

**ORDINANCE NO. 2018-08**

**AN ORDINANCE AMENDING THE VERNAL CITY MUNICIPAL CODE, SECTION 16.04.481 RESIDENTIAL FACILITY FOR HANDICAPPED PERSONS, SECTION 16.04.484 ROW HOUSE, SECTION 16.06.060 PROVISION FOR STORM DRAINAGE--RETENTION ON OWN PROPERTY, SECTION 16.26.110 PARKING SPACE REQUIREMENTS--DWELLINGS, SECTION 16.26.230 PARKING SPACE DESIGN AND ACCESS, SECTION 16.27.070 MINIMUM AREA REQUIREMENTS, SECTION 16.44.035 USES, SECTION 16.44.040 MINIMUM AREA REQUIREMENTS, AND SECTION 16.44.050 MINIMUM WIDTH REQUIREMENTS.**

**WHEREAS**, the City Council finds that the regulation of row houses within a new development is necessary for orderly growth and conduct of business within the City, and;

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

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

**BE IT ORDAINED BY THE CITY COUNCIL OF VERNAL CITY, UTAH AS FOLLOWS:**

**Section 1. A new Section 16.04.481 is hereby added to read as follows:**

**16.04.481 Residential facility for handicapped persons.**

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. (PZSC § 03-15-097)

**Section 2. A new Section 16.04.484 is hereby added to read as follows:**

**16.04.484 Row House.**

A group of three (3) or more single family dwellings meeting the following criteria:

A. Each dwelling is placed entirely on one (1) parcel, and;

B. 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

**Section 3. Section 16.04.485 is hereby repealed in its entirety:**

**16.04.485 Residential facility for handicapped persons.**

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. (PZSC § 03-15-097)

**Section 4. Section 16.06.060 is hereby amended to read as follows:**

**16.06.060 Provision for storm drainage--Retention on own property.**

All commercial, institutional or industrial development, construction, reconstruction, alteration, or expansion which generates any storm drainage proposing a master site plan or any multiple-family housing development containing (5) or more units, or row house development, or any subdivision creating public or private roadways, shall be required to convey and retain all storm water drainage on its own property at a design rainfall volume and peak discharge in accordance with a twenty-four (24) hour storm duration with a one hundred (100) year return period. Calculations shall be based on standard engineering methods, or if computer modeling is used, Natural Resource Conservation Service (Soil Conservation Service) methods Tr-20 or Tr-55 using a type II rainfall distribution curve. Rainfall depths used shall be in accordance with National Atmospheric & Oceanic Administration estimates for the Vernal Airport. Conveyance shall be designed and constructed in such a fashion as to prevent private property and infrastructure from being damaged during the storm event. At the time of application, the applicant shall designate a person or organization that shall be responsible for continuous maintenance of the storm water system. The storm water system shall be maintained at all times to operate at its original design capacities. Authorized representatives of Vernal City may enter upon any site to conduct inspections and verify compliance with Vernal City Code. The maximum slope in any part of an above ground retention device or basin shall be 3:1. All water must dissipate from all above ground storage device or basins within seventy-two (72) hours. Above ground retention devices and basins shall be landscaped in accordance with Section 16.27. The lowest grade in all retention basin devices and basins, above or below ground, shall be a minimum of two (2) feet above the existing water table. Surface drainage is not allowed across pedestrian walkways. Storm drainage facilities shall be installed in accordance with Vernal City standards and all applicable State of Utah and federal standards and requirements. (PZSC § 03-02-005.1)(Ord. No. 95-20, Amended, 11/02/95; Ord. No. 96-07, Amended, 03/20/96)

**Section 5. Section 16.26.110 is hereby amended to read as follows:**

**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:

e. 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 with the dimensions of ten (10) feet by twenty five (25) feet 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. If any dwelling unit is increased by occupant use after the original building permit is issued, the parking requirements shall reflect that increase;

G. 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)

**Section 6. Section 16.26.230 is hereby amended to read as follows:**

**16.26.230 Parking space design and access.**

A. Parking spaces:

1. The width of each parking space shall be measured at a right angle to the side lines of the parking space. All parking spaces shall have minimum dimensions of nine (9) feet by twenty (20) feet except;

a. A garage or carport shall have inside dimensions of not less than ten (10) feet by twenty (20) feet per space. The width of each parking space shall be measured at a right angle to the side lines ~~of the parking space. Refer to 16.26.110 (4) when larger spaces are required.~~

b. Outdoor parking spaces serving a residential use located on the same lot or parcel which they serve shall have minimum dimensions of nine (9) feet by twenty five (25) feet. This requirement shall not apply to multi-family developments containing five (5) or more dwelling units.

c. Parking required in section 16.26.110(4) shall have minimum dimensions of ten

**(10) feet by twenty five (25) feet**

2. Handicapped parking spaces shall have minimum dimensions of eight (8) feet by twenty (20) feet and shall have a separation strip in accordance with the International Building code.

