

**PUBLIC HEARING AND REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Vineyard City Hall, 125 S Main St., Vineyard, Utah
Wednesday, July 15, 2020 at 6:00 p.m.**

Amended

PUBLIC NOTICE is hereby given that the Planning Commission of Vineyard, Utah, will hold a public hearing and regular planning commission meeting, on Wednesday, July 15, 2020 at 6:00 p.m.

This meeting will be held electronically, via Zoom, due to COVID-19 gathering restrictions. Please click the below to access:

<https://zoom.us/j/96407599318?pwd=eVRtV25LanY5dVRsdW10ci9VRVNsQT09>

or call +1 253 215 8782 US (Tacoma)

1. CALL TO ORDER

2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE

3. OPEN SESSION

“Open Session” is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three (3) minutes. Because of the need for proper public notice, immediate action cannot be taken in the Planning Commission Meeting. If action is necessary, the item will be listed on a following agenda. However, the Planning Commission may elect to discuss the item if it is an immediate matter of concern.

4. MINUTES REVIEW AND APPROVAL

Minutes from June 17, 2020 planning commission meeting.

5. BUSINESS ITEMS:

5.1 PUBLIC HEARING AND CONSIDERATION: Section 15.34.060 Accessory Dwelling Units

The city is proposing a zoning ordinance amendment to Section 15.34.060 Accessory Dwelling Units to establish minimum lots size, parking and other development standards. Continued from July 1, 2020 Planning Commission Meeting.

5.2 Neighborhood Commercial District Zoning Text and Map Amendment

The applicant is proposing the creation of a new zoning district; Neighborhood Commercial (NC) with the Vineyard Zoning Ordinance Section 15.12 Establishment of Districts and Zoning Tables. (This it was sent back to Planning Commission for further review.)

6. WORK SESSION

6.1 Wall Signs

7. COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE

8. STAFF REPORTS

- Morgan Brim, Planning Director
- Don Overson, City Engineer

9. ADJOURNMENT

The next regularly scheduled meeting is August 5, 2020.

This meeting may be held electronically to allow a commissioner to participate by teleconference.

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 Elizabeth Hart, Planner, at least 24 hours prior to the meeting by calling (801) 226-1929.

The foregoing notice and agenda were emailed to the Salt Lake Tribune and Daily Herald, posted on the Utah Public Notice Website and Vineyard Website, posted at the Vineyard City Offices and City Hall, delivered electronically to city staff and each member of the planning commission.

AGENDA NOTICING COMPLETED ON: July 10, 2020

NOTICED BY: /s/ Briam Amaya Perez
Briam Amaya Perez, Planning Technician

**PUBLIC HEARING AND REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Wednesday, June 17, 2020 at 6:01 p.m.**

This meeting was held electronically, via Zoom,
due to COVID-19 gathering restrictions

Present

Chair Anthony Jenkins
Commissioner Shan Sullivan
Alternate Commissioner Tay Gudmundson
Alternate Amber Rasmussen
Alternate Jessica Welch

Absent

Tim Blackburn

Other Commissioners Present: Vice-Chair Jeff Knighton and Bryce Brady.

Staff Present: Community Development Director Morgan Brim, Senior Planner Elizabeth Hart, Planning Technician Briam Amaya Perez, Public Works Director/City Engineer Don Overson, Assistant City Engineer Chris Wilson, Water/Parks Manager Sullivan Love

Others Present: Resident and Councilmember Cristy Welsh, Resident David Lauret, Resident Emily Hagan with Lilypad Preschool, Brandon Watson with Edge Homes, and Cassie Younger with Maverik Inc.

1. CALL TO ORDER

Chair Jenkins called the meeting to order at 6:01 p.m.

2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE

No invocation/inspirational thought was presented

3. OPEN SESSION

Chair Jenkins asked if anyone from the public had submitted comments ahead of time for the open session. Ms. Hart confirmed that there were no comments submitted.

Chair Jenkins called for public comments. Hearing none, he closed the open session.

4. MINUTES REVIEW AND APPROVAL

Minutes from the April 1, 2020 Planning Commission Regular and Joint City Council Meeting.

Chair Jenkins called for a motion to approve or amend the minutes.

Motion: COMMISSIONER SULLIVAN MOVED TO APPROVE THE MINUTES AS PRESENTED. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS SULLIVAN,

44 GUDMUNDSON, RASMUSSEN, AND WELCH VOTED AYE. THE MOTION
45 CARRIED UNANIMOUSLY.

46 **5. BUSINESS ITEMS:**

47 **5.1 PUBLIC HEARING AND CONSIDERATION: Lilypad Preschool Conditional Use**
48 **Permit**

49 The applicant is requesting approval of a conditional use permit for a preschool within
50 the home and up to 10 students per class.

51
52 Chair Jenkins turned the time over to Senior Planner Elizabeth Hart.

53
54 Ms. Hart explained that the applicant, Emily Hagan, had requested the approval of a
55 conditional use permit to operate a preschool within her home within the Waters Edge
56 community. Waters Edge does allow for preschools as a conditional use. A year ago,
57 when Ms. Hagan first petitioned for the permit, she wanted the approval of up to six (6)
58 students per class. She is now petitioning for up to 10 students per class as the Vineyard
59 Zoning code now allows up to 10 students per class. Nothing else is changing from her
60 previous application: room size, class days (3-4 years old Mondays and Wednesdays
61 9 am -11 am; 4-5 years old Tuesdays and Thursdays 9 am -11 am), backyard play area,
62 fenced off yard, gates on her window wells, parking (customers occupy her 3-car
63 driveway first then on-street parking as they come), etc.). Parking has not been an issue
64 as many of her clients walk their children to school.

65
66 Chair Jenkins called for questions from the Commission.

67
68 Commissioner Rasmussen asked Ms. Hagan about the procedure for parentings picking
69 up the students. Ms. Hagan replied that the children are picked up by their parents at 11
70 am, and that parents must come to the porch to pick up their children. She said
71 approximately half of the children were picked up by car. Commission Rasmussen
72 confirmed that no children would be walking into the street. Applicant confirmed.

73
74 Mr. Brim asked Ms. Hart is there were any previous code violations for this business?
75 Ms. Hart said there have not been any since they have been in operation. Mr. Brim stated
76 that if there would have been, this would've been a great time to address conditions that
77 may have been applied to this permit approval.

78
79 Chair Jenkins called for a motion to open the public hearing.

80
81 **Motion:** COMMISSIONER SULLIVAN MOVED TO OPEN A PUBLIC HEARING AT
82 6:09 PM. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL
83 WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS SULLIVAN,
84 GUDMUNDSON, RASMUSSEN, AND WELCH VOTED AYE. THE MOTION
85 CARRIED UNANIMOUSLY.

Chair Jenkins called for public comments. Resident Daniel Kennedy stated that he was in support of this preschool. Chair Jenkins called for further comments. Hearing none, he called for a motion to close the public hearing.

Motion: COMMISSIONER WELCH MAKES A MOTION TO CLOSE THE PUBLIC HEARING AT 6:10 PM. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS SULLIVAN, GUDMUNDSON, RASMUSSEN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins closes the public hearing and asks the commission and public for any further questions. Hearing none, he called for a motion to approve the Lilypad Preschool under a conditional user permit.

Motion: COMMISSIONER SULLIVAN MOVED TO APPROVE THE LILYPAD PRESCHOOL UNDER A CONDITIONAL USE PERMIT AT 6:11 PM. COMMISSIONER WELCH SECONDED THE MOTION. ROLL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS SULLIVAN, GUDMUNDSON, RASMUSSEN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins turns over the time to staff and the proceeding applicant.

5.2 Lakefront at Vineyard Town Center Site Plan Amendment.

The applicant is requesting approval for a site plan amendment.

Community Development Director Morgan Brim introduced the applicant's case. He stated that in the last Planning Commission meeting the Commission and the applicant discussed the amendment to the Lakefront at Town Center. Morgan Brim introduced the site plan that went along with the amendment. This amendment removed some of the single-family lots that were entitled under the original site plan approval. The Commission felt that leaving one side of the street as single-family lots felt 'out of place' and created a land use that is incompatible with the attached homes dominant throughout the site plan. The original site plan had single-family houses on the north and south of the street. The Commission suggested a townhome product on either side of the street to create a greater sense of continuity along both sides of the street and throughout the development. The amended site plan has removed the single family lots on the south side of the street and replaced them with fourteen attached townhomes. This site plan amendment accomplishes this task and also provides the addition of five (5) new town homes in place of a condominium building on the southwest corner of the site. In total, this plan proposes nineteen new townhome units. The applicant, Brandon Watson, is present and is requesting approval for this site plan amendment. It is also important to highlight that there are wetlands on site that have been delineated. The property owner cannot build on these wetlands. These roughly impacts about 22 proposed units. In order to get approval for these units, the applicant would have to re-delineate these wetlands. For now, this space must remain as open space. All the condominium buildings proposed meet the City's elevation standards. Mr. Brim introduced Mr. Watson.

133
134 Mr. Watson explained that a few changes have been made to the site plan since last
135 meeting. A colored site plan was brought up to show the wetland delineations in better
136 detail. Per the Commission's recommendations, the single-family lots on the south side of
137 the street have been replaced with alley-loaded townhomes. These townhomes will create
138 a good, inviting feel along the three and a half (3.5) acre park. The backs of the units will
139 not face the park, which is what would've happened had the properties remained single-
140 family lots. This design allows the front doors of these parks to face Sunset Beach Park.
141 This allows for more "eyes on the street" which enhance a feeling of comfort and safety.
142 Furthermore, a condominium building was eliminated further north of the park and
143 another condo building was rotated to open up more green space. On the eastern part of
144 the site plan a few townhomes were also eliminated to create additional space for
145 parking.

146
147 Mr. Watson continued by speaking about the wetland areas. Edge Homes does not feel
148 comfortable building within these wetland areas. As far as landscaping goes, Edge
149 Homes desires to observe all the regulations set forth by the Army Core of Engineers
150 regarding the wetlands. They would like to remove any invasive vegetation that has taken
151 residence in this area in order to maximize usable, open space. These wetlands are
152 deemed as low-quality wetlands by the Army Core of Engineers, nevertheless Edge
153 Water is willing to restore and preserve these wetlands. Edge Homes desires to
154 coordinate as much as possible with the Army Core of Engineers regarding what they are
155 allowed to plant in this area. Even if the Army Core delineates these wetlands and deems
156 them as buildable area, Edge homes would still rather not build structures upon these so
157 as to not have warranty and liability issues with flooded basements and other water-based
158 hazards. Willing to comply with regulations to avoid liability issues. In the long run,
159 Edge will lose out on twenty-two (22) units, but it would be less of a hit in the case that
160 basements become flooded.

161
162 In addition, Mr. Watson spoke regarding Edge Water's interest in making sure that 300
163 W gets built and becomes a gateway to the Lake Promenade in the Town Center area.
164 With or without the wetlands, Edge Homes desires to provide this for the City so it has
165 that connection between the North and South parts of Vineyard throughout the
166 development.

167
168 Mr. Brim asked Mr. Watson to speak to the increase in open space and parking stalls
169 when comparing the original site plan proposal and this new one?

170
171 Mr. Watson explained that, under the site plan amendment, park space is increased from
172 17% to 24%, approximately; lots of greenspace would be added with the removal of the
173 22 housing units. He explained that parking has been added to the development, though
174 no exact number was provided in comparison to what was previously proposed. He stated
175 that he does know that parking increases slightly, but generally remains the same amount.
176 Parking will be centrally located in a way that everyone will be able to use the parking.
177

Chair Jenkins spoke regarding general comments offered by the public in conversation: Some residents wanted to hang on to the single-family homes even though they would likely turn into rentals. Some did not want the overall number of units to increase. This plan does not seem to increase the number of units drastically. In fact, the total number of units will likely decrease by twenty-two due to the wetlands.

Chair Jenkins opened the floor to public comments (while recognizing that this is not an official public hearing).

Councilmember Welsh asked for general confirmation on the intentions of both site plans. She asked which plan is most likely to be built. Mr. Watson explained that the second site plan (which retains the wetlands) is more likely to be built, because of liability issues that Edge Homes does not want to deal with. Councilmember Welsh asked Mr. Watson if he knew for sure which development plan Edge Homes will go with? Mr. Watson stated that on June 22, there will be a ruling by the Federal Government and the Army Core of Engineers regarding these wetlands. By then, Edge Homes will know a little more what they recommend regarding the wetlands.

Councilmember Welsh stated that she recognized that this waiting time is a bummer for the project. She further stated that her concern is that a lot of time was spent over the transition between densities (SF to MF). She explained the logic of the single-family houses between the neighborhood to the south and this development. She agreed that seven (7) units of single-family homes *does* seem strange and having a row of townhomes face the park makes a lot of sense. She expressed worry that the community is going to be disappointed that there is no transition from SF to MF. She expressed understanding for the plight Edgewater is experiencing, as a developer, having lost so many units. On the other hand, she felt the community will have trouble accepting the lack of transition and expressed a desire that there would be more of a compromise between the densities. Chair Jenkins asked if regardless of the federal decision, Edge Homes is not comfortable with building on the wetlands regardless of the Federal Government's ruling? Mr. Watson replied that, least for the time being, yes. Edge Homes too concerned about water. There are currently too many engineering issues. Edge Homes would want to make sure this does not become a mud bog. They want to feel comfortable building on this. Mr. Brim asked if they would be comfortable with an approval of the second site plan? Mr. Watson stated that Edge Homes would be okay with that. Obviously, this site plan is not ideal, but yes, we would.

Resident David Lauret stated that there is lots of standing water out there; lots of active water flowing in this area. There may be a spring there. He expressed that it is probably wise not to build there at that Edge Homes would gain a lot of public favor if somehow you could make this wetland area an amenity to the public. He stated that Commissioner Rasmussen could provide ideas on what to plant there. Chair Jenkins pointed out that, as the Staff reports shows, none of the proposed buildings fail to meet code requirement; this discussion is more about functionality. Chair Jenkins called for questions from the commission to the staff or the applicant regarding this amended site plan.

Commissioner Sullivan asked how Edge Homes plans on restoring the space from invasive species. She also asked if they had hopes of restoring natural vegetation. Mr. Watson stated that the company wants to work closely with Bowen Collins, an environmental engineer consultant, and the Army Core to figure out restoration initiatives. Edge Homes wants to get rid of phragmites and plant appropriate vegetation.

Commissioner Sullivan asked about the flow of water underneath 300 W? She asked if Edge Homes will be constructing a bridge or if they are planning to elevate the road somehow. Mr. Watson stated that they want to apply for a nation-wide permit that allows us to disturb a 1/10th of an acre of wetland area for this roadway. He further stated that Edge Homes does not yet know what they will be allowed to build, but it will most likely be a culvert which will allow for water to pass underneath the roadway. Commissioner Sullivan asked if that 1/10 of a percent includes the wetland areas to the east and west of 300 W. Mr. Watson confirmed that, yes, it does. Commissioner Sullivan asked if they are considering an elevated, pedestrian bridge that bisects the wetlands. Mr. Watson stated that it depends on what the Federal Government allows to be built there but that any solution will aim to connect both sides of the community.

