory garage that is attached to a primary building shall meet all requirements for the
26 location of the primary building.
27
- 28 5. All garages and other accessory buildings located within ten (10) feet of the primary building shall
29 be considered attached and part of the primary building and the setback requirements applicable to
30 the primary building shall apply.
31
- 32 6. An accessory garage that is detached from a primary building shall meet all requirements for the
33 location of a detached accessory building, as provided herein.
34
- 35 7. All garages and other accessory buildings located ten (10) feet or more away from the primary
36 building may be located no less than three (3) feet from the side or rear property line(s) and no
37 portion of any garage or accessory building, including any roof overhangs, shall be allowed within
38 one (1) foot of any property line.
39
- 40 8. No storm water runoff from any accessory building shall be allowed to run onto adjacent property.
41
- 42 9. Accessory buildings, located on corner lots, shall meet the required corner side yard setback,
43 applicable in the Zoning District in which the accessory building is located.
44

- 1 10. Accessory buildings shall comply with the requirements of the adopted Building Code, as
2 applicable.
- 3
- 4 11. No mobile home, travel trailer, boat, or similar recreational vehicle shall be used as an accessory
5 building.
- 6
- 7 12. No shipping container, cargo container, shipping crate, box, trailer, or similar moveable piece of
8 equipment or object shall be used as an accessory building.
- 9
- 10 13. No utility connections or meters, separate from the primary building shall be allowed for accessory
11 buildings.
- 12
- 13 14. No accessory buildings shall be rented, leased, or sold separately from the rental, lease, or sale of
14 the primary building.
- 15
- 16 15. No accessory building shall be used as a permanent dwelling unit.
- 17
- 18 16. No accessory building shall be located closer than three (3) feet to any side or rear property line(s),
19 and no portion of any garage or accessory building, including any roof overhangs, shall be al
- 20
- 21 17. Accessory buildings used for the housing of domestic livestock or fowl shall comply with the
22 requirements of Section 1712, herein.
- 23

24 **Section 1704—Limitations on the Height, Size, and Location of Garages and**
25 **other Accessory Buildings in Residential Zones:**

26 In an effort to avoid the appearance of commercial style buildings in Residential Zoning District, and to
27 protect the character and stability of residential neighborhoods, the following requirements for garages
28 and other accessory buildings located in Residential Zoning Districts are provided:

- 29
- 30 1. **Maximum Garage Height.**
- 31
- 32 1.1. No detached garage shall be higher than twenty (20) feet, measured from the natural of finished
33 grade, whichever is lower, to the highest point of the detached garage, or higher than the
34 primary building, whichever is less.
- 35
- 36 1.2. No attached garage shall be higher than the primary building.
- 37
- 38 2. **Number of Garages.**
- 39
- 40 2.1. A maximum of one (1) attached and one (1) detached garage may be allowed on each lot in
41 association with a primary residential dwelling unit. All other structures, excluding the primary
42 building and attached or detached garage shall be considered accessory buildings.
- 43
- 44 3. **Maximum Accessory Building Height.**
- 45

1 3.1. No accessory building, except one (1) detached and one (1) attached garage, as provided above,
2 shall be higher than fifteen (15) feet, measured from the natural of finished grade, whichever is
3 lower.
4

5 **4. Size, Location, and Construction of Attached and Detached Garages and Other Accessory**
6 **Buildings in Residential Zoning Districts.**
7

8 4.1. The total square footage of any detached or attached garage shall not be greater than fifty
9 percent (50%) of the square footage of the footprint of the primary structure.
10

11 4.2. The cumulative total square footage of any attached garage, detached garage and all other
12 accessory buildings shall not be greater than twenty-five percent (25%) of the rear yard.
13

14 4.3. All garages and other accessory buildings located within ten (10) feet of the primary building
15 shall be considered attached and part of the primary building and the setback requirements
16 applicable to the primary building shall apply.
17

18 4.4. All garages and other accessory buildings located ten (10) feet or more away from the primary
19 building may be located no less than three (3) feet from the side or rear property line(s) and no
20 portion of any garage or accessory building, including any roof overhangs, shall be allowed
21 within one (1) foot of any property line,
22

23 4.5. No detached garage or other accessory buildings shall be located in any required front yard.
24

25 **Section 1705—~~Smaller Accessory Structures~~Buildings – Exemption from**
26 **Building Permit Requirements:**

27 Detached residential~~An~~ accessory structures not exceeding one-story in height and a floor area of 200
28 square feet are exempt from building permit requirements. ~~building with a maximum height of ten (10)~~
29 ~~feet and a maximum size less than one hundred twenty (120) square feet shall not require a Building~~
30 ~~Permit.~~Detached commercial accessory structures limited to one-story in height and a floor area of 120
31 square feet, used as storage sheds, play houses and similar type uses, not including the storage of
32 hazardous chemicals, shall be exempt from building permit requirements. ~~provided a~~All setback
33 requirements for the Zoning District in which the accessory ~~structure~~building is located ~~shall be~~ are met,
34 and no portion of the accessory structure ~~building shall be located~~ is within one (1) foot of any property
35 line, and no storm water runoff from the accessory building is allowed to run onto adjacent property.
36

37 **Section 1706—Accessory Dwelling Units:**
38

39 Purpose: The purpose of the accessory dwelling unit ordinance is to promote areas in the city to
40 accommodate an expanding population, establish regulations to address the health, safety and welfare of
41 the community, to provide flexibility for changes in household size associated with life cycle and to
42 enable a level of financial security for home owners.
43

44 1. Location: Accessory dwelling units are allowed as an accessory use to a single-family detached
45 residence and are limited to the following development configurations:

- 1 1.1. Over a detached garage, provided the parking within the garage is not eliminated or converted
2 to living space, stairs or otherwise disrupts required parking;
- 3 1.2. Within the home through an internal conversion of the housing unit maintaining an internal
4 connection between living areas; or
- 5 1.3. An addition to the home, containing an internal connection between the accessory dwelling unit
6 and the principal part of the dwelling unit; provided, that the addition will not alter the single-
7 family character of the structure.
8
- 9 2. External appearance: The accessory dwelling unit shall not alter the appearance of the structure as a
10 single-family residence. There shall be no external evidence of occupancy by more than one (1)
11 family, such as two (2) front doors. The architectural style, building materials and building colors of
12 an accessory dwelling unit shall be compatible and consistent with the architectural style, materials,
13 and color of the primary building. Mobile homes, travel trailers, boats, or similar recreational
14 vehicles shall not be used as an accessory dwelling unit
15
- 16 3. Sale of principle dwelling: An accessory dwelling unit shall not be sold separately from the sale of
17 the principle building dwelling located on the same lot.
18
- 19 4. Owner occupied: The principle dwelling of the property shall be the primary residence of the
20 property owner.
21
- 22 5. Number of units: A maximum of one (1) accessory dwelling unit may be established as a secondary
23 use to a detached single-family dwelling.
24
- 25 6. Unit size: Accessory dwelling units shall not exceed the greater of 50% of the size of the principle
26 dwelling or 1,200 square feet. In no case shall the accessory dwelling unit contain a habitable square
27 footage less than 300 square feet.
28
- 29 7. Dimensional standards: Accessory dwelling units shall comply with required building height,
30 setbacks and all applicable dimensional standards listed in Chapter 32 Table of Uses and
31 Development Standards for attached or detached accessory buildings.
32
- 33 8. Utilities: An accessory dwelling unit shall be connected to, and served by, the same water, sewer,
34 electrical, and gas meters that serve the primary building. No separate utility lines, connections, or
35 meters shall be allowed for an accessory dwelling unit.
36
- 37 9. Parking: A single-family dwelling with an accessory dwelling unit shall provide a minimum of four
38 (4) off-street parking spaces located on a paved surface or approved driveway. A minimum of two
39 (2) off-street parking spaces shall be designated for the use of those residing in the accessory
40 dwelling unit. The number of off-street parking spaces shall not be less than the number of vehicles
41 maintained on the property.
42
- 43 10. Addresses: The single-family dwelling and accessory dwelling unit shall have unique addresses.
44
- 45 11. Entrance: The entrance to the accessory apartment shall be on the side or rear of the building. Only
46 one (1) front entrance shall be visible from the front yard.

- 1
2 12. Permit: Prior to issuance of a building permit, the owner of the property shall obtain an accessory
3 dwelling unit permit from the city. An accessory dwelling unit shall not be authorized on a property
4 that has outstanding ordinance violations or unpaid taxes.
5
6 13. Compliance with adopted codes: accessory dwelling units shall meet all requirements of the adopted
7 Building Code and other applicable city ordinances and regulations.
8

9 **Section 1707—Supplementary Requirements for Residences for Persons**
10 **with a Disability:**

- 11 1. No Residence for Persons with a Disability shall be established unless:
12
13 1.1. It is proposed in a building that complies with all adopted Land Use Ordinances and Building
14 Code, and applicable to similar structures in the Zoning District in which the Residence for
15 Persons with a Disability is proposed.
16
17 1.2. The Residence for Persons with a Disability proposes no fundamental change in the character
18 of the residential neighborhood.
19
20 2. **Maximum Number of Occupants (Consumers and Staff).** Any building proposed to be used as a
21 Residence for Persons with a Disability, the existing building, or building plans, shall be reviewed
22 by the Building Official, considering the Categorical Standards for physical facilities, as established
23 by the State of Utah Department of Human Services. Following this review the Building Official
24 shall determine and establish the maximum number of persons allowed to reside within the Facility,
25 which shall not exceed six (6) occupants.
26
27 3. **State of Utah Department of Human Services License.** At the time of Use Application to
28 establish a Residence for Persons with a Disability, or within forty-five (45) days following
29 approval, the owner or provider shall provide to the Planner evidence that the residence is Licensed
30 by the State of Utah Department of Human Services for the type of facility being considered, or
31 authorized, by the ~~city~~ ~~Town~~. Any approval for a Residence for Persons with a Disability shall be
32 conditioned on the presentation of evidence that the facility is Licensed by the State of Utah
33 Department of Human Services, as required by this Section. Failure to provide such evidence shall
34 automatically invalidate and terminate any existing or pending approvals.
35
36 4. **Continued Compliance with the Licensure Requirements of the Department of Human**
37 **Services.** The responsibility to License programs, or owners or providers that operate a Residence
38 for Persons with a Disability, as well as require and monitor the provision of adequate services to
39 consumers residing in these facilities, shall rest with the State of Utah Department of Human
40 Services. Failure to maintain continued compliance with the licensure requirements of the State of
41 Utah Department of Human Services shall automatically invalidate and terminate any existing or
42 pending approvals.
43
44 5. **Approval to Operate a Residence for Persons with a Disability is Non-transferable.** An
45 approval for a Residence for Persons with a Disability, as authorized by this Section, is
46 nontransferable and shall only be valid to the owner or provider identified on the Application

1 authorizing the operation of the Facility, and as identified as the owner or provider as Licensed by
2 the State of Utah Department of Human Services.

- 3
- 4 6. **Reasonable Dispersion.** No Residence for Persons with a Disability shall be approved that would
5 be located closer than one-half (½) of a mile to any other Residence for Persons with a Disability.
6
- 7 7. **Limit on Number of Occupants.** No Residence for Persons with a Disability shall be approved that
8 would allow more than six (6) occupants.
9
- 10 8. **Reasonable Accommodations.** The Land Use Authority, in reviewing an Application to establish a
11 Residence for Persons with a Disability, may to the extent necessary, modify the requirements of
12 this Section, if such modifications are necessary to make a reasonable accommodation to afford
13 persons residing in such facilities equal opportunity in the use and enjoyment of the facility.
14

15 **Section 1708—Supplementary Requirements for Residences for Persons**
16 **with a Disability that are Substance Abuse Facilities and are**
17 **located within Five Hundred (500) Feet of a School:**
18

- 19 1. All requirements applicable to a Residence for Persons with a Disability shall apply.
20
- 21 2. In addition to the requirements for a Residence for Persons with a Disability, the following
22 requirements shall apply to all Residences for Persons with a Disability that are substance abuse
23 facilities and proposed within five hundred (500) feet of a school:
24
- 25 2.1. In accordance with the rules established by the Department of Human Services under Title
26 62A, Chapter 2, Licensure of Programs and Facilities, shall provide;
27
- 28 2.2. A security plan satisfactory to the Utah County Sheriff's Office.
29
- 30 2.3. Twenty-four (24) hour supervision for residents; and
31
- 32 2.4. Other twenty-four (24) hour security measures.
33

34 **Section 1709—Supplementary Requirements for Residential Facilities for**
35 **Elderly Persons:**
36

- 37 1. The approval of a Residential Facility for Elderly Persons is nontransferable and terminates if the
38 structure is devoted to a use other than a Residential Facility for Elderly Persons, or if the structure
39 fails to comply with the requirements of this Section.
40
- 41 2. No Residential Facility for Elderly Persons shall be established unless:
42
- 43 2.1. It is proposed in a building that complies with all Land Use Ordinances and adopted Building
44 Code, and is applicable to similar structures in the Zoning District in which the Residential
45 Facility for Elderly Persons is proposed.
46

1 2.2. The Residential Facility for Elderly Persons proposes no fundamental change in the character
2 of the residential neighborhood.

3
4 2.3. No Residential Facility for Elderly Persons shall be approved that would allow more than six
5 (6) occupants.

