

**VERNAL
ORDINANCE 2026-09**

**AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING VERNAL
CITY MUNICIPAL CODE SECTIONS §16.04, §16.26, §16.27, §16.42, AND §16.44 TO
UPDATE RESIDENTIAL DEVELOPMENT STANDARDS**

WHEREAS, the Vernal City Council desires to improve clarity, consistency, and administration of residential development standards within Vernal City; and

WHEREAS, the City Council finds it necessary to update provisions related to residential density, parking, landscaping, and zoning definitions to better reflect current development practices and community needs; and

WHEREAS, the proposed amendments simplify density calculations and establish consistent standards for evaluating residential development within the R-3 and R-4 zoning districts; and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 14, 2026, and forwarded a unanimous recommendation for approval to the City Council;

WHEREAS, the City Council finds that the proposed amendments promote orderly development, improve administrative efficiency, and are consistent with the purposes of land use regulation as set forth in Utah Code Title 10 Chapter 20;

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

SECTION 1: AMENDMENT “Section 16.44.010 Objectives -- Characteristics” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.44.010 Objectives -- Characteristics

~~A. The R-4 residential zone has been established as a district in which the primary use of the land is for multi-family residential purposes but in which office buildings and certain other uses of a semi-commercial nature may be located. In general, this district serves as a transitional zone between the commercial zone. Since this zone is essentially residential in character, office buildings, rest homes, mortuaries, parking lots and other transitional uses must be developed and maintained in harmony with the residential uses. While a greater amount of automobile traffic and automobile parking is characteristic of this zone, attractive lawns, trees, shrubs, both on the street and around the building, is also characteristic of this zone. In order to accomplish the~~

~~objectives and purposes of this chapter and to stabilize and protect the essential characteristics of this zone, the following regulations shall apply in the R-4 residential zone.(PZSC § 03-22-001)~~

The R-4 Residential Zone is established to accommodate high-density residential development within the City. This zone is intended to provide opportunities for a range of housing types, including multi-family dwellings, apartments, townhomes, and other attached residential forms. The R-4 zone is designed to support increased residential density in appropriate locations while ensuring that development remains functional, efficient, and compatible through the application of site design, parking, landscaping, and access standards. In addition to residential development, the R-4 zone may accommodate certain institutional, civic, and limited non-residential uses, such as schools, churches, offices, and similar uses, where such uses are compatible with surrounding residential development and do not adversely impact the residential character of the area. In order to accomplish the objectives and purposes of this chapter, development within the R-4 Residential Zone shall be subject to the regulations set forth herein.

SECTION 2: **ADOPTION** “Section 16.44.030 Density Per Acre” of the Vernal Municipal Code is hereby *added* as follows:

A D O P T I O N

Section 16.44.030 Density Per Acre(*Added*)

Density calculations shall apply to all residential development types within the R-4 zone, including townhome developments.

The Residential R4 zone shall be limited to twenty-five (25) Units Per Acre

SECTION 3: **AMENDMENT** “Section 16.44.035 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.44.035 Uses

Uses are as set out in this section:

USES	R-4
Bed and breakfast	C

Boarding houses	C
Churches	P
Day care nursery	P
Dwelling, internal additional	P
Dwelling, two, three and four family	P
Dwelling, single family	P
~~Dwelling, multiple family, containing thirty (30) or less units~~	~~P~~
~~Dwelling, multiple family, containing more than thirty (30) units~~	~~C~~
<u>Dwelling, multi-family</u>	<u>P</u>
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Hospitals and clinics	P
Household pets not exceeding 4	P
Mortuary	P
Portable Storage Container	P
office buildings or group of office buildings	P
PRUD	P
Public parking lots	P
Public utility buildings and facilities	P
Rest home	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Retail establishments	N
~~Row House~~	~~P~~
Schools	P
Signs, monument	P
Signs - non-flashing, flat	P
Signs pertaining to sale or lease of property or professional offices	P
Temporary storage buildings for construction	P

Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
<u>Townhome</u>	<u>P</u>
Urban farm	P
Livestock	C
Uses ruled to be similar by the Planning Commission	P
Wedding chapel	P
Wholesale commercial establishment	N

(Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2012-04, Add, 05/02/2012)

SECTION 4: AMENDMENT “Section 16.44.040 Minimum Area Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.44.040 Minimum Area Requirements

In the R-4 residential zone, minimum area requirements are as follows:

~~A. For each residential building: six thousand five hundred (6,500) square feet, plus one thousand five hundred (1,500) square feet for each dwelling unit in excess of one (1) in each building; For other main buildings: seven thousand five hundred (7,500) square feet. Dwelling utilizing zero side yard: four thousand five hundred (4,500) square feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot. Row houses: three thousand (3000) square feet.~~

Residential density in the R4 Residential Zone shall be regulated by maximum units per acre as established in Section 16.44.030 (Density Per Acre). Lot size configuration and layout shall be governed by setback, landscaping, parking, and site design standards.

(PZSC § 03-22-004)(Ord. 2015-06, Amended, 04/15/2015; Ord. 2015-03, Amended, 02/20/2015)

SECTION 5: **AMENDMENT** “Section 16.44.050 Minimum Width Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.44.050 Minimum Width Requirements

- A. Width requirements shall be measured at a distance of thirty (30) feet back from the front lot line.
- B. The minimum width of any parcel for a one (1) family or other main building shall be sixty-five (65) feet, plus five (5) additional feet for each additional dwelling unit up to eighty (80) feet.
- C. Dwelling utilizing zero side yard: forty-five (45) feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot.

~~D. Row House: thirty (30) feet.~~

(PZSC § 03-22-005)

(Ord. 2015-06, Amended, 04/15/2015; Ord. 2015-03, Amended, 02/20/2015; Ord. 2009-12, Amended, 07/15/2009)

SECTION 6: **AMENDMENT** “Section 16.44.060 Setback Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.44.060 Setback Requirements

- A. Front Setback: All buildings and structures shall be set back at least ~~twenty (20)~~ fifteen (15) feet from the front lot line.

B. Townhome developments shall comply with the following:

- 1. Townhome developments with vehicular access provided from a rear alley or private drive may utilize the minimum fifteen (15) foot front setback.
- 2. Townhome developments with vehicular access provided from the front of the lot shall provide a minimum front setback sufficient to accommodate required driveway parking spaces.
- 3. Where driveway parking is utilized to satisfy required parking, the driveway shall have a minimum depth of twenty (20) feet.

C. Side Setback:

- 1. Except for dwellings utilizing zero side yards, all dwellings and other main buildings shall be set back from the side property line a distance of at least five

- (5) feet.
2. The minimum side setback for accessory buildings shall be the same as for main buildings except that no side setback shall be required for accessory buildings located twelve (12) feet or more in back of the dwelling.
 3. On corner lots, the side setback from the street along the exterior lot line for any dwelling, accessory building or other main building shall not be less than ~~twenty (20)~~ fifteen (15) feet, unless:
 - a. The exterior lot line is directly adjacent to an unimproved, undeveloped section of public right-of-way. If this is the case, the side setback for accessory buildings shall be ten (10) feet.

D. Rear Setback:

1. For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ten (10) feet. Accessory buildings shall be set back at least one (1) foot from the rear property line.
2. For exterior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ten (10) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than five (5) feet.