Commissioner Sullivan asked if the townhomes on the south side of the development are connected to Sunset Park. Mr. Watson stated that those townhomes would be fronting Sunset Park. Commissioner Sullivan expressed a desire to understand the context of that part of the plan and thank Mr. Watson for clarifying.

Chair Jenkins called for other questions.

Commissioner Rasmussen expressed excitement towards the wetlands remaining and that that she and Ms. Hart have been in communication with the Army Core and Utah Native Plant Society regarding the wetlands and shoreline restoration in that area. She offered her assistance, if they so desired, in that area. She expressed that there is a lot of value in preserving wetland areas. She asked if the alteration with the townhomes was recommended by Vineyard City and not Edge Homes. Chair Jenkins said, yes. Commissioner Rasmussen stated that she was in agreement, and that it is important that the public know that the developer was not just trying to squeeze in more units.

Chair Jenkins called for any additional questions.

Commissioner Gudmundson asked if this will be next to Sunset Park and what is around it that would discontinue the flow of our community. She wondered how this plan would feel abrupt. Chair Jenkins asked Commissioner Gudmundson if she was referring to the transition spoken of earlier. Commissioner Gudmundson stated, yes. Mr. Brim explained that the south side of Sunset Beach Park is James Bay and that those are 1/3-1/2 acre lots. He continued by stating that the idea was to create a transition with single-family lots; These single-family lots would have created a transition into the townhome and condo product; single family lots on both side of the park. Commissioner Rasmussen asked if it will it be awkward for people living in the Townhomes, seeing that these people are at different stages in life. Chair Jenkins agreed that, indeed, these residents would be a

different stage in life. Commissioner Gudmundson stated that she is trying to visualize what this part of the development will look like (the difference between a row of SF homes vs a row of town homes). Chair Jenkins explained that with SF homes, one would see the backs of people's yards covered by a fence, but town homes would offer building frontages and "eyes on the street". Town homes may not provide a fence on the building frontage. Commissioner Knighton suggested that a fence be included between the front of the townhomes and public realm simply to provide some physical separation between public and private property. Chair Jenkins asked Mr. Watson if they had given any thought to that. Mr. Watson stated that they have. He clarified that a three-foot split rail or a broad iron face would be appropriate as they do not want to keep it completely closed off; leaving it semi-private would be best. Mr. Brim explained that the Zoning Code allows for 42-inch fences to be built in the front yard.

Commissioner Welch asked what will be in front of the town homes between the park, seeing that there will be no road. Mr. Watson explained that a sidewalk would run all along the frontages so people have access to their front door; this sidewalk will connect the larger trail on the west of the site all the way to 300 W. Commissioner Welch asked if there be room for landscaping or just enough for a sidewalk and a fence. Mr. Watson answered that, yes, there is enough space for both within the 15 ft setback. Commissioner Welch stated that she would definitely recommend the landscaping feature and that the plan for townhomes makes more sense; a strong transition between SF homes to townhouses can take place with sidewalks and landscaping, to make the plan more appealing. She recommended the use of trees, not just grass and shrubs to mitigate that transition.

Mr. Brim stated that he had a possible wording of the conditions drafted. He stated that the City could edit the language, but in general terms: the site plan should add a sidewalk and fence to the south side of the townhomes between units 914-901. Additionally, if Edge Homes wants to do more such as landscaping, it can be added in. Commissioner Welch stated that the condition should mention the addition of trees, which would make a big difference in mitigating transition issues.

Resident David Lauret asked how the project site will work with the alignment of the roads. He explained that currently, 400 N feeds into the project area and that 300 W will become Shoreline Road. Assistant City Engineer, Chris Wilson, stated that the right side of what is being shown (the south end of the road) will tie into the existing, three-way intersection that is currently there. He further explained that the leg that goes west towards the lake will be abandoned; it will remain as a three-way intersection (which has a north, south, and east entry) that will tie back into the north end of the development and tie in with the rest of the existing Lakefront Road alignment near the Town Center. Mr. Lauret asked if the Lakefront road will become exclusive to this development. Mr. Wilson explained that the plan was to expand on-street parking and provide public access through the lakefront development to the state land between the development and the lake. Mr. Lauret asked if the public will have to park on 300 W then wander through the development to access the lakefront. Chair Jenkins explained that there is another street that is closer to the shoreline within the development; this street, a residential road, is closer than 300 W. Mr. Brim explained that Mr. Lauret was correct in the sense that the

316 south side of this project will realign vehicular access, but 300 W will provide a
317 substantial amount of on-street parking (100+ stalls open to the public); there is public
318 access to the park; the developer is providing public access on either side of the club
319 house; it will also provide public access to the promenade. Mr. Brim continue to explain
320 that the idea was to limit vehicle access in favor of pedestrian access. In summary, yes,
321 you would have to park on 300 W and then walk through the development to access the
322 trail corridor. Chair Jenkins pointed out that residents could park at Sunset Beach and
323 walk the rest of the way. Mr. Brim stated that this arrangement allows for both vehicular
324 access and pedestrian access to be enhanced.

325
326 Mr. Lauret asked if the existing multi-use trail along the shoreline will connect Sunset
327 Beach Park and be accessible to the public by way of a trailhead. Mr. Brim used a map of
328 Sunset Beach Park to explain that the parking lot will create an official trailhead on the
329 south side. Additionally paths on either side will provide access points to the shoreline
330 trail; also, by the clubhouse will be public parking along 300 W and public easements on
331 either side of the club house which allow users to park on 300 W. There is also public
332 access through the development to the trail. Mr. Brim explained that yes, there is a bit of
333 walking, but the site plan provided sufficient access for pedestrians to make all necessary
334 connections.

335
336 Chair Jenkins asked if there are any other questions from the commission and if they
337 notice any additional parts of the conditions that need changing or amending.

338
339 Jessica sought confirmation a final time if the trail that connects at Vineyard Beach Park
340 will connect to the trails at the proposed development. Mr. Watson confirmed that this is
341 correct. Furthermore, he stated that there will be four public access points through the
342 development to the Lake and that Sunset Beach Park and the Promenade will add two
343 more access points, making the total about six. Chair Jenkins asked if, from a staff
344 standpoint, the City feels comfortable with the existing language regarding the trail to
345 ensure the public connections. Mr. Wilson stated that he is not too worried about it. He
346 added that the City will require them to include, as part of the project, that they cannot
347 get their final buy off from the City and close off their project until bonds are released.

348
349 Chair Jenkins invited anyone present to submit final comments on the issue and asked the
350 Commission to put forward a motion.

351
352 Mr. Brim wanted to clarify, on the record, the additional conditions to be attached to this
353 project. As read in the record by Mr. Brim: first, the Developer must add a sidewalk,
354 landscaping, and fencing to the site plan on the south side of the town homes from units
355 914 through 901; second, all conditions and plans approved in the previously approved
356 site plan will stay in affect, only the site plan elements amended in this application shall
357 change. This amendment does not release the applicant from those previous alterations.
358 Chair Jenkins added that these conditions are in reference to the site plan that observes
359 the wetlands by the removal of the twenty-two units. Mr. Brim affirmed that this is
360 correct. Additionally, Mr. Brim stated that it would be good practice to have the
361 applicant, re-read the conditions set forth and confirm that they are good with the

conditions. Mr. Watson indicated his approval and acceptance of the Commission's conditions. Commissioner Sullivan asks for the conditions be read a final time for clarity on the record. Mr. Brim agreed to her request to re-read the new conditions, but asked for a little more time to finalize the scripting thereof. In the meantime, Chair Jenkins invited Jeff Knighton, who joined the meeting late, to share any thoughts regarding the proposed development. Mr. Knighton stated that he liked the townhomes along the park. He thought it was better than a single row of SF homes across the street from condos. Parks can benefit from eyes on the street. Having eyes on the park makes the park a safer place. He added that the site plan shown today is a more coherent plan for the wetland space with the layout of the units and buildings. This is a better site plan than what we saw in the work session. Chair Jenkins invited Commissioner Brady to share his thoughts. Commissioner Brady stated that the plan looks good and that it works better than the initial plan. Having provided Mr. Brim sufficient time to organize the wording of the conditions, Chair Jenkins invites him to present the editing wording.

Mr. Brim stated that the motion will cover approving the site plan that subtracts the 22 units. He also stated that motion would be to approve the site plan amendment, and the recommendation would be to approve the preliminary plat of the Lakefront at Vineyard Town Center as presented at the June 17, 2020 Vineyard Planning Commission meeting removing 22 townhomes located in the wetland area and showing townhomes on the south side of the project area with the following conditions:

1. Add a sidewalk, landscaping, and fencing to the site plan on the southside of townhomes running between units 914-901
2. All conditions and plans approved in the previously approved site plan will stay in effect; only the site plan elements amended in this application shall change.

Motion: COMMISSIONER SULLIVAN MOVED TO APPROVE THE AMENDED SITE PLAN AND PRELIMINARY PLAT AS STATED BY MORGAN BRIM. COMMISSIONER GUDMUNDSON SECONDED THE MOTION. ROLL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS SULLIVAN, GUDMUNDSON, RASMUSSEN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Chair Jenkins opened the work session.

6. WORK SESSION

6.1 Maverik Site Plan Amendment

The applicant, Cassie Younger with Maverik Inc., presented the proposed site plan amendment to the Maverik and Alloy Apartment site. She explained that Maverik has been working for years with the Alloy to arrange a land swap in order to accommodate the expansion. She explained that Maverik is proposing to use the empty property next to the Alloy for the sale of high-fuel, commercial gas. This will include the addition of another high-fuel canopy area. The land exchange with The Alloy will be used by them to provide 35-additional (and much needed) parking stalls to service their residential development. These stalls will be provided by Maverik along with fencing and buffering between the two properties. Maverik will also install pipe flow between the properties

408 and another fuel dispenser in the existing canopy. Dumpsters will be rearranged to
409 facilitate the movement of trucks. Additionally, Maverik will take this opportunity to
410 give the existing building a facelift. The building will match all new buildings being
411 built this year. The color scheme will be changed and local photography will be added.
412 The only changes taking place at the Alloy is the additional parking and the widening of
413 the driveway and access into their complex. Maverik is also providing buffering and
414 screening in terms of an 8-foot fence and trees every 15 ft per the Vineyard Zoning
415 Code. A Vineyard Sign will be provided for the City. Ms. Younger further explained that
416 at the July 1st Planning Commission meeting Maverik filled out applications for site plan
417 amendments, a conditional use permit for fuel sales, and an exception on landscaping
418 requirements on park strip trees as approved back in 2015. She stated that Maverik is
419 currently working on the boundary line adjustment to be recorded with the Alloy and the
420 access management plan with UDOT.

421
422 Chair Jenkins asked the Staff if the Alloy will need to come in with a separate site plan
423 amendment for their property.

424
425 Mr. Brim indicated that if the Alloy comes in with a letter of consent allowing Maverik
426 to represent their position then a separate site plan is not needed. If not, they would have
427 to supply a dual site plan. Mr. Brim indicated that another thing the City would have to
428 check is if the Alloy will have enough open space and landscaping to meet the City's
429 requirements. Mr. Brim stated that is totally fine for two property owners to collaborate
430 with each other, but the process cannot turn into a way to be released of open space and
431 landscaping requirements for both properties in their respective zones. He further stated
432 that he presumes that they currently meet the numbers but City Staff would have to
433 recalculate.

434
435 Commissioner Rasmussen asked if Maverik will provide a space for electric vehicle
436 charging stations? Ms. Younger stated that they currently do not nor are electric vehicle
437 charging stations a part of the plans. These are not always a part of the business model
438 due to people needing more time to charge vehicles depending on the vehicle model.
439 Electric vehicle stations are usually located in grocery stores or outside of gyms. She
440 further added that Maverik does incorporate these when required by City codes. Mr.
441 Brim pointed out that the management at The Alloy should consider providing this
442 amenity seeing that The Vine residents have really benefited from these and are very
443 popular. Electric vehicles stations are not something the City can require but it is
444 something the Alloy management may be willing to explore.

445
446 Chair Jenkins asked if there were additional questions.

447
448 Mr. Brim stated that delivery truck parking should be addressed. There is a lot of traffic
449 coming in from the entry point near Starbucks. Mr. Brim recognized that this is not
450 necessarily their impact, but Maverik trucks take up a lot of parking space on the north
451 side near the entrance. This creates a lot of conflicts. A lot of citizens have complained
452 to the City about this congestion situation. Mr. Brim recommended that Maverik move
453 the delivery truck parking to the south side of the building if there is a way to

454 accommodate this in the remodeling of the property. That change would significantly
455 open up the entry point onto the property off Mill Road. Ms. Younger explained that a
456 new designated area is to be painted in the northeast of the property at least for delivery
457 trucks. All high fuel trucks will have a designated area for stationing along the backside
458 of the store due to their turning radii. These would exit out of the one-way direction near
459 the Starbucks. Mr. Brim states that it is important that Maverick anticipate a condition of
460 approval in the official meeting that will require that these details be presented on a site
461 plan along with the new designated parking area for delivery trucks. Ms. Younger
462 desired verification that the northeast corner of the property is alright as a new,
463 designated area for delivery trucks to be stationed. Mr. Brim confirmed that this is
464 alright and further explained that having this new area for delivery truck parking will
465 open up the space in front of the entry from Mill Road and reduce congestion within the
466 property. Ms. Younger confirmed that designating this area as a signed and striped area
467 for delivery trucks is definitely acceptable to them.

468
469 Commissioner Sullivan asked Ms. Younger where she expects traffic flow between the
470 Maverick and the Starbucks to go. Ms. Younger presented the Commission an
471 engineering diagram showing the path of travel for delivery trucks around and behind the
472 Maverick building. She explained that Maverick has a shared access agreement for the
473 entry point off Mill Road. Ms. Younger asked if that access point may be widened to
474 reduce traffic bottlenecking. Commissioner Sullivan expressed that she is worried there
475 is not enough space to keep a safe flow of traffic. She stated that the addition of large
476 trucks makes her more nervous. She observed that at least four car widths are necessary
477 at that access point to provide safe entry and exit from the property. Furthermore, there is
478 currently not four car widths at that entrance which causes a lot of car backups.
479 Commissioner Sullivan emphasized that larger trucks make her concerned about
480 increased traffic.

481
482 Mr. Brim explained to the Commission (and asked for verification from Engineering)
483 that Mill road will have a center median that will reduce traffic turning left from entering
484 the development and also from the development turning left. Basically, this median will
485 create a right-in/right-out situation at the access point in discussion. There will no longer
486 be a left-in off of Mill Road. The City is not totally sure when this will take effect, but it
487 may be when the overpass opens up and a new traffic signal is added. This entrance will
488 become a new right in right out. Most traffic coming into the property will enter off of
489 Geneva Road as opposed to the Mill Road side. Discussion ensued. Mr. Brim confirmed
490 information. Most traffic will come off Geneva road. Commissioner Sullivan thanked the
491 applicant for answering all the questions and expressed that she was merely concerned
492 about safety in that area.

493
494 Chair Jenkins thanks Ms. Younger for coming to the work session and giving the
495 Commission a preview of what to expect on July 1st.

