

**VERNAL
ORDINANCE 2024-10**

**AN ORDINANCE OF THE VERNAL CITY COUNCIL ADDING SECTION 16.20.620
- TINY HOME OVERLAY, OF THE VERNAL CITY MUNICIPAL CODE.**

WHEREAS, the City Council finds that the regulation of tiny homes within new development is necessary for orderly growth and conduct of business within the City, and;

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the Vernal City Code, and;

WHEREAS, the City Council has received input from the public at large in duly noticed open meetings, and has considered and discussed the advantages and disadvantages of such regulation.

NOW THEREFORE, be it ordained by the Council of the Vernal, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “Section 16.20.620 Tiny Home Overlay” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.20.620 Tiny Home Overlay(*Added*)

Purpose and Intent

The purpose of the Tiny Home Overlay Ordinance is to facilitate the thoughtful integration of tiny homes within Vernal City, leveraging their potential to enhance the diversity and affordability of the housing stock. Recognizing the unique challenges and opportunities presented by tiny homes, this ordinance aims to:

- A. Provide separate zoning regulations to a limited area to better accommodate tiny homes, addressing lot size minimums, setback requirements, and other zoning parameters that may currently limit the potential for tiny home development.
- B. Promote the efficient use of available space, particularly through infill development to optimize land use.
- C. Provide diverse housing types to allow for various lifestyles, family sizes, and income levels, reflecting the diversity of our community's needs.
- D. Ensure that the development of tiny homes enhances the overall quality of life in the community by complementing the existing housing stock and meeting identified housing needs without displacing current residents

Definitions

For the purpose of this ordinance, the following terms are defined as follows:

"Tiny Home" is a residential dwelling that is detached and independent, with a footprint not exceeding 700 square feet and a total living space under 900 square feet. Tiny Homes are constructed on a permanent foundation, designed for year-round living, and equipped with all necessary services and facilities.

"Overlay" is an additional zoning designation applied to a specified area within the city that imposes a set of requirements or standards distinct from those of the underlying zone. Overlays are used to address specific planning goals, such as increasing housing diversity, without altering the foundational zoning classifications applicable to all zones within city boundaries.

"Conditional Overlay" refers to the period during which the Tiny Home Overlay is approved pending conditions specified are met within the provided time frame.

"Tiny Home Lot" refers to a parcel of land designated for the development of tiny homes, consisting solely of four (4) or fewer tiny homes. These lots are subject to the development standards and permitting processes outlined in this ordinance.

"Permanent Foundation" is a fixed ground support system that securely anchors a tiny home to the ground, meeting all applicable building codes and standards. Permanent foundations are designed to ensure the structural integrity and longevity of tiny homes.

"Infill Development" refers to the development of vacant or underutilized land within previously built areas of the city. Infill development aims to optimize land use, reduce urban sprawl, and promote growth patterns which preserve Agricultural and Recreational areas.

"Mobile structure" A Mobile Structure refers to any structure designed and constructed to be movable rather than permanently located. Key characteristics of mobile structures include the ability to be transported on wheels directly or via a trailer chassis from one location to another and not being affixed to a permanent foundation. Mobile structures may include, but are not limited to, mobile homes, travel trailers, recreational vehicles (RVs), and other prefabricated or modular structures designed for temporary or semi-permanent residential, commercial, or recreational use.

Overlay Zone Designation

The Tiny Home Overlay shall only be applicable within the following zoning districts as defined by Vernal City's Zoning Ordinance:

Residential 3 (R3)

Residential 4 (R4)

Mixed-Use (MX)

Manufactured Home Zone (MH)

The Tiny Home Overlay shall be denoted on the Vernal City Zoning Map once tiny home overlay area has been approved.

The Tiny Home Overlay shall be approved in areas within the R3, R4, MX, and MH zones under the following criteria:

- A. Smaller Lot Utilization: Areas where the utilization of smaller lots and an increase in residential density will not adversely affect the community character or impose undue strain on existing infrastructure and municipal services.
- B. Redevelopment Areas: Zones identified for redevelopment, where tiny homes can contribute to revitalization efforts without displacing current residents or disrupting existing community fabrics.
- C. Infill Development: Locations suitable for infill development, particularly vacant or underused parcels that can be optimized for residential use, thereby reducing urban sprawl and encouraging more efficient land use.
- D. Mixed Housing Types: Areas that benefit from a diverse housing stock, including tiny homes, to cater to a variety of lifestyles, family sizes, and income levels, promoting inclusivity and affordability in the housing market.

