



**NOTICE OF A REGULAR
PLANNING COMMISSION MEETING**

October 16, 2024, at 6:00 PM

PUBLIC NOTICE is hereby given that the Vineyard Planning Commission will hold a regularly scheduled Planning Commission meeting on Wednesday, October 16, 2024, at 6:00 PM, in the City Council Chambers at City Hall, 125 South Main Street, Vineyard, UT. This meeting can also be viewed on our [live stream page](#).

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENTS PC

Time dedicated for public comment. Comments will be limited to three (3) minutes. No actions may be taken by the Planning Commission due to the need for proper public noticing.

3. CONSENT ITEMS

3.1. There are no consent items.

4. BUSINESS ITEMS

4.2. Rezone and Zoning Text Amendment of the 145 s Geneva Road property (Resolved)

This item has been resolved as the applicant has withdrawn their application. There will be no public hearing.

5. WORK SESSION

2024 Zoning Text Amendment Overhaul

6. STAFF, COMMISSION, AND COMMITTEE REPORTS

6.4. Property Rights Training

7. ADJOURNMENT

The next regularly scheduled meeting is November 6th, 2024.

The public is invited to participate in all Planning Commission meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this public meeting should notify Madison Reed, Planning Technician, at least 24 hours prior to the meeting by calling (801) 226-1929 or email at madisonr@vineyardutah.org.

The foregoing notice and agenda were posted on the Utah Public Notice Website and Vineyard Website, posted at Vineyard City Hall, and delivered electronically to city staff and each member of the Planning Commission.

AGENDA NOTICING COMPLETED ON:

October 15, 2024

CERTIFIED (NOTICED) BY:

/s/. Madison Reed

Madison Reed, Planning Technician



VINEYARD PLANNING COMMISSION STAFF REPORT

Meeting Date: October 16, 2024
Agenda Item: 2024 Zoning Text Amendment Overhaul
Department: Community Development Department
Presenter: Cache Hancey

Background/Discussion:

Throughout 2024, the Community Development Department has been tracking any suggested edits or changes to the zoning text. Each section has been reviewed for content, grammatical errors, and best practices. This is the first work session reviewing the following sections:

- Short-Term Rentals
- Temporary Uses
- District Use Table
- Home Occupations
- Landscaping

Fiscal Impact:

Recommendation:

A recommendation will come at a later date

Sample Motion:

No motion is provided as this is a work session.

Attachments:

1. ZTA Overhaul Text

15.12.050 District Use Table*

Check Cashing and Other Credit Services: Conditional Use in the Regional Commercial Zone

- Also includes development standards

Mobile Food Court: Conditional Use in the Regional Mixed-Use Zone

- Also includes development standards
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15.26.050 Allowed Temporary Uses and Development Standards

All Uses proposed to be established for a maximum period of sixty (60) days, such uses being discontinued after the expiration of sixty (60) days except for the following:

1. Shaved ice stands operating as a Temporary Use are permitted from April 1 to October 31.
2. Farmers markets operating as a Temporary Use are permitted from April 1 to October 31.

Development Standards: All temporary uses are subject to the following development standards and may also have additional supplementary development standards found in VZC 15.26.055

2. **Parking:** all temporary uses shall have a dustless and improved parking surface, such as gravel or asphalt. The number of parking stalls will be determined by the use found in VZC 15.38 Parking and Loading Requirements. If the temporary use is located on the property with another use, temporary or permanent, the total number of parking stalls for the property must meet the standards set forth in VZC 15.38.
 3. Following the expiration of a temporary use permit, the property shall be restored to its original condition within 24 hours, including but not limited to the removal of all temporary structures and signage associated with the temporary use permit.
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15.26.055 Temporary Use Supplementary Standards

Unless otherwise stated, the following Temporary Uses shall be subject to the following standards and requirements:

1. Farmers' Market: a temporary use permit is required which must include a site plan with the following materials:
 1. The location and type of vendors.
 2. Any temporary signage which must comply with the standards in VZC 15.28.
 3. The parking location and vehicular access.
 4. Any other materials that the Planner deems necessary to ensure adequate access and safety.

