

**VERNAL
ORDINANCE 2022-14**

AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING THE VERNAL CITY CODE, AMENDING SECTIONS 16.04.195 DWELLING, MULTI-FAMILY, SECTION 16.42.035 USES (R-3) 16.44.035 USES (R-4) 16.48.030 USES (C-2 AND CC-1) , 16.50.020 USES (CP-2 AND CCP-1), 16.52.040 USES (I-1) AND ADDING 16.20.405 HOTEL,MOTEL

WHEREAS, the City Council finds that the regulation of Hotel and Motel regulations within zones of the city 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 Vernal City Council , in the State of Utah, as follows:

SECTION 1: AMENDMENT “Section 16.04.195 Dwelling, Multiple-Family” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.04.195 Dwelling, Multiple-Family

A building arranged or designed to be occupied by ~~three (3)~~ more than four (4) ~~or more~~ families.

(PZSC § 03-15-040)

SECTION 2: ADOPTION “Section 16.20.405 Hotel, Motel” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.20.405 Hotel, Motel(*Added*)

A. In an I-1 zone, a 10 foot wide landscape buffer and a 6 foot tall sight obscuring fence shall be installed and maintained along all interior property lines abutting other I-1 zones. Trees shall be included in said buffer at a maximum interval of thirty five (35) feet to further screen the site.

SECTION 3: 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
<u>Dwelling, two, three or four family</u>	<u>P</u>
<u>Dwelling, single family</u>	<u>P</u>
Fences not exceeding seven feet	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
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	C
Signs pertaining to sale or lease of property or professional offices	P
Single family dwelling	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Two family dwellings	P
Urban farms	P
Urban livestock	C
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 4: AMENDMENT “Section 16.44.035 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

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
<u>Dwelling, two, three and four family</u>	<u>P</u>
<u>Dwelling, single family</u>	<u>P</u>
<u>Dwelling, multiple family, containing thirty (30) or less units</u>	<u>P</u>
<u>Dwelling, multiple family, containing more than thirty (30) units</u>	<u>C</u>
Fences not exceeding seven feet	P
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
Multiple family dwellings containing thirty (30) or less units	P
Multiple family dwellings containing more than thirty (30) units	C
Portable Storage Container	P
Professional 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	C
Signs - non-flashing, flat	P

Signs pertaining to sale or lease of property or professional offices	P
Single family dwelling	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Two family dwellings	P
Urban farm	P
Urban 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 5: AMENDMENT “Section 16.48.030 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.48.030 Uses

In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided in Chapter 16.14 Conditional Uses, of this title. Uses designated as "N" will not be allowed in that zone.

USES	C-2	CC-1
Accessory buildings and uses customarily incidental to a permitted use	P	P
Amusement enterprises	C	C
Animal Boarding	P	P
Animal Hospital, small animals only and provided conducted within a completed enclosed building	P	P

Apartment, multi-family	C	C
Athletic Club	P	P
Auction establishment	P	C
Automobile repair including paint, body and fender, brake, muffler, upholstery or transmission work, provided conducted within a completely enclosed building	P	P
Bakery	P	P
Bed and Breakfast	C	C
Billiard parlor	C	P
Boardinghouses	C	C
Bottling and distribution plant	P	P
Bowling Alley	P	P
Boxing arena	C	C
Bus terminal	P	P
Caretaker Dwelling	P	P
Carpenter and cabinet shop	C	C
Car wash	P	P
Christmas tree sales	P	P
Church	P	P
Church, temporary revival	P	P
Circus, carnival or other transient amusement	P	P
Coal and fuel sales office	C	C
Commercial storage units - providing for secured inside storage. Units shall be permanently secured on a foundation or cement flooring	P	P
Contractor shop, provided work is conducted within a completely enclosed building	P	C
Dance hall	C	C
Data center	P	P
Drive-Up Window Service	P	P
Dwelling, Mixed Use Accessory	C	P

Farm implement sale	P	P
Fireworks Stand - temporary	P	P
Food vendors, temporary	P	P
Garden supplies and plant material sales	P	P
Government buildings or uses, nonindustrial	P	P
Greenhouse and nursery, soil and lawn service	P	P
Group Homes	P	P
Gymnasium	P	P
Hand crafted items, manufacture and retail sales on premise	P	P
Health Spa	P	P
<u>Hotel, motel</u>	<u>P (C-2)</u>	<u>P(CC-1)</u>
Ice cream manufacture	C	C
Liquor Store	C	C
Lodge or social hall	P	P
Lumberyard	P	C
Machine shop operations incidental to any use permitted in a commercial zone	P	P
Manufacture of goods retailed on premises	C	C
Massage therapy with a State license	P	P
Medical cannabis pharmacy	P	P
Miniature golf	P	C
Mobile home and Manufactured home sales lot, service and caretaker dwelling	P	N
Monument works and sales	P	P
Mortuary	P	P
Museum	P	P
Nightclub or social hall	C	C
Park and playground	P	P
Pet grooming parlor	P	P
Public utilities substation	C	C