6
7 2.4. The Land Use Authority, in reviewing an Application to establish a Residential Facility for
8 Elderly Persons, may to the extent necessary modify the requirements of this Section, if such
9 modifications are necessary to make a reasonable accommodation to afford persons residing in
10 such facilities equal opportunity in the use and enjoyment of the facility.

11
12 **Section 1710—Parking Requirements of Private Recreational Vehicles in**
13 **Residential Zoning Districts:**

14 The location or storage of mobile homes, travel trailers, recreational vehicles, boats, camping trailers
15 and truck campers, and other recreational vehicles and equipment owned by the property owner, may be
16 parked subject to the following:

17
18 1. Recreational vehicles, including boats, travel trailers, motor homes, horse trailers, similar vehicles
19 kept in reasonable repair and operable condition, may be located in a detached or attached garage,
20 or other accessory building, or parked in the rear yard or side yard and screened from front yards
21 and streets by a wall, fence, gate, landscaping, or other suitable screening material(s).

22
23 2. A mobile home, travel trailer, recreational vehicle, boat, camping trailer, or truck camper may be
24 located in the front yard for the purposes of loading and unloading for a period not to exceed forty-
25 eight (48) hours.

26
27 3. A recreational vehicle may be occupied temporarily by family members or guests of the owner.
28 However, no boat, trailer, motor home, travel trailer, or similar recreational vehicle shall be
29 occupied for a period greater than thirty (30) days.

30
31 **Section 1711—Household Pets:**

32 The keeping of household pets for noncommercial purposes shall comply with the following
33 requirements:

34
35 1. All household pets shall be kept in such a manner that they do not disturb the peace, comfort, or
36 health of any person or animal.

37
38 2. Yards, shelters, cages, areas, places, and premises where they are kept shall be maintained so that
39 flies or odors do not disturb the peace, comfort, or health of any person or animal.

40
41 **Section 1712—Domestic Livestock and Fowl:**

42 The keeping of domestic livestock, limited to the domesticated horse (*Equus caballus*), domesticated
43 cattle (*Bos taurus* and *Bos indica*), domesticated sheep (*Ovis aries*), domesticated goat (*Capra hircus*)
44 and domestic fowl, but excluding the keeping of pigs (*Suidae*), shall be allowed subject to the following:

45

- 1 1. The keeping of domestic livestock and fowl may be allowed as a Permitted ~~P-1~~ Use in the A-1 and
2 R&A-5 Zoning Districts, ~~and a Conditional C Use in the RE-40 Zoning District~~, subject to the
3 provisions of this Section.
4
- 5 2. No domestic livestock or domestic fowl shall be kept on any lot located in an A-1, ~~or~~ R&A-5 ~~or~~ ~~RE-~~
6 ~~40~~ Zoning Districts where the area used exclusively for the keeping of domestic livestock or
7 domestic fowl is less than one (1) acre (43,560 square feet).
8
- 9 3. The number of domestic livestock or fowl that may be kept where the area used exclusively for the
10 keeping of domestic livestock or fowl is one (1) acre (43,560 square feet), or larger, shall be as
11 follows;
12
 - 13 3.1. Limited to a maximum of one (1) domestic animal for each one (1) acre (43,560 square feet).
14
 - 15 3.2. Fowl may be kept on lots equal to, or larger than one (1) acre (43,560 square feet), provided
16 the number of fowl maintained does not exceed twenty-five (25) fowl for each acre.
17
- 18 4. Domestic livestock, fowl, and other animals, but excluding all Prohibited Animals, may be kept on
19 lots of five (5) acres or larger, and located in the A-1 and R&A-5 Zoning Districts, without
20 restriction on the type or number of domestic livestock or animals kept.
21
- 22 5. Residents who have kept domestic livestock on legal lots smaller than one (1) acre (43,560 square
23 feet) and who have those animals legally on the effective date of this Ordinance shall not be in
24 violation of this Ordinance. However, the number of animals being kept shall not be increased, and
25 the nonconforming use shall be deemed to have ceased when the keeping of domestic animals has
26 been discontinued for a minimum period of one (1) year.
27
- 28 6. No barn, stable, shelter, corral, coop, pen, or run in which domestic livestock or fowl are maintained
29 shall be closer than one hundred (100) feet to any residential structure located on adjacent lots.
30
- 31 7. The required minimum side yard and rear yard setbacks for the zone in which a barn, stable, shelter,
32 corral, coop, pen, or run is located shall be met, or twenty (20) foot side and rear yard setbacks shall
33 be provided, whichever is greater.
34
- 35 8. All yards, barns, shelters, cages, areas, places, and premises where domestic livestock, animals, or
36 fowl are kept shall be maintained in a clean and sanitary condition so that flies, dust, or odors do not
37 disturb the health of any person or animal or create a nuisance to any adjoining property.
38
- 39 9. All pens, yards, shelters, cages, areas, and premises where animals are held or kept shall be
40 maintained so that no flies, insects, or vermin, rodent harborage, odors, ponded water, the
41 accumulation of manure, garbage or other noxious materials do not disturb health and safety of any
42 person or animal.
43

44 **Section 1713—Prohibited Animals:**

45 No animals that are inherently or potentially dangerous and no animals of the Suidae family shall be
46 kept on any lot or parcel located within the [city](#) ~~Town~~.

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Section 1714—Commercial Kennels:

All Commercial Kennels shall comply with the following:

1. Meet all State, county, and Local Ordinances.
2. All kennels are to be kept in such a way as to not disturb the health and safety of any person or animal.
3. All enclosed pens, shelters, cages, areas, and premises where animals are held or kept shall be completely soundproofed, so that at no noise is discernable from the kennel that could create a nuisance to adjoining properties.
4. All pens, yards, shelters, cages, areas, and premises where animals are held or kept shall be maintained so that no flies, insects, or vermin, rodent harborage, odors, ponded water, the accumulation of manure, garbage or other noxious materials do not disturb the health and safety of any person or animal.
5. No pens, yards, shelters, cages, areas, and premises where animals are held or kept shall be closer than one hundred (100) feet from any residential structure located on adjacent lots.
6. The required side yard and rear yard setbacks for the zone in which the kennel is located shall be met or twenty (20) foot side and rear yard setbacks shall be provided, whichever is greater.

Section 1715—Home Occupations:

The following regulations are established to provide minimum standards for the establishment and operation of home occupations.

1. Application and Approval Required
 - 1.1. Home occupations may be approved following the receipt of a Home Occupation Application and subject to the following conditions:
 - 1.1.1. Home occupations are listed as an allowed use in the Residential Zoning District.
 - 1.1.2. The home occupation is conducted entirely within a dwelling and is carried on in the dwelling only by occupants of the dwelling.
 - 1.1.3. The home occupation does not involve the use of any accessory buildings or yard space for storage or activities outside of the dwelling.
 - 1.1.4. The home occupation shall contain no facilities for the display of goods. Any sale of goods and services shall constitute a clearly incidental part of the home occupation.
 - 1.1.5. No commercial vehicles are used except one delivery truck which does not exceed three-fourths (¾) ton rated capacity.

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1.1.6. The home occupation is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the building from that of a dwelling.

1.1.7. Signs are limited to one non-flashing sign not larger in area than two square feet.

1.1.8. Not more than the equivalent of twenty-five percent (25%) of the ground floor area of the dwelling is devoted to the home occupation.

1.1.9. The home occupation shall obtain, and maintain, a business [License](#) from the [cityTown](#).

1.1.10. Entrance to the home occupation from outside shall be the same entrance normally used by the residing family except when required otherwise by regulation of the State Health Department or other public agency.

1.1.11. The physical appearance, traffic, and other activities in connection with the home occupation are not contrary to the intent of the Zoning District in which the home occupation is located.

1.2. Requirements Authorized. In order to achieve the purposes of this Ordinance the Land Use Authority may impose reasonable requirements on the establishment and operation of the home occupation.

Section 1716—Swimming Pool Enclosures:

1. All swimming pools, or other artificially created pools more than eighteen (18) inches deep, shall be surrounded by a protective fence.
2. The fence shall be no less than four feet six inches (4'6") high for pools situated on property used for a dwelling.
3. The fence must be constructed of approved materials. The fence exterior shall be smooth (free of projections which would aid climbing) and shall have no opening which exceeds four (4) inches in horizontal dimension.
4. Gates shall be constructed of approved materials, shall be self-closing, self-latching, and not over four (4) feet wide. Latching hardware shall be installed at a height of not less than fifty-two (52) inches.
5. Space adjacent to the exterior of the fence, which falls within the area described by a radius equal in length to the height of the enclosure, and centered at the top of the enclosure fence, must be kept clear of all natural or man-made objects which could be used to gain access into the enclosure.

6. Outdoor Jacuzzi tubs, or other similar small pools, may be protected by a solid locking cover in lieu of a fence. In the absence of a solid locking cover, the requirements for a fence provided by this Section shall be observed.
7. Access to indoor pools shall be restricted by the surrounding structure in a manner that is at least as secure as provided for outdoor pools, as provided by this Section.

Section 1717—Wireless Telecommunications Facilities:

This Section is provided to establish development standards for wireless telecommunication facilities to assure their compatibility with adjoining uses to the extent permitted by the Telecommunications Act of 1996, as amended.

1. **Scope.** The requirements of this Section shall apply to wireless telecommunications facilities such as “cellular” or “PCS” (Personal Communications System) communications and paging systems. This Section shall not apply to radio antennas complying with the ruling of the Federal Communications Commission in “Amateur Radio Preemption, 101 FCC 2nd 952 (1985)” or a regulation related to amateur radio service adopted under 47 C.F.R Part 97.
2. **Facility Types.** The following types of wireless telecommunication facilities shall be governed by this Section:
 - 2.1. Stealth Design Antennas.
 - 2.2. Roof – Mounted Antennas.
 - 2.3. Wall – Mounted antennas.
 - 2.4. Monopoles – monopoles with antennas and antenna support.
3. **Prohibited Facility Types.** Unless a facility is a wireless telecommunication facility identified by Section 1717(2) above, all other types of facilities are hereby determined to be prohibited facilities within the [cityTown](#).
4. **Other Laws.** The requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Ordinance, the Code, or other laws, including pertinent regulations of the Federal Communications Commission and the Federal Aviation Administration.
5. **Existing Facility Plan Required.** When a carrier applies for an approval under this Section, the carrier shall submit a plan showing by location and type of the carrier’s existing and planned facilities within the [cityTown](#) and within one (1) mile of the [cityTown](#)’s boundary.
6. **Screening.** Any associated mechanical or electrical equipment shall be completely screened from view, from public rights-of-way, on-site parking areas and adjacent properties, with a decorative screening fence, and/or landscaping.

- 1 7. **Location.** The proposed facility, including associated mechanical and electrical equipment, shall
2 not be located within any public right-of-way.
3
- 4 8. **Compliance Required.** The proposed facility shall conform to the requirements of this Section and
5 other applicable Federal, State, or Local laws, including pertinent regulations of the Federal
6 Communications Commission and the Federal Aviation Administration.
7
- 8 9. **Permits Required.** Copies of required Permits from pertinent Federal agencies establishing
9 compliance with applicable Federal regulations shall be filed with the ~~city~~Town prior to the
10 approval of a Land Use Application required to authorize the proposed facility.
11
- 12 10. Specific Requirements for Various Types of Allowed Antennas.
13
- 14 10.1. **Stealth Design Antennas.** The following provisions shall apply to all stealth-design antennas.
15 The intent of this Subsection is to allow creativity in designing a proposed facility so that it
16 will have essentially no visual impact.
17
- 18 10.1.1. Stealth designs may include, but are not limited to, the use of one (1) or more of the
19 following:
20
- 21 10.1.1.1. Screening, structure, and/or antenna design which blend with the
22 architecture of the existing structure upon which the antenna will be
23 mounted.
24
- 25 10.1.1.2. Screening, structure, antenna and/or location design which blend with
26 and/or take advantage of existing vegetation and/or features of a site; and
27
- 28 10.1.1.3. Color schemes that make the antenna less noticeable.
29
- 30 10.1.2. Any associated mechanical or electrical equipment shall be completely screened from
31 view, from public rights-of-way, on-site parking areas and adjacent properties, with a
32 decorative screening fence, and/or landscaping.
33
- 34 10.1.3. The proposed facility, including associated mechanical and electrical equipment, shall
35 not be located within any public right-of-way.
36
- 37 10.1.4. The proposed facility shall conform to the requirements of this Section and other
38 applicable Federal, State, or Local laws, including pertinent regulations of the Federal
39 Communications Commission and the Federal Aviation Administration.
40
- 41 10.1.5. Copies of required Permits from pertinent Federal agencies establishing compliance
42 with applicable Federal regulations shall be filed with the ~~city~~Town prior to the
43 approval of any Permit for the proposed facility.
44
- 45 10.1.6. The proposed facility shall conform to applicable development standards set forth in
46 this Section.

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10.1.7. The Council shall have authority to determine whether a proposed roof-mounted or wall-mounted wireless telecommunications facility design will have essentially no visual impact and whether a proposed stealth design meets the intent of this Section.

10.2. **Roof-Mounted Antennas.** The following provisions shall apply to roof-mounted antennas.

10.2.1. Roof-mounted antennas may only be allowed if determined to be a stealth design as set forth in this Section.

10.2.2. The maximum height of any roof-mounted antenna shall comply with the maximum building height allowed in the Zoning District in which the roof-mounted antenna is located.

