

**VERNAL
ORDINANCE ORD 2021-21 MIXED USE ZONE**

AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING THE VERNAL CITY MUNICIPAL CODE, AMENDING SECTION 16.16.020 - USE REGULATIONS, 16.26.060 - PARKING DISTRICT - BOUNDARIES, 16.26.110 - PARKING SPACE REQUIREMENTS - DWELLINGS, 16.27.040 - LANDSCAPING REQUIREMENTS - VEGETATION REMOVAL, 16.27.060 - MINIMUM NUMBER OF TREES OR SHRUBBERY, 16.27.070 - MINIMUM AREA REQUIREMENTS, CHAPTER 16.28 - SIGN REGULATIONS, SECTION 16.32.010 - ESTABLISHED - CLASSIFICATION, AND ADDING CHAPTER 16.45 - MIXED USE RESIDENTIAL ZONE.

WHEREAS, the City Council finds that adding a new Mixed Use zone is necessary for orderly growth and conduct of business and developments within the City, and;

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

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

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

SECTION 1: **AMENDMENT** “Section 16.16.020 Use Regulations” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.16.020 Use Regulations

- A. A PRUD shall be permitted in the R-1, RA-1, R-2, R-3, R-4 ~~and MX-zones~~ and MX zones and notwithstanding any other provisions as hereinafter set forth, shall be applicable if any conflict exists.
- B. An overall development plan for a PRUD, showing building types, locations, sizes, height, number of residential units, access roads, open spaces, parking and landscaping may be approved by the Planning Commission and City Council and building permits issued in accordance with such plan even though the residential uses, housing types and the location of the building proposed differ from the residential uses, housing types and regulations governing such uses in effect in the zone in which the development is proposed; provided, that the provisions of this chapter are complied with.

- C. Accessory nonresidential uses may be included in the development to provide a necessary service to the residents of the development as determined by the Planning Commission.

(PZSC § 03-07-002)

SECTION 2: AMENDMENT “Section 16.26.060 Parking District -- Boundaries” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.26.060 Parking District -- Boundaries

There exists a parking district within Vernal City which shall include all property within Vernal City which is presently or may become zoned center commercial zone (CC-1), commercial zone (C-2), planned regional commercial zone (CCP-1), ~~and~~ planned commercial zone (CP-2) and Mixed Use Residential Zone (MX) and shall automatically include all property in the City subsequently zoned or rezoned to CC-1, C-2, CCP-1 ~~and~~ CP-2 and MX zones.

(PZSC § 03-12-006)

SECTION 3: AMENDMENT “Section 16.26.110 Parking Space Requirements -- Dwellings” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

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: two (2) spaces;
 - 1. 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 development and located within the same city block as the lots they serve. When the row house 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,
 - 3. Housing exclusively for the elderly and/or handicapped require one (1) space per unit;
 - 4. Except as provided below, multiple-family developments containing more than nine (9) dwelling units shall provide one (1) additional parking space for each two (2) dwelling units; This additional parking shall be grouped together and separated from all other parking.
 - a. A multi-family development providing affordable housing and receiving funding for such purposes from Vernal City, Uintah County, the State of Utah, any duly authorized housing authority and/or the federal government, or under management contract with any of those agencies, may be exempted from this requirement, provided that the developer enters into a development agreement with the City restricting parking within the development to passenger vehicles only and excluding trailers, recreational vehicles, and other related items.
- F. All dwelling units within the CC-1 or MX zones require one and one half (1.5) parking spaces per unit.
- 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 4: **AMENDMENT** "Section 16.27.040 Vegetation Removal" of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.27.040 Vegetation Removal

- A. Once the required landscaping has been installed in conformance with the approved site plan, major changes or modifications shall not be made without review and approval of the Planning Director.

~~Where a change or modification of 10% or less of the required landscaping is proposed, the change or modification may be approved by the Planning Director.~~

- B. Removed vegetation shall be replaced with equal or better quality plant materials. Trees that are necessarily removed shall be replaced in accordance with the approved site plan.

(Ord. No. 94-15, Enacted, 07/14/94)

(Ord. 2016-13, Amended, 11/02/2016)

SECTION 5: AMENDMENT “Section 16.27.060 Minimum Number Of Trees Or Shrubbery” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

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.