(PZSC § 03-22-006)

(Ord. 2015-03, Amended, 02/20/2015)

SECTION 7: AMENDMENT “Section 16.44.070 Height And Coverage Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.44.070 Height And Coverage Requirements

~~A. The maximum height requirement in the R-4 residential zone is as follows: The maximum height for residential housing developments containing four (4) or less units ie: single-family, duplex, triplex, or four-plex structure shall not exceed three (3) stories tall with a maximum of forty-five (45') feet. Multi-family projects containing five (5) or more dwelling units and all commercial projects shall not exceed four (4) stories with the overall height of structures not exceeding sixty (60') feet. All accessory buildings shall not exceed thirty-five (35') feet. Chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height. The maximum area of any lot that may be covered by structures is sixty-five (65) percent.~~

The maximum height requirement in the R-4 Residential Zone is as follows:

- a. Single-family dwellings, duplexes, triplexes, and fourplexes shall not exceed three (3) stories or forty-five (45) feet in height.
- b. Multi-family residential structures shall not exceed four (4) stories or sixty (60) feet in height.
- c. All accessory buildings shall not exceed thirty-five (35) feet in height.

Chimneys, flagpoles, television antennas, church towers, and similar structures not used for human occupancy are excluded in determining height.

(PZSC § 03-22-007)

(Ord. No. 96-07, Amended, 03/20/96)

SECTION 8: AMENDMENT “Section 16.42.010 Objectives -- Characteristics” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.42.010 Objectives -- Characteristics

- A. ~~The R-3 residential zone covers the portion of the City which is primarily suited for residential development represented by the commingling of one (1) family, two (2) family and multiple-family dwellings, plus parks, playgrounds, schools, churches and other community facilities designed to serve the residents of the zone. This zone is characterized by a more compact and somewhat denser residential development than in the R-1 and R-2 zones. Owners and developers of property within this zone should bear in mind that primacy is given to multiple-unit housing development and maintain their properties in recognition thereof. In order to accomplish the objectives and purposes of this chapter and to stabilize and protect the essential characteristics of this zone, the following regulations shall apply in the R-3 residential zone:~~

The R-3 Residential Zone is established to accommodate medium-density residential development and to serve as a transition between lower-density residential areas and higher-density residential or mixed-use areas of the City. This zone is intended to provide for a variety of housing types, including single-family dwellings, duplexes, triplexes, fourplexes, townhomes, and other compatible residential forms. In addition to residential development, the R-3 zone may accommodate parks, schools, churches, and other community-oriented or institutional uses that serve the residents of the area and are compatible with surrounding residential development. Development within the R-3 zone is expected to be more compact than in the R-1 and R-2 zones while maintaining compatibility with surrounding neighborhoods through appropriate site design, landscaping, parking, and access standards. In order to accomplish the objectives and purposes of this chapter, development within the R-3 Residential Zone shall be subject to the regulations set forth herein.

(PZSC § 03-21-001)

SECTION 9: **ADOPTION** “Section 16.42.030 Density Per Acre” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.42.030 Density Per Acre(*Added*)

Density calculations shall apply to all residential development types within the R-3 zone, including townhome developments.

The Residential R3 zone shall be limited to fourteen (14) Units Per Acre

SECTION 10: **AMENDMENT** “Section 16.42.035 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.42.035 Uses

Uses are as set out in this section:

USES	R-3
Bed and breakfast	C
Boarding houses	C
Churches	P
Day care nursery	P
Dwelling, internal additional	P
Dwelling, two, three or four family	P
Dwelling, single family	P
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Hospitals and clinics	C

Household pets not exceeding 4	P
Livestock	C
Mortuary	C
Portable Storage Container	P
Professional office buildings	C
PRUD	P
Public parking lots	C
Public utility buildings and facilities	P
Rest home	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Schools	P
Signs, monument	P
Signs pertaining to sale or lease of property or professional offices	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
<u>Townhome</u>	<u>P</u>
Urban farms	P
Wedding chapel	C

(Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2012-04, Add, 05/02/2012)

SECTION 11: AMENDMENT “Section 16.42.040 Minimum Area Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.42.040 Minimum Area Requirements

A. One (1) family dwelling: six thousand five hundred (6,500) square feet;

~~B. Dwelling utilizing zero side yard: four thousand five hundred (4,500) square feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot; Two (2) family dwelling: nine thousand (9,000) square feet; Three (3) family dwelling: ten thousand (10,000) square feet; Four (4) family dwelling: twelve thousand (12,000) square feet.~~

Minimum lot area requirements based on dwelling count are hereby removed. Residential density in the R3 Residential Zone shall be regulated by maximum units per acre as established in Section 16.42.030 (Density Per Acre). Lot size configuration and layout shall be governed by setback, landscaping, parking, and site design standards.

(PZSC § 03-21-004)

(Ord. 2015-06, Amended, 04/15/2015)

SECTION 12: AMENDMENT “Section 16.42.060 Setback Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.42.060 Setback Requirements

A. Front Setback: All buildings and structures shall be set back at least ~~thirty (30)~~ Twenty (20) feet from the front lot line. B. Side Setback:

1. Except for dwellings utilizing zero side yards, all dwellings and other main buildings shall be set back from the side property line a distance of at least five (5) feet. 2. The minimum side setback for accessory buildings shall be the same as for main buildings except that no side setback shall be required for accessory buildings located twelve (12) feet or more in back of the dwelling. 3. On corner lots, the side setback from the street along the exterior lot line for any dwelling, accessory building or other main building shall not be less than twenty (20) feet, unless:

a. The exterior lot line is directly adjacent to an unimproved, undeveloped section of public right-of-way. If this is the case, the side setback for accessory buildings shall be ten (10) feet.

C. Rear Setback:

1. For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ~~twenty (20)~~ fifteen (15) feet. Accessory buildings shall be set back at least one (1) foot from the rear property line. 2. For exterior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ~~twenty (20)~~ fifteen (15) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than five

(5) feet.

PZSC § 03-21-006)

SECTION 13: AMENDMENT “Section 16.27.060 Minimum Number Of Trees Or Shrubbery” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.27.060 Minimum Number Of Trees Or Shrubbery

- A. CC-1, C-2, CP-2, CCP-1, HC-1, I-1 and F-1 zones.
 - 1. A minimum ratio of one (1) tree or shrubbery per every 500 square feet of landscaping shall be provided on the overall site plan. For example:
Commercial C-2 one (1) acre site shows 5% greenspace; $5\% = 2178 \text{ sq. ft.}$
divided by 500 = 4.356 rounded to 4 trees or shrubbery for the 1 acre site;
- B. R-3, R-4, MX and P-1 zones;
 - 1. A minimum ratio of one (1) tree or shrubbery per every 1500 square feet of landscaping shall be provided on the overall site plan. For example: A one (1) acre R-4 multi-family site shows 30% open green space: $30\% = 13068 \text{ sq. ft.}$
divided by 1500 = 8.712 rounded to 9 trees or shrubbery for the one (1) acre site.
- C. Coniferous trees (evergreens) shall be a minimum of six (6) feet high. Deciduous trees (leaf bearing) shall be a minimum of two (2) inches caliper. Shrubbery shall be a minimum of ten (10) gallons.

Locations of Trees.

- a. Trees shall be incorporated into site design, particularly along street frontages, within common areas, and as part of required buffering. Tree type, size, and spacing shall be appropriate to the scale and layout of the development and may include a mix of shade and ornamental species.
- b. Trees shall be located and maintained within the yards so as not to impact public sidewalks or rights-of-way with roots, branches, or other debris.