496
497 Chair Jenkins introduced the next item on the work session agenda.
498

6.2 Chickens

Mr. Brim reminded the Commission that they had previously determined that if the City is going to allow horses and goats on lots that are .75 acres or higher, then the City should also consider allowing chickens on lots of this size (or perhaps lower). He stated that the Planning Staff wanted to receive feedback from the Commission on the subject. Ms. Hart recommended that if the City allows chickens, it should first experiment with .75 acre lots and higher. Mr. Brim agreed that this is a good recommendation to try for about a year. This strategy could be reconsidered after a year of experimentation and public input. This strategy falls in line with the City's initiative to produce more food locally. Chair Jenkins asked what has been resident requests or feedback on the subject (e.g. chickens allowed on smaller lots). Ms. Hart expressed that she has only taken one or two calls. Most questions are referred to the front desk. She explained that the two people she talked to wanted chickens to be allowed on smaller lots. Br. Brim stated that he too had spoken to a few residents on the subject who have expressed similar desires. Furthermore, he has spoken to a few council members who wanted chickens on smaller lots. Chair Jenkins expressed, that in his opinion, animals are fine as long provisions and ordinances are put in place that prevent neighbors from being negatively impacted. Ms. Hard emphasized that the Planning Department had scripted the code to say that chickens must remain in a coop that is big enough to let them run around and closed off.

Chair Jenkins asked if there were any other thoughts from the Commission?

Commissioner Gudmundson admitted that she wanted chickens. She suggested that the amount of allowed chickens may increase based on available lot size. Discussion ensued. Ms. Hart restated that this is how she previously wrote the horse ordinance: it was based on lot size (2 chickens for small lots; 5 for big lots). Commissioner Rasmussen stated that chicks do best in groups of 3 and recommended that the City adopt an ordinance that allows for chickens on .5 acre lots. Liz emphasized that this is good information to know and that the Planning Department will make sure to look into that. Commissioner Brady explained that, in his view for this (and other animal ordinances), is if you don't affect your neighbors, do whatever you want. Keep in mind chickens smell and that they make lots of noise. Coops should be kept away from property lines. Neighbors should essentially NOT know that chickens are even there. Mr. Brim stated that if the City decided to permit chickens on ½ acre lots, the City could use similar language from the horse ordinance in the chicken ordinance. Chair Jenkins asked if the City could make having a fenced yard a requirement. Morgan stated that, yes, that could be made a requirement. Chair Jenkins stated that a fence would provide screening and mitigation from noise coming from the coops. Commissioner Brady pointed out that if residents have enclosed coops, fences would not matter much. Commissioner Rasmussen added that the City should make sure to include language in the code about no roosters. Ms. Hart stated that has already been included in the code language: Roosters will not be allowed.

Chair Jenkins asked if there were any other thoughts. Seeing none, the Commission

544 moved to the next work item.

546 **6.3 Accessory Dwelling Units**

547
548 Morgan opened by stating that the Planning Department received good comments from
549 the City Council last time this issue was addressed. The City receives a lot of ADU's.
550 The Planning department would like to add two items to the existing code: a minimum
551 lot size cap and add a fifth parking space requirement. Those two things would push it
552 into a larger lot configuration. These items would help the City stay away from creating
553 "duplexes". We do not want two families on small sized lots (anything below 4,200 sq.
554 ft.). Over time this would create issues. Single-family neighborhoods should stay single-
555 family neighborhoods. When you pack ADU's into lots that are too small, they are no
556 longer secondary uses, but become more like primary uses on the lot. Mr. Brim stated
557 that the Planning Department wants to stay away from stipulating a set number of
558 ADU's allowed per neighborhood. Though a creative idea, the City will have conflicts
559 with future residents seeking to establish an ADU within their home. He suggested that,
560 instead, the City should limit it by pushing ADU's to larger lots.

561
562 Chair Jenkins introduced a concern regarding ADU's and conflicting ordinances: ADU's
563 require increased parking for approval, but our code also does not allow for more than
564 50% hardscape in front yards (if the square footage exceeds 7,000). This regulation may
565 need to be revisited so they do not negate each other. Mr. Brim stated that the City could
566 allow for 50% hardscape dedicated to parking in the front yard (regardless of lot size) if
567 there is an ADU. Therefore, if a resident has an ADU, they can go up to 50%.
568 Commissioner Rasmussen asked if there was another permeable option (gravel, crushed
569 rock, etc.). Mr. Brim stated that the surface must be dustless; we do not anything that
570 will increase dirt in our stormwater infrastructure; perhaps it can be rock aggregate.
571 There may be other options to look into. Ms. Hart affirmed that, yes, our code permits
572 crushed rock or aggregate as an approved surface. Commissioner Brady stated that he
573 agreed with the point Anthony brought up. The biggest issues with ADU's is lack of
574 parking. It really does not matter how nice a resident landscaping is if rows of cars line
575 your front yard. Let's consider ways to limit on-street parking for ADU's.

576
577 Morgan suggested that the ordinance language read "tenants *shall* park on site." This
578 may be difficult because you would have to track license plates. Nevertheless, this type
579 of language at least gives us something to include in the letter in the code enforcement
580 process upon violations. Commissioner Brady stated that though the enforcement
581 process for this is difficult, agitated neighbors will likely provide most of the evidence
582 we need. Commissioner Gudmundson stated that the Commission had previously
583 discussed a permitting process for ADU's. Is that still something the City is working
584 towards?

585
586 Mr. Brim affirmed that yes, Liz has done some work on this process. The process
587 requires residents to go through a building permit process first. Once their building
588 permit process is approved, only then can they apply for the ADU to make sure of
589 compliance. We have found this to be an effective process for assuring compliance with

ADU regulations.

Ms. Hart stated that she goes out on site and do a quick three-minute walk through to make sure that what they submitted and what was approved is what was built. She also checks that parking requirements being met. Chair Jenkins asked if homes already set up for ADU's still have to go through the process before the ADU receives a separate mailing address. Ms. Hart stated that, yes, they have to receive an ADU application approval if they desire to rent out the basement.

Chair Jenkins asked if there were any additional questions. Seeing none, Chair Jenkins proceeded to the next agenda item.

COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Chair Jenkins stated that, after speaking with Morgan, it was decided that staff reports will only be discussed once a month. He also stated that Staff and City Council will be doing project updates (which is essentially what staff reports have turned into).

Chair Jenkins opened the floor for Commission Member Reports.

Commissioner Sullivan thanked the engineering department for beginning work on the trail that is behind Penny Springs Park which leads to the Vineyard Connector. Many residents of that neighborhood have also expressed excitement and appreciation for the progress on the trail. Commissioner Welch announced that the Vineyard Youth Council will be helping out at some of the events. The youth council will be setting up the library from all the donated books. They will be selling the adult books and setting up the library mainly for children and teens. Selling these books for these ages will be the focus. Commissioner Rasmussen asked if there was a place to donate books for that event. Commissioner Welch said donations could be made at the Old City building.

Chair Jenkins thanked everyone for participating in tonight's meetings and called a motion to adjourn.

Motion: Motion: COMMISSIONER GUDMUDSON MOVED TO ADJOURN THE MEETING. COMMISSIONER SULLIVAN SECONDED THE MOTION. ROLL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS SULLIVAN, GUDMUNDSON, RASMUSSEN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

7. STAFF REPORTS

No staff reports were presented.

8. ADJOURNMENT

Meeting was adjourned at 7:47 pm.

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641

MINUTES APPROVED ON:

CORRECTED BY: /s/

Briam Amaya Perez, Planning Technician

DRAFT



Community Development

Date: July 15, 2020
From: Morgan Brim, Community Development Director
To: Planning Commission
Item: Consideration of an Ordinance to amend ADU standards
Applicant: City Initiated

OVERVIEW:

This text amendment proposes changes to VZC 15.34.060 Accessory Dwelling Units. The changes include establishing a minimum lot size for single family homes containing ADUs of 5,200 square feet; increasing parking requirements to five onsite parking spaces, provisions for tandem parking; clarifying unit size allowances; requiring a biennial business license and providing a reference to VZC Section 15.38.030(2)(b) regarding size of parking areas in front yards. Staff believes that these new changes will ensure ADUs do not overly impact single-family neighborhoods.

RECOMMENDATION:

Staff recommends approval of the proposed ordinance.

PROPOSED MOTION:

"I move to approve Ordinance 2020-.. Zoning Text Amendments."

Attachments:

Proposed ordinance

**VINEYARD
ORDINANCE 2020-09**

**AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, AMENDING THE
VINEYARD ZONING ORDINANCE TITLE 15 SECTION 15.34.060 ACCESSORY
DWELLING UNITS TO ESTABLISH MINIMUM LOT SIZE REQUIREMENTS,
INCREASE ONSITE PARKING REQUIREMENTS & UNIT SIZE
REQUIREMENTS; PROVIDING A REPEALER CLAUSE; PROVIDING A
SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of Utah Municipal Code, permits Vineyard to ensure the health, safety, and welfare of the community through local land use planning and the adoption of land use ordinances; and

WHEREAS, Vineyard is authorized to amend the City's Zoning Ordinance pursuant to Utah Municipal Code Section 10-9a-102(2); and

WHEREAS, the Planning Commission held a public hearing on July 1, 2020, and after fully considering public comment and staff recommendations, recommended approval to the Vineyard City Council; and

WHEREAS, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on July 22, 2020; and

WHEREAS, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed text amendments to the Zoning Ordinance.

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

SECTION 1: **AMENDMENT** “15.34.060 Accessory Dwelling Units” of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.34.060 Accessory Dwelling Units

Purpose: The purpose of the accessory dwelling unit ordinance is to promote areas in the city to accommodate an expanding population, establish regulations to address the health, safety and welfare of the community, to provide flexibility for changes in household size associated with life cycle and to enable a level of financial security for home owners.

1. **Location:** Accessory dwelling units are allowed as an accessory use to a single-family detached residence and are limited to the following development configurations:
 - a. Over a detached garage, provided the parking within the garage is not eliminated or converted to living space, stairs or otherwise disrupts required parking;
 - b. Within the home through an internal conversion of the housing unit maintaining an internal connection between living areas; or
 - c. An addition to the home, containing an internal connection between the accessory dwelling unit and the principal part of the dwelling unit; provided, that the addition will not alter the single-family character of the structure.
2. Minimum lot size: A minimum lot size of ~~five~~ six thousand two hundred (65,200) square feet is required for homes containing an accessory dwelling unit.
3. **External appearance:** The accessory dwelling unit shall not alter the appearance of the structure as a single-family residence. There shall be no external evidence of occupancy by more than one (1) family, such as two (2) front doors. The architectural style, building materials and building colors of an accessory dwelling unit shall be compatible and consistent with the architectural style, materials, and color of the primary building. Mobile homes, travel trailers, boats, or similar recreational vehicles shall not be used as an accessory dwelling unit.
4. **Sale of principle dwelling:** An accessory dwelling unit shall not be sold separately from the sale of the principle building dwelling located on the same lot.
5. **Owner occupied:** The principle dwelling of the property shall be the primary residence of the property owner.
6. **Number of units:** A maximum of one (1) accessory dwelling unit may be established as a secondary use to a detached single-family dwelling.
7. **Unit size:** Accessory dwelling units shall not exceed the lesser of ~~not exceed the greater of~~ 50% of the size of the principle dwelling unit or 1,200 square feet. In no case shall the accessory dwelling unit contain habitable square footage less than 300 square feet.
8. **Dimensional standards:** Accessory dwelling units shall comply with required building height, setbacks and all applicable dimensional standards listed in VZC 15.64 Table of Uses and Development Standards for attached or detached accessory buildings.
9. **Utilities:** An accessory dwelling unit shall be connected to, and served by, the same water, sewer, electrical, and gas meters that serve the primary building. No separate utility lines, connections, or meters shall be allowed for an accessory dwelling unit.
10. **Parking:** A single-family dwelling with an accessory dwelling unit shall provide a minimum of ~~four~~ five (45) onsite ~~off-street~~ parking spaces located on a paved surface or approved driveway. A minimum of two (2) ~~off-street~~ onsite parking spaces shall be designated for the use of those residing in the accessory dwelling unit. The number of onsite ~~off-street~~ parking spaces shall not be less than the number of vehicles maintained on the property. Only driveways or parking pads containing a minimum length of eighteen feet (18') may be counted toward required onsite parking. The minimum length of a driveway counting toward onsite parking shall not include any land associated with street rights-of-way, sidewalks or public property/access. All onsite parking spaces shall contain a minimum width of eight feet (8'). Property owner parking shall not be parked tandem with tenant parking and tenant parking shall not be parked tandem with owner

parking. The area dedicated to onsite parking and driveway surfaces shall be limited in compliance with VZC Section 15.38.030(2)(b).

11. **Addresses:** The single-family dwelling and accessory dwelling unit shall have unique addresses.
12. **Entrance:** The exterior entrance to the accessory apartment shall be on the side or rear of the building and shall enter directly into the accessory dwelling unit. The interior entrance to the accessory dwelling unit shall be from within the principle dwelling unit. Only one (1) front entrance shall be visible from the front yard.
13. **Application:** An accessory dwelling unit application may only be approved if the property meets the standards listed in this section. An accessory dwelling unit shall not be authorized on a property that has outstanding ordinance violations or unpaid taxes.
14. **Business License:** All Accessory Dwelling Units shall maintain a Vineyard City Business License to be renewed biennially, subject to property inspection for code compliance by a Vineyard City staff member.
15. **Compliance with adopted codes:** Accessory dwelling units shall meet all requirements of the adopted Building Code and other applicable city ordinances and regulations.

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from July 22, 2020 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
John Earnest	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Chris Judd	_____	_____	_____	_____
Cristy Welsh	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder
Vineyard



Community Development

Date: July 15, 2020
From: Morgan Brim, Community Development Director
To: Planning Commission
Item: Consideration of an Ordinance for the creation of a new district, Neighborhood Commercial and Zoning Map Amendment
Applicant: Telos Academy

OVERVIEW:

Establishment of Districts and Zoning Tables Section 15.12: Proposal to add a new zoning district: Neighborhood Commercial (NC). The NC district provides a transition zone between large impacts uses, like major commercial areas and arterials to residential neighborhoods. This district provides allowance for mixed uses within a development or single building. A new use: Clinical Support Housing is proposed which allows patients and staff members of the clinical or educational program to live on site. This use is limited to 50% of the square footage of the building or development. This provision will ensure a high level of commercial square footage. The Telos Academy has recently approached the city with a concept to construct a new building at 600 S. Geneva Road, adjacent to their current facility, which is location directly across our city boundary line in Orem. Additionally, the applicant is applying to rezone their property from Regional Commercial to Neighborhood Commercial.

RECOMMENDATION:

Staff recommends approval of the proposed ordinance.

PROPOSED MOTION:

"I move to approve Ordinance 2020-.. Zoning Text Amendments."