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

SECTION 6: AMENDMENT “Section 16.27.070 Minimum Area Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

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

A. Residential.

1. R-3 Residential: Multi-family developments of three units or more shall have minimum landscaping of 30% of the lot area.
2. R-4 Residential: Multi-family developments of three units or more shall have minimum landscaping of 30 % of the lot area.
3. R-4 Residential: Row house 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. Locations of Trees.

1. 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 7: AMENDMENT “Section 16.28.020 Residential Zones” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.28.020 Residential Zones

The following signs shall be permitted in the MH, RA-1, R-1, R-2, R-3, ~~and R-4~~, and MX zones;

- A. A single property identification sign containing only the address of the property and a personal name.
 - 1. The sign may not exceed four (4) feet in height or six (6) feet in width.
 - 2. The sign may not advertise a business or commercial activity.
- B. Nameplates or signs indicating the existence of a home occupation.
 - 1. Signs shall not exceed eight (8) square feet.
- C. Temporary signs as specified in section 16.28.080.
- D. Monument and wall signs shall be permitted only in the R-3 and R-4 zones.
 - 1. A conditional use permit shall be required for each sign, and;
 - 2. Only one monument and one wall sign shall be permitted on each parcel, and;
 - 3. Monument and wall signs shall only be used to identify apartments or professional office buildings.
- E. Residential development entrance signs. A sign may be placed at the entrance of a residential subdivision, planned residential urban development or manufactured home park advertising the name of the development or subdivision.
 - 1. The sign must be within the boundary of the development that is named on the sign.
 - 2. The parcel on which the sign is placed must be owned by the homeowners association of the subdivision or the manufactured home park.
 - 3. The development or subdivision must contain fifty (50) or more dwelling units.
 - 4. A maximum of two entrances may have signs placed at them.
 - 5. Signs must be set back ten (10) feet from any property line or public right-of-way.
 - 6. Signs proposed to exceed (5) feet in height and ten (10) feet in width shall require a conditional use permit in accordance with the following provisions:
 - a. The proposed sign shall not unduly obscure the view of surrounding natural features from adjacent properties.
 - b. The party responsible for ongoing maintenance of the sign and its associated features shall be declared at the time of application.

- c. If mechanical or landscaping features shall be included as a part of the sign or its associated site, an escrow account shall be established in an amount to be determined by the planning commission. The escrow account shall be in a sufficient amount to restore the site of the sign to an undeveloped condition should the sign be abandoned or the conditions of the conditional use permit be violated.
 - d. A site plan shall accompany the application for a conditional use permit showing all property dimensions and setbacks, any utilities or mechanical systems associated with the sign site, a landscaping plan, all surrounding structures within three hundred (300) feet and side elevations of the proposed sign.
- F. School signs (public, private and charter). The following signs shall be permitted on active school sites maintaining an enrollment of one hundred (100) or more students:
- 1. One (1) pole signs. Signs shall be placed in accordance with Section 16.28.060 of this section, except:
 - a. The maximum height shall be twenty (20) feet.
 - b. The sign shall be set back a minimum of six (6) feet from outer property boundaries.
 - c. The maximum size of the sign shall be one hundred (100) square feet.
 - 2. Two (2) monument signs. Signs shall be placed in accordance with Section 16.28.065 of this section.
 - 3. Flat or wall signs. Signs shall be placed in accordance with Section 16.28.070, except:
 - a. The maximum size of the sign shall be two hundred (200) square feet and limited to one per façade or building face.
 - 4. One (1) electronic changeable copy sign. The sign may only be illuminated between the hours of 7:00 a.m. and 10:00 p.m. The sign shall be placed in accordance with Section 16.28.055 of this section.

(PZSC § 03-13-002) (Ord. No. 96-18, Amended, 07-17-96)
 (Ord. 2014-36, Amended, 11/19/2014; Ord. 2010-02, Amended, 03/17/2010; Ord. 2000-01, Amended, 07/27/2000)

SECTION 8: **AMENDMENT** “Section 16.28.065 Monument Signs” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.28.065 Monument Signs

- A. Zoning. Monument signs or signs which are supported by a pole or poles, a base, or

other supports which are mounted in the ground are permitted only in the CC-1, C-2, CP-2, CCP-1, I-1, HC-1, P-1, MX zones and as a conditional use in the R-4 and R-3 zones.