(Ord. No. 94-15, Enacted, 07/14/94; Ord. No. 96-27, Amended, 11/20/96)

SECTION 14: AMENDMENT “Section 16.27.070 Minimum Area Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.27.070 Minimum Area Requirements

Landscaping shall be provided for all land not covered by buildings or by off-street parking space in those zones requiring landscaping. In zones that require a building set back, the main landscaped area shall be distributed across the site with emphasis on street frontage, buffers, and open spaces. ~~(60% of the total landscaping requirement) shall be along the frontage, parallel to the public road right of way. No rock or gravel, except boulders, shall be allowed in the main landscaped area.~~ Landscaping shall be arranged to provide functional open space, site buffering, and visual enhancement of development.

Landscaping may include drought-tolerant plantings, native vegetation, decorative rock, and other water wise design elements, provided 50% of landscaped areas incorporate living plant material and are not composed solely of inorganic ground cover.

Landscaping plans shall be submitted with site plans according to site plan regulations. All zones shall require the following minimum landscaping regulations:

Park-like amenities such as sports courts, pavilions, and similar recreational or community-oriented features may be credited toward required landscaping areas, subject to approval and provided that a minimum amount of living plant material is maintained in accordance with this section.

A. Residential.

1. R-3 Residential: ~~Multi-family~~ Residential developments of three units or more shall have minimum landscaping of ~~30%~~ 20% of the lot area.
2. R-4 Residential: Multi-family developments of three units or more shall have minimum landscaping of 28% of the lot area.
3. R-4 Residential: ~~Row house~~ Townhome developments shall have minimum landscaping of 15% of the lot area.
- ~~4. MX Mixed Use Residential: Developments having a residential component shall have minimum landscaping of 10% of the lot area.~~

B. Commercial.

1. CC-1 Central Commercial Zone: None, except for areas of the development not covered by buildings or parking.
2. C-2 Commercial Zone: Commercial developments shall have a minimum landscaping of 5% of the lot area. Multi-family dwellings shall meet the same requirement as the R-4 Residential zone.
3. CP-2 Planned Commercial Zone: Commercial developments shall have a minimum landscaping of 5% of the lot area. Multi-family dwellings shall meet

the same requirement as the R-4 Residential Zone.

4. CCP-1 Planned Commercial Zone: None, except as required by the Planning Commission.

~~5. MX Mixed Use Residential: Developments having no residential component shall have minimum landscaping of 5% of the lot area.~~

C. I-1 Industrial Zone shall have a minimum landscaping of 5% of the main building area.

D. P-1 Parks zone shall have a minimum landscaping of 40% of the lot area.

E. F-1 Fairgrounds zone shall have a minimum landscaping of 15% of the lot area.

F. HC-1 Health Care Zone shall have a minimum landscaping of 10% of the lot area.

G. MX Mixed use zone: Developments shall have minimum landscaping of 10% of the lot area.

~~H. Locations of Trees: Trees shall be located and maintained within the yards so as not to impact public sidewalks or rights-of-way with roots, branches, or other debris.~~

(Ord. No. 94-15, Enacted, 07/14/94; Ord. No. 97-01, Amended, 07/02/97)(Ord. 2005-01, Amended, 04/06/2005)

SECTION 15: AMENDMENT “Section 16.26.110 Parking Space Requirements -- Dwellings” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.26.110 Parking Space Requirements -- Dwellings

In all zones there shall be provided parking spaces in a private garage or in an area properly located for a future garage:

- A. Single-family dwelling, to include ~~row houses~~townhomes: two (2) spaces;
1. Required parking for townhome developments may be satisfied through a combination of garage spaces, driveway spaces, and common parking areas, provided all applicable design and access standards of this Title are met.
 2. Up to fifty percent (50%) of the parking requirement for a row house development may be provided in a common parking lot provided the following conditions are met:
 - a. Easements upon the common parking lot for the benefit of all units in the development must be recorded with the Uintah County Recorder, and;
 - b. Common parking lots must be contiguous with the residential area of the ~~row house~~townhomes development and located within the same city block as the lots they serve. When the ~~row house~~townhomes

development is not located in an area platted with standard city blocks, the common parking lot, and; All other parking lot design standards specified within this title must be met.

- c. All other parking lot design standards specified within this title must be met.
- B. Two-family dwelling: four (4) spaces;
- C. Three-family dwelling: six (6) spaces;
- D. Four-family dwelling: eight (8) spaces;
- E. Other multiple-family dwellings:
 - 1. Standard multiple-family dwelling requires two (2) spaces per dwelling unit,
 - 2. ~~Multiple-family dwellings designed to accommodate exclusively bachelors and/or bachelorettes require one (1) space for each person in each unit. The building permit shall stipulate the maximum number of persons per unit and the number and type of unit.~~ Studio or efficiency dwelling units shall require one (1.5) parking space per dwelling unit.
 - 3. ~~Housing exclusively for the elderly and/or handicapped require one (1) space per unit.~~ Age-restricted residential developments, including housing for older persons as defined by applicable federal law, shall require one (1.5) parking space per dwelling unit.
 - 4. Multiple family developments containing more than four (4) dwelling units shall provide one (1) additional parking space for each two (2) dwelling units.
 - 5. The additional parking requirements set forth in sub-section E(d) shall not apply to townhomes or townhome developments.
- F. All dwelling units within the CC-1 or MX zones require one and one half (1.5) parking spaces per unit.
 - 1. Residential development in the MX Zone shall provide Off-Street Parking as follows:
 - a. Development shall provide a minimum of two (2) Parking spaces per dwelling unit.
 - b. Development shall provide a minimum of parking as listed in commercial use table 16.26.120 (parking spaces required non-dwelling).
 - c. Parking count can be modified if an adjacent special assessment area is established
 - 2. Parking spaces may include garage spaces, driveway spaces or designated surface parking spaces
- G. If any dwelling unit is increased by occupant use after the original building permit is issued, the parking requirements shall reflect that increase;
- H. In addition to the parking space requirements set out in this section, one (1) space shall be provided for every two (2) paying guests residing in such dwelling unit. "Paying guest" refers to the rental of sleeping rooms within the dwelling unit. (PZSC § 03-12-011)

(PZSC § 03-12-011)

(Ord. 2010-16, Amended, 08/04/2010; Ord. 2009-11, Amended, 07/15/2009)

SECTION 16: **AMENDMENT** “Section 16.26.160 Location” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.26.160 Location

Off-street parking facilities shall be located as hereinafter specified.

- A. For any type building, parking facilities shall be located on the same lot or building site as the buildings which they are required to serve.
- B. For uses other than those specified in subsection A of this section, parking spaces shall not be over five hundred (500) feet from the building they are required to serve.
- C. ~~In any residential zone, not more than twenty-five (25) percent of the required front yard or side yard adjacent to a street shall be devoted to driveways and off-street parking.~~
- D. In any residential zone, not more than thirty-five percent (35%) of the required front yard or side yard adjacent to a street shall be devoted to driveways and off-street parking for single-family detached dwellings.
- E. For attached residential dwellings, including duplexes, triplexes, fourplexes, townhomes, and multi-family structures, not more than fifty percent (50%) of the required front yard or side yard adjacent to a street shall be devoted to driveways and off-street parking.
- F. Driveway and parking areas shall be designed to support required off-street parking while maintaining visual quality, minimizing excessive hardscape, and avoiding domination of the streetscape.
- G. Where distance is specified, such distance shall be walking distance measured from the nearest point of the building that such facility is required to serve.