Radio, television or FM broadcasting station	P	P
Reception center or wedding chapel	P	P
Recreation center	P	P
Recreational vehicle storage	C	C
Rental agency for home and garden equipment	P	P
Restaurant, hotel, motel	P (C-2)	P (CC-1)
Retail, financial, office and personal service establishments provided there is no storage of merchandise or equipment outside of enclosed buildings and further provided that such is not designated as a conditional use elsewhere in this chapter	P	P
Roofing shop	C	C
School, public or private	P	P
Service station, automobile excluding painting, body and fender and upholstery work	P	P
Sheet metal shop and retinning, provided all operations are conducted within a completely enclosed building	C	C
Sign manufacture or sign painting	C	P
Sign, off-premises	C	C
Storage, outside, provided such storage area is enclosed within a minimum six (6) foot high non-see-through buffer, (such as a fence or land berming) to adequately shield the storage area from outside view, provided, however, that a single see-through gate area for ingress and egress no wider than twelve (12) feet may be maintained as part of the fenced area	C	C
Tavern	C	C
Taxidermist	P	P
Temporary building for uses incidental to construction work	P	P
Temporary merchants - short term	P	P
Temporary merchants - long term	P	P
Temporary sales event	P	P
Theater, indoor	P	P
Theater, outdoor	C	C
Tire recapping or retreading sales and service	C	C

Tower, amateur radio	C	C
Tower, low power radio	C	C
Tower, small cellular	P	P
Travel-trailer court	C	N
Travel-trailer or RV sales and service	P	C
Truck terminals	C	C
Urban farms	P	P
Used car lot	P	P
Warehouse storage	C	P
Welding shop	C	P
Wholesale business	P	P
Other uses not mentioned in this section but ruled by the Planning Commission to be similar to uses permitted in this section	P	P

(PZSC § 03-24-005) (Ord. No. 94-17, Amended, 08/11/94; Ord. No. 95-15, Amended, 09/06/95; Ord. No. 96-07, Amended, 03/20/96; Ord. No. 96-25, Amended, 10/02/96; Ord. No. 96-28, Amended, 11/20/96; Ord. No. 98-16, Amended, 10/21/98; Ord. No. 98-16, Amended, 10/21/98)
(Ord. 2017-18, Amended, 10/18/2017; Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2016-04, Amended, 04/22/2016; Ord. 2015-02, Amended, 02/04/2015; Ord. 2013-08, Amended, 05/16/2013; Ord. 2013-03, Amended, 03/20/2013; Ord. 2012-18, Amended, 05/16/2012; Ord. 2011-07, Amended, 05/18/2011; Ord. 2003-07, Amended, 04/23/2003)

SECTION 6: AMENDMENT “Section 16.50.020 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.50.020 Uses

In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided in Chapter 16.14 Conditional Uses, of this title. Uses designated as "N" will not be allowed in that zone.

USES	CP-2	CCP-1
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Accessory buildings and uses customarily incidental to a permitted use	P	P
Amusement enterprises	C	C
Animal Boarding	P	P
Animal Hospital, small animals only and provided conducted within a completed enclosed building	P	P
Apartment, multi-family	C	C
Athletic Club	P	P
Auction establishment	P	C
Automobile repair including paint, body and fender, brake, muffler, upholstery or transmission work, provided conducted within a completely enclosed building	P	P
Bakery	P	P
Bed and breakfast	C	C
Billiard parlor	C	P
Boardinghouses	C	C
Bottling and distribution plant	P	P
Bowling Alley	P	P
Boxing arena	C	C
Bus terminal	P	P
Caretaker dwelling	P	P
Carpenter and cabinet shop	C	C
Car wash	P	P
Christmas tree sales	P	P
Church	P	P
Church, temporary revival	P	P
Circus, carnival or other transient amusement	P	P
Coal and fuel sales office	C	C
Commercial storage units - providing for secured inside storage. Units shall be permanently secured on a foundation or cement flooring	P	P
Contractor shop, provided work is conducted within a completely enclosed building	P	C