- B. Height. The maximum height for a monument sign is five (5) feet.
- C. Area. The maximum area of a monument sign shall be fifty (50) square feet.
- D. Density. Only one (1) monument sign per parcel is allowed.
- E. Separation. A minimum of fifty (50) feet separation shall be maintained between all monument signs.
- F. Setbacks. Monument signs shall have a minimum set back of five (5) feet from the side property line and eighteen (18) inches from the front property line or the public right-of-way or easement. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City code.

(Ord. 2016-02, Amended, 02/17/2016; Ord. 2010-02, Amended, 03/17/2010; Ord. 2003-04, Amended, 02/20/2003; Ord. 2000-01, Add, 07/27/2000)

SECTION 9: **AMENDMENT** “Section 16.28.067 Projecting And Blade Signs” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.28.067 Projecting And Blade Signs

- A. Zoning. Projecting signs, or signs which extend perpendicular from a structure and are suspended above the ground, are permitted only in the CC-1, C-2, CP-2, CCP-1, I-1, HC-1, P-1 and MX zones.
- B. Height. The minimum height above the immediately surrounding grade for a projecting sign is ten (10) feet, except;
 - 1. When projecting over a motor vehicle travel way or parking area the minimum height shall be fourteen (14) feet.
- C. Area. The maximum area of a projecting sign shall be one hundred (100) square feet. The combined area of wall, awning and projecting signs shall not exceed twenty-five (25) percent of the building facade or wall on which the signs are to be placed.
- D. Density. Only one projecting sign per business shall be allowed. Projecting signs must be separated from all other projecting signs by a minimum of twenty five (25) feet.
- E. Setbacks. No part of the projecting sign may extend over any public right-of-way or easement or across any adjoining property lines , except;
 - 1. In the CC-1 and CCP-1 zones a sign may project up to six (6) feet over a public right-of-way or easement, so long as it does not impair the use of the right-of-way or easement.
- F. A blade sign, as defined in this Title, shall comply with the above requirements, except;
 - 1. A maximum of two (2) shall be permitted on any side of an individually leased

- portion of a building, and;
2. The minimum height above the immediately surrounding grade for a blade sign is eight (8) feet, and;
 3. The square footage of blade signs shall not be included in the calculation of the maximum area for projecting signs.

(Ord. 2018-02, Amended, 02/07/2018; Ord. 2016-02, Amended, 02/17/2016; Ord. 2011-23, Amended, 11/16/2011; Ord. 2010-02, Add, 03/17/2010)

SECTION 10: **AMENDMENT** “Section 16.28.070 Flat Or Wall Signs” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.28.070 Flat Or Wall Signs

- A. Zoning. Flat or wall signs on the outside of any structure include identification, advertising, and business signs which are mounted on a wall or building facade and are permitted only in the CC-1, C-2, CCP-1, CP-2, I-1, HC-1, MX and R-4 and R-3 zones. For purposes of this regulation, signs mounted on the roofs of buildings that do not extend higher than the peak of the roof shall be considered flat or wall signs.
- B. Area. The combined area of wall, awning and projecting signs shall not exceed twenty-five (25%) percent of the building facade or wall on which the sign(s) are to be placed.
- C. A sign placed on the roof of a structure shall not be more than five (5) feet higher than the highest point of the structure's roof or facade and shall be included in the total square footage of all wall or roof signage allowed which is no more than twenty-five (25%) percent of the largest wall of the structure.

(PZSC § 03-13-007)

(Ord. 2016-09, Amended, 08/03/2016; Ord. 2016-02, Amended, 02/17/2016; Ord. 2010-02, Amended, 03/17/2010; Ord. 2000-01, Amended, 07/27/2000)

SECTION 11: **AMENDMENT** “Section 16.28.075 Awning Signs” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.28.075 Awning Signs

- A. Zoning. Awning or back lighted fabric signs including identification, advertising and

business signs are permitted only in the MX, CC-1, C-2, CCP-1, CP-2, I-1 and HC-1 zones.

- B. Area. The combined area of wall, awning and projecting signs shall not exceed twenty-five (25) percent of the building facade or wall on which the signs are to be placed.
- C. Height. The minimum height for a awning sign is eight (8) feet.
- D. Setbacks. No part of the awning sign may extend over any public right-of-way or easement or across any adjoining property lines.