(PZSC § 03-12-015 (2))

(Ord. No. 96-07, Amended, 03/20/96)

SECTION 17: **AMENDMENT** “Section 16.04.005 Planning And Zoning Definitions” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.04.005 Planning And Zoning Definitions

Definitions: The following is the definitions used for the land use Section of the City Code:
"Access Strip" shall be defined as a strip of land which is part of a lot and provides access to the part thereof used or to be used for buildings and structures.

"Affected Entity" in accordance with Section ~~10-9a-103~~ 10-20-102 of Utah Code Annotated.

"Age-Restricted Residential Development" means a residential development that is intended and operated for occupancy by older persons and complies with applicable federal and state laws governing housing for older persons.

"Agriculture" is the tilling of the soil, the raising of crops, horticulture and gardening, but not including keeping or raising of domestic animals or fowl except household pets and not including any agricultural industry or business such as fruit packing plants, fur farms, animal hospital or similar uses.

"Alley" is a public thoroughfare less than twenty-six (26) feet wide.

"Amusement Devices" is any machine which, upon the insertion of a coin, slug, token, plate, disc or upon the payment of a consideration, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It includes such devices as marble machine, pinball machine, skill ball, mechanical grab machines which yield a prize and all games, operations or transactions similar thereto under whatever name they may be indicated. The term does not include coin-operated phonographs, ride machines designed primarily for the amusement of children or vending machines in which are not incorporated features of gambling or skill.

"Animal Boarding" is a commercial facility that, in a completely enclosed facility, keeps household pets as defined herein.

"Architectural Projection" is any projection which is not intended for occupancy and which extends beyond the face of an exterior wall or a building but shall not include signs.

"Bakery" is a facility with the primary, but not the sole, function of producing baked food products. Bakeries may also include the on-site retail sales of baked goods.

"Barber / Beauty Shop" is a commercial establishment where licensed professionals provide personal grooming services including hair cutting, styling, coloring, shaving and related cosmetic treatments to the public.

"Basement" is a story partly underground and having at least one-half (1/2) its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement.

"Bed and Breakfast Home" is an operator -occupied dwelling containing a minimum of two (2) but not more than eight (8) guest rooms where lodging for compensation is provided to the public and that is in operation for more than ten (10) nights in a twelve (12) month period. The operator shall be the owner of the property or the owner's agent.

"Blanketing or Blanket" is when applied to signs or sign structures, means the partial or complete shutting off of the face of one (1) sign by another.

"Boardinghouse" is a building with not more than five (5) guest rooms where, for compensation, meals are provided for at least five (5) but not more than fifteen (15) persons.

"Building" is any structure used or intended for supporting or sheltering any use or occupancy.

"Building, Accessory" is a subordinate building or a portion of a main building on a lot, the use of which is customarily incidental to that of a main or principal building. All accessory structures and buildings over one hundred eighty (180) square feet shall be designed and constructed as to be compatible with the architectural components of the main dwelling or building. This shall include compatible roof pitch, compatible exterior material and design, landscaping, etc. Structures primarily and continually used as green houses, shall be exempt from the compatibility requirements. Further, no accessory building in any residential zone shall cover more than twenty-five (25%) percent of the rear yard.

"Building Agricultural" Is a structure designed and constructed to house farm implements, hay, grain, poultry, livestock and other horticultural products.

"Building, Detached" is a building surrounded by open space on the same lot.

"Building, Facade" is that portion of an exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.

"Building, Facade Facing" is a rebuilding of an existing facade with approved material illuminated or nonilluminated.

"Building, Height of" is the vertical distance above "grade" as defined herein to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The measurement may be taken from the highest adjoining sidewalk or ground surface within a five (5) foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten (10) feet above grade. The height of a steeped or terraced building is the maximum height of any segment of the building.

"Building, Main" is a building in which is conducted the principal use of the lot on which it is located.

"Building Official or Chief Building Official": is the official or other person charged with the administration and enforcement of Title 15 of the Vernal City Municipal Code and other ordinances as specifically noted to be enforced by the Building Official, or the duly authorized designee appointed by the City Manager or Mayor.

"Building, Public" is a building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the state of Utah, or any of its political subdivisions.

"Bus Shelter" is a structure associated with a designated bus stop designed to provide shelter to passengers awaiting transportation on a bus system.

"Business Complex" is a group of associated businesses, whether located on the same parcel of property or not, having cross connectivity between parking areas and sharing accesses to public roadways, which jointly identify themselves as part of said business group.

"Cannabis Cultivation Facility" means a person that:

- A. possesses cannabis; and
- B. grows or intends to grow cannabis; and
- C. sells or intends to sell cannabis to a cannabis cultivation facility or to a cannabis processing facility.

"Cannabis Processing Facility" means a person that:

- A. acquires or intends to acquire cannabis from a cannabis production establishment or a holder of an industrial hemp processor license under Title 4, Chapter 41, Hemp and Cannabidiol Act, Utah Code Annotated;
- B. possesses cannabis with the intent to manufacture a cannabis product;
- C. manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and
- D. sells or intends to sell a cannabis product to a medical cannabis pharmacy or the state central fill medical cannabis pharmacy.

"Cannabis Production Establishment" is a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory.

"Carwash, Laundry-Type" is a structure or portion thereof containing facilities for washing passenger automobiles, using production line methods such as, but not limited to, chain conveyor, movable or revolving cleaning brushes, blower, steam cleaning or similar mechanical device.

"Carwash, Manual spray" is a structure or portion thereof containing facilities for washing passenger automobiles, limited to using only hand-operated manual spray cleaning equipment and techniques.

"Cellar" is a story having more than one-half (1/2) its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.

"Changeable Copy Panel" is a sign panel which is characterized by changeable copy, regardless of method of attachment.

"Chief Executive Officer" is the current, officially elected Mayor of Vernal City, Utah.

"City" is Vernal City, Utah.

"Clear Vision Triangle" is a triangular area formed by the curb lines, or edges of vehicular travel ways in areas where no curbs are present, and a line connecting them at points twenty (20) feet distant from the intersection of curb lines or travel ways.

"Cluster Subdivision" is a subdivision of land in which the areas and widths of residential lots are reduced below the minimum lot areas and lot width requirements of the zone in which the subdivision is located and where equivalent common open space areas are provided to compensate for such lot reduction.

"Common Open Space" is the land area in a planned residential unit development (PRUD) reserved and set aside for recreational uses, landscaping, open grass areas, parking and driveway areas for the common use and enjoyment of the residents of PRUD.

"Common Open Space Easement" is the required right-of-way granted to the City by the owner(s) of a PRUD, on and over land in a PRUD designated as open space, which easement guarantees to the City that the designated common open space and recreation land is permanently reserved for access, parking and recreation and open space purposes in accordance with the plans and specifications approved by the Planning Commission and the City Council at the time of approval of the PRUD or as such plans are amended from time to time.

"Conditional Uses" is a land use that, because of its unique characteristics or potential impact on the City, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

"Condominium Projects" is a real estate condominium; a plan or project whereby two or more units, whether contained in existing or proposed apartments, commercial or industrial buildings or structures, or otherwise, are separately offered or proposed to be offered for sale, together with an undivided interest in any common areas and facilities of the property. Condominium project shall also mean the property when the context so requires. 1 Such projects shall meet all requirements of the Condominium Ownership Act of the State of Utah.

"Corral" is a space other than a building less than ten thousand (10,000) square feet in area and less than one hundred (100) feet in width used for the confinement of animals.

"County" is the unincorporated areas of Uintah County, Utah.