Dance hall	C	C
Data center	P	P
Drive-Up window service	P	P
Dwelling, mixed use accessory	C	P
Farm implement sale	P	P
Fireworks stand - temporary	P	P
Food vendors, temporary	P	P
Garden supplies and plant material sales	P	P
Government buildings or uses, nonindustrial	P	P
Greenhouse and nursery, soil and lawn service	P	P
Group Homes	P	P
Gymnasium	P	P
Hand crafted items, manufacture and retail sales on premise	P	P
Health Spa	P	P
<u>Hotel, motel</u>	<u>P (C-2)</u>	<u>P (CC-1)</u>
Ice cream manufacture	C	C
Liquor Store	C	C
Lodge or social hall	P	P
Lumberyard	P	C
Machine shop operations incidental to any use permitted in a commercial zone	P	P
Manufacture of goods retailed on premises	C	C
Massage therapy with a State license	P	P
Medical Cannabis Pharmacy	P	N
Miniature golf	P	C
Mobile home and manufactured home sales lot, service and caretaker dwelling	P	N
Monument works and sales	P	P
Mortuary	P	P

Museum	P	P
Nightclub or social hall	C	C
Park and playground	P	P
pet grooming parlor	P	P
Public utilities substation	C	C
Radio, television or FM broadcasting station	P	P
Reception center or wedding chapel	P	P
Recreation center	P	P
Recreational vehicle storage	C	C
Rental agency for home and garden equipment	P	P
Restaurant, hotel, motel	P (C-2)	P (CC-1)
Retail, financial, office and personal service establishments provided there is no storage of merchandise or equipment outside of enclosed buildings and further provided that such is not designated as a conditional use elsewhere in this chapter	P	P
Roofing shop	C	C
School, public or private	P	P
Service station, automobile excluding painting, body and fender and upholstery work	P	P
Sheet metal shop and retinning, provided all operations are conducted within a completely enclosed building	C	C
Sign manufacture or sign painting	C	P
Sign, off-premises	C	C
Storage, outside, provided such storage area is enclosed within a minimum six (6) foot high non-see-through buffer, (such as a fence or land berming) to adequately shield the storage area from outside view, provided, however, that a single see-through gate area for ingress and egress no wider than twelve (12) feet may be maintained as part of the fenced area	C	C
Tavern	C	C
Taxidermist	P	P
Temporary building for uses incidental to construction work	P	P
Temporary merchants - short term	P	P

Temporary merchants - long term	P	P
Temporary sales event	P	P
Theater, indoor	P	P
Theater, outdoor	C	C
Tire recapping or retreading sales and service	C	C
Tower, amateur radio	C	C
Tower, low power radio	C	C
Tower, small cellular	P	P
Travel-trailer court	C	N
Travel-trailer or RV sales and service	P	C
Truck terminals	C	C
Urban farms	P	P
Used car lot	P	P
Warehouse storage	C	P
Welding shop	C	P
Wholesale business	P	P
Other uses not mentioned in this section but ruled by the Planning Commission to be similar to uses permitted in this section	P	P

(PZSC § 03-25-002)
(Ord. 2017-18, Amended, 10/18/2017; Ord. 2017-11, Repealed and Replaced, 08/16/2017)

SECTION 7: AMENDMENT “Section 16.52.040 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.52.040 Uses

In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided in Chapter 16.14 Conditional Uses of this title. Uses designated as "N" will not be allowed in that zone.

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USES	ZONE
Accessory buildings and uses customarily incidental to a permitted use	P
Amusement enterprises	P
Animal by-products	N
Animal hospital, small animals only and provided conducted within a completely enclosed building	P
Athletic club	P
Automobile repair including paint, body & fender, brake, muffler, upholstery, or transmission work provided conducted within a completely enclosed building	P
Auction establishment	P
Billiard parlor	P
Bottling & distributing plant	P
Bowling alley	P
Boxing arena	P
Cannabis production establishment	P
Carpenter & cabinet shop	P
Car wash	P
Chemical products - manufacturing	P
Christmas tree sales	P
Circus, carnival or other transient amusement	P
Coal & fuel sales office	P
Commercial storage units - providing for secured inside storage. Units shall be permanently secured on a foundation or cement flooring	P
Day-care nurseries	N
Data center	P
Drive-Up Window Service	P
Dwellings, except caretaker and located above ground floor	N
Explosives magazine	C
Farm implement sales	P
Food vendors, temporary	P

Garden supplies & plant material sales	P
Government buildings or uses, non-industrial	P
Greenhouse & nursery, soil and lawn service	P
Hand crafted items, manufacture & retail sales on premises	P
<u>Hotel,motel</u>	<u>P</u>
Hotels and motels 1. A minimum of 10' landscaped buffer shall be provided around the perimeter of the site. Trees shall be incorporated into the landscaping to provide buffering from industrial sites 2. A 6' high solid fence shall be installed along rear and side property lines. In site vision area fences can be stepped down to allow vision of vehicles 3. Lighting shall meet Vernal City ordinances 4. Parking shall meet requirements of Section 16.28 of the Vernal City municipal code	€
Ice cream manufacture	P
Junkyards / Wrecking yards	C
Kennel	C
Liquor store: 1. Shall not be located within 500' of another establishment that sell alcohol 2. Shall not be located within 500' of a residence, residential zone, school, church, or park 3. Lighting shall meet Vernal City ordinances 4. Parking shall meet requirements of Section 16.28 of the Vernal City municipal code 5. Shall have State approvals	C
Lodge or social hall	P
Low power radio service antennas - monopole tower Maximum height fifty (50) feet	P
Low power radio service antennas - lattice tower Maximum height fifty (50) feet	P
Lumber yard	P
Machine shop operations incidental to any permitted use	P
Manufacture of goods retailed on property	P
Manufacturing explosives or explosive products	N
Manufacturing acetylene	N
Manufacturing acid	N
Manufacturing alcohol	N
Manufacturing ammonia	N
Manufacturing celluloid	N
Massage therapy with a State license	P