Attachments:

Proposed ordinance

**VINEYARD
ORDINANCE 2020-05**

**AN ORDINANCE OF THE VINEYARD CITY COUNCIL, VINEYARD, UTAH,
AMENDING THE VINEYARD ZONING ORDINANCE SECTION 15.12
ESTABLISHMENT OF DISTRICTS AND ZONING TABLES TO CREATE A NEW
ZONING DISTRICT: NEIGHBORHOOD COMMERCIAL (NC) AND INCLUDING A
NC DISTRICT PURPOSE STATEMENT; TO AMENDMENT THE VINEYARD
ZONING MAP AT 600 SOUTH GENEVA ROAD FROM REGIONAL COMMERCIAL
(RC) TO NEIGHBORHOOD COMMERCIAL (NC), SERIAL NO. 39:228:0002;
PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND
SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION; AND PROVIDING
AN EFFECTIVE DATE.**

WHEREAS, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of the Utah Municipal Code permits the City of Vineyard to ensure the health, safety, and the welfare of the community through local land use planning and the adoption of land use ordinances; and

WHEREAS, the City of Vineyard is authorized to amend the City's Zoning Ordinance pursuant to Utah Municipal Code 10-9a-102(2); and

WHEREAS, the Planning Commission held a public hearing on June 3, 2020, and after fully considering staff recommendations, recommended approval to the Vineyard City Council on June 3, 2020, and

WHEREAS, The Vineyard City Council, having reviewed the proposed text amendments held a public hearing on June 24, 2020; and

WHEREAS, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public, and adopt the proposed text amendments to the Zoning Ordinance.

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

SECTION 1: **AMENDMENT** “15.12.050 District Use Table*” of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.12.50 District Use Table*

1. District Use Table: The district use table lists all use types and zoning districts where the use type is permitted (P), allowed through the provision of a conditional use permit (C), permitted as an accessory use (A) to a principal use or permitted for temporary timeframe (T).
2. Prohibited Uses: All uses marked with an “x” in the district use table or not specifically listed are prohibited, except where state or federal law otherwise preempts local land use regulation.
3. Additional Requirements: In addition to requirements listed at the bottom of the district use table, additional requirements for specific uses are listed in [VZC 15.14 Special Purpose Districts](#), VZC 15.32 General Property Development Standards and VZC 15.34 Supplementary Development Standards of the zoning ordinance.

Accessory Use: An accessory use, unless otherwise permitted in the zoning ordinance, shall not commence and no accessory structure shall be constructed without a principal use first being lawfully established on the subject site. P = Permitted Use; C = Conditional Use; T = Temporary Use; N = Non-Permitted Use; X^x = Indicates Additional Standards Below

ZONING DISTRICT USES		O S	A -1	R & A- 5	R E- on	R- 1- 15	R- 1- 10	R- 1- 8	R- 2- 15	H D R- 1	H D R- 2	R M U	F M U	B P	R C	<u>N</u> <u>C</u>	F P	M	P F
<u>RESI DEN TIAL</u> ⁸	<u>Clinical Support Housing</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u> <u>8</u>	<u>N</u>	<u>N</u>	<u>N</u>
	Dwelling, Multiple-Family	N	N	N	N	N	N	N	N	N	P	P	P	N	<u>N</u>	N <u>8</u>	N	N	N
	Dwelling Single-Family	N	P	P	P	P	P	P	P	P	N	P	N	N	N	<u>N</u>	N	N	N
	Dwelling, Two-Family	N	N	N	N	N	N	N	P	P	N	P	P	N	N	<u>N</u>	N	N	N
	Model Home <u>or Unit</u>	N	P	P	P	P	P	P	P	P	P	P	N	N	N	<u>P</u>	N	N	N
	Residence for Persons with a Disability	N	p2	p2	p2	p2	p2	p2	p2	p2	p2	N	N	N	N	<u>P</u> <u>2</u>	N	N	N
	Residence for Persons with a Disability that are Substance Abuse Facilities located within 500 feet of a school	N	C 5	C 5	C 5	C 5	C 5	C 5	C 5	C 5	C 5	N	N	N	N	<u>C</u> <u>5</u>	N	N	N
	Residential																		

	Facility for Elderly Persons	N	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	N	N	<u>N</u>	N	N	N
	Residential Lease, Short-term	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	N	N
	Agriculture, Commercial	P	P	P	N	N	N	N	N	N	N	N	N	N	<u>N</u>	<u>N</u>	N	N	N
	Animal Hospital	N	N	N	N	N	N	N	N	N	N	P	N	N	P	<u>C</u>	P	P	N
	Financial Institution	N	N	N	N	N	N	N	N	N	N	P	P	C	P	<u>P</u>	P	N	N
	Billboard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	N	N
	Car Wash	N	N	N	N	N	N	N	N	N	N	C	N	N	C ₃	<u>N</u>	C	P	N
	Chemical Manufacture, Storage, and Distribution (Existing)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	N	N
	Commercial Day Care/Preschool Center	N	N	N	N	N	N	N	N	N	N	C	C	C	C	<u>C</u>	C ₃	N	N
	Commercial Plant Nursery	N	C	C	N	N	N	N	N	N	N	C	N	N	P	<u>N</u>	P	P	N
	Commercial Recreation, Indoor	N	N	N	N	N	N	N	N	N	N	C	C	C	P	<u>P</u>	N	N	N
	Commercial Recreation, Outdoor	N	C	C	N	N	N	N	N	N	N	C	N	C	C	<u>N</u>	N	N	N
	Composting Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	C	N
	Construction Sales and Service	N	N	N	N	N	N	N	N	N	N	P	N	N	C	<u>N</u>	C	P	N
	Contractor's Office/Storage Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	P	N
	Distribution Center	N	N	N	N	N	N	N	N	N	N	C	N	C	N	<u>N</u>	N	P	N
	Drive-thru Facility	N	N	N	N	N	N	N	N	N	N	p ⁷	p ⁷	N	P ₇	<u>N</u>	N	p ⁷	N
	Dry Cleaning	N	N	N	N	N	N	N	N	N	N	P	P	N	P	<u>P</u>	P	N	N

COM MER CIAL	Flammable Liquids or Gases Manufacture, Storage and Distribution	N	N	N	N	N	N	N	N	N	N	C	N	N	N	<u>N</u>	N	C	N
	Funeral Home/Mortuary	N	N	N	N	N	N	N	N	N	N	C	N	C	N	<u>C</u>	N	N	N
	Golf Course	C	C	C	N	C	N	N	N	N	N	N	N	N	N	<u>N</u>	N	N	N
	Health and Fitness Facility	N	N	N	N	N	N	N	N	N	N	P	P	P	P	<u>P</u>	N	N	N
	Hotel	N	N	N	N	N	N	N	N	N	N	C	C	C	C	<u>C</u>	N	N	N
	Hybrid Production Facility	N	N	N	N	N	N	N	N	N	N	C	C	N	C	<u>C</u>	P	N	N
	Kennel, Commercial	N	N	N	N	N	N	N	N	N	N	N	N	N	C	<u>N</u>	p ²	p ²	N
	Kennel, Outdoor Commercial	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	C ₂	C ₂	N
	Laundry, Commerical	N	N	N	N	N	N	N	N	N	N	C	C	N	N	<u>N</u>	P	P	N
	Laundry, Self Serve	N	N	N	N	N	N	N	N	N	N	P	P	P	N	<u>P</u>	P	P	N
	Manurfacturing, Heavy	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	C	N
	Manufacturing, Light	N	N	N	N	N	N	N	N	N	N	N	N	P	N	<u>N</u>	P	P	N
	Medical and Dental Clinic	N	N	N	N	N	N	N	N	N	N	P	P	P	N	<u>P</u>	N	N	N
	Medical or Dental Laboratory	N	N	N	N	N	N	N	N	N	N	P	P	P	N	<u>P</u>	P	P	N
	Motel	N	N	N	N	N	N	N	N	N	N	C	C	C	C	<u>C</u>	N	N	N
	Motor Vehicle Fueling Station	N	N	N	N	N	N	N	N	N	N	C	N	N	C	<u>N</u>	C	N	N
	Nightclub	N	N	N	N	N	N	N	N	N	N	C	C	N	C	<u>C</u>	N	N	N
	Nursing Care Facility	N	N	N	N	N	N	N	N	N	N	C	C	C	N	<u>N</u>	N	N	N
	Nursing Home, Convalescent Care	N	C	C	C	C	C	C	C	C	C	N	N	N	N	<u>N</u>	N	N	N
	Office	N	N	N	N	N	N	N	N	N	N	P	P	P	P ₄	<u>P</u>	p ⁴	N	N

Pawnshop	N	N	N	N	N	N	N	N	N	N	C	N	N	N	<u>N</u>	N	N	N
Personal Care Services	N	N	N	N	N	N	N	N	N	N	P	P	N	P	<u>P</u>	N	N	N
Personal Instruction Service	N	N	N	N	N	N	N	N	N	N	P	P	C	P	<u>P</u>	C	N	N
Private Club	N	N	N	N	N	N	N	N	N	N	C	C	C	C	<u>C</u>	<u>N</u> C	N	N
Restaurant	N	N	N	N	N	N	N	N	N	N	P	P	P	P	<u>P</u>	P	N	N
Retail Sales and Services	N	N	N	N	N	N	N	N	N	N	P	P	p ³	P	<u>P</u>	p ³ ₃	N	N
Retail Sales and Services (Community Commercial)	N	N	N	N	N	N	N	N	N	N	P	P	N	N	<u>P</u>	N	N	N
Retail Sales and Services (Regional)	N	N	N	N	N	N	N	N	N	N	P	P	N	P	<u>N</u>	N	N	N
Salvage Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	C	N
Sexually Oriented Business	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	C	N
Storage - Self Service Mixed-Use Facility	N	N	N	N	N	N	N	N	N	N	C ₂	N	C ₂	C ₂	<u>C₂</u>	C ₂	N	N
Storage - Self Service	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	P	N
Storage of Recreational Vehicles	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	P	N
Trailer/RV Camping Facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	N	N
Vehicle and Equipment Rental	N	N	N	N	N	N	N	N	N	N	N	N	N	C	<u>N</u>	C	N	N
Vehicle and Equipment Repair (Major)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	<u>N</u>	C	P	N
Vehicle and Equipment Repair (Minor)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	<u>N</u>	C	P	N

	Vehicle and Equipment Sale and Rental New or Used (Heavy)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	<u>N</u>	C	N	N
	Vehicle and Equipment Sale or Rental New or Used (Light)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	<u>N</u>	P	N	N
	Warehouse	N	N	N	N	N	N	N	N	N	N	N	C	N	<u>N</u>	P	P	N	
	Warehouse Club	N	N	N	N	N	N	N	N	N	C	N	N	C	<u>N</u>	N	N	N	
	Wholesale Distribution	N	N	N	N	N	N	N	N	N	C	N	C	N	<u>N</u>	P	P	N	
PUBLIC AND INSTITUTIONAL	Assembly, Place of	N	C ₁	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C	C	C	<u>N</u>	<u>C</u>	N	N	N	
	Commuter and Light Rail Facilities and Station	N	N	N	N	N	N	N	N	N	P	P	C	C	<u>C</u>	C	C	C	
	Earth Station (Satellite Dish Farm)	N	N	N	N	N	N	N	N	N	N	N	C	N	<u>N</u>	N	P	N	
	Educational Facility	N	C	C	C	C	C	C	C	C	P	P	P	C	<u>P</u>	N	N	N	
	Emergency Care Facility	N	N	N	N	N	N	N	N	N	p	P	C	N	<u>N</u>	N	N	N	
	Environmental Remediation Activities	N	N	N	N	N	N	N	N	N	P	P	P	P	<u>N</u>	P	P	P	
	Farmers' Market	N	N	N	N	N	N	N	N	N	C	C	C	N	<u>C</u>	N	N	C	
	Heliport	N	N	N	N	N	N	N	N	N	C	N	N	C	<u>N</u>	N	C	N	
	Hospital	N	N	N	N	N	N	N	N	N	C	C	N	N	<u>N</u>	N	N	N	
	Liquor Store (State Owned)	N	N	N	N	N	N	N	N	N	C	C	N	C	<u>C</u>	N	N	N	
	Major Facility of a Public Utility	C	C	C	C	C	C	C	C	C	C	N	N	C	<u>N</u>	C	C	C	
	Minor Facility of a Public Utility	P	P	P	P	P	P	P	P	P	C	C	P	C	<u>C</u>	P	P	P	
	Museum	N	N	N	N	N	N	N	N	N	P	P	C	C	<u>P</u>	N	N	N	
	Open Space and Trails	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P	
	Parks and																		

	Associated Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P
	Park and Ride Facility	N	N	N	N	N	N	N	N	N	P	N	C	N	<u>N</u>	P	P	N
	Power Plant	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	C	N
	Public Use	C	C	C	C	C	C	C	C	C	C	C	C	C	<u>C</u>	C	C	P
	Recycling Collection Center	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	C	P	N
	Recycling Processing Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	C	N
	Transit Passenger Hub (Intermodal)	N	N	N	N	N	N	N	N	N	P	P	N	C	<u>N</u>	C	C	C
	Wireless Telecommunications Site/Facility	N	C ₂	C ²	N	N	N	N	N	N	C ₂	C ₂	C ₂	N	<u>N</u>	C ₂	C ₂	C ₂
ACCESSORY	Accessory Building	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	N	<u>N</u>	<u>p₂</u>	N	N	N
	Accessory Dwelling Unit	N	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	N	N	<u>N</u>	N	N	N
	Accessory Dwelling Unit for Owner or Employee	N	P	P	N	N	N	N	N	N	N	N	N	N	<u>P</u>	C	C	N
	Accessory Use	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	P	P	P
	Billboard	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	N	N
	Domestic Livestock and Fowl	N	p ²	p ²	N	N	N	N	N	N	N	N	N	N	<u>N</u>	N	N	N
	Home Day Care (one to seven children)	N	P	P	P	P	P	P	P	P	N	N	N	N	<u>N</u>	N	N	N
	Home Day Care (eight to ten children)	N	C	C	C	C	C	C	C	C	N	N	N	N	<u>N</u>	N	N	N
	Home Occupation	N	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	N	<u>p₂</u>	N	N	N
	Home Preschool (one to seven	N	P	P	P	P	P	P	P	P	N	N	N	N	<u>N</u>	N	N	N

USES	children)																		
	Home Preschool (eight to ten children)	N	C	C	C	C	C	C	C	C	C	N	N	N	N	<u>N</u>	N	N	N
	Household Pets, Noncommercial	N	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	N	N	<u>$\frac{p}{2}$</u>	N	N	N
	Open/Outdoor Display of Products or Merchandise	N	N	N	N	N	N	N	N	N	N	C	N	N	C	<u>C</u>	C	P	N
	Seasonal Use	T ₅	N	N	N	N	N	N	N	N	N	T ⁵	T ⁵	T ₅	T ₅	<u>T₅</u>	T ⁵	N	N
	Sign - Temporary	T ₆	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ⁶	T ₆	T ₆	<u>T₆</u>	T ⁶	T ₆	T ₆
	Swimming Pool	P	C ₂	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	p ²	N	N	<u>$\frac{p}{2}$</u>	N	N	N
	Temporary Use	T ₅	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ⁵	T ₅	T ₅	<u>T₅</u>	T ⁵	T ₅	T
	Tennis Court/Sports Court	C	C	C	C	C	C	C	C	C	C	N	N	N	N	<u>p</u>	N	N	C

1. Religious institutions are allowed through the provision of a conditional use permit. No other assembly uses as defined in VZC 15.60 of this ordinance are permitted.