"Court" is a space open and unobstructed to the sky, located at or above grade level on a lot and bounded on three (3) sides by walls of a building.

"Coverage, lot" is the percent of the lot area covered by the main and accessory buildings.

"Dairy" A commercial establishment for the manufacture, processing or sale of dairy products.

"Data Center" is a facility used to house and maintain electronic hardware whose primary function is the storage, management, and dissemination of electronic data.

"Day Care Center" is a building or structure where seven (7) or more children are regularly cared for during the day for compensation.

"Domestic Abuse Shelter" is a place of temporary residence and associated services for individuals who are victims of domestic abuse.

"Dry Cleaner" is an establishment which has, as its sole purpose, the cleansing of fabrics with substantially non-aqueous organic solvents. Laundry establishments with self-service, coin-operated cleaning machines shall not be classified as a dry cleaner.

"Dwelling" is a building or portion thereof designated or used as the living quarters for one (1) or more families. The portion of the building that is classified as dwelling shall have a minimum of fifty (50%) percent of its floor area used as "habitable space" as defined in the International Residential Code such as (IRC) garage.

"Dwelling, Caretaker" is a permanent structure used as a dwelling on the same site as a building, operation, plant or recreation facility that is occupied by an employee of those premises.

"Dwelling, Group" is two (2) or more dwellings placed upon a single lot.

"Dwelling, Internal Additional" is a habitable dwelling unit created within or attached to a primary dwelling unit and located entirely on the same lot as said primary dwelling unit.

"Dwelling, Mixed use accessory" is a dwelling that is incorporated into a structure that is subsidiary and subordinate to the primary use of the structure.

"Dwelling, multi-family" is a building arranged or designed to be occupied by three (3) or more families.

"Dwelling, single family" is a building arranged or designated to be occupied by (1) family; the structure having only one (1) dwelling unit.

"Dwelling, single family row house" is a building built directly against an adjoining building without an open space between and containing one (1) family dwelling unit extending from basement to roof. Each such single-family attached dwelling unit shall have a front and rear entrance. Each group of single-family attached buildings shall be considered (1) structure for purposes of front, rear and side yard requirements.

"Dwelling, temporary" is a portable structure having provisions for living, sleeping, cooking and sanitation, to include travel trailers, campers and manufactured homes, but not to include tents or tent trailers.

"Dwelling, two-family" is a building arranged or designated to be occupied by two (2) families; the structure having only two (2) dwelling units.

"Dwelling unit" is one (1) or more rooms in a dwelling, apartment, motel, hotel or apartment

hotel designed for or occupied by one (1) family for living, sleeping, eating and sanitation purposes. A dwelling unit may contain more than one (1) set of kitchen facilities, whether temporary or permanent, provided they are used only by members of the family occupying the dwelling unit or their non-paying guests. A dwelling unit may include up to two (2) persons per unit to whom rooms are rented in addition to a family related by blood, marriage or operation of law, but if the number of such additional persons exceeds two (2) or if they use or are furnished separate cooking facilities, whether temporary or permanent, such additional persons shall be considered a separate dwelling unit.

~~"Dwelling unit, bachelor or bachelorette" is a dwelling unit designed or used to accommodate unrelated persons exclusively.~~

"Educational institution" is a public elementary or secondary school or a private educational institution having a curriculum similar to that ordinarily given in public schools.

"Elderly person" is a person who is sixty (60) years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

"Explosive magazine" is any building, structure or device, other than an explosive manufacturing building, used for the storage of explosives.

"Family" A group of individuals, related or unrelated, living together as a domestic group.

"Urban Farm Stand" is a temporary structure used for the display and sale of unprocessed produce or honey only produced or grown on-site.

"Fence" is a tangible barrier or obstruction of any material with the purpose or intent, or having the effect of preventing passage or view across the fence line. It includes hedges and walls.

"Floor Area" is the sum of the gross horizontal area of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not devoted to residential use, but including the area of roofed terraces. All dimensions shall be measured from the exterior faces of the exterior walls.

"Floor-lot area ratio" is the total floor area of a building divided by the area of the lot on which it is located "Frontage" is a property line along either a public or private right-of-way.

"Pet Grooming Parlor" is any establishment that bathes, clips, pedicures or grooms any pet or captive animal for profit or compensation. Pet grooming parlors may not keep any animal on premises for more than twenty-four (24) hours.

"Garage, Carport" is a private garage not completely enclosed by walls or doors. For the purposes of this title, a carport shall be subject to all the regulations prescribed for a private garage.

"Garage, Private" is an enclosed space or accessory building for the storage of one (1) or more motor vehicles; provided, that no business, occupation or service is conducted for profit

therein, nor space therein for more than one (1) car is leased to a nonresident of the premises. A garage shall be considered part of a dwelling if the garage and dwelling have a roof or wall in common or are connected structurally by a physical connection such as a wall, trellis or solid fence.

"Garage, Public" is a building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling or storing motor vehicles.

"General or Master Plan" is a document that Vernal City adopts that sets forth general guidelines for proposed future development of the land within the City under the guidelines set forth by state of Utah statutes.

"Grade" is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

"Guest home" is a separate dwelling structure located on a lot with one (1) or more main dwelling structures and used for a housing of guests or servants and not rented, leased or sold separate from the rental, lease or sale of the main building.

"Handicapped Person" is a person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments that is likely to continue indefinitely and that results in a substantial functional limitation in three (3) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living and economic self-sufficiency; and requires a combination or sequence of special interdisciplinary or generic care, treatment or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.

"Home Occupation" is, unless defined more specifically elsewhere in this Code, any occupation, profession, trade or other commercial activity conducted on a regular basis within or from an approved residential dwelling by one or more occupant residing in the dwelling that is clearly incidental and subordinate to the primary or principal use of the dwelling and property.

"Hotel" is a building designed for or occupied as the more or less temporary abiding place of sixteen (16) or more individuals who are, for compensation, lodged with or without meals.

"Household Pets" are animals ordinarily permitted in residences and kept for the company or pleasure of residents, such as domesticated birds, domesticated cats and domesticated dogs. Household pets also include tropical fish, amphibians, reptiles, or invertebrates of a number that do not constitute a health hazard or nuisance and can safely and humanely be kept in aquariums, cages, or enclosures within a residence. Household pets shall not include the keeping of "vicious animals", "wild animals" or "livestock" as defined in Title 6 of the Vernal City code. Furthermore, household pets shall not include miniature horses, pygmy goats, and

Vietnamese pot-bellied pigs.

"Incombustible Material" Any material which will not ignite at or below a temperature of one thousand two hundred (1200) degrees during an exposure of five (5) minutes, and will not continue to burn or glow at that temperature. Tests shall be made as specified in the Uniform Building Code.

"Independent Cannabis Testing Laboratory" means a person that: conducts a chemical or other analysis of cannabis or a cannabis product; or acquires, possesses, and transports cannabis or a cannabis product with the intent to conduct a chemical or other analysis of the cannabis or cannabis product.

"Junkyard" is the use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof; provided, that this definition shall not be deemed to include such uses which are clearly incidental to and accessory to any agricultural use permitted in the zone.

"Kennel" is land or buildings used in the keeping of four (4) or more dogs or cats over four (4) months old.

"Kindergarten" is a school or class for children generally under six (6) years of age.

"Landscaping" is some combination of planted trees, shrubs, vines, groundcover, flowers or lawns. In addition, the combination or design may include rocks, boulders and screens, bark, walls, fences, or benches, but such objects shall not exceed 20% of the landscaping requirement. The selected combination of objects for landscaping purposes shall be arranged in a harmonious manner in conformance with this Title.