10.2.3. The maximum number of roof-mounted antennas shall be one (1) roof-mounted antenna per building or structure

10.3. **Wall-Mounted Antennas.** Wall-Mounted antennas may only be allowed if determined to be a stealth design as set forth in this Section. The following provisions shall apply to flush- and non-flush-mounted wall antennas.

10.3.1. Wall-mounted antennas shall not:

10.3.1.1. Extend above the wall line of the building; and

10.3.1.2. Extend more than one (1) foot horizontally from the wall surface.

10.3.2. Wall-mounted antennas, equipment, and the supporting structure shall be painted to match the color of the building or structure or the background against which they are most commonly seen.

10.3.3. Antennas mounted directly on walls with no portion of the antenna extending above the wall line shall be considered wall-mounted antennas.

10.3.4. The maximum number of wall-mounted antennas shall be one (1) wall-mounted antenna per building or structure.

10.3.5. All wall-mounted antennas shall be approved stealth-design antennas as set forth in this Section.

10.4. **Monopoles, Monopoles with Antennas, and Antenna Support Structures.** Monopoles with Antennas and Antenna Support Structures shall only be permitted if determined to be a stealth design as set forth in this Section. The following provisions shall apply to monopoles with antennas and antenna support structures.

- 1 10.4.1. The maximum height of any monopole, including antennas and antenna support
2 structures, shall comply with the maximum building height allowed in the Zoning
3 District in which the monopole, including antennas and antenna support structures is
4 located, measured from the natural grade at the base of the monopole to the highest
5 point of the pole, antennas, or support structures.
6
- 7 10.4.2. The location of a monopole, and its associated equipment and facilities, shall be as
8 follows:
9
- 10 10.4.2.1. All accessory equipment not located within an accessory building shall be
11 completely screened from view by a decorative screening fence.
12
- 13 10.4.2.2. All monopoles and associated equipment and facilities shall be a stealth-
14 design, as provided by this Section. The Council shall have the authority
15 and responsibility to determine whether a proposed monopole and its
16 associated accessory equipment and facilities will have no visual impact.
17
- 18 10.4.2.3. A monopole, and its associated equipment and facilities, shall comply with
19 the minimum yard setback requirements of the Zoning District in which it
20 is located. In addition, if located in a Residential or Agricultural Zoning
21 District, a minimum of four (4) feet for every foot of pole height from the
22 closest property line of any residential structure shall be provided.
23
- 24 10.4.2.4. A monopole shall not be located within one thousand (1,000) linear feet
25 from another monopole.
26
- 27 10.4.2.5. All communication and power lines to or between any accessory building,
28 accessory equipment, and antenna structures, shall be located underground.
29
- 30 11. **Alternative Locations.** In considering Applications to locate wireless telecommunications
31 facilities, the Council shall consider whether the location of the antenna on other existing structures
32 in the same vicinity, such as other towers, buildings, utility poles, athletic field lights, parking lot
33 lights, etc., is possible without significantly affecting antenna transmission or reception.
34
- 35 12. **Non-Maintained and Abandoned Facilities—Letter Agreement.** Prior to approval of an
36 Application for wireless telecommunication facility, the Applicant shall provide the Council with a
37 letter agreeing to the requirements of this Section. The letter agreement shall State that if technology
38 renders the facility obsolete, the facility is not maintained, the facility is abandoned, or the facility is
39 vacated, the carrier will provide the ~~city~~Town with a copy of a "Notice to Abandon" to be filed with
40 the Federal Communications Commission and will remove the facility.
41
- 42 13. If the Planner determines that a facility is not maintained, is abandoned, or is vacated, the Planner
43 shall send the carrier a Notice of Non-Maintenance or Abandonment by certified mail. If a facility
44 subject to the foregoing notice requirement has not been repaired, put into use, or removed within
45 thirty (30) days of receipt of the notice, the Planner may send the carrier a certified Notice to
46 Remove, which shall give the carrier thirty (30) days from the receipt of the notice to remove the

1 facility. In the event a facility is not removed as required, the ~~city~~Town may undertake legal action
2 to enforce removal as set forth in Ordinance, or other applicable Ordinances of the ~~city~~Town.
3

4 **14. Prohibited Uses.**

5
6 14.1. Lattice Tower. A lattice tower shall be prohibited, unless otherwise required by to comply
7 applicable State or Federal law.
8

9 All other types of wireless telecommunication facilities not expressly provided for herein, unless
10 otherwise required to comply with State or Federal law.
11

12 **Section 1718 – Mixed-Use Self-Storage**

13 This Section is provided to insure self-storage facilities are incorporated into traditional retail
14 environments and within close proximity to residential land uses while mitigating adverse impacts often
15 associated with self-storage through the establishment of development standards.
16

17 **1. Location:** Mixed-use self-storage facilities are allowed in zoning districts as specified in Table 32-1
18 Table of Uses.

19 **2. Process:** Mixed-use self-storage facilities shall follow the required process outlined in Table 32-1
20 Table of Uses. If a conditional use permit is required, the process outlined in Chapter 15
21 Conditional Uses shall apply.

22 **3. Design:**

23 3.1 Mixed-use self-storage facilities shall contain a minimum of 1,500 square feet or 10%,
24 whichever is greater, of the ground floor area dedicated to principle use which is unrelated to
25 and not an accessory use of the self-storage use of the facility.

26 3.2 At a minimum, 50% of the street facing ground floor frontage of the building shall be dedicated
27 to a principle use which is unrelated to and not an accessory use of the self-storage use of the
28 facility.

29 3.3 All buildings shall have a minimum of 15% transparency on all floors, which shall consist of
30 functioning windows that provide visibility into the building from the public right-of-way or
31 adjacent properties.

32 3.4 All mixed-use self-storage facilities shall contain a minimum of two stories.

33 3.5 All building facades shall have the appearance of an office, residential and/or retail building
34 through the use of doors, windows, awnings, canopies and other appropriate building elements.

35 3.6 The front façade of the building shall front on the street providing access to the site and be
36 designed to have ample bulk and massing to screen the self-storage use.

37 3.7 All onsite parking shall be located to the side or rear of the mixed-use self-storage building.

38 3.8 External unit doors shall not be permitted on the front façade of the building and shall be
39 screened from neighboring land uses and the public right-of-way, to an extent determined by the
40 planning commission.

41 3.9 No outside storage of vehicles, boats, motor homes, RVs or any other materials or equipment
42 shall be allowed at or around any mixed-use self-storage facility.

43 3.10 Commercial moving truck rentals shall be prohibited at mixed-use self-storage
44 facilities. A mixed-use self-storage facility shall be allowed to have no more than two private
45 trucks owned by the facility and available to the renters of units within the facility only. Moving
46 trucks meeting the above regulation shall be stored out of sight from the public right-of-way.

Exhibit E: Chapter 30 Definitions

1 **CHAPTER 30**

2 **Definitions**

3

4 5 **Section 3001—Purpose and Conflicts:**

6 This chapter provides definitions of general terms used throughout this ordinance for which
7 a definition is considered necessary. The word “herein” means “in this ordinance”; the word
8 “regulations” means “these regulations”; “used” or “occupied” as applied to any land or
9 building shall be construed to include the words “intended, arranged, or designed to be used or
10 occupied”. For the convenience of users of this ordinance, certain terms may be illustrated
11 herein. If a conflict arises between an illustration and a definition, the definition shall apply.
12

13 **Section 3002—Definitions of General Purpose:**

14 Words not defined herein shall have a meaning consistent with Webster’s New Collegiate
15 Dictionary, latest edition.
16

17 **Abandon/Abandoned:** Means a use that has been discontinued for a minimum period of one
18 (1) year or a building, structure, sign, or other object that remains vacant or unused for a
19 minimum period of one (1) year.
20

21 **Abandonment:** Any act that results to abandon.
22

23 **Access:** The provision of vehicular and/or pedestrian ingress and egress to a lot, parcel,
24 building, or structure.
25

26 **Accessory Building:** A building customarily incidental and clearly subordinate to the primary
27 building and located on the same lot as the primary building.
28

29 **Accessory Use:** A use clearly ~~that is customarily~~ incidental, ~~and~~ subordinate and customarily
30 found in connection to the primary use and located on the same lot as the primary use.
31

32 **Active or Valid Building Permit:** A Building Permit that has not expired.
33

34 **Adjacent Property/Adjacent Landowners:** A lot or parcel of property, or the owner of record
35 of such, according to the records of the Utah County Recorder that has a common boundary
36 line with a lot or parcel of property that is the subject of some action before the Towncity.
37

38 **Affected Entity:** Means a county, municipality, independent special District under Title 17A,
39 Chapter 2, Independent Special Districts, Local District under Title 17B, Chapter 2, Local
40 Districts, School District, interlocal cooperation entity established under Title 11, Chapter 13,
41 InterLocal Cooperation Act, specified public utility, or the Utah Department of Transportation,
42 if:
43

- 44 1. The entity's services or facilities are likely to require expansion or significant
45 modification because of an intended use of land;

- 1 2. The entity has filed with the municipality a copy of the entity's general or long-range
- 2 plan; or
- 3 3. The entity's boundaries or facilities are within one mile of land that is the subject of a
- 4 general plan amendment or land use Ordinance change.

5

6 **Agent:** The person with written authorization to represent a property owner.

7

8 **Agriculture:** An area which is used for the commercial production, keeping, or maintenance

9 for sale of plants and domestic animals typically found in Utah County, or lands devoted to a

10 soil conservation management program, but excluding the keeping of prohibited animals,

11 Commercial Plant Nursery, as defined herein, Concentrated Animal Feeding Operation, as

12 defined by the Utah Code Annotated, 1953, as amended, and subject to the Utah Pollutant

13 Discharge Elimination System (UPDES), or similar activities.

14

15 **Agricultural Building:** A structure used in conjunction with an allowed agriculture use, and

16 not for human occupancy, and complying with the requirements of §58-56- 4, Utah Code

17 Annotated, 1953, as amended. To qualify as an agricultural building the structure must meet all

18 requirements of §58- 56-4(1), Utah Code Annotated, 1953, as amended.

19

20 **Alcoholic Beverages:** Means and includes beer and liquor as defined in the State of Utah

21 Alcoholic Beverage Control Act, as amended.

22

23 **Alteration:** Any change, addition, or modification in construction of a building or structure.

24

25 **Animal Hospital:** A facility for the diagnosis, treatment and hospitalization of animals, that

26 may include indoor holding facilities only for the treatment and observation of animals but does

27 not include any outdoor holding or boarding facilities, unless Outdoor Boarding Kennels are

28 listed as an allowed use in the Zoning Use Matrix.

29

30 **Appeal Authority:** The person, board, commission, agency, or other body designated by this

31 Ordinance to decide an appeal of a decision of a Land Use Application or a Variance.

32

33 **Applicant(s):** Any person(s) presenting a Land Use Application for any Approval, Permit, or

34 License required by a Land Use Ordinance.

35

36 **Application/Land Use Application:** Written requests for an Approval, Permit, or License and

37 completed in a manner prescribed by this Ordinance for review and decision by a Land Use

38 Authority.

39

40 **Application, Complete:** An Application that includes all information requested on the

41 appropriate form, and payment of all applicable fees.

42

43 **Application, Incomplete:** An Application that lacks information requested on the appropriate

44 form, or lacks the payment of all applicable fees.

45

1 **Architectural Projection:** Any projection which is not intended for occupancy and which
2 extends beyond the face of an exterior wall of a building, but shall not include signs.

3
4 Assembly, Place of: The use of land for a meeting place where persons gather together for
5 purposes of attending civic, social, religious functions, recreational events or entertainment
6 performances on a regular or recurring basis including, but not limited to, religious institutions,
7 banquet facilities, funeral homes, theaters, conference centers, stadiums, and indoor or outdoor
8 recreational facilities.

9
10 **Awning:** A roofed structure placed to extend outward from the building providing a protective
11 shield for doors, windows, and other openings supported by the building or other supports.

12
13 **Base District:** A Zoning District that establishes regulations governing land use and site
14 development in a specific geographic area.

15
16 **Basement:** A story partly underground and having at least one-half (1/2) its height below the
17 average level of the adjoining ground.

18
19 **Bay Window:** A window or series of windows forming a recess or bay from a room and
20 projecting outward from the wall.

21
22 ~~**Beer:** All products that contain sixty three one hundredths of one percent (0.63%) of alcohol
23 by volume or one half of one percent (0.5%) of alcohol by weight, but not more than four
24 percent (4%) of alcohol by volume or three and two tenths percent (3.2%) by weight, and are
25 obtained by fermentation, infusion or decoction of any malted grain. Beer may or may not
26 contain hops or other vegetable products. Beer includes products referred to as malt liquor,
27 malted beverages, or malt coolers.~~

28
29 **Berm:** A mound of earth used as a site feature, or to shield, screen, and buffer uses, undesirable
30 views and to separate land uses.

31
32 **Best Management Practices (BMPs):** A practice, or combination of practices, determined to
33 be the most effective (including technological, economic, and institutional considerations)
34 means of preventing or reducing disturbance or disruption to the natural environment.

35
36 **Billboard:** A freestanding sign designed or intended to direct attention to a business, product, or
37 service that is not provided, sold, offered, or existing on the property where the sign is located. ~~A sign
38 located on industrial, commercial, or residential property and the sign is designed or intended to
39 direct attention to a business, product, or service that is not sold, offered, or existing on the
40 property where the sign is located. See also Sign, Off Premise.~~

41
42 ~~**Board of Adjustment:** The Board of Adjustment of Vineyard Town, Utah.~~

43
44 **Buildable Area:** That area of a lot or parcel which is outside of any required setback areas and
45 outside of any other areas regulated by this Ordinance.