2. Firework Stands: a temporary use permit is required that must include a site plan with the following materials:
 1. The location of any structure.
 2. Any temporary signage which must comply with the standards in VZC 15.28.
 3. The parking location and vehicular access.
 4. The proposed dates in which fireworks will be available for sale.
 5. Any other materials that the Planner deems necessary to ensure adequate access and safety
 3. Carnivals?
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15.26.060 Exemptions

The following uses or events shall be exempt from the requirements of a Temporary Use Application and approval and shall not be required to present a Temporary Use Permit

1. All family reunions and gatherings
 2. Garage or yard sales, provided that they shall not operate for longer that five (5) days in a calendar year and that there be no obstructions on the sidewalk or the public right of way.
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15.34.150 Home Occupations

Definitions

1. *Home Occupation:* The use of a residential dwelling for commercial activities; these activities must be clearly secondary to the primary residential use.
 2. *Customer:* Any person visiting the home occupation for a business related activity or purpose, including, but not limited to, clients, students, delivery personnel, and spectators. Each individual represents a separate customer regardless of any relationship or corporate affiliation that may exist between them.
 3. *Employee:* Any individual who works for the home occupation business, regardless of whether they are paid or not.
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Home Occupation - with Impact

If there are more than one (1) home occupation business licenses with impact in the same home, the aggregate impact shall not exceed the impact and regulations of one (1) home occupation.

Home Occupation - Day Care/Preschool

Please review the district use table:

1. One to seven (1-7) children are permitted, eight to ten (8-10) children is a conditional use.
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Group Instruction

1. Home Occupations without impact are permitted but would restrict group instruction to two (2) students/ clients/ customers at a time.
 2. Home Occupations with impact require a conditional use permit but would allow group instruction limited up to six (6) students/ clients/ customers until 5pm and then two (2) students/ clients/ customers from 5pm until 9pm.
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Noncompliance

1. The following uses and activities shall not be permitted in conjunction with a Home Occupation:
 1. Veterinarian office, kennel or any similar animal services and
 2. Medical practitioners..
 2. Vineyard may require inspection of the home occupation to determine compliance with conditions at any point with prior notification to the occupants.
 3. A permit may be revoked upon any violation of the requirements or conditions, unless such violation(s) is corrected with a receipt of written notice thereof.
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Conditions that apply to all Home Occupation types: Commercial and industrial activities, per public policy, should be practiced in zones where they are specified as permitted. Without provided specifications, it shall be unlawful to administer a business or occupation in a residential dwelling unless the home occupation has approved documentation and has followed the application process correctly with Vineyard City. The City may allocate permissions to permit limited business activities to be performed within a residential dwelling located in any zone in the City if the following requirements are met:

1. Parking – Clearly marked driveway and/or garage dimensions (or a scaled site plan) showing a total of four (4) parking spaces onsite, with a dimension of 8' wide by 18' deep each. Home Occupations with Impact, Preschools and Daycare must meet the minimum four (4) onsite parking spaces. If the residential dwelling unit is a part of a multifamily home, the requirement is for two (2) parking spaces. Vehicles used by the business (other than passenger cars without signage) shall not be parked on the site, unless enclosed parking is utilized to shield the vehicles from view. In places where the home occupation will generate little or no vehicular traffic additional to what that particular residence generates without the home occupation, and where customers will not travel

to the dwelling unit to receive or pay for products or services, the city may allow one (1) off-street parking space.

Business Management:

1. Promotional meetings for the purpose of selling merchandise or taking orders may exceed the limits of customers in this section, but may not be held more than once per month and shall be limited to a maximum of ten (10) customers.
 2. The home occupation may include the sale of commodities. However, it is intended to be limited to items produced on the premises, or items that are incidental to the service provided, provided customers do not unreasonably disturb the peace and quiet of the neighborhood.
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15.34.220 Check Cashing And Other Credit Services

1. Purpose: The purpose of this section is to permit the establishment of check cashing and other credit services.
 2. Standards:
 1. Separation Requirement: No check cashing business shall be located within one-half (1/2) mile of any other check cashing business as measured in a straight line between the closest property lines of the lots on which they are located.
 2. No more than one check cashing business shall be allowed for every 10,000 citizens (as determined by the most recent US Census) living in Vineyard City.
 3. For the purpose of this subsection 15.34.220, each separate physical location shall count as a check cashing business.
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15.34.240 Mobile Food Courts

1. Purpose:
2. Standards:
 1. A lot or area is considered to be a mobile food court if there are no less than two (2) and no more than ten (10) individual food businesses or other authorized vendors.
 2. All mobile food courts shall require a conditional use permit
 3. No Drive Thru
 4. Bathrooms
 5. Parking Plan
 6. Site Plan

7. Nuisances

8. Trash

15.40 Landscaping

Removed 2 references to Section 2002. We don't have a section in our code.