"Laundromat or Launderette" is a self-service laundry establishment where clothes are cleansed in a coin-operated machine. Laundromats and launderettes may include self-service coin-operated dry cleaning machines.

"Legislative Body" is the Vernal City Council.

" Livestock" shall have the definition set forth in Utah Code Ann. §76-9-301(f) and as set forth in 6.04.030, and shall refer to domesticated animals raised in an agricultural setting for the production of food, fiber and labor. This includes, but is not limited to, cows, horses, sheep, goats, and poultry. The term excludes domestic pets such as dogs and cats and wild or exotic animals kept for non-agricultural purposes.

"Lodging house" is a building where lodging only is provided for compensation to five (5) or more, but not exceeding fifteen (15) persons in contrast to hotels.

"Lot" is a parcel of land occupied or to be occupied by a main building or group of buildings (main and/ or accessory) together with such yards, open spaces, lot width and lot area as are required by this title, and having frontage upon a street.

"Lot, Corner" is a lot abutting on two (2) intersecting streets where the interior angle of intersection or interception does not exceed one hundred thirty-five (135) degrees.

"Flag Lots" is a lot shaped like a flag with the pole of the flag being the access to a dedicated public street. No more than three (3) lots can share access off a dedicated public street.

"Lot, Interior" is any lot other than a corner lot.

"Maintain" refers to, but is not limited to, the following: service, repair, alter, remodel, reletter, redecorate, repaint, move or remove. It does not include the removal of signs by a licensed wrecking contractor. Owners or lessees of signs may repaint, redecorate and/or change letters or panels on their own signs.

"Manufactured Home" is a transportable factory-built housing unit constructed, reconstructed or remodeled on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one (1) or more sections, which, in traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site, is four hundred (400) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems. All manufactured homes constructed, reconstructed, or remodeled on or after June 15, 1976, shall be identifiable by the manufacturer's data plate bearing the date the unit was manufactured, and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

"Manufacturing" includes activities involved in processing of materials that produce a material of higher value than that of the original material. All activities are usually in establishments and often times are called plants, factories or mills. Establishments involved in putting together parts of a manufactured project are considered manufacturing as long as the new product is neither a structure nor other fixed improvements such as highways.

"Marquee" is a permanent roofed structure attached to and supported by the building and projecting over public property.

"Medical Cannabis Pharmacy" is a person that: acquires or intends to acquire: cannabis in a medicinal dosage form or a cannabis product in a medicinal dosage form from a cannabis processing facility; or a medical cannabis device; or possesses cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device; and sells or intends to sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device to a medical cannabis cardholder.

"Mobile Home" See "Manufactured home." (HUD Code).

"Motor Vehicle and Machinery Repairs (Major)" refers to any or all of the following activities: Engine rebuilding; Major reconditioning of worn or damaged motor vehicles; Collision service, including body, frame, or fender straightening or repair; Overall painting of vehicles

within an enclosed structure.

"Motor Vehicle and Machinery Repairs (Minor)" refers to any activity not listed in Section 16.04.377, motor vehicle and machinery repairs (major) that involves the repair or maintenance of motor vehicles or machinery, such as oil changing business, and tire sales business.

"Manufactured Home Park" is a parcel of land which has been planned and improved for the placement of manufactured homes for residential use, with single control or ownership.

"Manufactured Home Subdivision" is a parcel of land which has been planned and improved for the placement of manufactured homes for residential use on single lots with private ownership of the lots.

"Motel" is any building or group of buildings containing sleeping rooms designed for temporary use by automobile tourists or transients, with garage attached or parking space conveniently located to each unit.

"Natural Waterways" are those areas, varying in width, along streams, creeks, gullies, springs or washes which are natural drainage channels as determined by Planning Director and in which areas no buildings shall be constructed.

"Nightclub" is a place of entertainment open at night, usually serving food and liquor, having a floor show and providing music and space for dancing.

"Noncomplying Building" is a building or structure or portion thereof that legally existed before its current land use designation; and because of subsequent land use ordinance changes does not comply with the land use regulations setback, height restrictions or other regulations that govern the building or structure.

"Nonconforming Use" is the use of land that legally existed before its current land use designation; has been maintained continuously since the time the land use regulation governing the land changed; and because of subsequent land use ordinance changes, does not conform with the land use regulations that now govern the land.

"Nursery For Children" is a building or structure where six (6) or more children are regularly cared for during the day for compensation.

"Open Green Space" is an open space suitable for relaxation or landscaping. It shall be unoccupied and unobstructed by buildings and/or hard surfaces such as asphalt, cement and packed gravel, except that such open green spaces may be traversed by necessary sidewalks.

"Ordinance Or Zoning Ordinance" is Title 16 of this code.

"Oversized Trailers" is any trailer over six (6) feet in height including cargo, (i.e. boat containers etc.) that obstructs visibility and impairs the view to the other side of the trailer or any trailer with a length, excluding the hitch, that is sixteen (16) feet in length or longer that is eight (8) feet in width or wider.

"Parcel Of Land" is a contiguous quantity of land, in the possession of or owned by or recorded as the property of the same claimant or person.

"Park Strip" is the area between the curb, or in the case where there is no curb, the edge of the roadway and the abutting property line not improved by surfacing that is not intended for the use of automobile operations. Any opening made in a surfaced area between the roadway and the abutting property line for the purpose of planting trees or other vegetation shall be considered part of the parking strip. Grates or other coverings of said areas shall not be considered as surfacing.

"Parking Lot" is an open area, other than a street, used for parking of more than (4) automobiles and available for public use, whether free, for compensation or as an accommodation for clients or customers.

"Parking Space" is a space within a building or lot for parking or storage of one (1) automobile.

"Paying Guest" is any person hiring a room in a dwelling unit for living, eating or sleeping purposes.

"Person" is one (1) or more persons, an association, a co-partnership, a corporation or firm, either by themselves or by an agent, employee, guardian or trustee.

"Planned Residential Unit Development" is a development in which the regulations of the zone in which the development is situated are waived to allow flexibility and initiative in site and building design and location in accordance with an approved plan and imposed general requirements.

"Planning Commission" is the Planning Commission of Vernal City, Utah.

"Planning Director" is the Planning Director of Vernal City.

"Portable Food Sales Structure" is a portable structure for the merchandising or sale of food or foodstuffs from a nonpermanent location. The structure shall be less than two hundred (200) square feet in area.

"Portable Storage Containers" is any on-site storage container described as a steel portable container, dry van container, warehouse storage unit, semi-tractor cargo container, cargo trailer or any other similarly described unit.

"Private Drive" is a nondedicated thoroughfare or road used exclusively for private access to and from private land and/or development.

"Public Hearing" is any special meeting, either required by law or deemed necessary by the City Council, Planning & Zoning Commission or Board of Adjustment, for which public notice is required for soliciting public input on matters under discussion.

"Recreational Vehicle" is synonymous with "travel trailer" or "camper" and means all units, other than manufactured homes as herein defined, which are mobile and are primarily used or maintained as a temporary dwelling for travel, vacation or recreational purposes.

"Recreational Vehicle Park - Long Term (RV Park)" means any area or tract of land, other than manufactured home parks as herein defined, where lots are rented or held out for rent to one (1) or more owners or users of recreational vehicles for a monthly or yearly contract.

"Recreational Vehicle Park (RV Park), Short Term" means any area or tract of land, other than manufactured home parks as herein defined, where lots are rented or held out for rent to one (1) or more owners or users of recreational vehicles for a nightly or weekly contract.