46

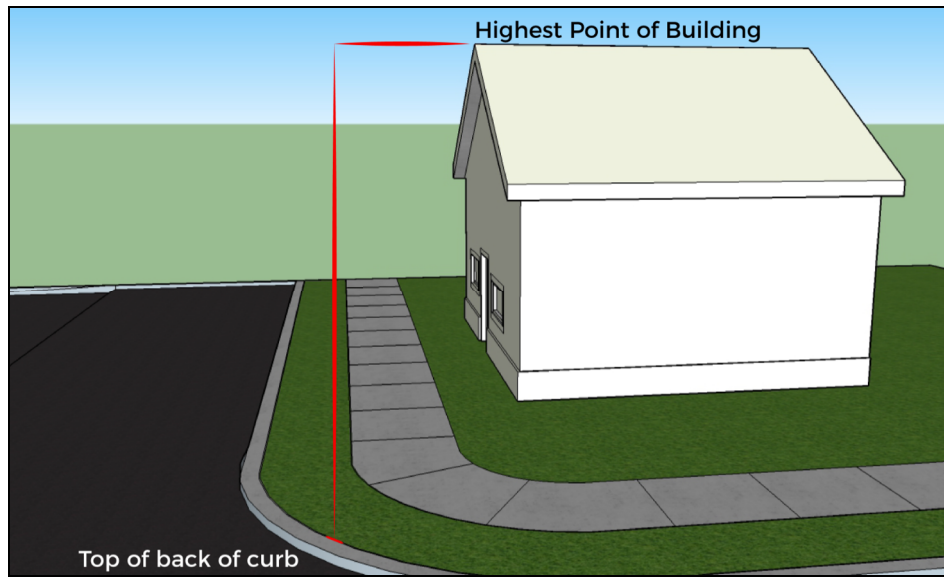
1 **Building:** Any structure, whether permanent or temporary, which is designed, intended, or used
2 for occupancy by any person, business, animals, possessions, or for storage of property or
3 materials of any kind.

4
5 **Building Code:** The International Building Code, as adopted by the [cityTown](#).

6
7 **Building Facade:** That portion of an exterior elevation of a building extending from the
8 finished grade to the top of the parapet wall or eaves and the entire width of the building
9 elevation.

10
11 **Building Frontage:** The horizontal, linear dimension of that side of a building abutting a street,
12 a parking area, or other circulation area open to the public.

13
14 **Building, Height:** The vertical distance from the TOP OF THE BACK OF CURB to the
15 highest point of the building or structure. *(amended September 24, 2014)*



16
17
18 **Building Line:** The line circumscribing the buildable area of a lot.

19
20
21 **Building Line, Front:** A line parallel to the front lot line and at a distance there from equal to
22 the required depth of the front yard setback and extending across the entire width of the lot or
23 parcel.

24
25 **Building Line, Rear:** A line parallel to the rear lot line and at a distance there from equal to the
26 required depth of the rear yard setback and extending across the entire width of the lot or
27 parcel.

28
29 **Building Line, Side:** A line parallel to the side lot line and at a distance there from equal to the
30 required depth of the side yard setback and extending between the front and rear building lines.

31

1 **Building Official:** The person charged with the administration and enforcement of the Building
2 Code of [the City of Vineyard-Town](#), or designee.

3
4 **Building Permit:** A Permit authorizing a construction activity.

5
6 **Business:** Means and includes all trades, occupations, professions, or activities carried on
7 within the [cityTown](#) for the purpose of gain or economic profit.

8
9 **Carport:** Roof structures open on at least two sides and subject to all requirements prescribed
10 for a garage.

11
12 **Car Wash:** [A facility that offers the washing of motor vehicles and motorcycles by either
13 machine or hand-operated mechanisms used principally for the cleaning, washing, polishing, or
14 waxing of motor vehicles not exceeding 10,000 pounds Gross Vehicle Weight. A facility of this
15 type may be able to accommodate more than one vehicle at the same time.](#)

16
17 **Certificate of Occupancy:** A certificate issued by the Building Official authorizing occupancy
18 of a building or structure requiring a Building Permit.

19
20 **Chemical Manufacturing, Storage, and Distribution (Existing):** [A use, existing and
21 established in the Town on January 1, 2008 and engaged in making of chemical products from
22 raw or partially finished materials and the storage and distribution of such chemical materials
23 and that by reason of materials, processes, products or waste may be hazardous or that by the
24 emission of odor, dust, smoke, gases, noise, vibration, glare, heat or other impacts may impact
25 adjoining properties, and which may include the parking and storage of distribution vehicles,
26 and accessory activities.](#)

27
28 **Chief Executive Officer:** Means the Mayor of [the City of Vineyard-Town](#).

29
30 **City Engineer:** [A registered Civil Engineer so appointed by the city.](#)

31
32 **Clear View Area:** Areas at intersecting streets and driveways where unobstructed vision is
33 maintained, as required by this Ordinance.

34
35 **Cluster Development:** A design that locates buildings in specific areas of a site to allow the
36 remaining land to be used, but not limited to, recreation, open space, and preservation of
37 sensitive land areas.

38
39 **Code:** The [City of Vineyard-Town](#) Municipal Code, as adopted.

40
41 **Commercial Kennel:** [An establishment where four \(4\) or more dogs, older than four \(4\)
42 months, are kept for the purpose of boarding, breeding, raising or training dogs for a fee or on a
43 nonprofit basis.](#)

44

1 **Commercial Plant Nursery:** A use wholly, or partially, contained within one or more
2 greenhouses where trees, shrubs, flowers, or vegetable plants are grown and sold to retail or
3 wholesale customers.

4
5 **Commercial Recreation, Indoor:** A use, either public or private, providing amusement,
6 pleasure, or sport, which is operated entirely within an enclosed building, including but not
7 limited to live theater, and movie houses, indoor tennis, bowling, and skating, baseball batting
8 cages, paintball, horse riding or similar activities. This use may include associated eating and
9 drinking areas, retail sales areas and staff offices.

10
11 **Commercial Recreation, Outdoor:** An area or facility that offers entertainment or recreation
12 outside. This use is limited to a golf driving range, baseball batting cages, riding arena, tennis
13 facility, miniature golf, and swimming pool, and may include, as accessory uses, associated
14 eating and drinking areas, retail sales areas and staff offices. This use specifically excludes
15 shooting range, go-cart, motor vehicle and/or motorbike tracks, or similar activities that may
16 create noise, dust, or other nuisances to adjoining and surrounding uses.

17
18 **Commission:** The Planning Commission of the City of Vineyard-Town.

19
20 **Common Area:** Facilities and yards under common ownership.

21
22 **Common Ownership:** Ownership of the same property by different persons.

23
24 **Commuter and Light Rail Facilities and Station:** A rail transit system that covers long
25 distances, usually with less frequent station spacing and train times than light rail that runs on a
26 separate right-of-way from cars, and often sharing an existing freight corridor. Light rail transit
27 systems can run along city streets or in a separate right-of-way. Station areas are located along
28 the transit lines to link park-and-ride lots with the transit system.

29
30 **Composting Facility:** A facility where organic materials are converted into a humus-like
31 material under a process of managed biological decomposition or mechanical processes.
32 Normal backyard composting and composting incidental to agricultural operations are
33 exempted from this use classification.

34
35 **Conditional Use:** A land use that, because of its unique characteristics or potential impact on
36 the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some
37 areas, or may be compatible only if certain conditions are required that mitigate or eliminate the
38 detrimental impacts.

39
40 **Constitutional Taking:** A governmental action that results in a taking of private property so
41 that compensation to the owner of the property is required by the:

- 42
43 1. Fifth or Fourteenth Amendment of the Constitution of the United States; or
44 2. Utah Constitution Article I, Section 22.

45
46 **Construction:** The materials, architecture, assembly, and installation of a building or structure.

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Construction Activity: All grading, excavation, construction, grubbing, or other site preparation or development activity which disturbs or changes the natural vegetation, grade, or any existing building or structure, or the act of adding an addition to an existing building or structure, or the erection of a new primary or accessory building or structure on a lot or parcel.

Construction Sales and Service: An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures. Typical uses include lumberyards, home improvement centers, lawn and garden supply stores, electrical, plumbing, air conditioning and heating supply stores.

Contractor’s Office/Storage Yard: A facility providing building construction and maintenance services including carpentry, plumbing, roofing, electrical, air conditioning and heating, with a base of operations and which may include the indoor and outdoor storage of building materials, equipment, or vehicles used by the construction business.

Corral: A space, yard, or other unenclosed area, other than a building, used for the confinement of animals.

Council: The ~~City Town~~-Council of the City of Vineyard~~Town~~.

County: The unincorporated area of Utah County, or the Board of County Commissioners of Utah, Utah.

Cul-de-sac: A street with only one (1) outlet and an area for the safe and convenient turning around of traffic.

Culinary Water Authority: The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

Cut: The process of lowering the natural grade of the ground, or the depth or the volume of such material removal.

Daycare Facility, Commercial: A facility, operated by a person qualified and licensed by the State of Utah, which provides children with day care and/or preschool instruction as a commercial business and complying with all applicable State standards and licensing and having regularly scheduled, ongoing enrollment for direct or indirect compensation that provides child care for less than twenty four (24) hours per day. Commercial Daycare Facilities excludes the following:

- (a) Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning;
- (b) Facilities operated in connection with a fitness center, shopping center or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available;

1 [\(c\) Special activities or programs, including athletics, crafts instruction and similar](#)
2 [activities, conducted on a periodic basis by civic, charitable, private, or governmental](#)
3 [organizations; or](#)
4 [\(d\) Clearly identified as an Accessory Use.](#)
5

6 **Decibel (dB):** A unit of measure used to express intensity of noise.
7

8 **Declaration:** The legal instrument by which property is subjected to the provisions of the State
9 of Utah Condominium Ownership Act, or a declaration of covenants, conditions, and
10 restrictions.
11

12 **Dedication:** The setting aside of land by an owner for any public use for the enjoyment of the
13 public and owned by a public agency.
14

15 **Demolish or Demolition:** Any act or process that destroys in part or in whole a building or
16 structure.
17

18 **Density:** The intensity or number of nonresidential and residential uses expressed in terms of
19 unit equivalents per acre or lot or units per acre.
20

21 **Density, Base:** The number of dwelling units per acre allowed by a Zoning District.
22

23 **Density, Incentive:** The number of additional dwelling units per acre allowed in addition to the
24 base density.
25

26 **Developer:** Any person or organization that develops, or intends to develop or sell property for
27 the purpose of future development subject to the provisions of this Ordinance, or other Land
28 Use Ordinances.
29

30 **Development Activity:** Any of the following: (a) Any man-made change to improved or
31 unimproved lands, including but not limited to buildings or structures, mining, dredging,
32 filling, grading, paving, excavation or drilling operations; (b) Any construction, reconstruction,
33 or expansion of a building, structure, or use; (c) Any change in the use of a building or
34 structure; (d) Any change in the use of land that creates additional demand and need for public
35 facilities or services; (e) The act of subdividing; or (f) The act, process or result of developing.
36

37 **Development Agreement:** A contract between an Applicant or owner and the Council
38 pursuant to the provisions in this Ordinance.
39

40 **Development Site:** The perimeters and total area of a tract, lot, or parcel of land intended to be
41 used for a development activity.
42

43 **Development Standards:** Established regulations concerning lot areas, yard setbacks, building
44 height, lot coverage, open space and any other special regulations deemed necessary to
45 accomplish the purpose of this Ordinance or other Land Use Ordinances.
46

1 **Disability:** Disability means a physical or mental impairment that substantially limits one or
2 more of a person’s major life activities, including a person having a record of such impairment
3 or being regarded as having such impairment. (§57-21-2(9)(a) Utah Code Annotated, 1953, as
4 amended). Disability does not include current illegal use of, or addiction to any Federally
5 controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C.
6 802. (§57-21-2(9)(b) Utah Code Annotated, 1953, as amended). Disability does not include
7 placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.

8
9 **Distribution Center:** A facility where the storage and distribution of goods and materials
10 occurs inside a fully enclosed building and which may include the parking and storage of
11 distribution vehicles, and accessory activities.

12
13 **Domestic Livestock and Fowl:** Limited to domesticated horse (Equus caballus), domesticated
14 cattle (Bos taurus and Bos indica), domesticated sheep (Ovis aries), domesticated goat (Capra
15 hircus) and domestic fowl. Domestic Livestock and Fowl do not include inherently or
16 potentially dangerous animals, fowl, reptiles, or exotic animals.

17
18 **Driveway:** A private access, the use of which is limited to persons residing, employed, or
19 otherwise using or visiting the parcel on which it is located.

20
21 **Drive-Through Facility:** A facility which by design, physical facilities, service or packaging
22 procedures, encourages or permits customers to transact business or receive services or goods
23 while remaining in their motor vehicles.

24
25 **Dwelling, Accessory Unit:** An attached dwelling unit to a single-family home, or located
26 above a detached garage serving a single-family home which is located on the same lot as the
27 single-family home designed to be clearly subordinate to the principle dwelling. An accessory
28 dwelling unit provides complete, independent living facilities with a separate dwelling entrance
29 than the principle dwelling.

30
31 **Dwelling, Accessory Unit for Owner or Employee:** An attached, or detached, dwelling unit
32 for an employee or owner and incidental and clearly subordinate to the existing primary
33 building or use and located on the same lot as the primary building or use.