Added the definition of a weed to help with the code enforcement process.

Parking Requirements

Added the language "All screening methods shall be at least three (3) feet high, as measured at finished grade adjacent to the parking area to be screened." To be consistent with the other language in the code.

*This section is also being reviewed by the consultant working on Vineyard's Parking Study.

15.34.190 Drive-Thru Facilities

1. Added the language, "Queuing lanes shall not be located adjacent to the primary pedestrian entrance nor block required back out areas for adjacent parking spaces."
 2. Added the language "Traffic Impact Study. All development proposing a drive-thru shall require a traffic impact study or an updated traffic impact study. The City Engineer may waive the requirement for a traffic impact study." An alternative to a Traffic Impact Study would be to require a queuing analysis.
 3. Removal of all language of figures that allow drive aisles in front of buildings.
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Short Term Rentals

Currently, Vineyard does not allow short term rentals. The purpose of this section would be to allow for short term rentals in a controlled manner while protecting the safety and welfare of Vineyard residents. The city would also benefit from collecting "Transient Room Tax."

Key points:

- STR is anything less than 30 days and does not include hotels.
- It would require all STR units to have a license, held by the property owner.
- It proposes two types of licenses

Type I License:

- Applies to single-family homes and approved by staff.

- Must be held by property owner
- Requires 5 parking spaces
- A maximum of 4 guests of 1 family is allowed and can stay for up to 29 consecutive nights
- Homes cannot have an ADU and a STR license.
- Each community can have a minimum of two STR's, plus 1 for every 50 homes.

Type II License:

- Townhomes, duplex, condos, and multifamily buildings and require a conditional use permit approved by the planning commission.
- Must have on-site property management
- Limited to 5% of total units within a community.
- A maximum of 4 guests of 1 family is allowed and can stay for up to 29 consecutive nights

In addition to the above standards the code addresses property maintenance, urgent response times, establishing ownership, notice and posting requirements, noise and nuisance, violations, and enforcement.

Enforcement Language:

1. Each day that a violation occurs or continues, after the initial 48 hours, is a separate violation.
 2. For any violation of this section, the issuing officer may issue a written citation or notice of violation to the owner, specifying the violation and the penalty to be imposed.
1. For the first violation within any 12-month period, the penalty shall be \$500.00.
 2. For a second violation within any 12-month period, the penalty shall be \$750.00.
 3. For a third violation within any 12-month period the penalty shall be \$1,000.00 and revocation of the STRL and special use permit. The owner shall be ineligible for a STR special use permit and a STRL for a period of two years from the date of the third notice of violation.
 4. For any violation within any 12-month period following the third violation, the penalty shall be \$1,000.00 and the STR owner shall be banned from receiving a STR special use permit and a STRL.

Definitions:

Check Cashing and Other Credit Services: Check cashing is defined as engaging in the business of a check casher as defined in the Utah Check Cashing Registration Act, Utah Code Section 7-23-101 et.seq. (as amended). Check cashing is also defined as providing loans, cash advances, or other forms of credit upon presentation of a personal check or title to a vehicles to be held by the person or entity making the loan, cash advance, or providing the credit. Check cashing includes uses commonly known as payday advances/loans, deferred deposit loans, title loans, and other businesses of similar nature. However, the definition of check cashing does not include the providing of credit to finance the initial purchase of personal property, or the sale of such debt obligations to factor or financial institution that purchases debt instruments connected with such transactions in the normal course of its business. Banks, credit unions, and pawnshops are not included in the definition of check cashing.

Weed: Any undesired or invasive plant species, including but not limited to grasses, brush, and vegetation that grows in uncontrolled manner. A plant shall be classified as a weed if: it poses a threat to the health or safety of the community; it contributes to fire hazards, pest infestations, or obstructs visibility for pedestrians and drivers; or it exceeds one (1) foot in height.