2. See VZC 15.34 for additional use development standards.

3. Use is allowed as an accessory use to a principle use.

4. Use shall not exceed 25% of the net square footage of a single building or development.

5. See VZC 15.26 for additional use standards.

6. See VZC 15.48 for signage requirements.

7. In accordance with the District Use Table above, drive-thru facilities complying with all standards listed in Section 15.34.190 Part 1 through 11 of the VZC are considered a permitted use. Drive-thru facilities containing a drive aisle between the building's front façade and the front property line shall require the approval of a conditional use permit. See Part 12 of Section 15.34.190 of the VZC.

8. Residential-Clinical Support Housing uses shall not exceed 50% of the net square footage of a single building or development. Residential uses shall not be located on the ground floor street-facing sides of buildings. The ground floor street-facing sides of buildings shall be dedicated to non-residential uses.

SECTION 2: AMENDMENT “15.12.030 Zoning Districts Purpose” of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.12.30 Zoning Districts Purpose

The zoning districts of the city are provided to achieve the purposes of the general plan, all adopted land use ordinances and the purposes of LUDMA.

1. Agricultural District (A-1). The A-1 District is provided to allow locations within the city devoted primarily to the raising of livestock, growing crops, and to preserve and protect the continued use of the property for agricultural purposes by excluding incompatible development. Additionally, this district is provided to allow very low-density residential uses compatible with the environmental values and qualities of the property. The A-1 District recognizes and allows existing agricultural and farming activities to continue, consistent with the provisions and requirements of the A-1 District.
2. Residential Agriculture District (RA-5). The R&A-5 District is provided to allow low-density residential uses with the opportunity for keeping of domestic livestock and the operation and maintenance of small farms and hobby farms. The primary land uses allowed are small farms, single-family dwellings, and associated and compatible accessory uses.
3. Residential Estates District (RE-20). The RE-20 District is provided for low-density residential estates neighborhoods with a quality of openness. This district is intended to promote, preserve, and protect single-family residential development. The principal land use allowed is single-family dwellings and accessory uses in recognition and sensitivity to the physical environment of the district.
4. Single-Family Residential (R-1-15, R-1-10 and R-1-8). The R-1-15, R- 1-10 and R-1-8 Districts are provided to maintain and allow opportunities for average sized lot single-family residential areas for single-family residential dwellings.
5. Multiple Residential (R-2-15, HDR-1 and HDR-2). The R-2-15, HDR-1 and HDR-2 Districts are provided to allow medium and high-density multiple family residential areas. These districts allow the development of single-family, duplex units, townhouses, condominiums and apartments to provide a full range of housing choices for city residents and amenities and conveniences in a pleasing and attractive residential environment with adequate light, air, open space, and landscaped areas.
6. Business Park (BP). The purpose of the BP District is to provide an attractive and nuisance free environment for the establishment of professional offices, light assembly and warehouse development in a campus-like and convenient setting.
7. Neighborhood Commercial (NC). The purpose of the NC District is to provide mixed-use transition areas between major roadways and high impact uses between residential neighborhoods.-

8. Regional Commercial (RC). The purpose of the RC District is to provide areas for the location of various types of commercial uses and activities needed to serve the residents of the city, and surrounding areas.
9. Flex Office & Industry (FOI). The purpose of the FOI District is to provide an area in the city to foster economic development, establish employment centers and provide flexible development standards to accommodate business expansion. Land uses in the FOI District will be concentrated in information technology, pharmaceuticals, light manufacturing, biotechnology, light industrial and business development and will primarily be contained within quality structures and limit external impacts to surrounding properties.
10. Manufacturing and Industrial (M and I-1): The purpose of the M and I-1 Districts is to recognize and provide for established manufacturing and industrial uses existing in the city and also provide an environment for larger and more intensive industrial uses that do not require, and may not be appropriate, for a nuisance free environment.
11. Open Space (OS): The purpose of the OS District is to establish areas for enhanced natural environments and outdoor recreation. This district is intended to preserve, maintain and protect open space resources; protect access to Utah Lake and to encourage development of a comprehensive network of permanent, multifunctional publicly and privately owned open spaces in the city.
12. Public Facilities (PF): The purpose of the PF District is to provide areas for public facilities and to recognize the public and institutional nature of particular parcels of land within the city. This district is intended to ensure that the public, quasi-public, and institutional uses of property is related to the policies of the general plan.
13. Special Purpose Zoning Districts. Special Purpose Zoning Districts are provided to meet specific needs and goals of the city as follows:
 - a. Planned Development Overlay (PD). The PD District is provided as an overlay zoning district to allow residential development opportunities with a greater degree of flexibility than may be allowed by the underlying zoning districts. The PD District requires creativity and uniqueness in the proposed development with recognition of the environmental and community values existing on the development site. The PD District promotes the efficient use of all land resources and requires the provision of development and community amenities, with the preservation of the natural and scenic qualities of the development site.
 - b. Regional Mixed Use (RMU). The purpose of the RMU District is to promote the goals of the general plan in areas of the city that are designated by the general plan for a combination of land uses in a mixed-use development pattern either horizontal or vertical design. This zoning designation recognizes that adherence to a traditional pattern of development standards would preclude the application of a more flexible approach. Commercial, employment, and residential uses are encouraged to be provided with intensities and densities that promote a mix of day and nighttime activities. Developments within this district shall be compatible with surrounding existing and planned land uses.
 - c. Town Center (TC). The purpose of the TC District is to facilitate the creation of an urban- style community center with places to visit, live, work, recreate, and

shop. It promotes a mix of uses, including: residential, professional office, retail commercial, and community amenities. It also anticipates a future multi-modal transit hub with commuter rail, light rail, and bus service.

- d. Water's Edge (WE). The WE District is a master planned community that includes a range of residential homes, from large homes on large lots to multi-family/condominium housing and is located within a network of open spaces including parks, trails, and native open areas. The WE District has been designed to promote an active family lifestyle where residents are encouraged to walk between neighborhoods and several community gathering places including the Utah Lake shoreline.
- e. The Forge Mixed Use (FMU). The FMU District is intended to encourage a mixture of commercial, office and residential uses within an urban neighborhood atmosphere. Development in the FMU District is intended to provide a pedestrian oriented, safe, and attractive streetscape, and a controlled and compatible setting for residential and commercial development. The standards are intended to achieve established objectives for urban and traditional design, pedestrian amenities, and land use regulation.

SECTION 3: AMENDMENT “15.12.060 Dimensional Standards Table” of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.12.60 Dimensional Standards Table

1. Unless otherwise specified, development in the city shall comply with the standards set forth in the Dimensional Standards Table. Special purpose districts standards are located in [VZC 15.14 Special Purpose Districts](#).

Dimensional standards regulating accessory buildings of VZC 15.34.030 shall apply. All other applicable development standards are located within various chapters of the zoning ordinance.

Dimensional Standards Table

STANDARDS	O S	A-1	R & A-5	RE-20	R-1-15	R-1-10	R-1-8	R-2-15	HDR-1	HD R-2	RM U	B P	R C	<u>N C</u>	F O I	M	P F
				40,	15,	10,		15,000 sf per SFD or	10,000 sf plus	8,000 sf plus 4,50		40			20,	20	

Minimum Lot Size	NA	40 Acres	5 Acres	000 sf	000 sf	000 sf	8,000 sf	25,000 sf per Two-Family Dwelling	5,000 sf per multi-family unit.	0 sf per multi-family unit.	10 acres ¹ .	,000 sf	NA	<u>NA</u>	000 sf	,000 sf	NA
Maximum Base Density allowed by a PD Overlay District in Units Per Acre	NA	1 unit per 20 acres	1 unit per 5 acres	1.75 units per acre	2.32 units per acre	3.5 units per acre	4.35 units per acre	2.33 SFD units per acre. 2.8 Two-family dwelling units per acre.	2-12 units per acre with an average of 8 units per acre.	9.7 units per acre.	NA	NA	NA	<u>NA</u>	NA	NA	NA
Minimum Lot Width	NA	Lot width to lot length ratio not less than 1:3		100'	90'	80'	80'	100' for SFD and 120' for Two-Family Dwellings	60' unless otherwise approved by the City Council.	120'		140'	NA	<u>NA</u>	<u>100'</u>	100'	NA
Minimum Distance Between Condominium & Multi-Family Units Primary Buildings located on the same Lot or	NA	NA	NA	NA	NA	NA	NA	NA	30'	30'	See standard # 1 below.	NA	NA	<u>NA</u>	<u>NA</u>	NA	NA

Parcel																	
Minimum Building Height	No primary building within any district shall be erected to a height less than one (1) story entirely above grade. See definition of story.																
Maximum Building Height	35' 5' 2'	35' 2'	35' 2'	35' 2'	35' 2'	35' 2'	35' 2'	35' 2'	35' 2'	35' 2'	60' 2'	90' 2'	60' 2'	60' 2'	60' 2'	60' 2'	N A
Minimum Front Yard	N A	30'	30'	30'	30'	30'	20'	20'	20'	20'		30'	20'	20'	25'	25'	N A
Minimum Side Yard - Interior Lots	N A	30'	30'	30'	30'	30'	20'	A total of at least 20' between the two side yards, with no side yard of less than 8'.	20', unless otherwise approved by the City Council.	20'	See standard #1 below.	25'	20'	20'	20'	20'	N A
Minimum Side Yard for Corner Lots	N A	30'	30'	30'	30'	30'	20'	20'	20'	20'		25'	20'	20'	20'	20'	N A
Minimum Rear Yard	N A	30'	30'	30'	30'	30'	20'	20'	20'	20'		25'	20'	20'	20'	20'	N A
Maximum Building Lot Coverage (Principle and Accessory Buildings)	N A	N A	15%	50%	50%	50%	50%	50%	50%	50%		N A	N A	N A	N A	N A	N A
Maximum encroachment of																	

Architectural Features Encroaching into required setback	N A	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	N A
Accessory Buildings - In addition to the requirements of Section 15.34.030, the following dimensional standards apply:																
Minimum Internal Side Setbacks	N A	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	N A	N A	3'	N A	N A
Street Side Corner Lot Standards	See Section 15.34.030															
Minimum Rear Setbacks	N A	3'	3'	3'	3'	3'	3'	3'	3'	3'	3'	N A	N A	3'	N A	N A
Minimum Distance from Principle Building	N A	6'	6'	6'	6'	6'	6'	6'	6'	6'	6'	N A	N A	6'	N A	N A
Maximum Building Height	N A	N A	25'	25' 4	25' 4	25' 4	25' 4	25' 4	25' 4	25' 4	25' 4	N A	N A	2 5' 4	N A	N A
Roof Overhang Setback	N A	N A	1' ⁵	1' ⁵	1' ⁵	1' ⁵	1' ⁵	1' ⁵	1' ⁵	1' ⁵	1' ⁵	N A	N A	1' 5	N A	N A
Maximum allowed rear yard building coverage.	N A	N A	50 %	50 %	50 %	50 %	50 %	50 %	50 %	50 %	50 %	N A	N A	N A	N A	N A

Additional Standards:

1. See [VZC 15.14 Special Purpose Districts](#)

for additional RMU Districts standards.2. Building height is measured from the top of the back of curb to the highest point of the building or structure. See also definition of "Building Height."4. For every one foot (1') in height above fifteen feet (15') the roof overhang setback shall be increased an additional one foot (1') from the internal side and rear property lines.5. For every one foot (1') in height above fifteen feet (15') the building setback shall be increased an additional one foot (1') from the internal side and rear property lines.

6. Buildings located in the NC District shall not exceed 35 feet in height when located within 50 feet of a property line of a parcel containing a detached single-family home.

7. No building setbacks are required for buildings located adjacent to parcels that do not contain stand-alone residential uses and are zoned for commercial uses.

SECTION 4: **AMENDMENT** "15.12.020 Establishment Of Districts" of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.12.020 Establishment Of Districts

In order to carry out the provisions of this ordinance the Table of Zoning Districts divides the city of Vineyard into the following zoning districts:

Table of Zoning Districts

Standard Districts	OS	Open Space
	A-1	Agriculture - 1 District
	RA-5	Residential Agriculture District
	RE-20	Residential Estates - 20 District
	R-1-15	Single-Family - 15 District
	R-2-15	Residential R-2-15 District
	R-1-10	Single-Family - 10 District
	R-1-8	Single-Family - 8 District
	HDR-1	High Density Residential - HDR-1 District
	HDR-2	High Density Residential - HDR-2 District
	BP	Business Park District
	FOI	Flex Office Industry District
	M	Manufacturing District
	<u>NC</u>	<u>Neighborhood Commercial</u>
	I-1	Industrial Zone - 1 District
	PF	Public Facility
	RC	Regional Commercial District
Special Purpose Districts	RMU	Regional Mixed-Use
	TC	Town Center
	FMU	Forge Mixed-Use
	WE	Water's Edge
	PD	Planned Development Overlay District

SECTION 5: **AMENDMENT** “15.60.020 Definitions” of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.60.020 Definitions

Words not defined herein shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition.

Abandon/Abandoned: Means a use that has been discontinued for a minimum period of one (1) year or a building, structure, sign, or other object that remains vacant or unused for a minimum period of one (1) year.

Abandonment: Any act that results to abandon.

Access: The provision of vehicular and/or pedestrian ingress and egress to a lot, parcel, building, or structure.

Accessory Building: A building customarily incidental and clearly subordinate to the primary building and located on the same lot as the primary building.

Accessory Use: A use clearly incidental, subordinate and customarily found in connection to the primary use and located on the same lot as the primary use.

Active or Valid Building Permit: A Building Permit that has not expired.

Adjacent Property/Adjacent Landowners: A lot or parcel of property, or the owner of record of such, according to the records of the Utah County Recorder that has a common boundary line with a lot or parcel of property that is the subject of some action before the city.

Affected Entity: Means a county, municipality, independent special District under Title 17A, Chapter 2, Independent Special Districts, Local District under Title 17B, Chapter 2, Local Districts, School District, interlocal cooperation entity established under Title 11, Chapter 13, InterLocal Cooperation Act, specified public utility, or the Utah Department of Transportation, if:

1. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;
2. The entity has filed with the municipality a copy of the entity's general or long-range plan; or
3. The entity's boundaries or facilities are within one mile of land that is the subject of a general plan amendment or land use Ordinance change.

Agent: The person with written authorization to represent a property owner.

Agriculture: An area which is used for the commercial production, keeping, or maintenance for sale of plants and domestic animals typically found in Utah County, or lands devoted to a soil conservation management program, but excluding the keeping of prohibited animals, Commercial Plant Nursery, as defined herein, Concentrated Animal Feeding Operation, as defined by the U.C.A., 1953, as amended, and subject to the Utah Pollutant Discharge Elimination System (UPDES), or similar activities.

Agricultural Building: A structure used in conjunction with an allowed agriculture use, and not for human occupancy, and complying with the requirements of § 58-56-4, U.C.A., 1953, as amended. To qualify as an agricultural building the structure must meet all requirements of § 58-56-4(1), U.C.A., 1953, as amended.