(Ord. 2010-02, Amended, 03/17/2010; Ord. 2000-01, Add, 07/27/2000)

SECTION 12: AMENDMENT “Section 16.28.080 Temporary Signs” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.28.080 Temporary Signs

- A. The following temporary signs shall be permitted in any zone.
 - 1. Political signs not within one hundred fifty (150) feet of polling places and not larger than thirty-two (32) square feet. Signs shall be removed no later than fifteen (15) days after the election.
 - 2. Signs advertising a yard sale posted on private property with the consent of the property owner.
 - a. The area of the sign shall not exceed eight (8) square feet.
 - 3. Signs pertaining to the sale or lease of property and/or buildings.
 - a. For multi-tenant, commercial and industrial properties, the area may not exceed fifty (50) square feet. In all other cases the area may not exceed eight (8) square feet.
 - b. There shall be no maximum time for which these signs may be placed, except that signs must be removed from parcels that are not actively offered for sale.
- B. The following temporary signs shall be permitted in the MX, CC-1, C-2, CP-2, CCP-1 and I-1 zones advertising a business service as approved by Vernal City.
 - 1. Temporary signs maximum size.
 - a. Banners shall not exceed forty-eight (48) square feet.
 - b. A-frame signs shall not exceed eight (8) square feet on each side.
 - c. Reader board signs shall not exceed thirty-two (32) square feet.
 - 2. Banner signs, not to exceed forty-eight (48) square feet, advertising a governmental purpose or recreational event may be placed in the public right-of-way with approval of the City.
- C. Unless otherwise specified, signs shall be permitted for a maximum of ninety (90) days.

- D. Signs shall not be placed in a public right-of-way except as allowed below.
1. Signs shall not obstruct free passage through a right-of-way or create a safety hazard to the public. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City code.
 2. Temporary signs as described in this section may be placed in the park strip by the owner of the property directly adjacent to said park strip. Such sign shall be placed for no more than forty-five (45) days, nor exceed six (6) square feet in size in said park strip.

(PZSC § 03-13-008)

(Ord. 2017-02, Amended, 03/01/2017; Ord. 2016-02, Amended, 02/17/2016; Ord. 2010-02, Amended, 03/17/2010; Ord. 2000-01, Amended, 07/27/2000)

SECTION 13: **AMENDMENT** “Section 16.28.083 Inflatable Signs” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.28.083 Inflatable Signs

- A. Zoning. An inflatable sign is any object used for advertising purposes that is enlarged or inflated using air or another gas and/or is activated by air or moving gas which floats, is tethered in the air, or is located on the ground or on a building with or without copy or other graphic. These signs are permitted only in the MX, CC-1, C-2, CCP-1, CP-2 and I-1 zones.
- B. Time limit. An inflatable sign may be permitted and placed on a parcel only twice in a calendar year. The maximum duration for these permits shall be twenty-one (21) days. This limit does not apply if the sign does not occupy any required parking.
- C. Size. Inflatable signs shall be limited to twenty five (25) feet in height.
- D. Placement. Inflatable signs must be set back at least ten (10) feet from any property line or public right-of-way. In no case shall the placement of the sign violate the clear vision triangle as defined in Vernal City Code.
- E. Design. In all cases inflatable signs must be secured in a fashion that prevents wind or any other natural force from moving them from the property for which they are permitted.
- F. Density. Inflatable signs shall not occupy more than five (5) required parking spaces or thirty (30%) percent of the required parking spaces on the site for which they are permitted.

(Ord. 2016-02, Add, 02/17/2016)

SECTION 14: AMENDMENT “Section 16.28.087 Menu And Directional Signs” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.28.087 Menu And Directional Signs