"Recreational Facility For Elderly Persons" is a single or multifamily dwelling unit that meets the requirements of Section 10-9-501 et seq., Utah Annotated Code, 1953, and any ordinance adopted under authority of that part; and does not include a health care facility as defined by Section 26-21-2, Utah Annotated Code, 1953.

"Residential Facility For Handicapped Persons" is a single or multifamily dwelling unit that meets the requirements of Section 10-9-601, et seq., Utah Annotated Code, 1953, and any ordinance adopted under authority of that part.

~~"Row Houses" is a group of three (3) or more single family dwellings meeting the following criteria: Each dwelling is placed entirely on one (1) parcel, and: Each dwelling utilizes a zero side setback from the property line on both sides of said dwelling and share a common wall with another dwelling on both sides of said dwelling, except end dwellings, which utilize only one (1) common wall and one (1) zero side setback.~~

"Setbacks" is the shortest horizontal distance permitted in each zoning district, as set forth in the Vernal City zoning ordinance, between the boundary lines of a parcel or the edge of a public right-of-way and the building, structure or part thereof.

"Sexually Oriented Business" is all adult bookstores, adult video stores, adult media theaters, adult theater, escort services, out-call services, semi-nude entertainment businesses, semi-nude entertainment bars, and semi-nude dancing agencies as defined in Chapter 5.72.050.

"Sexually Oriented Business Employee" means those employees who work on the premises of the sexually oriented business in activities related to the sexually oriented portion of the business. This includes all managing employees, dancers, entertainers, escorts, models, and other similar employees whether or not hired as employees, agents, or as independent contractors. Employees does not include individuals whose work is unrelated to the sexually oriented portion of the business such as janitor, bookkeepers and similar employees. Sexually oriented business employees does not include cooks, serving person, bartenders, and similar employees; except where they are managers or supervisors of the business or where the employee will be required or chooses to appear in the sexually oriented business in a nude or semi-nude condition. All sexually oriented business employees making the "out-call" meetings under this Chapter, including escorts, models, entertainers, guard, escort runners, drivers,

chauffeurs, and other similar employees are sexually oriented business employees, regardless of the location of the premises of the licensed business employing the out-call employee.

"Shopping Center" is a multi-entity commercial complex under single ownership or control which leases space to various commercial establishments.

"Sign" is a presentation or presentation of words, letters, figures, designs, pictures or colors publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation or a request for air; also the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

"Sign, Abandoned" is a sign that is deemed abandoned if it meets any of the following conditions: Any sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least one hundred twenty (120) days, or; Any sign announcing an event or the date or dates of an event which has passed, except permanent signs announcing the opening of a new business or activity provided that the references to the dates of the opening are removed upon opening, or; Any dilapidated, deteriorated, unreadable, illegible, structurally unsound, or unsafe sign, to include any sign missing any portion of its facing, or; Any multi-tenant sign which advertises for a business, service, owner, product or activity that has not been present on the site for a period of at least one hundred twenty (120) days, or; Any sign remaining after the demolition of a principal structure. Signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one (1) year or more. A sign having a fully intact facing that is in good condition shall not be deemed abandoned if it meets one of the following conditions: Has a completely blank sign face, or; Advertises the property on which the sign is located as being for sale, lease or rent.

"Sign, Advertising" See sign, off-premises.

"Sign, Animated" is a sign which involves motion or rotation of any part created by artificial means or displays flashing or intermittent lights.

"Sign, Background Area" is the entire background area of a sign upon which copy is placed. In computing area of sign background, only the face or faces which can be seen from any one (1) direction at one (1) time shall be counted.

"Sign, Blade" is a sign which is suspended from an overhang, canopy, or awning or is supported from a mounting attached directly to a building and hangs perpendicular to the building wall having an area of three (3) square feet per side or less.

"Sign, Billboard" is a freestanding ground sign that is designed or intended to direct attention to a business, product or service that is not sold, offered or existing on the property where the sign is located.

"Sign, Business" is an on-premises sign which directs attention to a use conducted, a

commodity sold or service performed on the premises. A maximum of ten (10) percent of copy area may also advertise a product not manufactured on the premises.

"Sign, Cloth" is any sign executed upon or composed of any flexible fabric.

"Sign, Combination" is a sign incorporating any combination of the features of projecting, roof or freestanding signs.

"Sign, Copy Area" is the area of a sign that is used for display purposes excluding the minimum frame and supports. In relation to signs that do not have a frame or separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display.

"Sign, Development" is an on-premises sign identifying a construction project or subdivision development. The sign may contain the name of the project, name and address of the construction firm(s), architect and developer.

"Sign, Directional" is an on-premises incidental sign designed to guide or direct pedestrians or vehicular traffic.

"Sign, Flat" is any sign attached to a building or other structure that projects less than eighteen (18) inches beyond the building but extends parallel or substantially parallel thereto.

"Sign, Floodlighted" is any sign illuminated in the absence of daylight only by devices which reflect or project light upon it.

"Sign, Freestanding" is a sign which is supported by one (1) or more columns, uprights or braces in or upon the ground.

"Signs, Identification and Information" is an on-premises sign displayed to indicate the name or nature of a building or use, including all professional and business buildings, home occupations, apartment complexes and public and semipublic buildings. Temporary and development signs are classified in this category only.

"Sign, Illuminated" is a sign in which a source of light is used in order to make the message readable. This definition includes internally and externally lighted signs.

"Sign, Incombustible" is a sign which is constructed entirely of incombustible material.

"Sign Marquee" is any sign attached or made an integral part of a marquee.

"Sign, Multiple-Copy" is a sign which advertises other than the name of the business and the principle project or service.

"Sign. Nameplate" is a sign indicating the name of the person or persons residing on the premises.

"Sign, Off-Premises" is a sign which directs attention to a use, product, commodity or service not related to the premises on which it is located.

"Sign, On-Premises" See Sign, business.

"Sign, Projecting" is a sign attached to a building that projects eighteen (18) inches or more away from said building and has an area greater than three (3) square feet per side.

"Sign, Roof" I any sign erected upon or supported by the roof or parapet of a building.

"Sign, Structure" is any structure which supports any sign as defined in this code. A sign structure may be a single pole or poles or an integral part of a building.

"Sign, Temporary" is any sign, handbill or poster which is placed to advertise or announce a specific event or which pertains to a particular event or occurrence, or which is not designed or intended to be placed permanently. Temporary signs shall not be regulated as off-premises signs.

"Sign, Time And/or Temperature" is a display containing illuminated numbers to show the time and/or temperature.

"Sign, Wall" is a sign which is affixed to an exterior wall of a building or structure and which projects not more than eighteen (18) inches from the building or structure wall and which does not extend more than four (4) feet above the parapet, eaves or building facade on which it is located.

"Site Development Standards" are the established regulations concerning lot areas, yard setbacks, building height, lot coverage, open green space and any other special regulations deemed necessary to accomplish the purpose of this title.

"Stable, Private" is a detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

"Stable, Public" is a stable other than a private stable.

"Story" is the space within a building, other than a cellar, included between the surface of any floor and the surface of the ceiling next above.

"Story, Half" is a story with at least two (2) sides situated in a sloping roof, the floor area of which does not exceed two-thirds (2/3) of the floor immediately below it.

"Street" is a public rights-of-ways, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.

"Structural Alterations" are any change in supporting members of a building, such as bearing walls, columns, beams or girders.