34
35 **Dwelling, Condominium:** An individually owned dwelling unit, the ownership of which
36 includes an undivided interest in the land and other common areas and facilities, as provided
37 and recorded in a property deed or other instrument, as required by Utah law, and which is
38 typically maintained by an association of the owners. Must meet allowed density requirements.

39
40 **Dwelling, Multiple-Family:** A building containing three (3) or more dwelling units.

41
42 **Dwelling, Single-Family:** A building containing one (1) dwelling unit.

43
44 **Dwelling, Two-Family:** A building containing two (2) attached dwelling units.

45

1 **Dwelling Unit:** A building, ~~or portion thereof~~, containing one (1) or more rooms and one (1)
2 kitchen and including areas for living and sleeping, designed to be used for human occupancy,
3 and complying with all provisions of the Building Code. ~~The definition of a dwelling unit shall~~
4 ~~also include:~~

5
6 **Dwelling Unit, Manufactured:** A transportable factory built housing unit constructed on or
7 after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of
8 1974 (HUD Code), in one or more Sections, which, in the traveling mode, is eight (8) feet or
9 more in width or forty (40) feet or more in length, or when erected on site, is four hundred
10 (400) or more square feet, and which is built on a permanent chassis and is designed to be used
11 as a dwelling unit with, or without a permanent foundation, when connected to the required
12 utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

13
14 To meet the requirements of this Ordinance and State laws, when erected on the site the home
15 must be at least 24 feet in width at the narrowest dimension, have exterior and roofing materials
16 acceptable to the Building Code, as adopted by [the City of Vineyard](#) ~~Town~~, have a minimum
17 roof pitch of 2:12, and be located on a permanent foundation, in accordance with plans
18 providing for vertical loads, uplift, and lateral forces and frost protection in compliance with
19 the Building Code. All appendages, including carports, garages, storage buildings, additions, or
20 alterations must be built in compliance with the Building Code. The manufactured dwelling
21 must be connected to the required utilities, including plumbing, heating, air-conditioning, and
22 electrical systems. All manufactured dwelling units constructed on or after June 15, 1976, shall
23 be identifiable by the manufacturer's data plate bearing the date the unit was manufactured and
24 a HUD label attached to the exterior of the home certifying the home was manufactured to
25 HUD standards. A Manufactured ~~D~~dwelling Unit shall be identified as real property on the
26 property assessment rolls of Utah County.

27
28 [Earth Station: A communication facility which transmits and/or receives signals to and from](#)
29 [an orbiting satellite using satellite dish antennas.](#)

30
31 **Easement:** That portion of a lot, parcel, or tract reserved for present or future use by a person
32 or agency other than the fee owner(s) of the property. The easement may be for use under, on,
33 or above said lot, parcel, or tract.

34
35 [Educational Facility: Public schools, colleges or universities qualified by the State of Utah](#)
36 [Board of Regents or State of Utah Board of Education to provide academic instruction.](#)
37 [Privately owned buildings and uses for educational activities that has a curriculum for technical](#)
38 [or vocational training, kindergarten, elementary, secondary or higher education.](#)

39
40 **Elderly Person:** A person who is 60 years old or older, who desires or needs to live with other
41 elderly persons in a group setting, but who is capable of living independently.

42
43 [Emergency Care Facility: A facility or licensed healthcare provider providing emergency](#)
44 [medical or dental or similar examination, diagnosis, treatment and care on an outpatient basis](#)
45 [only.](#)

46

1 [Environmental Remediation: Removal and processing of on-site waste and/or contaminated](#)
2 [materials for the purposes of remediation of the site for future use. All uses in this category are](#)
3 [considered temporary for the duration of the remediation process and do not include](#)
4 [importation of waste for processing. Such uses shall comply with the provisions for separation](#)
5 [of uses and performance standards contained herein.](#)

6
7 **EPA:** The United States Environmental Protection Agency.

8
9 **Escrow:** A deposit of cash with the ~~city~~Town, or approved alternate in lieu of cash, held to
10 ensure the performance of a task or a maintenance guarantee.

11
12 **Excavation:** The removal of boulders, gravel, rocks, earth, or similar naturally occurring
13 deposits from its natural position.

14
15 **External Illumination:** Lighting that illuminates a building or structure, parking area, or other
16 outside area from a location outside of the building or structure.

17
18 **Family:** A person living alone, or any of the following groups living together as a single
19 housekeeping unit and sharing common living, sleeping, cooking and eating facilities: (a) Any
20 number of people who are related by blood, marriage, adoption, or court sanctioned
21 guardianship together with any incidental domestic or support staff who may or may not reside
22 on the premises; or (b) four (4) unrelated people; or (c) two (2) unrelated people and any
23 children related to either of them. "Family" does not include any group of individuals whose
24 association is temporary or seasonal in nature or who are in a group living arrangement because
25 of criminal offenses.

26
27 [Farmer's Market: An area used for the sale of fresh produce and related food items, which](#)
28 [may have outdoor storage and sales. A farmers' market may provide space for one or more](#)
29 [vendors.](#)

30
31 **Fence:** A barrier or obstruction of any material, with the purpose or intent, or having the effect,
32 of preventing passage or view across the fence line.

33
34 **Fence, Open:** A fence which permits vision through more than fifty percent (50%) of each
35 square foot more than eight (8) inches above the natural or finished grade.

36
37 **Fence, Sight Obscuring:** A fence which permits no vision (0%) through any part of the fence
38 more than eight (8) inches above the natural or finished grade.

39
40 **Fill:** The process of raising the natural grade of the ground, or the depth or the volume of such
41 material.

42
43 [Financial Institution: A financial company or corporation providing the extension of credit,](#)
44 [and the custody, loan or exchange of money; but not including Pawnshops.](#)

45

1 **Fiscal Impact Analysis:** An analysis that describes the current or anticipated effect upon the
2 public costs and revenues imposed by a development activity.

3
4 **Flammable Liquids or Gases Manufacture, Storage and Distribution:** . A facility which
5 may produce, store and/or distribute flammable liquids and gases and which may include the
6 parking and storage of distribution vehicles, and accessory activities.

7
8 **Flood or Flooding:** A general and temporary condition of partial or complete inundation of
9 normally dry land areas from:

- 10
11 1. The overflow of inland waters; including streams, creeks and rivers and/or
12 2. The unusual and rapid accumulation or runoff of surface waters from any source.

13
14 **Flood Insurance Rate Map (FIRM):** An official map of a community on which the United
15 States Federal Emergency Management Agency has delineated areas of flood hazard.

16
17 **Flood Insurance Study:** The official report provided by the United States Federal Emergency
18 Management Agency that include flood profiles, the Flood Boundary-Floodway Map, and the
19 water surface elevation of the base flood.

20
21 **Flood Plain, 100 Year:** An area where a peak flow magnitude has about a 1 percent (1%)
22 chance of being equaled, or exceeded in any year. The area is based on statistical analysis of
23 stream flow records available for the watershed and analysis of rainfall and runoff
24 characteristics in the general region of the watershed. The flood would have an average
25 frequency of occurrence of about once in one hundred (100) years.

26
27 **Floor Area, (Gross Floor Area):** The sum of the footage contained within all buildings or
28 structures on a site measured from the outside wall surfaces and including basements, garages,
29 porches, utility rooms, stairways, recreation rooms and storage rooms, but excluding unroofed
30 balconies and patios.

31
32 **Floor Area, (Net Floor Area):** The sum of the footage contained within all buildings or
33 structures on a site measured from the inside wall surfaces including basements but excluding,
34 garages, porches, utility rooms, stairways, storage rooms, and unroofed balconies and patios.

35
36 **Floor Area, (Total):** The sum of the gross floor area of all floors of a building and its
37 accessory buildings located on the same lot. All dimensions shall be measured from the exterior
38 faces of the exterior walls.

39
40 **Floor Area Ratio:** The total gross floor area of a building divided by the area of the lot on
41 which it is located.

42
43 **Foot Candle:** A unit for measuring the amount of illumination on a surface.

44
45 **Frontage:** All the property fronting on one (1) side of the street between intersecting or
46 intercepting streets, measured along the street line.

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Funeral Home: An establishment where the dead are prepared for burial or cremation and which may include areas for embalming, performing of autopsies and the storage of funeral supplies and vehicles and where funerals may be held.

Garage: An accessory building used for the storage of motor vehicles.

General Plan: The [City of Vineyard](#) ~~Town~~ General Plan, as adopted.

Geologic Hazard: A hazard inherent in the crust of the earth, or artificially created, which is dangerous, or potentially dangerous to life, property or improvements, due to the movement, subsidence, or shifting of the earth. The term includes, but is not limited to, unstable slopes, faulting, landslides, and rock falls.

Golf Course: An area used for the purposes of playing golf, but which may include associated restaurants, commercial retail sales areas, and course maintenance facilities.

Grade, Finished: The finished elevation of the surface of the land after the completion of any development activity or other excavation.

Grade, Natural: The elevation of the surface of the land prior to any development activity or excavation.

Grading: An excavation, cut or fill, or the act of excavating, either cutting or filling.

Groundwater: Any water that may be drawn from the ground.

Groundwater Discharge Area: An area where the direction of groundwater movement is upward from the principal aquifer to the shallow unconfined aquifer.

Grubbing: The removal or destruction of vegetation, including disturbance to the root system or soil surface by mechanical, chemical, or other means.

Guarantee: Any form of security including cash, a letter of credit, or an escrow agreement in an amount and form satisfactory to the [city](#)~~Town~~.

Hard-Surfaced: Covered with concrete, brick, asphalt, or other impervious material.

Hazardous Waste: A material as defined by the United States Environmental Protection Agency.

Health and Fitness Facility: A business or membership organization providing exercise facilities and/or nonmedical personal services to patrons, including, but not limited to, gymnasiums, private clubs (athletic, health, or recreational), tanning salons, and weight control establishments.

1 **Health Department:** The Utah County Health Department.

2
3 **Heliport:** An area used for the landing and taking off of rotary wing aircraft but not including
4 the regular repair or maintenance of such aircraft or the sale of goods or materials to users of
5 such aircraft.

6
7 **Holiday Decorations:** Displays of a primarily decorative nature commonly associated with any
8 national, Local, or religious holiday.

9
10 **Home Day Care:** The care of children who are family and non-family members in an occupied
11 dwelling unit, and complying with all State standards and licensing, by a resident of the
12 dwelling unit at least twice a week for more than three (3) children, but fewer than nine (9)
13 children. The total number of children being cared for shall include children under the age of
14 four (4) years residing in the dwelling unit, who are under the supervision of the provider
15 during the period of time the childcare is provided. When a caregiver cares for only three (3)
16 children under age two (2), the group size, at any given time shall not exceed six (6).

17
18 **Home Occupation:** ~~A commercial or other non-residential use conducted within a dwelling~~
19 ~~unit that is incidental and to the primary use of the dwelling unit.~~ An activity carried out for
20 gain by a resident of the dwelling unit, identified, and conducted in compliance with the
21 requirements of this Ordinance, as applicable.

22
23 **Home Preschool:** A preschool program complying with all State standards and licensing for
24 non-family members in an occupied dwelling unit, by residents of that dwelling unit, in which
25 lessons are provided for not more than six (6) children for each session of instruction. Sessions
26 shall last for not more than four (4) hours and shall not overlap. Individual children may attend
27 only one (1) preschool session in any 24-hour period.

28
29 **Hospital:** A facility licensed by the State of Utah Department of Health providing health
30 services primarily for human inpatient, medical and/or surgical care for the sick or injured, and
31 including the related facilities such as laboratories, outpatient departments, training facilities,
32 central service facilities, and staff offices which are an integral part of the facilities.

33
34 **Hotel:** A building and associated facilities offering overnight accommodations for guests, with
35 access provided through a common entrance, lobby or hallway to individual guestrooms, and
36 which may include additional services, such as restaurants, conference and meeting rooms,
37 entertainment, and recreational facilities.

38
39 **Household Pets, Noncommercial:** Domesticated animals and birds ordinarily allowed in a
40 dwelling unit and kept for company or pleasure of the owner, including, but not limited to dogs,
41 cats, and caged birds. Household Pets do not include domestic livestock or fowl, as defined
42 herein or inherently or potentially dangerous animals, fowl, reptiles, or exotic animals.

43
44 **Hybrid Production Facility:** A commercial operation or use, on one or more premises where
45 finished consumer goods are manufactured or produced and those same goods are offered for

1 [sale to the general public. Hybrid production facilities must be similar in size, scale and scope](#)
2 [of operation with adjacent or nearby uses.](#)

3
4 **Identical Plans:** Means building plans submitted to [the City of](#) Vineyard ~~Town~~ that are
5 substantially identical to building plans that were previously submitted to and reviewed and
6 approved by the [City of](#) Vineyard ~~Town~~-Building Official and describe a building that is:

- 7
8 1. Located on land zoned the same as the land on which the building described in the
9 previously approved plans is located; and
10 2. Subject to the same geological and meteorological conditions and the same law as the
11 building described in the previously approved plans.

12
13 **Illegal Building/Structure:** A building or structure, or portion thereof, established without
14 securing the necessary Approvals, Permits, or Licenses, as required by this Ordinance, the
15 adopted Building Code, or their prior enactments.

16
17 **Illegal Lot:** A lot created that has not received the necessary Approvals, Permits, or Licenses,
18 as required by the [city's](#)~~Town's~~ Land Use Ordinances.