Metal products - manufacturing	P
Miniature golf	P
Mobile home and manufactured home sales lot, service and caretaker dwelling	P
Monument works and sales	P
Mortuary	P
Museum	P
Nightclub or social hall 1. Shall not be located within 500' of another establishment that sells alcohol 2. Shall not be located within 500' of any residence, residential zone, school, church, or park 3. Lighting shall meet Vernal City ordinances 4. Parking shall meet requirements of Section 16.28 of the Vernal City municipal code 5. Shall have State approvals	C
Parking large trucks, 28,000 gross vehicle weight, on non-asphalt surfaces 1. No retail use on site 2. Berming required in drainage area 3. Contain storm water on site 4. Asphalt approach area 5. Must have 6" compacted, State specification, road base	C
Pet grooming parlor	P
Pharmaceutical products - manufacturing	P
Public utility substations	P
Radio, television or FM broadcasting stations	P
Reception center or wedding chapel	P
Recreation center	P
Recreational vehicle storage 1. Behind a six (6) foot non-see-thru fence 2. Storage area be paved with asphalt or concrete	P
Rental agency for home & garden equipment	P
Restaurant	P
Retail, financial, office and personal service establishments provided there is no storage of merchandise or equipment outside of enclosed buildings and further provided that such is not designated as conditional use elsewhere in this chapter	P
Roofing shop	P
Rubber & plastic products - manufacturing	P
Service station, automobile, excluding painting, body & fender, & upholstery work	P
Sexually oriented businesses: 1. Shall not be located within 600' of any school, public park, library or religious institution 2. Shall not be located within 600' of any other sexually oriented business, except out-call services 3. Shall not be located within 600' of any residential uses or residential zoning boundary 4. Signage shall	C

conform with Section 16.15.040 - signs 5. Shall conform with Title 5.72 of the Vernal City municipal code	
Sheet metal and retinning, provided all operations are conducted within a completely enclosed building	P
Sign manufacture or sign painting	P
Sign, off-premise	C
Storage, outside, provided such storage area is enclosed within a minimum six (6) foot high non-see-thru buffer, (such as a fence or land berming) to adequately shield the storage area from outside view, provided, however, that a single see-through gate area for ingress and egress no wider than twelve (12) feet may be maintained as part of the fenced area	C
Tavern 1. Shall not be located within 500' of another establishment that sells alcohol 2. Shall not be located within 500' of any residence, residential zone, school, church, or park 3. Lighting shall meet Vernal City ordinances 4. Parking shall meet requirements of Section 16.28 of the Vernal City municipal code 5. Shall have State approvals	C
Taxidermist	P
Temporary building for uses incidental to construction work, such building shall be removed upon completion of the construction work	P
Temporary merchants - short term	P
Temporary merchants - long term	P
Temporary sales event	P
Travel trailer courts	N
Travel trailer or RV sales and service	P
Urban farms	P
Used car lot	P
Warehouse storage	P
Welding shop	P
Wholesale business	P
Wood & furniture manufacturing	P

(Ord. No. 96-25, Enacted, 10/02/96; Ord. No. 97-02, Amended, 07/02/97; Ord. No. 97-02, Amended, 07/02/97)
 (Ord. 2017-18, Amended, 10/18/2017; Ord. 2017-16, Amended, 09/06/2017; Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2013-08, Amended, 05/16/2013; Ord. 2013-03, Amended, 03/20/2013; Ord. 2012-17, Amended, 05/16/2012; Ord. 2011-07, Amended, 05/18/2011; Ord. 2008-22, Amended, 10/01/2008; Ord. 2005-22, Amended, 11/16/2005; Ord. 2003-28, Amended, 12/04/2003)

SECTION 8: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 9: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

PASSED AND ADOPTED BY THE VERNAL COUNCIL

9-21-2022

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Nicholas Porter	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Robin O'Driscoll	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Dave Everett	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Corey Foley	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Ted Munford	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest

Doug Hammond
 Doug Hammond, Mayor, Vernal

Roxanne Behunin
 Roxanne Behunin, City Recorder,
 Vernal