Alcoholic Beverages: Means and includes beer and liquor as defined in the State of Utah Alcoholic Beverage Control Act, as amended.

Alteration: Any change, addition, or modification in construction of a building or structure.

Animal Hospital: A facility for the diagnosis, treatment and hospitalization of animals, that may include indoor holding facilities only for the treatment and observation of animals but does not include any outdoor holding or boarding facilities, unless Outdoor Boarding Kennels are listed as an allowed use in the Zoning Use Matrix.

Apiary: Any place where one (1) or more colonies of bees are located.

Appeal Authority: The person, board, commission, agency, or other body designated by this Ordinance to decide an appeal of a decision of a Land Use Application or a Variance.

Applicant: Any person(s) presenting a Land Use Application for any Approval, Permit, or License required by a Land Use Ordinance.

Application/Land Use Application: Written requests for an Approval, Permit, or License and completed in a manner prescribed by this Ordinance for review and decision by a Land Use Authority.

Application, Complete: An Application that includes all information requested on the appropriate form, and payment of all applicable fees.

Application, Incomplete: An Application that lacks information requested on the appropriate form, or lacks the payment of all applicable fees.

Architectural Projection: Any projection which is not intended for occupancy and which extends beyond the face of an exterior wall of a building, but shall not include signs.

Assembly, Place of: The use of land for a meeting place where persons gather together for purposes of attending civic, social, religious functions, recreational events or entertainment performances on a regular or recurring basis including, but not limited to, religious institutions, banquet facilities, funeral homes, theaters, conference centers, stadiums, and indoor or outdoor recreational facilities.

Awning: A roofed structure placed to extend outward from the building providing a protective shield for doors, windows, and other openings supported by the building or other supports.

Base District: A Zoning District that establishes regulations governing land use and site development in a specific geographic area.

Basement: A story partly underground and having at least one-half (1/2) its height below the average level of the adjoining ground.

Bay Window: A window or series of windows forming a recess or bay from a room and projecting outward from the wall.

Beekeeper: A person who keeps honeybees in order to collect honey and beeswax and pollinate crops.

Beekeeping Equipment: Anything used in the operation of an apiary, such as hive bodies, supers, frames, veils, gloves, top and bottom boards, extractors or other equipment to handle or manipulate bees, honey, wax, or hives.

Berm: A mound of earth used as a site feature, or to shield, screen, and buffer uses, undesirable views and to separate land uses.

Best Management Practices (BMPs): A practice, or combination of practices, determined to be the most effective (including technological, economic, and institutional considerations) means of preventing or reducing disturbance or disruption to the natural environment.

Billboard: A freestanding sign designed or intended to direct attention to a business, product, or service that is not provided, sold, offered, or existing on the property where the sign is located.

Buildable Area: That area of a lot or parcel which is outside of any required setback areas and outside of any other areas regulated by this Ordinance.

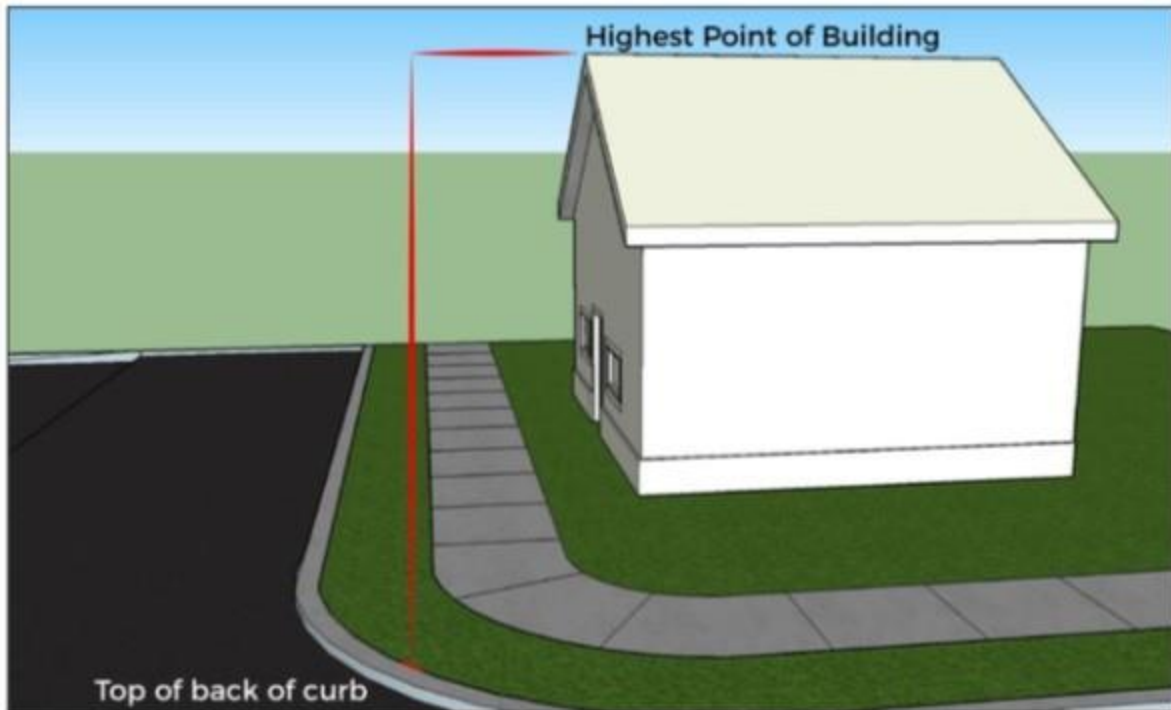
Building: Any structure, whether permanent or temporary, which is designed, intended, or used for occupancy by any person, business, animals, possessions, or for storage of property or materials of any kind.

Building Code: The International Building Code, as adopted by the city.

Building Facade: That portion of an exterior elevation of a building extending from the finished grade to the top of the parapet wall or eaves and the entire width of the building elevation.

Building Frontage: The horizontal, linear dimension of that side of a building abutting a street, a parking area, or other circulation area open to the public.

Building Height: The vertical distance from the TOP OF THE BACK OF CURB to the highest point of the building or structure.



Building Line: The line circumscribing the buildable area of a lot.

Building Line, Front: A line parallel to the front lot line and at a distance there from equal to the required depth of the front yard setback and extending across the entire width of the lot or parcel.

Building Line, Rear: A line parallel to the rear lot line and at a distance there from equal to the required depth of the rear yard setback and extending across the entire width of the lot or parcel.

Building Line, Side: A line parallel to the side lot line and at a distance there from equal to the required depth of the side yard setback and extending between the front and rear building lines.

Building Official: The person charged with the administration and enforcement of the Building Code of the City of Vineyard, or designee.

Building Permit: A Permit authorizing a construction activity.

Business: Means and includes all trades, occupations, professions, or activities carried on within the city for the purpose of gain or economic profit.

Carport: Roof structures open on at least two sides and subject to all requirements prescribed for a garage.

Car Wash: A facility that offers the washing of motor vehicles and motorcycles by either machine or hand-operated mechanisms used principally for the cleaning, washing, polishing, or waxing of motor vehicles not exceeding 10,000 pounds Gross Vehicle Weight. A facility of this type may be able to accommodate more than one vehicle at the same time.

Certificate of Occupancy: A certificate issued by the Building Official authorizing occupancy of a building or structure requiring a Building Permit.

Chemical Manufacturing, Storage, and Distribution (Existing): A use, existing and established in the Town on January 1, 2008 and engaged in making of chemical products from raw or partially finished materials and the storage and distribution of such chemical materials and that by reason of materials, processes, products or waste may be hazardous or that by the emission of odor, dust, smoke, gases, noise, vibration, glare, heat or other impacts may impact adjoining properties, and which may include the parking and storage of distribution vehicles, and accessory activities.

Chief Executive Officer: Means the Mayor of the City of Vineyard. **City Engineer:** A registered Civil Engineer so appointed by the city.

Clear View Area: Areas at intersecting streets and driveways where unobstructed vision is maintained, as required by this Ordinance.

Clinical Support Housing: Residential housing whose occupancy is restricted to persons who are registered or employed as a patient, student, or staff member associated with the clinical or educational program of the facility or campus in which the housing unit or dormitory is located.

Cluster Development: A design that locates buildings in specific areas of a site to allow the remaining land to be used, but not limited to, recreation, open space, and preservation of sensitive land areas.

Code: The City of Vineyard Municipal Code, as adopted.

Colony: Bees in any hive including queens, workers, or drones.

Commercial Kennel: An establishment where four (4) or more dogs, older than four (4) months, are kept for the purpose of boarding, breeding, raising or training dogs for a fee or on a nonprofit basis.

Commercial Plant Nursery: A use wholly, or partially, contained within one or more greenhouses where trees, shrubs, flowers, or vegetable plants are grown and sold to retail or wholesale customers.

Commercial Recreation, Indoor: A use, either public or private, providing amusement, pleasure, or sport, which is operated entirely within an enclosed building, including but not limited to live theater, and movie houses, indoor tennis, bowling, and skating, baseball batting cages, paintball, horse riding or similar activities. This use may include associated eating and drinking areas, retail sales areas and staff offices.

Commercial Recreation, Outdoor: An area or facility that offers entertainment or recreation outside. This use is limited to a golf driving range, baseball batting cages, riding arena, tennis facility, miniature golf, and swimming pool, and may include, as accessory uses, associated eating and drinking areas, retail sales areas and staff offices. This use specifically excludes shooting range, go-cart, motor vehicle and/or motorbike tracks, or similar activities that may create noise, dust, or other nuisances to adjoining and surrounding uses.

Commission: The Planning Commission of the City of Vineyard.

Common Area: Facilities and yards under common ownership.

Common Ownership: Ownership of the same property by different persons.

Commuter and Light Rail Facilities and Station: A rail transit system that covers long distances, usually with less frequent station spacing and train times than light rail that runs on a separate right-of-way from cars, and often sharing an existing freight corridor. Light rail transit systems can run along city streets or in a separate right-of-way. Station areas are located along the transit lines to link park-and-ride lots with the transit system.

Composting Facility: A facility where organic materials are converted into a humus-like material under a process of managed biological decomposition or mechanical processes. Normal backyard composting and composting incidental to agricultural operations are exempted from this use classification.

Conditional Use: A land use that, because of its unique characteristics or potential impact on the municipality, 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.

Constitutional Taking: A governmental action that results in a taking of private property so that compensation to the owner of the property is required by the:

1. Fifth or Fourteenth Amendment of the Constitution of the United States; or
2. Utah Constitution Article I, Section 22.

Construction: The materials, architecture, assembly, and installation of a building or structure.

Construction Activity: All grading, excavation, construction, grubbing, or other site preparation or development activity which disturbs or changes the natural vegetation, grade, or any existing building or structure, or the act of adding an addition to an existing building or structure, or the erection of a new primary or accessory building or structure on a lot or parcel.

Construction Sales and Service: An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures. Typical uses include lumberyards, home improvement centers, lawn and garden supply stores, electrical, plumbing, air conditioning and heating supply stores.

Contractor's Office/Storage Yard: A facility providing building construction and maintenance services including carpentry, plumbing, roofing, electrical, air conditioning and heating, with a base of operations and which may include the indoor and outdoor storage of building materials, equipment, or vehicles used by the construction business.

Corral: A space, yard, or other unenclosed area, other than a building, used for the confinement of animals.

Council: The City Council of the City of Vineyard.

County: The unincorporated area of Utah County, or the Board of County Commissioners of Utah, Utah.

Cul-de-sac: A street with only one (1) outlet and an area for the safe and convenient turning around of traffic.

Culinary Water Authority: The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

Cut: The process of lowering the natural grade of the ground, or the depth or the volume of such material removal.

Daycare Facility, Commercial: A facility, operated by a person qualified and licensed by the State of Utah, which provides children with day care and/or preschool instruction as a commercial business and complying with all applicable State standards and licensing and having regularly scheduled, ongoing enrollment for direct or indirect compensation that provides child care for less than twenty-four (24) hours per day. Commercial Daycare Facilities excludes the following:

1. Kindergartens or nursery schools or other daytime programs operated by public or private elementary or secondary schools or institutions of higher learning;
2. Facilities operated in connection with a fitness center, shopping center or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available;
3. Special activities or programs, including athletics, crafts instruction and similar activities, conducted on a periodic basis by civic, charitable, private, or governmental organizations; or
4. Clearly identified as an Accessory Use.

Decibel (dB): A unit of measure used to express intensity of noise.

Declaration: The legal instrument by which property is subjected to the provisions of the State of Utah Condominium Ownership Act, or a declaration of covenants, conditions, and restrictions.

Dedication: The setting aside of land by an owner for any public use for the enjoyment of the public and owned by a public agency.

Demolish or Demolition: Any act or process that destroys in part or in whole a building or structure.

Density: The intensity or number of nonresidential and residential uses expressed in terms of unit equivalents per acre or lot or units per acre.

Density, Base: The number of dwelling units per acre allowed by a Zoning District.

Density, Incentive: The number of additional dwelling units per acre allowed in addition to the base density.

Developer: Any person or organization that develops, or intends to develop or sell property for the purpose of future development subject to the provisions of this Ordinance, or other Land Use Ordinances.

Development Activity: Any of the following: (a) Any man-made change to improved or unimproved lands, including but not limited to buildings or structures, mining, dredging, filling, grading, paving, excavation or drilling operations; (b) Any construction, reconstruction, or expansion of a building, structure, or use; (c) Any change in the use of a building or structure; (d) Any change in the use of land that creates additional demand and need for public facilities or services; (e) The act of subdividing; or (f) The act, process or result of developing.

Development Agreement: A contract between an Applicant or owner and the Council pursuant to the provisions in this Ordinance.

Development Site: The perimeters and total area of a tract, lot, or parcel of land intended to be used for a development activity.

Development Standards: Established regulations concerning lot areas, yard setbacks, building height, lot coverage, open space and any other special regulations deemed necessary to accomplish the purpose of this Ordinance or other Land Use Ordinances.

Disability: Disability means a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such impairment or being regarded as having such impairment. (§ 57-21-2(9)(a) U.C.A., 1953, as amended). Disability does not include current illegal use of, or addiction to any Federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802. (§ 57-21-2(9)(b) U.C.A., 1953, as amended). Disability does not include placement in lieu of confinement, rehabilitation, or treatment in a correctional facility.

Distribution Center: A facility where the storage and distribution of goods and materials occurs inside a fully enclosed building and which may include the parking and storage of distribution vehicles, and accessory activities.

Domestic Livestock and Fowl: Limited to domesticated horse (*Equus caballus*), domesticated cattle (*Bos taurus* and *Bos indica*), domesticated sheep (*Ovis aries*), domesticated goat (*Capra hircus*) and domestic fowl. Domestic Livestock and Fowl do not include inherently or potentially dangerous animals, fowl, reptiles, or exotic animals.

Driveway: A private access, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which it is located.

Drive-Through Facility: A facility which by design, physical facilities, service or packaging procedures, encourages or permits customers to transact business or receive services or goods while remaining in their motor vehicles.

Dwelling, Accessory Unit: An attached dwelling unit to a single-family home, or located above a detached garage serving a single-family home which is located on the same lot as the single-family home designed to be clearly subordinate to the principle dwelling. An accessory dwelling unit provides complete, independent living facilities with a separate dwelling entrance than the principle dwelling.