19
20 **Illegal Use:** A use established without receiving the necessary Approvals, Permits, or Licenses,
21 as required by the [city's](#)~~Town's~~ Land Use Ordinances.

22
23 **Impact Analysis:** A determination of the potential effect(s), including but not limited to
24 environmental, fiscal, social, matters, etc. upon the [city](#)~~Town~~ or a Section of the [city](#)~~Town~~.

25
26 **Impervious Material or Surface:** Material that is impenetrable by water.

27
28 **Improvements:** Curbs, gutters, streets, roads, sidewalks, utilities, grading, paving, landscaping,
29 water and sewer systems, drainage systems, fences, fire hydrants, street lights, parks, public
30 facilities, amenities and other such requirements of this Ordinance.

31
32 **Intensity:** The degree of a quantitative or qualitative measurement associated with a use of
33 land or building.

34
35 **Internal Illumination:** Lighting by means of a light source that is located within a building
36 structure, or other object including a sign, or portions or letters of a sign.

37
38 [Kennel, Commercial: A facility providing for indoor commercial boarding, grooming or](#)
39 [training of household pets not owned by the owner or occupant of the premises.](#)

40
41 [Kennel, Outdoor Commercial: A facility providing for the indoor and/or outdoor commercial](#)
42 [boarding, grooming or training of household pets not owned by the owner or occupant of the](#)
43 [premises.](#)

44
45 **Land Use:** The manner in which land is occupied or used.

46

1 **Land Use Application:** All Applications required by this Ordinance, and the [city's](#)~~Town's~~
2 other Land Use Ordinances, and required to initiate the review procedures for any required
3 Approval, License, or Permit by a Land Use Authority.

4
5 **Land Use Approval:** Any authorization received from a Land Use Authority that permits the
6 commencement of a development activity.

7
8 **Land Use Authority:** Means a person, board, commission, agency, or other body designated
9 by the Council to act on a Land Use Application.

10
11 **Land Use Ordinance:** Means a planning, Zoning, development, or subdivision Ordinance of
12 [the City of](#) -Vineyard~~Town~~, including this Ordinance, but does not include the [City of](#)
13 Vineyard~~Town~~ General Plan.

14
15 **Landscaping:** Materials and treatments that include naturally growing elements such as grass,
16 trees, shrubs, and flowers. Landscaping may also include the use of rocks, fountains, benches,
17 and contouring of the earth when authorized by a Land Use Authority.

18
19 **Laundry, Commercial:** An establishment primarily engaged in the provision of laundering,
20 dry cleaning, or dyeing services other than retail services establishments. Typical uses include
21 bulk laundry and cleaning plants, diaper services, and linen supply services.

22
23 **Laundry, Self Service or Dry Cleaning:** An establishment providing home-type washing,
24 drying, and/or ironing machines, household laundry and dry cleaning services.

25
26 **Legal Building/Structure:** A building or structure, or portion thereof, established after
27 receiving the necessary Approvals, Permits, or Licenses, as required by the Land Use
28 Ordinances and complying with the requirements of the Land Use Ordinances and Building
29 Code.

30
31 **Liquor Store:** An establishment owned and operated by the State of Utah and primarily
32 engaged in the sale of alcoholic beverages.

33
34 **Lot, Legal:** A lot that has received the necessary Approvals, Permits, or Licenses, as required
35 by the [city's](#) ~~Town's~~-Land Use Ordinances, or their prior enactments.

36
37 **Legal Lot of Record.** Any lot, parcel or tract of land that existed, as recorded in the Office of
38 the Utah County Recorder, with a separate property identification number as provided by the
39 Office of the Utah County Recorder and Office of the Utah County Assessor, prior to the date
40 of the adoption of the first Vineyard~~Town~~ Subdivision Ordinance, and all lots, parcels, and
41 tracts of land that were legally created pursuant to the subdivision requirements of the
42 [city's](#)~~Town's~~ Land Use Ordinances and the laws of the State of Utah after the date of the
43 adoption of the first [City of](#) Vineyard ~~Town~~-Subdivision Ordinance.

44
45 **Legal Use:** A use complying with the requirements of this Ordinance.

46

- 1 **Legislative Body:** The [CityTown](#) Council of Vineyard, Utah.
2
- 3 **Light Source:** A point of lumination that emits a measurable radiant energy in or near the
4 visible spectrum.
5
- 6 **Limits of Disturbance:** The area of a lot, parcel, or tract of land in which all development
7 activity or construction must be contained including all impervious surfaces, buildings,
8 structures, parking areas, driveways, etc.
9
- 10 **Lot:** A parcel of land occupied or proposed to be occupied by a building or structure, together
11 with such yards, open spaces, lot width and lot area as are required by this Ordinance.
12
- 13 **Lot Area:** The total land area of a lot, parcel, or tract of land.
14
- 15 **Lot Coverage:** The total horizontal area of a lot, parcel, or tract of land covered by any
16 impervious surface, including buildings, structures, parking areas, driveways, etc.
17
- 18 **Lot Depth:** The horizontal distance from a front lot line to a rear lot line.
19
- 20 **Lot, Interior:** A lot, parcel, or tract of land, other than a corner lot.
21
- 22 **Lot, Irregular:** A lot whose rear property line is not generally parallel to the front property line
23 such as a pie-shaped lot on a cul-de-sac, or where the side property lines are not parallel to each
24 other.
25
- 26 **Lot Line:** A line bounding a lot, parcel, or tract of land that divides one (1) lot, parcel, or tract
27 from another, or from a street. See also Property Line.
28
- 29 **Lot Line Adjustment:** The relocation of the lot line or property boundary line in a subdivision
30 between two adjoining lots with the consent and agreement of the owners of record.
31
- 32 **Lot Line, Front:** A lot line separating a lot from an existing street right-of-way or, where a
33 new street is proposed, the proposed street right-of-way line.
34
- 35 **Lot Line, Rear:** The lot line generally opposite and most distant from the front lot line.
36
- 37 **Lot Line, Side:** Any lot line that is not a front lot line or rear lot line. A side lot line separating
38 one (1) lot from another is an interior side lot line.
39
- 40 **Lot, Corner:** A lot abutting on two (2) intersecting streets where the interior angle of
41 intersection or interception does not exceed one hundred thirty five degrees (135°).
42
- 43 **Lot, Double Frontage:** A lot abutting two (2) parallel or approximately parallel streets.
44
- 45 **Lot, Illegal:** A lot that has not received the necessary Approvals, Permits, or Licenses, as
46 required by the [city'sTown's](#) Land Use Ordinances and State laws, or their prior enactments.

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Lot, Noncomplying (Legal): A lot, parcel or tract of land that: (a) Legally existed before its current Zoning designation; and (b) Has been shown as a separate lot, parcel, or tract continuously on the records of the Utah County Recorder as an independent parcel since the time the Zoning requirements governing the lot, parcel or tract changed; and (c) Because of subsequent Zoning changes does not now conform with the requirements of the Zoning District in which the lot, parcel or tract is located.

Lot, Noncomplying (Illegal): A lot, parcel or tract of land that: (a) Was created without receiving the necessary Approvals, Permits, or Licenses, as required by the ~~city's~~^{Town's} Land Use Ordinances and State laws, and their prior enactments, and (b) Does not conform with the requirements of the Zoning District in which the lot, parcel or tract is located.

Lot Width: For an interior lot or parcel, the shorter of horizontal distance between side lot lines, measured at the required front yard setback line or rear setback line. For a corner lot, the distance between one (1) of the front lot lines and the opposite side yard line at the required setback line.

LUDMA: Means the “Municipal Land Use, Development, and Management Act,” as provided by Chapter 10-9a, Utah Code Annotated, 1953, as amended.

Lumen: A measurement of light output or the amount of light emitting from a luminaire.

Luminaire: A lighting unit consisting of a light source and all necessary mechanical, electrical, decorative, light shielding and hooded parts.

Luminaire, Cutoff-Type: A luminaire with shields, reflectors, refractors, or other such elements that direct and cut-off emitted light.

Luminaire, Shielded, Fully: Luminaires that are constructed so that no light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

Luminaire, Shielded, Partially: Luminaires that are constructed so that no more than ten percent (10%) of the light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

Manufacturing, Heavy: The assembly, fabrication or processing of large or bulky goods and materials which typically require extensive building areas or land areas using raw materials or previously prepared materials, using processes and that may have impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare, or health and safety hazards.

Manufacturing, Light: The assembly, fabrication or processing of goods and materials using processes that are not offensive or create any odor, dust, smoke, noxious gases, noise, vibration, glare, heat or other impacts to adjacent property, nor create any health and safety hazards by way of materials, process, product or waste, and where all assembly, storage, fabrication or

1 processing is conducted within a building or structure and where all, equipment, compressors,
2 generators and other ancillary equipment is located within a building or structure.

3
4 **Medical Clinic:** An organization of doctors, dentists, or other health care professional
5 providing physical or mental health service and medical or surgical care of the sick or injured
6 but which does not include in-patient or overnight accommodations.

7
8 **Medical Laboratory:** An establishment that conducts basic medical or dental research and
9 analysis. This term does not include a facility providing any type of in-house patient services
10 typically provided by hospitals and clinics.

11
12 **Mixed Use:** The location and arrangement of a combination of compatible residential and
13 nonresidential uses on the same lot or within the same building, and complying with the
14 requirements of this Ordinance.

15
16 **Model Home:** A dwelling unit having all of the following characteristics:

- 17 1. The dwelling unit is constructed upon a lot in a subdivision for which a Final Plat has
18 been recorded.
- 19 2. The dwelling unit is intended to be temporarily utilized as an example of the dwelling
20 units that are proposed to be built in the same subdivision.

21
22 **Moderate Income Housing:** Housing occupied or reserved for occupancy by households with
23 a gross household income equal to or less than eighty percent (80%) of the median gross
24 income for households of the same size in Utah County.

25
26 **Moderate Income Housing Plan:** A written document conforming to the requirements of
27 LUDMA.

28
29 **Monument:** A permanent survey marker established by the Utah County Surveyor and/or a
30 survey marker set in accordance with the ~~CityTown~~ Engineer's specifications and referenced to
31 Utah County survey monuments.

32
33 **Motel:** A building or group of buildings containing guest rooms, some or all of which have a
34 separate entrance leading directly from the outside of the building with a garage or parking
35 space located on the same lot and designed, used or intended wholly or in part for the overnight
36 accommodations of guests and their vehicles.

37
38 **Motor Home:** A unit primarily designed as a temporary dwelling for recreational and vacation
39 use, which is either self-propelled or is mounted on or pulled by another vehicle, including, but
40 not limited to, a travel trailer, a camping trailer, a truck camper, a motor home, a fifth wheel
41 trailer, and a caravan.

42
43 **Motor Vehicle Fueling Station:** A facility providing the retail sale and direct delivery to
44 motor vehicles of fuel, including electric charging stations, lubricants and minor accessories,
45 and retail sales for the convenience of the motoring public.

46

1 **Municipality:** The ~~City~~~~Town~~ of Vineyard, Utah, or other incorporated area.

2

3 **Museum:** An institution for the acquisition, preservation, study and exhibition of works of
4 artistic, historical or scientific value and for which any sales relating to such exhibits are
5 incidental and accessory to the exhibits presented.

6

7 **Natural Features:** Non man-made land characteristics, including but not limited to slopes,
8 wetlands, streams, rock outcropping , lava fields, intermittent drainage channels, and
9 vegetation.

10

11 **Natural State:** Land that has not been subjected to grading, removal of vegetation or any
12 development activity.

13

14 **Natural Vegetation:** Vegetation existing on a lot or parcel prior to any grading, development
15 activity or man-made plantings.

16

17 **Natural Waterways:** Those areas, varying in width, along the course of a permanent or
18 intermittent river, stream, creek, or gully.

19

20 **Nominal Fee:** A fee that reasonably reimburses the ~~city~~~~Town~~ only for time spent and expenses
21 incurred in:

22

- 23 1. Verifying that building plans are identical plans; and
- 24 2. Reviewing and approving those minor aspects of identical plans that differ from the
25 previously reviewed and approved building plans.

26

27 **Noncombustible Material:** Any material that will not ignite at or below a temperature of one
28 thousand two hundred degrees Fahrenheit (1,200°F) during an exposure of five (5) minutes,
29 and will not continue to burn or glow at that temperature.

30

31 **Noncomplying Structure:** A structure that:

32

- 33 1. Legally existed before its current land use designation; and
- 34 2. Because of one or more subsequent land use Ordinance changes, does not conform to
35 the setback, height restrictions, or other regulations, excluding those regulations, which
36 govern the use of land.

37

38 **Nonconforming Use:** A use of land that:

39

- 40 1. Legally existed before its current land use designation;
- 41 2. Has been maintained continuously since the time the land use Ordinance governing the
42 land changed; and
- 43 3. Because of one or more subsequent Land Use Ordinance changes, does not conform to
44 the regulations that now govern the use of the land.

45

1 **Nonresidential Uses:** Means the uses identified in the Tables of Uses – Nonresidential Zoning
2 Districts.

3
4 **Nonresidential Zoning District/Nonresidential Zones:** Means the Commercial Districts and
5 Industrial Districts.