- A. Menu signs, or signs designed to advertise the menu of a restaurant to customers in the drive through lane of that same restaurant.
 - 1. Zoning. Menu signs are permitted only in the commercial CC-1, C-2, CP-2, CCP-1 ~~and~~ industrial I-1 zones, and MX zone.
 - 2. Height. The maximum height for a menu sign is eight (8) feet.
 - 3. Area. The maximum area of a menu sign shall be sixty (60) square feet.
 - 4. Density. Only four (4) menu signs per parcel shall be allowed.
 - 5. Set backs. Menu signs shall have a minimum set back of five (5) feet from any property line or public right-of-way.
- B. Directional signs, or signs other than public necessity signs, designed to facilitate traffic and pedestrian movement at a commercial, multi-family residential, industrial, medical or institutional development or at a public facility.
 - 1. Zoning. Directional signs are permitted only in the CC-1, C-2, CP-2, CCP-1, I-1, HC-1, P-1, MX and R-4 zones.
 - 2. Height. The maximum height for a directional sign is six (6) feet.
 - 3. If an architectural projection exists on the main structure under which there will be vehicular movement, cautionary signage shall indicate a maximum height of vehicles including any projection from the vehicle, to be (6) six inches below the lowest portion of the architectural projection.
 - 4. Area. The maximum area of a directional sign shall be twenty-five (25) square feet.
 - 5. Set backs. Directional signs shall have a minimum set back of eighteen (18) inches from any property line or public right-of-way.

(Ord. 2016-09, Amended, 08/03/2016; Ord. 2010-02, Add, 03/17/2010)

SECTION 15: AMENDMENT “Section 16.32.010 Established -- Classification” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.32.010 Established -- Classification

- A. For the purpose of this code, the City is divided into the following zones in which land uses shall be limited as specified in this title.

1. AO airport overlay zone.
 2. A-1 agricultural zone;
 3. RA-1 residential-agricultural zone;
 4. R-1 residential zone;
 5. R-2 residential zone;
 6. R-3 residential zone;
 7. R-4 residential zone;
 8. MX Mixed Use residential zone;
 9. MH manufactured home zone;
 10. Commercial zones (C-2 and CC-1);
 11. Planned commercial zones;
 12. I-1 industrial zone.
 13. F-1 and P-1, Fairgrounds and Parks Zones;
 14. HC-1 Health Care Zone.
- B. Classification will be determined on the basis of location, topographic features and other reasonable considerations to guide the orderly physical growth, neighborhood compatibility and overall stability of the City.

(PZSC § 03-16-001) (Ord. No. 94-22, Amended, 11/2/94)
 (Ord. 2008-13, Amended, 07/16/2008)

SECTION 16: ADOPTION “Chapter 16.45 MX Mixed Use Residential Zone” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Chapter 16.45 MX Mixed Use Residential Zone(*Added*)

SECTION 17: AMENDMENT “Section 16.45.010 Objectives--Characteristics” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.45.010 Objectives--Characteristics

A. The MX residential zone has been established as a district in which the primary use of the land is for multi-family residential purposes combined with lower intensity commercial uses. Since this zone is primarily residential but with a strong emphasis on commercial, all approved uses should be implemented in a way which minimizes negative impacts on adjoining uses and enhances overall livability within the zone. While greater commercial activity is characteristic of this zone, attractive, appropriate landscaping and pedestrian accessibility is also characteristic of this zone. B. 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 MX residential zone.

SECTION 18: ADOPTION “Section 16.45.035 Uses” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.45.035 Uses(*Added*)

Uses are as set out in this section:

USES	M X
Athletic Club	P
Amusement Enterprises	P
Bakery	P
Bed and Breakfast	P
<u>Churches</u>	P
Dance Hall	P
Day Care Nursery	P
Fences not exceeding seven feet	P
Food Vendors, temporary	P
<u>Government Buildings or Uses, Nonindustrial</u>	P
<u>Group dwellings in accordance with Chapter 16.20</u>	P

<u>Gymnasium</u>	<u>P</u>
<u>Health Spa</u>	<u>P</u>
<u>Home occupations in accordance with Chapter 16.22</u>	<u>P</u>
<u>Hospitals and clinics</u>	<u>P</u>
<u>Hotel, Motel</u>	<u>P</u>
<u>Household pets not exceeding four</u>	<u>P</u>
<u>Manufacture of Goods Retailed on Premises</u>	<u>P</u>
<u>Massage Therapy with a State License</u>	<u>P</u>
<u>Mortuary</u>	<u>P</u>
<u>Multiple Family Dwellings containing thirty (30) or less units</u>	<u>P</u>
<u>Multiple Family Dwellings containing more than thirty (30) units</u>	<u>C</u>
<u>Museum</u>	<u>P</u>
<u>PRUD</u>	<u>P</u>
<u>Public parking lots</u>	<u>P</u>
<u>Reception center or Wedding Chapel</u>	<u>P</u>
<u>Residential facilities for the elderly</u>	<u>P</u>
<u>Residential facilities for the handicapped</u>	<u>P</u>
<u>Rest home</u>	<u>P</u>
<u>Restaurant</u>	<u>P</u>
<u>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.</u>	<u>P</u>
<u>Row House</u>	<u>P</u>
<u>Schools</u>	<u>P</u>
<u>Single family dwelling</u>	<u>P</u>
<u>Temporary storage buildings for construction</u>	<u>P</u>
<u>Theater, Indoor</u>	<u>P</u>
<u>Tower, amateur radio</u>	<u>P</u>
<u>Tower, low power radio</u>	<u>C</u>
<u>Tower, small cellular</u>	<u>P</u>