Dwelling, Accessory Unit for Owner or Employee: An attached, or detached, dwelling unit for an employee or owner and incidental and clearly subordinate to the existing primary building or use and located on the same lot as the primary building or use.

Dwelling, Condominium: An individually owned dwelling unit, the ownership of which includes an undivided interest in the land and other common areas and facilities, as provided and recorded in a property deed or other instrument, as required by Utah law, and which is typically maintained by an association of the owners. Must meet allowed density requirements.

Dwelling, Multiple-Family: A building containing three (3) or more dwelling units.

Dwelling, Single-Family: A building containing one (1) dwelling unit.

Dwelling, Two-Family: A building containing two (2) attached dwelling units.

Dwelling Unit: A building, occupied by no more than one (1) family as defined herein, containing one (1) or more rooms and one (1) kitchen and including areas for living and sleeping, designed to be used for human occupancy, and complying with all provisions of the Building Code.

Dwelling Unit, Manufactured: A transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more Sections, which, in the traveling mode, is eight (8) feet or more in width or forty (40) 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 is designed to be used as a dwelling unit with, or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

To meet the requirements of this Ordinance and State laws, when erected on the site the home must be at least 24 feet in width at the narrowest dimension, have exterior and roofing materials acceptable to the Building Code, as adopted by the City of Vineyard, have a minimum roof pitch of 2:12, and be located on a permanent foundation, in accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection in compliance with the Building Code. All appendages, including carports, garages, storage buildings, additions, or alterations must be built in compliance with the Building Code. The manufactured dwelling must be connected to the required utilities, including plumbing, heating, air-conditioning, and electrical systems. All manufactured dwelling units constructed 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. A Manufactured Dwelling Unit shall be identified as real property on the property assessment rolls of Utah County.

Earth Station: A communication facility which transmits and/or receives signals to and from an orbiting satellite using satellite dish antennas.

Easement: That portion of a lot, parcel, or tract reserved for present or future use by a person or agency other than the fee owner(s) of the property. The easement may be for use under, on, or above said lot, parcel, or tract.

Educational Facility: Public schools, colleges or universities qualified by the State of Utah Board of Regents or State of Utah Board of Education to provide academic instruction. Privately owned buildings and uses for educational activities that has a curriculum for technical or vocational training, kindergarten, elementary, secondary or higher education.

Elderly Person: A person who is 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.

Emergency Care Facility: A facility or licensed healthcare provider providing emergency medical or dental or similar examination, diagnosis, treatment and care on an outpatient basis only.

Environmental Remediation: Removal and processing of on-site waste and/or contaminated materials for the purposes of remediation of the site for future use. All uses in this category are considered temporary for the duration of the remediation process and do not include importation of waste for processing. Such uses shall comply with the provisions for separation of uses and performance standards contained herein.

EPA: The United States Environmental Protection Agency.

Escrow: A deposit of cash with the city, or approved alternate in lieu of cash, held to ensure the performance of a task or a maintenance guarantee.

Excavation: The removal of boulders, gravel, rocks, earth, or similar naturally occurring deposits from its natural position.

External Illumination: Lighting that illuminates a building or structure, parking area, or other outside area from a location outside of the building or structure.

Family: A person living alone, or any of the following groups living together as a single housekeeping unit and sharing common living, sleeping, cooking and eating facilities: (a) Any number of people who are related by blood, marriage, adoption, or court sanctioned guardianship together with any incidental domestic or support staff who may or may not reside on the premises; or (b) four (4) unrelated people; or (c) two (2) unrelated people and any children related to either of them. "Family" does not include any group of individuals whose association is temporary or seasonal in nature or who are in a group living arrangement because of criminal offenses.

Farmer's Market: An area used for the sale of fresh produce and related food items, which may have outdoor storage and sales. A farmers' market may provide space for one or more vendors.

Fence: A barrier or obstruction of any material, with the purpose or intent, or having the effect, of preventing passage or view across the fenceline.

Fence, Open: A fence which permits vision through more than fifty percent (50%) of each square foot more than eight (8) inches above the natural or finished grade.

Fence, Sight Obscuring: A fence which permits no vision (0%) through any part of the fence more than eight (8) inches above the natural or finished grade.

Fill: The process of raising the natural grade of the ground, or the depth or the volume of such material.

Financial Institution: A financial company or corporation providing the extension of credit, and the custody, loan or exchange of money; but not including Pawnshops.

Fiscal Impact Analysis: An analysis that describes the current or anticipated effect upon the public costs and revenues imposed by a development activity.

Flammable Liquids or Gases Manufacture, Storage and Distribution: A facility which may produce, store and/or distribute flammable liquids and gases and which may include the parking and storage of distribution vehicles, and accessory activities.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland waters; including streams, creeks and rivers and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM): An official map of a community on which the United States Federal Emergency Management Agency has delineated areas of flood hazard.

Flood Insurance Study: The official report provided by the United States Federal Emergency Management Agency that include flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

Flood Plain, 100 Year: An area where a peak flow magnitude has about a 1 percent (1%) chance of being equaled, or exceeded in any year. The area is based on statistical analysis of stream flow records available for the watershed and analysis of rainfall and runoff characteristics in the general region of the watershed. The flood would have an average frequency of occurrence of about once in one hundred (100) years.

Floor Area, (Gross Floor Area): The sum of the footage contained within all buildings or structures on a site measured from the outside wall surfaces and including basements, garages, porches, utility rooms, stairways, recreation rooms and storage rooms, but excluding unroofed balconies and patios.

Floor Area, (Net Floor Area): The sum of the footage contained within all buildings or structures on a site measured from the inside wall surfaces including basements but excluding, garages, porches, utility rooms, stairways, storage rooms, and unroofed balconies and patios.

Floor Area, (Total): The sum of the gross floor area of all floors of a building and its accessory buildings located on the same lot. All dimensions shall be measured from the exterior faces of the exterior walls.

Floor Area Ratio: The total gross floor area of a building divided by the area of the lot on which it is located.

Foot Candle: A unit for measuring the amount of illumination on a surface.

Frontage: All the property fronting on one (1) side of the street between intersecting or intercepting streets, measured along the street line.

Funeral Home: An establishment where the dead are prepared for burial or cremation and which may include areas for embalming, performing of autopsies and the storage of funeral supplies and vehicles and where funerals may be held.

Garage: An accessory building used for the storage of motor vehicles.

General Plan: The City of Vineyard General Plan, as adopted.

Geologic Hazard: A hazard inherent in the crust of the earth, or artificially created, which is dangerous, or potentially dangerous to life, property or improvements, due to the movement, subsidence, or shifting of the earth. The term includes, but is not limited to, unstable slopes, faulting, landslides, and rock falls.

Golf Course: An area used for the purposes of playing golf, but which may include associated restaurants, commercial retail sales areas, and course maintenance facilities.

Grade, Finished: The finished elevation of the surface of the land after the completion of any development activity or other excavation.

Grade, Natural: The elevation of the surface of the land prior to any development activity or excavation.

Grading: An excavation, cut or fill, or the act of excavating, either cutting or filling.

Groundwater: Any water that may be drawn from the ground.

Groundwater Discharge Area: An area where the direction of groundwater movement is upward from the principal aquifer to the shallow unconfined aquifer.

Grubbing: The removal or destruction of vegetation, including disturbance to the root system or soil surface by mechanical, chemical, or other means.

Guarantee: Any form of security including cash, a letter of credit, or an escrow agreement in an amount and form satisfactory to the city.

Hard-Surfaced: Covered with concrete, brick, asphalt, or other impervious material.

Hazardous Waste: A material as defined by the United States Environmental Protection Agency.

Health and Fitness Facility: A business or membership organization providing exercise facilities and/or nonmedical personal services to patrons, including, but not limited to, gymnasiums, private clubs (athletic, health, or recreational), tanning salons, and weight control establishments.

Health Department: The Utah County Health Department.

Heliport: An area used for the landing and taking off of rotary wing aircraft but not including the regular repair or maintenance of such aircraft or the sale of goods or materials to users of such aircraft.

Hive: A frame hive, box hive, barrel, log, gum skep, or other artificial or natural receptacle that may be used to house bees.

Holiday Decorations: Displays of a primarily decorative nature commonly associated with any national, Local, or religious holiday.

Home Day Care: The care of children who are family and non-family members in an occupied dwelling unit, and complying with all State standards and licensing, by a resident of the dwelling unit at least twice a week for more than three (3) children, but fewer than ten (10) children. The total number of children being cared for shall include children under the age of four (4) years residing in the dwelling unit, who are under the supervision of the provider during the period of time the childcare is provided. When a caregiver cares for only three (3) children under age two (2), the group size, at any given time shall not exceed six (6). If there are eight or more children, there must be two or more providers present.

Home Occupation: An activity carried out for gain by a resident of the dwelling unit, identified, and conducted in compliance with the requirements of this Ordinance, as applicable.

Home Preschool: A preschool program complying with all State standards and licensing for non-family members in an occupied dwelling unit, by residents of that dwelling unit, in which lessons are provided for not more than ten (10) children for each session of instruction. If there are eight or more children, there must be two or more providers present. Sessions shall last for not more than four (4) hours and shall not overlap. Individual children may attend only one (1) preschool session in any 24-hour period.

Honeybee: The common honeybee, *Apis mellifera* species or any hybrid thereof, at any stage of development, but not including the African honeybee.

Hospital: A facility licensed by the State of Utah Department of Health providing health services primarily for human inpatient, medical and/or surgical care for the sick or injured, and including the related facilities such as laboratories, outpatient departments, training facilities, central service facilities, and staff offices which are an integral part of the facilities.

Hotel: A building and associated facilities offering overnight accommodations for guests, with access provided through a common entrance, lobby or hallway to individual guestrooms, and which may include additional services, such as restaurants, conference and meeting rooms, entertainment, and recreational facilities.

Household Pets, Noncommercial: Domesticated animals and birds ordinarily allowed in a dwelling unit and kept for company or pleasure of the owner, including, but not limited to dogs, cats, and caged birds. Household Pets do not include domestic livestock or fowl, as defined herein or inherently or potentially dangerous animals, fowl, reptiles, or exotic animals.

Hybrid Production Facility: A commercial operation or use, on one or more premises where finished consumer goods are manufactured or produced and those same goods are offered for sale to the general public. Hybrid production facilities must be similar in size, scale and scope of operation with adjacent or nearby uses.

Identical Plans: Means building plans submitted to the City of Vineyard that are substantially identical to building plans that were previously submitted to and reviewed and approved by the City of Vineyard Building Official and describe a building that is:

1. Located on land zoned the same as the land on which the building described in the previously approved plans is located; and
2. Subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans.

Illegal Building/Structure: A building or structure, or portion thereof, established without securing the necessary Approvals, Permits, or Licenses, as required by this Ordinance, the adopted Building Code, or their prior enactments.

Illegal Lot: A lot created that has not received the necessary Approvals, Permits, or Licenses, as required by the city's Land Use Ordinances.

Illegal Use: A use established without receiving the necessary Approvals, Permits, or Licenses, as required by the city's Land Use Ordinances.

Impact Analysis: A determination of the potential effect(s), including but not limited to environmental, fiscal, social, matters, etc. upon the city or a Section of the city.

Impervious Material or Surface: Material that is impenetrable by water.

Improvements: Curbs, gutters, streets, roads, sidewalks, utilities, grading, paving, landscaping, water and sewer systems, drainage systems, fences, fire hydrants, street lights, parks, public facilities, amenities and other such requirements of this Ordinance.

Intensity: The degree of a quantitative or qualitative measurement associated with a use of land or building.

Internal Illumination: Lighting by means of a light source that is located within a building structure, or other object including a sign, or portions or letters of a sign.

Kennel, Commercial: A facility providing for indoor commercial boarding, grooming or training of household pets not owned by the owner or occupant of the premises.

Kennel, Outdoor Commercial: A facility providing for the indoor and/or outdoor commercial boarding, grooming or training of household pets not owned by the owner or occupant of the premises.

Land Use: The manner in which land is occupied or used.

Land Use Application: All Applications required by this Ordinance, and the city's other Land Use Ordinances, and required to initiate the review procedures for any required Approval, License, or Permit by a Land Use Authority.

Land Use Approval: Any authorization received from a Land Use Authority that permits the commencement of a development activity.

Land Use Authority: Means a person, board, commission, agency, or other body designated by the Council to act on a Land Use Application.

Land Use Ordinance: Means a planning, Zoning, development, or subdivision Ordinance of the City of Vineyard, including this Ordinance, but does not include the City of Vineyard General Plan.

Landscaping: Materials and treatments that include naturally growing elements such as grass, trees, shrubs, and flowers. Landscaping may also include the use of rocks, fountains, benches, and contouring of the earth when authorized by a Land Use Authority.

Laundry, Commercial: An establishment primarily engaged in the provision of laundering, dry cleaning, or dyeing services other than retail services establishments. Typical uses include bulk laundry and cleaning plants, diaper services, and linen supply services.

Laundry, Self Service or Dry Cleaning: An establishment providing home-type washing, drying, and/or ironing machines, household laundry and dry-cleaning services.

Legal Building/Structure: A building or structure, or portion thereof, established after receiving the necessary Approvals, Permits, or Licenses, as required by the Land Use Ordinances and complying with the requirements of the Land Use Ordinances and Building Code.

Liquor Store: An establishment owned and operated by the State of Utah and primarily engaged in the sale of alcoholic beverages.

Lot, Legal: A lot that has received the necessary Approvals, Permits, or Licenses, as required by the city's Land Use Ordinances, or their prior enactments.

Legal Lot of Record: Any lot, parcel or tract of land that existed, as recorded in the Office of the Utah County Recorder, with a separate property identification number as provided by the Office of the Utah County Recorder and Office of the Utah County Assessor, prior to the date of the adoption of the first Vineyard Subdivision Ordinance, and all lots, parcels, and tracts of land that were legally created pursuant to the subdivision requirements of the city's Land Use Ordinances and the laws of the State of Utah after the date of the adoption of the first City of Vineyard Subdivision Ordinance.

Legal Use: A use complying with the requirements of this Ordinance.

Legislative Body: The City Council of Vineyard, Utah.

Light Source: A point of lumination that emits a measurable radiant energy in or near the visible spectrum.

Limits of Disturbance: The area of a lot, parcel, or tract of land in which all development activity or construction must be contained including all impervious surfaces, buildings, structures, parking areas, driveways, etc.

Lot: A parcel of land occupied or proposed to be occupied by a building or structure, together with such yards, open spaces, lot width and lot area as are required by this Ordinance.

Lot Area: The total land area of a lot, parcel, or tract of land.

Lot Coverage: The total horizontal area of a lot, parcel, or tract of land covered by any impervious surface, including buildings, structures, parking areas, driveways, etc.

Lot Depth: The horizontal distance from a front lot line to a rear lotline.

Lot, Interior: A lot, parcel, or tract of land, other than a corner lot.

Lot, Irregular: A lot whose rear property line is not generally parallel to the front property line such as a pie-shaped lot on a cul-de-sac, or where the side property lines are not parallel to each other.

