

**VERNAL
ORDINANCE 2025-05**

**AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING SECTIONS
16.48.030 AND 16.50.020 - USES IN COMMERCIAL ZONES.**

WHEREAS, the City Council finds that there are certain businesses that may request to operate within a commercial zone and this need to be addresses 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 regulations.

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

SECTION 1: **AMENDMENT** “Section 16.04.005 Planning And Zoning Definitions” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

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 of Utah Code Annotated. "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. (PZSC § 03-15-011) "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. 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. "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. "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. "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)

SECTION 2: **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
<u>Barber / Beauty Shop</u>	<u>P</u>	<u>P</u>
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
<u>Day Care</u>	<u>P</u>	<u>P</u>
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
Hotel, motel	P (C-2)	P(CC-1)
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	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
<u>Short Term Rentals (STR)</u>	<u>P</u>	<u>P</u>
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	C	C

twelve (12) feet may be maintained as part of the fenced area		
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 3: 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
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
<u>Barber / Beauty Shop</u>	<u>P</u>	<u>P</u>
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
<u>Day Care</u>	<u>P</u>	<u>P</u>
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
Hotel, motel	P (C-2)	P (CC-1)
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	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
<u>Short Term Rental (STR)</u>	<u>P</u>	<u>P</u>
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)

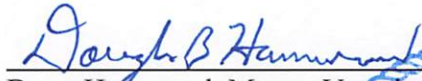
(Ord. 2017-18, Amended, 10/18/2017; Ord. 2017-11, Repealed and Replaced, 08/16/2017)

PASSED AND ADOPTED BY THE VERNAL COUNCIL

February 19, 2025.

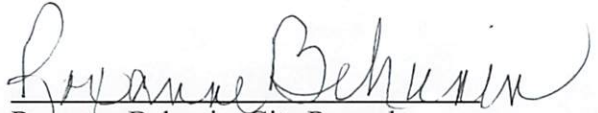
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Robin O'Driscoll	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Corey Foley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Ted Munford	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Edward Long	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Randel Mills	<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