In the designation of the Tiny Home Overlay, the following development considerations shall be adhered to:

- A. Emergency Access: All development within the overlay must ensure clear access for emergency vehicles and services, with appropriately designed ingress and egress points to safeguard the well-being of residents.
- B. Community Integration: Tiny home developments shall be designed to integrate seamlessly with existing neighborhoods, complementing the architectural styles and scales to maintain the aesthetic coherence and community character.
- C. Infrastructure Capacity: The existing infrastructure capacity to support additional residents, including water, sewer, and electrical services, shall be a primary consideration in the approval process to ensure sustainable growth.

Development Standards

- The following development standards are established to guide the development of tiny home lots within the Tiny Home Overlay, ensuring that such developments contribute positively to the community objectives. All building, planning, business licensing and development permits within the tiny home overlay shall submit a site plan showing compliance with the established requirements of this chapter including
- Minimum Lot Size
 - The minimum lot size for the placement of a tiny home shall be 2,500 square feet, with an additional requirement of 500 square feet for each tiny home

placed on the lot.

- Lot Width
 - The minimum lot width for tiny home lots shall be 45 feet regardless of underlying zoning requirements.
- Setbacks
 - Front: Setback requirements shall adhere to the standards established for the respective underlying zone.
 - Side: A minimum of 5 feet from property lines as per fire code.
 - From Other Structures: A minimum setback of 5 feet from other structures on the same lot.
 - Rear: A minimum of 5 feet from the rear property line as per fire code.
 - Corner: 30 feet or 20 feet depending on the orientation of the lot to the adjacent streets.
- Lot Coverage
 - There shall be no maximum lot coverage requirement for tiny home lots to allow flexibility in design and placement.
- Height Restrictions
 - Tiny homes shall not exceed a maximum height of 20 feet
- Utility Connections
 - All tiny homes shall be individually connected to municipal water, sewer, and electrical services to ensure health and safety standards are met.
- Parking
 - A minimum of one parking space per tiny home unit is required.
 - Each parking space must be no smaller than 12 feet by 20 feet and located out of the public right-of-way (ROW).
 - All areas intended or used for parking vehicles wider than 50 inches at any part shall be paved asphalt or concrete parking spaces.
 - Parking spaces/ parking shall not cover more than 50% of the street facing wall of the structure.
 - Tiny homes wishing to store more than one vehicle shall provide additional parking.
 - Street parking shall follow the rules and requirements of the underlying zone.
- Landscaping
 - For lots less than 3,000 square feet designated for a single tiny home or less than 6,500 square feet for multiple tiny homes, all areas not covered by buildings or pavement shall be landscaped. Landscaping must be completed before the issuance of the final certificate of occupancy (C of O).
 - In instances where weather conditions prevent the timely completion of landscaping a Temporary Certificate of Occupancy (C of O) may be granted under the condition that all required landscaping improvements are completed by no later than August 1st following the issuance date. To ensure compliance, the city must receive a performance bond equal to the total amount quoted in a landscaping bid sourced from a landscaping business currently holding a valid business license.

- Should the landscaping improvements not be completed by the stipulated deadline of August 1st following the issuance of the Temporary Certificate of Occupancy (C of O), the performance bond will be forfeited. Upon forfeiture, the City reserves the right to either:
 - Undertake the necessary landscaping improvements directly, utilizing the forfeited bond amount to cover the costs of such landscaping; or
 - Allocate the forfeited bond amount towards other city improvement projects as deemed appropriate by the City Council or its designated authority
- Trash Receptacles
 - Designated areas for trash receptacles must be provided outside of the front setback
- Adequate Drainage
 - Development plans must include provisions for adequate drainage to prevent water accumulation and ensure proper runoff management.
- Emergency Access
 - Developments must ensure clear access for emergency vehicles and services, with appropriately designed ingress and egress points to safeguard residents and property

Tiny Home Standards

To ensure that tiny homes contribute positively to the housing landscape of Vernal City while adhering to safety, stability, and community aesthetic standards, the following criteria are established:

Size Limitations

- Tiny homes are defined as having a maximum footprint of 700 square feet and a total living space not exceeding 900 square feet.