6
7 **Nursing Care Facility:** A healthcare facility, other than a hospital, constructed, licensed and
8 operated to provide patient living accommodations, twenty-four (24) hour staff availability, and
9 at least two (2) of the following patient services:

10 a. a selection of patient care services, under the direction and supervision of a registered
11 nurse, ranging from continuous medical, skilled nursing, psychological or other
12 professional therapies to intermittent health related or paraprofessional personal care
13 services;

14 b. a structured, supportive social living environment based on a professionally designed
15 and supervised treatment plan, oriented to the individual's habilitation or rehabilitation
16 needs; or

17 c. a supervised living environment that provides support, training or assistance with
18 individual activities of daily living.

19
20 **Nursing Home, Convalescent Care Center:** A facility that provides 24-hour residential care
21 to persons who are not related by blood, marriage, or adoption to the owner, operator, or
22 manager of the facility. A Nursing Home or Convalescent Care Center provides some level of
23 skilled nursing or medical service to the residents.

24
25 **Office:** A type of business use where a building, room, or other space and where executive,
26 management, administrative or professional services are provided, except medical services, and
27 excluding the sale of merchandise, except as incidental to a principal use. Typical uses include
28 real estate brokers, insurance agencies, investment firms, employment agencies, travel
29 agencies, advertising agencies, secretarial services, data processing, professional or consulting
30 services in the fields of law, architecture, design, engineering, accounting and similar
31 professions; interior decorating consulting services; and business offices of private companies,
32 utility companies, trade associations, unions and nonprofit organizations.

33
34 **Official Map:** A map adopted by the Council and recorded in the Utah County Recorder's
35 Office that:

- 36
37 1. Shows actual and proposed rights-of-way, centerline alignments, and setbacks for
38 highways and other transportation facilities;
39 2. Provides a basis for restricting development in designated rights-of-way or between
40 designated setbacks to allow the government authorities time to purchase or otherwise
41 reserve the land; and
42 3. Has been adopted as an element of the City of Vineyard-Town General Plan.

43
44 **Official Zoning Map/Zoning Districts Map:** The map adopted by the Council showing the
45 geographic location of Zoning Districts.

46

1 **Off-Street:** Entirely outside of any ~~city~~^{Town} right-of-way, street, access easement, or any
2 private access drives.

3
4 **Open Space:** Land areas that are not occupied by buildings, structures, parking areas, streets,
5 or roads. Open space may be devoted to landscaping, preservation of natural features, and
6 recreational areas and facilities.

7
8 **Outdoor Display of Products or Merchandise:** The storage of goods or product in an open,
9 unenclosed area, including but not limited to, automotive, truck, recreational vehicle, trailer,
10 and manufactured home sales lots, repair yards, open storage areas, and all similar outside
11 display and storage areas of goods, materials, equipment, and vehicles.

12
13 **Overlay District:** A Zoning District, with its accompanying requirements, that is applied to an
14 area that may place additional development standards on a Zoning District. Development in an
15 overlay District must conform to the base District as well as the overlay Zoning requirements.

16
17 **Owner:** Any person who alone, jointly or severally with others, has a legal or equitable title to
18 property.

19
20 **Parcel of Land:** An area of land, with a separate property identification number, as provided
21 by the Office of the Utah County Recorder.

22
23 **Park:** A playground, or other area or open space providing opportunities for active or passive
24 recreational or leisure activities.

25
26 **Park and Ride Facility:** A parking area and transit facility, the purpose of which is to allow
27 the parking of motor vehicles with a connection to mass transit service.

28
29 **Park Strip:** The area located between the edge of asphalt or curb and the sidewalk, trail, or
30 property line.

31
32 **Parking Area/Parking Lot:** An enclosed or unenclosed area, other than a street, and used or
33 designed for the parking of four (4) or more vehicles.

34
35 **Parking Space:** An enclosed or unenclosed area used for parking or storage of one (1)
36 automobile.

37
38 **Pawnshop:** Any person or establishment engaged in any of the following:

39 a. Lending money on deposit of personal property;

40 b. Dealing in the purchase, exchange, or possession of personal property on condition of
41 selling the same back again to the pledger or depositor;

42 c. Lending or advancing of money on personal property by taking chattel mortgage
43 security thereon and taking or receiving possession of such personal property; or

44 d. Selling unredeemed pledged personal property together with such new merchandise
45 as will facilitate the sale of such property

46

1 **Permitted Use:** For the purposes of this Ordinance shall include P-1 and P-2 Uses.

2

3 **Personal Care Service:** An establishment primarily engaged in the provision of frequently or
4 recurrently needed services of a personal nature. Typical uses include beauty and barbershops,
5 custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops,
6 tailors, tanning and nail salons, and weight loss centers. The term excludes "Tattoo
7 Establishment."

8

9 **Person:** An individual, corporation, partnership, organization, association, trust, governmental
10 agency, or any other legal entity.

11

12 **Pervious Material or Surface:** Material that is penetrable by water.

13

14 **Planning Commission:** The Planning Commission of the City of Vineyard ~~Town~~, Utah.

15

16 **Plat:** A map or other graphical representation of lands being laid out and prepared in
17 accordance with LUDMA.

18

19 **Plat, Final:** A drawing prepared in accordance with the Land Use Ordinances showing the
20 final design of a land division and complying with all standards and requirements of best
21 surveying practice and in a form required by the Utah County Recorder's Office for
22 recordation.

23

24 **Plat, Preliminary:** A drawing prepared in accordance with the Land Use Ordinances showing
25 the design of a proposed land division.

26

27 **Power Plant:** An electrical energy generating facility with generating capacity of more than 50
28 megawatts and any appurtenant and associated facilities.

29

30 **Primary Building:** The principal building located on a lot, parcel, or tract of land and designed
31 or used to accommodate the primary use.

32

33 **Primary Use:** The principal purpose for which a lot, parcel, tract, or building is designed,
34 arranged or intended, or for which it is occupied or maintained.

35

36 **Private Club:** Any nonprofit corporation operating as a social club, recreational, fraternal or
37 athletic association, or kindred association organized primarily for the benefit of its
38 stockholders or members. A Private Club that serves liquor shall maintain compliance with all
39 applicable state laws.

40

41 **Private Drive:** A non-dedicated thoroughfare used exclusively for private access to a lot,
42 parcel, or tract of land.

43

44 **Property:** Any lot, parcel, or tract of land, including improvements thereon, and recorded as
45 real property in the Office of the Utah County Recorder.

46

1 **Property Line:** The boundary line of a lot, parcel, or tract.

2

3 **Public:** That which is under the ownership or control of the United States Government, Utah
4 State or any subdivision thereof, Utah County, or [the City of Vineyard-Town](#) (or any
5 departments or agencies thereof).

6

7 [Public Use: A use operated exclusively by a public body or quasi-public body, such use having
8 the purpose of serving the public health, safety, or general welfare, and including streets, parks,
9 recreational facilities, administrative and service facilities, and public utilities, and found to
10 conform to the General Plan, as adopted. Public Uses and Utilities do not include “Major
11 Facility of a Public Utility,” as defined herein.](#)

12

13 **Public Hearing:** A hearing at which citizens of the [City-Town](#) and members of the public are
14 provided a reasonable opportunity to comment on the subject of the hearing.

15

16 **Public Improvement:** Any street dedications, installations of curb, gutter, sidewalk, road base
17 and asphalt, water, sewer, and storm drainage facilities, or other utility or service required to
18 provide services to a lot, parcel, building, or structure.

19

20 **Public Meeting:** A meeting that is required to be open to the public under Title 52, Chapter 4,
21 Open and Public Meetings.

22

23 **Qualified Professional:** A professionally trained person with the requisite academic degree,
24 experience, and professional certification or License in the field or fields relating to the matter
25 being studied or analyzed.

26

27 **Quasi-Public Use:** A use operated by a private nonprofit educational, religious, recreational,
28 charitable, or philanthropic institution, serving the public.

29

30 **Reasonable Accommodation:** A change in a rule, policy, practice, or service necessary to
31 afford a person equal opportunity to use and enjoy a dwelling. As used in this definition
32 “Reasonable” means a requested accommodation will not undermine the legitimate purposes of
33 existing Zoning regulations notwithstanding the benefit that the accommodation would provide
34 to a person with a disability, “Necessary” means the Applicant must show that, but for the
35 accommodation, one or more persons with a disability likely will be denied an equal
36 opportunity to enjoy housing of their choice, “Equal Opportunity” means achieving equal
37 results as between a person with a disability and a non-disabled person.

38

39 **Record of Survey Map:** A map of a survey of land prepared in accordance with the laws of the
40 State of Utah.

41

42 [Reception Hall, Reception Center: A facility for the holding of events including but not
43 limited to weddings, wedding receptions, community meetings, and group gatherings.](#)

44

45 **Recreational and Manufactured Home Standard:** A standard adopted by the American
46 National Standards Institute or the national fire protection association for recreational vehicles,

1 and for mobile homes manufactured prior to June 15, 1976. For manufactured homes built after
2 June 16, 1976, "standard" means the standard adopted pursuant to the National Manufactured
3 Housing Construction and Safety Standards Act, 1974, as amended.

4
5 **Recreational Vehicle:** A vehicular unit primarily designed for recreational and vacation use,
6 which is either self propelled or is mounted on or pulled by another vehicle, including but not
7 limited to a travel trailer, a camping trailer, a truck camper, a motor home, boat, a fifth-wheel
8 trailer and a caravan.

9
10 **Recycling Collection Center:** A use, often accessory in nature, providing designated
11 containers for the collection, sorting and temporary storage of recoverable resources (such as
12 paper, glass, metal and plastic products) to be transferred to a recycling processing facility.
13 Recycling Collection Centers involve no more than 3 collection containers up to 40 cubic yards
14 in total size. The operator of the collection center shall keep the collection center in proper
15 repair and the exterior must have a neat and clean appearance.

16
17 **Recycling Processing Facility:** A facility where recyclable and organic materials are collected,
18 stored and processed. Processing includes but is not limited to baling, briquetting, compacting,
19 flattening, crushing, mechanical sorting, shredding, and cleaning. Recycling Processing Facility
20 dose not include Salvage Yard

21
22 **Residence:** A dwelling unit or other place where an individual or family is living at a given
23 point in time and not a place of temporary sojourn or transient visit.

24
25 **Residential Activity:** Any building, structure, or portion thereof that is designed for or used for
26 residential purposes and any activity involving the use of occupancy of a lot or structure for
27 residential purposes.

28
29 **Residential Facility for Elderly Persons:** A single-family or multiple-family dwelling unit
30 that meets the requirements of LUDMA.

31
32 **Residential Facility for Persons with a Disability:** ~~Means a residence:~~
33 ~~1. In which more than one (1) person with a disability resides; and~~
34 ~~2. Is Licensed or certified by the Department of Human Services under Title 62A, Chapter~~
35 ~~2, Licensure of Programs and Facilities; or (ii) Is Licensed or certified by the Department of~~
36 ~~Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.~~
37 A residence in which more than one (1) person with a disability resides; and is Licensed or
38 certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of
39 Programs and Facilities; or is Licensed or certified by the Department of Health under Title 26,
40 Chapter 21, Health Care Facility Licensing and Inspection Act. See definition of Disability.

41
42 **Residence for Persons with a Disability that are Substance Abuse Facilities located within**
43 **500 feet of a School:** A residence in which more than one (1) person with a disability resides;
44 and is Licensed or certified by the Department of Human Services under Title 62A, Chapter 2,
45 Licensure of Programs and Facilities; or is Licensed or certified by the Department of Health

1 [under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act. See definition of](#)
2 [Disability.](#)

3
4 **Residential Uses:** Means the uses identified in the [Zoning District Use Matrix](#) under the
5 [Residential category.](#) ~~Tables of Uses—Residential Zoning Districts.~~

6
7 **Restaurant:** [A building or facility for the preparation and retail sale of food and beverages.](#)

8
9 **Retail Sales and Services:**

10 [Establishments engaged in the retail sale of goods and services, except those uses as otherwise](#)
11 [clearly defined herein.](#)

12
13 **Retail Sales and Services (Community Commercial):**

14 [Establishments engaged in the retail sale of goods and services. Community Commercial Retail](#)
15 [Sales and Service businesses must conduct all sales of goods and services, with all associated](#)
16 [storage of goods and materials, within a totally enclosed building \(with the exception of](#)
17 [occasional outdoor "sidewalk" promotions\), with no separate individual building to exceed](#)
18 [3,000 square feet in total gross building and the total gross floor area of all buildings, on any](#)
19 [separate, individual lot, does not exceed more than 6,000 square feet of gross building area.](#)
20 [Community Commercial Retail Sales and Services specifically excludes all sales, accessory](#)
21 [uses, and service uses that typically display goods or services, or store goods or product in](#)
22 [open, unenclosed areas, including but not limited to, automotive, truck, recreational vehicle,](#)
23 [trailer, and manufactured home sales lots, repair yards, open storage areas, and all similar](#)
24 [outside display and storage areas of goods, materials, equipment, and vehicles.](#)

25
26 **Retail Sales and Services (Regional):**

27 [A commercial retail business that occupies more than 80,000 square feet of floor space, is a car](#)
28 [or motor vehicle dealer, is a retail shopping facility \(shopping center\) that has at least one \(1\)](#)
29 [anchor tenants if the total floor area of all tenants is more than 150,000 square feet, or is a](#)
30 [grocery store of more than 30,000 square feet.](#)

31
32 **Revocation:** A action by a Land Use Authority that has the effect to terminate any Approval,
33 Permit, or License required by the [city's](#)~~Town's~~ Land Use Ordinances, including this
34 Ordinance.