B. Adequate automobile access to a garage, carport or parking area shall be provided. The minimum size of the access strip shall be as follows;

1. Sixteen (16) foot access strips - two (2) are required for one-way traffic;
2. Twenty-four (24) foot access strip - one is required for two-way traffic;
3. A greater number of access strips may be required as determined by the Planning Commission during site plan approval.

C. In residential zones, access from the street for single family dwellings shall not exceed more than sixty (60) feet with not more than one (1) thirty-four (34) foot access.

D. Backing space shall be provided for parking areas which are composed of five (5) or more spaces so that cars need not back into a public street or alley or into other automobiles. Public sidewalks shall not be permitted to be used as part of the required backing space.

E. Tandem parking (front to rear) shall not be permitted except for single-family or two-family dwellings when the front and back spaces are both designed to serve the same dwelling.

F. Every parcel of land hereafter used as a parking area shall be paved with asphalt or concrete surface and shall have appropriate bumper guards or curbs where needed, as determined by the Planning Director, to protect adjacent property owners or persons using a sidewalk. All storm water shall be collected and retained in accordance with Section 16.06.060.

G. For all uses permitted in a residential zone, only twenty-five (25) percent of the front yard area required by the respective zones shall be used for parking. Access across and over the required front yard is allowed to the side yard or rear yard. In the case of multiple-family dwellings, not more than fifty (50) percent of the required side and rear yard shall be used for parking or vehicular access lands. In such cases where it is deemed necessary to utilize more than the required front, side or rear yards, said yard area used in excess of the limits shall be provided in an equivalent amount of land area elsewhere on the same lot as the building as open green areas, patios, play areas or courts.

H. All commercial off-street parking spaces and associated access lanes shall be effectively screened on any side adjoining any property in a residential zone by a fence, wall or hedge of not less than four (4) feet or more than seven (7) feet high. Provided, however, that front yard and corner lot fences, walls or plantings shall maintain height requirements of their respective zones. (PZSC § 03-12-017)(Ord. No. 94-06, Amended, 3/24/94; Ord. No. 96-27, Amended, 11/20/96)

**Section 7. Section 16.27.070 is hereby amended to read as follows:**

**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.

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.

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)

**Section 8. Section 16.44.035 is hereby amended to read as follows:**

**16.44.035 Uses**

Uses are as set out in this section:

USES	R-4
Bed and breakfast	C
Boarding houses	C
Churches	P
Day care nursery	P
Fences not exceeding seven feet	P
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Hospitals and clinics	P
Household pets not exceeding 4	P
Mortuary	P
Multiple family dwellings containing thirty (30) or less units	P
Multiple family dwellings containing more than thirty (30) units	C

Professional office buildings or group of office buildings	P
PRUD	P
Public parking lots	P
Public utility buildings and facilities	P
Rest home	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Retail establishments	N
Row House	P
Schools	P
Signs, monument	C
Signs - non-flashing, flat	P
Signs pertaining to sale or lease of property or professional offices	P
Single family dwelling	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Two family dwellings	P
Urban farm	P
Urban livestock	C
Uses ruled to be similar by the Planning Commission	P
Wedding chapel	P
Wholesale commercial establishment	N

**Section 9. Section 16.44.040 is hereby amended to read as follows:**

**16.44.040 Minimum area requirements.**

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

A. For each residential building: six thousand five hundred (6,500) square feet, plus one thousand five hundred (1,500) square feet for each dwelling unit in excess of one (1) in each building;

B. For other main buildings: seven thousand five hundred (7,500) square feet.

C. Dwelling utilizing zero side yard: four thousand five hundred (4,500) square feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot. (PZSC § 03-22-004)

**D. Row houses: three thousand (3000) square feet.**

**Section 10. Section 16.44.050 is hereby amended to read as follows:**

**16.44.050 Minimum width requirements.**

A. Width requirements shall be measured at a distance of thirty (30) feet back from the front lot line.

B. The minimum width of any parcel for a one (1) family or other main building shall be sixty-five (65) feet, plus five (5) additional feet for each additional dwelling unit up to eighty

(80) feet.


C. Dwelling utilizing zero side yard: forty-five (45) feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot. (PZSC § 03-22-005)

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

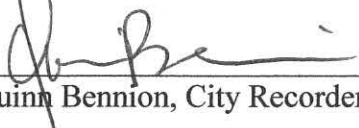
**SECTION A. REPEALER.** All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code are hereby repealed.

**SECTION B. SEVERABILITY.** The provisions of this ordinance shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid and it shall not affect the validity of any other provision of this ordinance or the application in a different circumstance.

**SECTION C. EFFECTIVE DATE.** This ordinance shall take effect the day after publication the 27<sup>th</sup> day of June 2018.

  
Mayor Doug Hammond

ATTEST:

  
Quinn Bennion, City Recorder



Date of Publication: June 26, 2018