Occupancy and Parcel Development Restrictions

- No more than four (4) tiny homes may be placed on any single lot.
- A parent parcel may not be subdivided to create more than four (4) lots within a three (3) year period for the purpose of developing tiny homes.

Permanent Foundation Requirement

All tiny homes within the overlay zone must be built on permanent foundations. No mobile structures may be allowed in the tiny home overlay.

- The design and construction of the foundation must meet the International Building Code (IBC) requirements as currently adopted by Vernal City. Compliance with these standards assures that tiny homes are built to withstand local environmental conditions

and maintain structural integrity over time.

Permitting Process

A. Administrative Processing and Approval

The Tiny Home Overlay designation shall be processed and approved through an administrative procedure managed by Vernal City staff. This process is designed to facilitate the development of tiny homes within specified areas in alignment with the strategic planning objectives and community needs of Vernal City. The overlay designation shall receive written approval from the following city officials:

1. City Zoning Administrator,
2. Building Official,
3. City Attorney, and
4. Public Works Department Representative.

B. Application Requirements

Applicants seeking a Tiny Home Overlay designation must submit a complete application package to the City Planning Department, which includes:

1. A statement of purpose for the proposed overlay, elucidating its benefits and how it aligns with the city's planning goals.
2. A detailed site plan demonstrating the ability of affected lots to comply with the requirements set forth in this chapter.
3. Any supporting documents necessary to show compliance with this chapter's requirements.
4. The non-refundable application fee, set at the same rate as the fee for rezoning applications as specified in the current fee schedule.

C. Public Notification and Review Process

Upon receipt of the application, city staff will:

1. Issue a public notification to properties within 300 feet of the proposed overlay area, inviting commentary on relevant aspects such as parking and utility arrangements.
2. Perform an initial assessment to verify the completeness of the application and its adherence to the specified requirements.

Following the acceptance of the application, the City Zoning Administrator will conduct a thorough evaluation of the proposal. This evaluation will include:

1. Analysis of the proposal's impact on zoning, infrastructure, and environmental factors.
2. Consideration of the proposal's alignment with the comprehensive city plan.

D. Decision and Notification

The decision, either approval or denial, will be communicated in writing via certified mail to the applicant. This communication will include a staff report, signed by the required city officials, detailing the findings from the comprehensive evaluation and stating any conditions related to the approval or denial.

E. Appeal Process

Applicants may appeal decisions in accordance with the city's established appeal procedures.

F. Ongoing Monitoring and Authority

City staff shall conduct ongoing administrative monitoring to ensure compliance with the overlay requirements. The City retains the right, exercised through administrative authority, to either maintain or remove the Tiny Home Overlay designation as dictated by evolving planning needs and objectives of Vernal City.

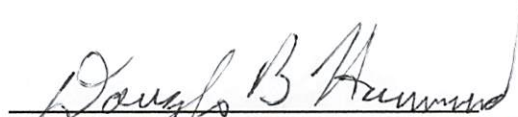
PASSED AND ADOPTED BY THE VERNAL COUNCIL

JUNE 5, 2024

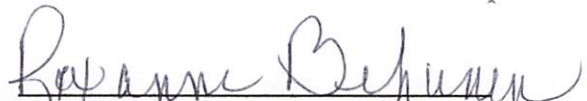
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Robin O'Driscoll	<u>X</u>	_____	_____	_____
Councilmember Corey Foley	<u>X</u>	_____	_____	_____
Councilmember Ted Munford	<u>X</u>	_____	_____	_____
Councilmember Edward Long	<u>X</u>	_____	_____	_____
Councilmember Randel Mills	<u>X</u>	_____	_____	_____

Presiding Officer

Attest



Doug Hammond, Mayor, Vernal



Roxanne Behunin, City Recorder,
Vernal