<u>Two family dwelling</u>	<u>P</u>
<u>Urban farm</u>	<u>P</u>
<u>Urban livestock</u>	<u>C</u>
<u>Wedding chapel</u>	<u>P</u>
<u>Wholesale business</u>	<u>N</u>

SECTION 19: **ADOPTION** “Section 16.45.040 Minimum Area Requirements” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.45.040 Minimum Area Requirements(*Added*)

In the MX residential zone, minimum area requirements are as follows:

A. For each residential building: four thousand five hundred (4000) square feet, plus one thousand (1,000) square feet for each dwelling unit in excess of one (1) in each building; B. Parcels having only non-residential uses: no minimum requirement. C. Dwelling utilizing zero side yard: three thousand five hundred (3,500) 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. D. Row houses: three thousand (3,000) square feet

SECTION 20: **ADOPTION** “Section 16.45.050 Minimum Width Requirements” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.45.050 Minimum Width Requirements(*Added*)

A. The minimum width of any parcel having a residential use shall be fifty (50) feet, except:

1. Dwelling utilizing zero side yard: thirty-five (35) 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. 2. Row House: thirty (30) feet.

B. Parcels having only non-residential uses: no minimum requirement.

SECTION 21: **ADOPTION** “Section 16.45.060 Setback Requirements” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.45.060 Setback Requirements(*Added*)

A. Front Setback:

1. All buildings and structures shall be set back a minimum of five (5) feet from the front property line.

B. Side Setback:

1. No setback shall be required for any structures along interior lot lines, except:

a. A setback of five (5) feet shall be required for any parcel adjoining an A-1, R-1, R-2, R-3, R-4 or MH zone, and; b. All portions of any structure over thirty (30) feet in height shall be set back a minimum of fifty (50) feet when adjoining an A-1, R-1 or R-2 zone.

2. On parcels with exterior property lines, the side setback from the street along the exterior property line for any structure shall be five (5) feet.

C. Rear Setback:

1. Structures shall be set back from the rear property line a minimum of ten (10) feet except all portions of any structure over thirty (30) feet in height shall be set back a minimum of fifty (50) feet when adjoining an A-1, R-1 or R-2 zone.

SECTION 22: **ADOPTION** “Section 16.45.070 Height And Coverage Requirements” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.45.070 Height And Coverage Requirements(*Added*)

A. The maximum height allowed in the MX zone shall be sixty (60) feet. The minimum height shall be eight (8) feet.

B. The maximum area of any lot that may be covered by structures is seventy-five (75%) percent.

SECTION 23: **ADOPTION** “Section 16.45.080 Special Provisions” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.45.080 Special Provisions(*Added*)

A. On any parcel having mixed uses, at least fifty (50%) percent of the gross floor area of all structures must be residential.

B. On any parcel, a maximum of forty (40%) percent of the gross floor area of all structures, or six thousand (6,000) square feet of the gross floor area of all structures, whichever is greater, may have a retail use.

SECTION 24: **ADOPTION** “Section 16.45.090 Landscaping Requirements”
of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.45.090 Landscaping Requirements(*Added*)

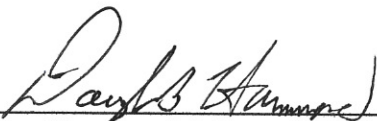
A. Landscaping shall be in conformance with Chapter 16.27.

PASSED AND ADOPTED BY THE VERNAL COUNCIL

12-01-2021


	AYE	NAY	ABSENT	ABSTAIN
Councilmember Nicholas Porter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Travis Allan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilmember Dave Everett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Bert Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Ted Munford	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Presiding Officer



Doug Hammond, Mayor, Vernal

Attest



Roxanne Behunin, City Recorder
Vernal