"Structure" is anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

"Studio" or "Efficiency Dwelling Unit" means a dwelling unit that contains a single habitable space for living, sleeping, and cooking, with no separate bedroom, and includes a separate bathroom.

"Subdivision" is any land that is divided, re-subdivided or proposed to be divided into two (2) 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 installment plan or upon any and all other plans, terms and conditions; and includes the division or development of land whether by deed, metes and bounds description, devices and testacy, lease, map, plat or other recorded instrument and divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

"Swimming Pool" is any artificial or semiartificial container, whether indoors or outdoors or whether above or below the surface of the ground or both, used or intended to be used to contain a body of water for swimming for any person or persons, together with all permanent structures, equipment, appliances and other facilities used or intended to be used in and about the operation, maintenance and use of such pool.

"Swimming Pool, Family" is a pool used and intended to be used solely by the owner, operator or lessee thereof and his family and by guests invited to use it without payment of any fee or consideration.

"Tavern" is any business establishment operating under a class C beer license. Such establishments shall be limited in number to two (2) per lineal block.

"Theater, Indoor Picture" is a building or part of a building devoted to the showing of moving pictures on a paid admission basis.

"Theater, Outdoor Drive-in" is an open lot, or part thereof, with its appurtenant facilities devoted primarily to the showing of motion pictures on a paid admission basis to patrons seated in automobiles.

"Tourist Home" is a dwelling, or any portion thereof, that in the regular course of business, is rented or leased for occupancy for a period of less than thirty (30) days.

"Tower, Amateur Radio" is a monopole with antenna and antenna support structures. A single pole with at least one (1) private radio service antenna array mounted on the pole. These antennas are for private use and must be erected and used in association with an amateur radio station licensed by the Federal Communications Commission (FCC) or is a lattice tower antenna, which has three (3) legs taller than twenty (20) feet either self-supporting or supported by guy wires with at least one (1) private radio service antenna array mounted on the tower. These antennas are for private use and must be erected and used in association with an amateur radio station licensed by the Federal Communications Commission (FCC).

"Tower, Low Power Radio" is a monopole with antenna and antenna support structures. A single pole with at least one (1) commercial low power radio service antenna array mounted on the pole. These antennas service the general public. Or, it is a lattice tower antenna, which has three (3) legs taller than twenty (20) feet either self-supporting or supported by guy wires with at least one (1) commercial low power radio service antenna array mounted on the tower. These antennas service the general public.

"Tower, Small Cellular" A monopole tower that: Supports one (1) or more low power radio service antennas and associated equipment, and; Provides service for cellular telecommunications networks, and; Is placed with a public easement or a public right-of-way. Such tower may also support other utilities and may be owned and maintained by entities other than the owner of the cellular telecommunications network antennas and equipment.

"Townhome" means a single-family attached dwelling unit constructed as part of a group of three (3) or more attached dwelling units, in which each unit extends from foundation to roof and is separated from adjoining units by one or more common walls. Each townhome is designed for individual ownership and may be located on its own lot or parcel, or within a development established under applicable condominium or common interest community laws.

"Travel Trailer Or Camper" is defined as all vehicles, other than manufactured homes as herein defined, which are mobile and are primarily used or intended to be used or maintained as a temporary dwelling or shelter for travel, camping, vacation, or recreational purposes including; motorhomes, caravans, pop up campers, truck campers, 5th wheel trailers, camper trailers. The term "recreational vehicle" is synonymous with travel trailer or camper.

"Trim, Nonstructural" is the molding, battens, caps, nailing strips, latticing, cutout or letters and walkways which are attached to a sign structure.

"Uniform Building Code (UBC)" is the current edition of the Uniform Building Code as adopted by the City.

"Urban Farms" is a lot or portion thereof used to grow and harvest produce, including the keeping and raising of honeybees, for commercial or group use further, allowing the sale of such produce on-site.

"Use" is the specific purposes for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.

"Use, Accessory" is subordinate use customarily incidental to and located upon the same lot occupied by the main use and devoted exclusively to the main use of the premises.

"Use, Conditional" is any use lawfully occupying land or buildings as authorized in the zone regulations and for which no conditional use permit is required. is a use or occupancy of a building or use of land permitted only when authorized upon issuance of a conditional use permit and subject to the limitations and conditions specified therein as provided in Chapter 16.14 of this title. See also conditional use, Section 16.04.140.

"Use, Permitted" is any use lawfully occupying land or buildings as authorized in the zone regulations and for which no conditional use permit is required.

"Width Of Lot" is the distance between the side lot lines at the distance back from the front lot line required for the depth of the front yard.

"Xeriscape" or "Xeriscaping" means a method of landscaping that reduces or eliminates the need for supplemental water from irrigation by using drought-tolerant and native plant materials, efficient irrigation practices, and appropriate use of inorganic ground covers such as decorative rock, gravel, or mulch. Xeriscape landscaping shall include a combination of plant materials and ground cover and shall not consist solely of inorganic material.

"Yard" is an open unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this title, on the lot on which a building is situated.

"Yard, Front" is an open space on the same lot with a building, between the front line of the building (exclusive of steps or architectural projections) and a lot line having frontage and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the lot line frontage and front line of the building.

"Yard, Rear" is an open, unoccupied space on the same lot with a building, between the rear line of the building (exclusive of steps or architectural projections) and the lot line directly opposite of the front lot line and extending the full width of the lot.

"Yard, Side" is an open, unoccupied space on the same lot with a building, (exclusive of steps or architectural projections) that is not considered part of the front or rear yard.

"Zone" is the geographical area of the City within which the zoning regulations are uniform.

(PZSC § 03-15-001(PZSC § 03-15-011))

SECTION 18: AMENDMENT "Section 16.26.232 Residential Parking Space Design And Access" of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.26.232 Residential Parking Space Design And Access

- A. In residential zones, access from the street for single family dwellings shall not exceed more than sixty (60) feet with not more than one (1) thirty-four (34) foot access.
- B. To count towards the minimum parking requirement, parking spaces including the inside dimensions of garages or carports shall:
 - 1. Be no less than ten (10) feet in width by twenty (20) feet in length per parking

- space.
2. Be paved with an asphalt or concrete surface.
 3. Not include public sidewalks to be used as part of the required space.
 4. Provide ample room so as to allow for the entirety of the vehicle, truck, trailer, ect (including hitches, bumpers, and additions) be completely out of the right-of-way.
- C. Tandem parking (front to rear) shall not be counted toward the parking stall requirement except for single-family or two-family dwellings when the front and back spaces are both designed to serve the same dwelling and may be accessed simultaneously.
- D. Adequate automobile access to a garage, carport or parking area shall be provided. The minimum size of the access strip shall be equal to the width of the parking stall.
- E. All storm water shall be collected and retained in accordance with Section 16.06.060.
- F. For residential uses excluding commercial multi-family with an approved Master Site Plan; parking spaces / parking shall not cover more than fifty (50) percent of the ~~the~~ street facing wall of the structure.

PASSED AND ADOPTED BY THE VERNAL COUNCIL

May 6, 2025

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Ted Munford	☒	☐	☐	☐
Councilmember Randel Mills	☒	☐	☐	☐
Councilmember Robin O'Driscoll	☒	☐	☐	☐
Councilmember Edward Long	☒	☐	☐	☐
Councilmember Nick Porter	☒	☐	☐	☐

Presiding Officer



Corey Foley, Mayor, Vernal

Attest



Sara Bell, City Recorder, Vernal