35
36 **Right-of-Way:** Any area provided for conveying vehicle and pedestrian traffic.

37
38 **Roof Line:** The highest point on any building or structure.

39
40 **Salvage Yard:** [The use of any lot, portion of a lot, or land for the storage, keeping or](#)
41 [abandonment of junk, including scrap metals or other scrap materials, or for the dismantling,](#)
42 [demolition or abandonment of automobiles or other vehicles or machinery and/or the storage](#)
43 [and sale of dismantled or damaged vehicles or their parts.](#)

44
45 **Sanitary Sewer Authority:** The department, agency, or public entity with responsibility to
46 review and approve the feasibility of sanitary sewer services or onsite wastewater systems.

1
2 Seasonal Use: A Seasonal Use shall not exceed ninety (90) days. Such uses include fireworks
3 stands, fruit or vegetable stands, beverage or snow cone vendors, and Christmas tree lots.

4
5 Self-Service Storage: An enclosed commercial storage facility providing independent, fully
6 enclosed bays, which are leased to persons exclusively for storage of their household goods or
7 personal property.

8
9 Self-Storage, Mixed Use: A single building containing more than the primary land use of self-
10 storage, or a single development of more than one building and use, where the different types
11 of land uses are in close proximity, planned as a unified complementary whole, and
12 functionally integrated to the use of shared vehicular and pedestrian access and parking areas.
13 A mixed-use self-storage facility is intended to be used for a mix of uses between the primary
14 use of a private noncommercial, non-industrial storage facility and general, professional office,
15 medical or dental offices, retail or residential dwelling units' uses.

16
17 Sexual Oriented Business: A business which depicts, portrays, or describes "specified sexual
18 activities" or "specified anatomical areas," or instruments, devices, or paraphernalia which are
19 designated or used in connection with specified sexual activities, including but not limited to
20 adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel,
21 adult motion picture theater, adult theater, or nude or seminude model studio.

22
23 **Sign:** A presentation or representation of words, letters, figures, designs, picture or colors,
24 publicly displayed so as to give notice relative to a person, business, article or merchandise,
25 service, assemblage, solicitation, or a request for aid; also the structure or framework or a
26 natural object on which any sign is erected or is intended to be erected or exhibited or which is
27 being used or is intended to be used for sign purposes.

28
29 **Sign, Illegal:** Any sign which does not conform to the requirements of this Ordinance and was
30 constructed or installed without the necessary Approvals, Permits, or Licenses required by this
31 Ordinance, or prior enactments.

32
33 **Sign, Legal:** A sign that conforms to the requirements of this Ordinance and has received all
34 necessary Approvals, Permits, or Licenses, as required by this Ordinance, or prior enactments.

35
36 **Sign, Noncomplying:** A sign or sign structure of portion thereof lawfully existing at the time
37 this Ordinance became effective, but which does not conform to all applicable requirements
38 now provided by this Ordinance.

39
40 **Sign, Non-maintained:** A sign which, due to lack of repair, cleaning, painting, oiling, or
41 changing of light bulbs has become deteriorated, hazardous, or non-functional.

42
43 **Sign, Off-Premise:** Any sign, including a billboard or general outdoor advertising device, that
44 advertises or directs attention to a business, commodity, service, activity, or matter conducted,
45 sold, or offered at a location other than on the lot, parcel, or tract upon which such sign is
46 located.

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Sign, On-Premise: A sign that directs attention to a business, commodity, product, use, service or other activity that is sold, offered or conducted on the lot, parcel, or tract upon which such sign is located.

Site Plan: A schematic, scaled drawing of a lot, parcel, or tract which indicates, as may be required by this Ordinance, including but not limited to the placement and location of buildings, setbacks, yards, property lines, adjacent parcels, utilities, topography, waterways, irrigation, drainage, landscaping, parking areas, driveways, trash containers, streets, sidewalks, curbs, gutters, signs, lighting, fences and other features of existing or proposed use, activity, building or structure.

Slope: The level of inclination of land from the horizontal plane determined by dividing the horizontal run or distance, of the land into the vertical rise, or distance, of the same land and converting the resulting figure in a percentage value.

Special District: An entity established under the authority of Title 17A, Special Districts, Utah Code Annotated, 1953, as amended.

Specified Public Utility: Means an electrical corporation, gas corporation, or telephone corporation, as those terms are defined in Section 54-2-1, Utah Code Annotated, 1953, as amended

Start of Construction: The issuance date of a Building Permit if construction, repair, reconstruction, placement, or other improvement begins within one hundred eighty (180) days of the Permit date. “Begins” means the date of the commencement of the first development activity on the site.

Story: The space within a building, included between the surface of any floor and the surface of the ceiling next above.

Street: A public right-of-way, including a highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, tunnel, bridge, public easement, or other way.

Structural Alterations: Any change in supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

Subdivision: Means any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions, and as further defined by LUDMA.

1 **Subdivision Application:** The Applications required by the City of Vineyard~~Town~~
2 Subdivision Ordinance and required to initiate the review procedures for any required
3 subdivision approval.

4
5 **Substantial Action:** Action taken in good faith to diligently pursue any matter necessary to
6 obtain approval of an Application filed pursuant to the provisions of this Ordinance or to
7 exercise development rights authorized pursuant to such an approval.

8
9 Swimming Pool: An artificial body of water having a depth in excess of eighteen inches,
10 designed, constructed and used for swimming, dipping or immersion purposes by men, women
11 or children, and located on a same lot or parcel as a dwelling, or dwellings.

12
13 Temporary Use: A use or event established for a maximum period of sixty (60) days, such use
14 or event being discontinued after the expiration of sixty (60) days.

15
16 Tennis Court/Sports Court: An improved area used for the playing of tennis or other sports
17 activities, including, but not limited to, basketball and volleyball, and located on a same lot or
18 parcel as a dwelling, or dwellings.

19
20 ~~Town Engineer: A registered Civil Engineer so appointed by the Town.~~

21 Trailer/RV Camping Facilities: Any area or tract of land used or designed to accommodate
22 two (2) or more travel trailers, recreational vehicles, motor homes or camping parties.

23
24 **Travel Trailer:** A vehicular, portable unit, mounted on wheels, not requiring special highway
25 movement permits when drawn by a motorized vehicle:

- 26
27 1. Designed for travel, recreational and vacation use; and
28 2. When factory equipped for the road, having a body width of not more than eight feet
29 (8') and a body length of not more than forty feet (40').
30

31 **Unincorporated:** Means the area of Utah County, Utah and located outside of the incorporated
32 area of the City of Vineyard~~Town~~, or another municipality.

33
34 **Use:** The specific purpose for which land or a building is designed, arranged, intended, or for
35 which it is or may be occupied or maintained.

36
37 **USGS:** The United States Geological Survey.

38
39 **Utilities:** Include, but are not limited to, natural gas, electric power, cable television, telephone,
40 telecommunication services, storm system, sewer system, irrigation facilities, culinary water,
41 street lights and other services deemed to be of a public-utility nature by the city~~Town~~.

42
43 **Utility Easement:** The area designated for access to construct or maintain utilities on a lot,
44 parcel, or tract of land.
45

1 **Utility, Public Major Facility:** Any overhead or underground electric transmission lines
2 (greater than 115,000 volts), substations of electric utilities; gas regulator stations, transmission
3 and gathering pipelines and storage areas of utilities providing natural gas or petroleum
4 derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant, or
5 similar public or quasi-public use or activity.

6
7 **Utility, Public Minor Facility:** Any water, sewer power, gas, telephone, cable television, or
8 other utility, distribution line, or facility, which is located underground and buried beneath the
9 surface of the ground.

10
11 **Variance:** A modification granted by the Board of Adjustment to a development standard with
12 a finding of hardship.

13
14 **Vehicle:** A Licensed automobile, truck, trailer, boat or other device in which a person or thing
15 is or can be transported from one (1) place to another.

16
17 **Vehicle and Equipment Repair (Major):** An establishment primarily engaged in the major
18 repair or painting of motor vehicles or heavy equipment, including auto body repairs,
19 installation of major accessories and transmission and engine rebuilding services. Typical uses
20 include major automobile repair garages, farm equipment repair, paint, and body shops.

21
22 **Vehicle and Equipment Repair (Minor):** An establishment providing motor vehicle repair or
23 maintenance services and conducted entirely within completely enclosed buildings, but not
24 including paint and body shops or other activities associated with Vehicle and Equipment
25 Repair (Major). Typical uses include businesses engaged in the following activities: electronic
26 tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter
27 repairs, tire repairs, front-end alignments, battery recharging, lubrication, and sales, repair and
28 installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses,
29 windows, etc. Vehicle and Equipment Repair (Minor) may include the retail sale of fuels,
30 lubricants and other supplies for motor vehicles.

31
32 **Vehicle and Equipment Sale and Rental:** A facility providing for the sale, lease, or rental of
33 new or used vehicles, including automobiles, trucks, motorcycles, recreational vehicles, or
34 boats. The cleaning and routine maintenance of motor vehicles is allowed as an accessory use.

35
36 **Violated or Violating:** There exists reasonable cause to believe that an Ordinance, Code,
37 Statute, or Law has been, or is being broken.

38
39 **Warehouse Club:** A retail business requiring patron membership, and selling packaged and
40 bulk foods and general merchandise characterized by high volume and a restricted line of
41 popular merchandise in a no frills environment. Examples include, but are not limited to
42 Wholesale Club, Costco, and Sam's Club.

43
44 **Wholesale Distribution:** A business that maintains an inventory of materials, supplies and
45 goods related to one or more industries and sells bulk quantities of such materials, supplies and

1 [goods from its inventory to retail companies within the industry and which may include the](#)
2 [parking and storage of distribution vehicles, and accessory activities.](#)

3
4 **Wireless Telecommunication Facility:** ~~A structure consisting of antennas, antenna support~~
5 ~~structures, or other equipment used to provide personal wireless services as set forth in Section~~
6 ~~704 of the Telecommunications Act of 1996, as amended.~~ [A facility used for the transmission](#)
7 [or reception of electromagnetic or electro-optic information, including wireless](#)
8 [telecommunications facilities such as “cellular” or “PCS” \(Personal Communications Systems\)](#)
9 [– communication and paging systems. This use is not required to be located on a separate lot or](#)
10 [to comply with the minimum lot size requirement for the District in which it is located but is](#)
11 [required to meet the design and locational requirements, as established for such uses, as](#)
12 [provided by this Ordinance. Telecommunications Site/Facility does not include radio antennas](#)
13 [complying with the ruling of the Federal Communications Commission in “Amateur Radio](#)
14 [Preemption, 101 FCC 2nd 952 \(1985\)” or a regulation related to amateur radio service adopted](#)
15 [under 47 C.F.R. Part 97.](#)

16
17 **Yard:** An open space on a lot, parcel or tract of land, unoccupied and unobstructed from the
18 ground upward by buildings, except as otherwise provided herein.

19
20 **Yard, Front:** An open space on the same lot with a building between the front line of the
21 building and the front lot line and extending across the full width of the lot. The "depth" of the
22 front yard is the minimum distance between the front lot line and the front line of the building.

23
24 **Yard, Rear:** An open, unoccupied space on the same lot as a building, between the rear line of
25 the building and the rear lot line and extending the full width of the lot except, on corner lots,
26 the rear yard shall not include the side yard bordering the street.

27
28 **Yard, Side:** An open, unoccupied space on the same lot as a building, between the rear line of
29 the building and the front line of the building and extending from the side line of the building to
30 the side lot line; except, on corner lots, the side yard bordering the street shall extend to the rear
31 from the front line of the building to the rear lot line, the same distance as is required for side
32 yard setbacks on corner lots in each zone.

33
34 **Zoning District:** An area of the ~~city~~[Town](#) that has been given a designation which regulates
35 the construction, reconstruction, alteration, repair, or use of buildings or structures, or the use
36 of land as set forth in this Ordinance.

37
38 **Zoning Districts Map:** The map, adopted as part of a Land Use Ordinance, including this
39 Ordinance that depicts and identifies the geographic location of the Zoning Districts provided
40 by this Ordinance.

41
42 **Zoning Ordinance:** This Ordinance, and any amendments thereto as may be amended from
43 time to time. This Ordinance is determined and identified to be a Land Use Ordinance of [the](#)
44 [City of](#) Vineyard~~Town~~, Utah.

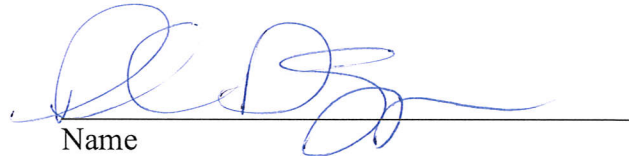
CERTIFICATE OF POSTING

I, THE DULY APPOINTED AND ACTING RECORDER FOR VINEYARD, UTAH, HEREBY CERTIFY THAT COPIES OF THE FOREGOING **ORDINANCE SUMMARY** FOR ORDINANCE 2017-05 WERE POSTED AT THE FOLLOWING PUBLIC PLACES WITHIN THE MUNICIPALITY ON THE 15th DAY OF JUNE, 2017. WHICH PUBLIC PLACES ARE:

POSTED:

1. VINEYARD CITY OFFICES; 125 SOUTH MAIN
2. VINEYARD CITY WEBSITE; www.vineyard.utah.gov

AND THAT SAID NOTICE REMAINED SO POSTED AND AVAILABLE UNTIL THE 14th DAY OF JULY, 2017.


Name

Recorder _____
Title