Lot Line: A line bounding a lot, parcel, or tract of land that divides one (1) lot, parcel, or tract from another, or from a street. See also Property Line.

Lot Line Adjustment: The relocation of the lot line or property boundary line in a subdivision between two adjoining lots with the consent and agreement of the owners of record.

Lot Line, Front: A lot line separating a lot from an existing street right-of-way or, where a new street is proposed, the proposed street right-of-way line.

Lot Line, Rear: The lot line generally opposite and most distant from the front lot line.

Lot Line, Side: Any lot line that is not a front lot line or rear lot line. A side lot line separating one (1) lot from another is an interior side lot line.

Lot, Corner: A lot abutting on two (2) intersecting streets where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees (135°).

Lot, Double Frontage: A lot abutting two (2) parallel or approximately parallel streets.

Lot, Illegal: A lot that has not received the necessary Approvals, Permits, or Licenses, as required by the city's Land Use Ordinances and State laws, or their prior enactments.

Lot, Noncomplying (Legal): A lot, parcel or tract of land that: (a) Legally existed before its current Zoning designation; and (b) Has been shown as a separate lot, parcel, or tract continuously on the records of the Utah County Recorder as an independent parcel since the time the Zoning requirements governing the lot, parcel or tract changed; and (c) Because of subsequent Zoning changes does not now conform with the requirements of the Zoning District in which the lot, parcel or tract is located.

Lot, Noncomplying (Illegal): A lot, parcel or tract of land that: (a) Was created without receiving the necessary Approvals, Permits, or Licenses, as required by the city's Land Use Ordinances and State laws, and their prior enactments, and (b) Does not conform with the requirements of the Zoning District in which the lot, parcel or tract is located.

Lot Width: For an interior lot or parcel, the shorter of horizontal distance between side lot lines, measured at the required front yard setback line or rear setback line. For a corner lot, the distance between one (1) of the front lot lines and the opposite side yard line at the required setback line.

LUDMA: Means the "Municipal Land Use, Development, and Management Act," as provided by Chapter 10-9a, U.C.A., 1953, as amended.

Lumen: A measurement of light output or the amount of light emitting from a luminaire.

Luminaire: A lighting unit consisting of a light source and all necessary mechanical, electrical, decorative, light shielding and hooded parts.

Luminaire, Cutoff-Type: A luminaire with shields, reflectors, refractors, or other such elements that direct and cut-off emitted light.

Luminaire, Shielded, Fully: Luminaires that are constructed so that no light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

Luminaire, Shielded, Partially: Luminaires that are constructed so that no more than ten percent (10%) of the light rays are emitted at angles above the horizontal plane, as certified by a photometric test report.

Manufacturing, Heavy: The assembly, fabrication or processing of large or bulky goods and materials which typically require extensive building areas or land areas using raw materials or previously prepared materials, using processes and that may have impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, odors, glare, or health and safety hazards.

Manufacturing, Light: The assembly, fabrication or processing of goods and materials using processes that are not offensive or create any odor, dust, smoke, noxious gases, noise, vibration, glare, heat or other impacts to adjacent property, nor create any health and safety hazards by way of materials, process, product or waste, and where all assembly, storage, fabrication or processing is conducted within a building or structure and where all, equipment, compressors, generators and other ancillary equipment is located within a building or structure.

Medical Clinic: An organization of doctors, dentists, or other health care professional providing physical or mental health service and medical or surgical care of the sick or injured but which does not include in-patient or overnight accommodations.

Medical Laboratory: An establishment that conducts basic medical or dental research and analysis. This term does not include a facility providing any type of in-house patient services typically provided by hospitals and clinics.

Mixed Use: The location and arrangement of a combination of compatible residential and nonresidential uses on the same lot or within the same building, and complying with the requirements of this Ordinance.

Model Home: A dwelling unit having all of the following characteristics:

1. The dwelling unit is constructed upon a lot in a subdivision for which a Final Plat has been recorded.
2. The dwelling unit is intended to be temporarily utilized as an example of the dwelling units that are proposed to be built in the same subdivision.

Moderate Income Housing: Housing occupied or reserved for occupancy by households with a gross household income equal to or less than eighty percent (80%) of the median gross income for households of the same size in Utah County.

Moderate Income Housing Plan: A written document conforming to the requirements of LUDMA.

Monument: A permanent survey marker established by the Utah County Surveyor and/or a survey marker set in accordance with the City Engineer's specifications and referenced to Utah County survey monuments.

Motel: A building or group of buildings containing guest rooms, some or all of which have a separate entrance leading directly from the outside of the building with a garage or parking space located on the same lot and designed, used or intended wholly or in part for the overnight accommodations of guests and their vehicles.

Motor Home: A unit primarily designed as a temporary dwelling for recreational and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle, including, but not limited to, a travel trailer, a camping trailer, a truck camper, a motor home, a fifth wheel trailer, and a caravan.

Motor Vehicle Fueling Station: A facility providing the retail sale and direct delivery to motor vehicles of fuel, including electric charging stations, lubricants and minor accessories, and retail sales for the convenience of the motoring public.

Municipality: The City of Vineyard, Utah, or other incorporated area.

Museum: An institution for the acquisition, preservation, study and exhibition of works of artistic, historical or scientific value and for which any sales relating to such exhibits are incidental and accessory to the exhibits presented.

Natural Features: Non-man-made land characteristics, including but not limited to slopes, wetlands, streams, rock outcroppings, lava fields, intermittent drainage channels, and vegetation.

Natural State: Land that has not been subjected to grading, removal of vegetation or any development activity.

Natural Vegetation: Vegetation existing on a lot or parcel prior to any grading, development activity or man-made plantings.

Natural Waterways: Those areas, varying in width, along the course of a permanent or intermittent river, stream, creek, or gully.

Nominal Fee: A fee that reasonably reimburses the city only for time spent and expenses incurred in:

1. Verifying that building plans are identical plans; and
2. Reviewing and approving those minor aspects of identical plans that differ from the previously reviewed and approved building plans.

Noncombustible Material: Any material that will not ignite at or below a temperature of one thousand two hundred degrees Fahrenheit (1,200°F) during an exposure of five (5) minutes, and will not continue to burn or glow at that temperature.

Noncomplying Structure: A structure that:

1. Legally existed before its current land use designation; and
2. Because of one or more subsequent land use Ordinance changes, does not conform to the setback, height restrictions, or other regulations, excluding those regulations, which govern the use of land.

Nonconforming Use: A use of land that:

1. Legally existed before its current land use designation;
2. Has been maintained continuously since the time the land use Ordinance governing the land changed; and
3. Because of one or more subsequent Land Use Ordinance changes, does not conform to the regulations that now govern the use of the land.

Nonresidential Uses: Means the uses identified in the Tables of Uses – Nonresidential Zoning Districts.

Nonresidential Zoning District/Nonresidential Zones: Means the Commercial Districts and Industrial Districts.

Nursing Care Facility: A healthcare facility, other than a hospital, constructed, licensed and operated to provide patient living accommodations, twenty-four (24) hour staff availability, and at least two (2) of the following patientservices:

1. a selection of patient care services, under the direction and supervision of a registered nurse, ranging from continuous medical, skilled nursing, psychological or other professional therapies to intermittent health related or paraprofessional personal care services;
2. a structured, supportive social living environment based on a professionally designed and supervised treatment plan, oriented to the individual's habilitation or rehabilitation needs; or
3. a supervised living environment that provides support, training or assistance with individual activities of daily living.

Nursing Home, Convalescent Care Center: A facility that provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility. A Nursing Home or Convalescent Care Center provides some level of skilled nursing or medical service to the residents.

Office: A type of business use where a building, room, or other space and where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, trade associations, unions and nonprofit organizations.

Official Map: A map adopted by the Council and recorded in the Utah County Recorder's Office that:

1. Shows actual and proposed rights-of-way, centerline alignments, and setbacks for highways and other transportation facilities;
2. Provides a basis for restricting development in designated rights-of-way or between designated setbacks to allow the government authorities time to purchase or otherwise reserve the land; and
3. Has been adopted as an element of the City of Vineyard General Plan.

Official Zoning Map/Zoning Districts Map: The map adopted by the Council showing the geographic location of Zoning Districts.

Off-Street: Entirely outside of any city right-of-way, street, access easement, or any private access drives.

Open Space: Land areas that are not occupied by buildings, structures, parking areas, streets, or roads. Open space may be devoted to landscaping, preservation of natural features, and recreational areas and facilities.

Outdoor Display of Products or Merchandise: The storage of goods or product in an open, unenclosed area, including but not limited to, automotive, truck, recreational vehicle, trailer, and manufactured home sales lots, repair yards, open storage areas, and all similar outside display and storage areas of goods, materials, equipment, and vehicles.

Overlay District: A Zoning District, with its accompanying requirements, that is applied to an area that may place additional development standards on a Zoning District. Development in an overlay District must conform to the base District as well as the overlay Zoning requirements.

Owner: Any person who alone, jointly or severally with others, has a legal or equitable title to property.

Parcel of Land: An area of land, with a separate property identification number, as provided by the Office of the Utah County Recorder.

Park: A playground, or other area or open space providing opportunities for active or passive recreational or leisure activities.

Park and Ride Facility: A parking area and transit facility, the purpose of which is to allow the parking of motor vehicles with a connection to mass transit service.

Park Strip: The area located between the edge of asphalt or curb and the sidewalk, trail, or property line.

Parking Area/Parking Lot: An enclosed or unenclosed area, other than a street, and used or designed for the parking of four (4) or more vehicles.

Parking Space: An enclosed or unenclosed area used for parking or storage of one (1) automobile.

Pawnshop: Any person or establishment engaged in any of the following:

1. Lending money on deposit of personal property;
2. Dealing in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledger or depositor;
3. Lending or advancing of money on personal property by taking chattel mortgage security thereon and taking or receiving possession of such personal property; or
4. Selling unredeemed pledged personal property together with such new merchandise as will facilitate the sale of such property.

Permitted Use: For the purposes of this Ordinance shall include P-1 and P-2 Uses.

Personal Care Service: An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barbershops, custom tailoring and seamstress shops, electrolysis studios, portrait studios, shoe repair shops, tailors, tanning and nail salons, and weight loss centers. The term excludes "Tattoo Establishment."

Person: An individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

Pervious Material or Surface: Material that is penetrable by water.

Planning Commission: The Planning Commission of the City of Vineyard, Utah.

Plat: A map or other graphical representation of lands being laid out and prepared in accordance with LUDMA.

Plat, Final: A drawing prepared in accordance with the Land Use Ordinances showing the final design of a land division and complying with all standards and requirements of best surveying practice and in a form required by the Utah County Recorder's Office for recordation.

Plat, Preliminary: A drawing prepared in accordance with the Land Use Ordinances showing the design of a proposed land division.

Power Plant: An electrical energy generating facility with generating capacity of more than 50 megawatts and any appurtenant and associated facilities.

Primary Building: The principal building located on a lot, parcel, or tract of land and designed or used to accommodate the primary use.

Primary Use: The principal purpose for which a lot, parcel, tract, or building is designed, arranged or intended, or for which it is occupied or maintained.

Private Club: Any nonprofit corporation operating as a social club, recreational, fraternal or athletic association, or kindred association organized primarily for the benefit of its stockholders or members. A Private Club that serves liquor shall maintain compliance with all applicable state laws.

Private Drive: A non-dedicated thoroughfare used exclusively for private access to a lot, parcel, or tract of land.

Property: Any lot, parcel, or tract of land, including improvements thereon, and recorded as real property in the Office of the Utah County Recorder.

Property Line: The boundary line of a lot, parcel, or tract.

Public: That which is under the ownership or control of the United States Government, Utah State or any subdivision thereof, Utah County, or the City of Vineyard (or any departments or agencies thereof).

Public Use: A use operated exclusively by a public body or quasi-public body, such use having the purpose of serving the public health, safety, or general welfare, and including streets, parks, recreational facilities, administrative and service facilities, and public utilities, and found to conform to the General Plan, as adopted. Public Uses and Utilities do not include “Major Facility of a Public Utility,” as defined herein.

Public Hearing: A hearing at which citizens of the City and members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

Public Improvement: Any street dedications, installations of curb, gutter, sidewalk, road base and asphalt, water, sewer, and storm drainage facilities, or other utility or service required to provide services to a lot, parcel, building, or structure.

Public Meeting: A meeting that is required to be open to the public under Title 52, Chapter 4, Open and Public Meetings.

Qualified Professional: A professionally trained person with the requisite academic degree, experience, and professional certification or License in the field or fields relating to the matter being studied or analyzed.

Quasi-Public Use: A use operated by a private nonprofit educational, religious, recreational, charitable, or philanthropic institution, serving the public.

Reasonable Accommodation: A change in a rule, policy, practice, or service necessary to afford a person equal opportunity to use and enjoy a dwelling. As used in this definition “Reasonable” means a requested accommodation will not undermine the legitimate purposes of existing Zoning regulations notwithstanding the benefit that the accommodation would provide to a person with a disability, “Necessary” means the Applicant must show that, but for the accommodation, one or more persons with a disability likely will be denied an equal opportunity to enjoy housing of their choice, “Equal Opportunity” means achieving equal results as between a person with a disability and a non-disabled person.

Record of Survey Map: A map of a survey of land prepared in accordance with the laws of the State of Utah.

Reception Hall, Reception Center: A facility for the holding of events including but not limited to weddings, wedding receptions, community meetings, and group gatherings.

Recreational and Manufactured Home Standard: A standard adopted by the American National Standards Institute or the national fire protection association for recreational vehicles, and for mobile homes manufactured prior to June 15, 1976. For manufactured homes built after June 16, 1976, "standard" means the standard adopted pursuant to the National Manufactured Housing Construction and Safety Standards Act, 1974, as amended.

Recreational Vehicle: A vehicular unit primarily designed for recreational and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle, including but not limited to a travel trailer, a camping trailer, a truck camper, a motor home, boat, a fifth-wheel trailer and a caravan.

Recycling Collection Center: A use, often accessory in nature, providing designated containers for the collection, sorting and temporary storage of recoverable resources (such as paper, glass, metal and plastic products) to be transferred to a recycling processing facility. Recycling Collection Centers involve no more than 3 collection containers up to 40 cubic yards in total size. The operator of the collection center shall keep the collection center in proper repair and the exterior must have a neat and clean appearance.

Recycling Processing Facility: A facility where recyclable and organic materials are collected, stored and processed. Processing includes but is not limited to baling, briquetting, compacting, flattening, crushing, mechanical sorting, shredding, and cleaning. Recycling Processing Facility does not include Salvage Yard.

Residence: A dwelling unit or other place where an individual or family is living at a given point in time and not a place of temporary sojourn or transient visit.

Residence for Persons with a Disability that are Substance Abuse Facilities located within 500 feet of a School: A residence in which more than one (1) person with a disability resides; and is Licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or is Licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act. See definition of Disability.

Residential Activity: Any building, structure, or portion thereof that is designed for or used for residential purposes and any activity involving the use of occupancy of a lot or structure for residential purposes.

Residential Facility for Elderly Persons: A single-family or multiple-family dwelling unit that meets the requirements of LUDMA.

Residential Facility for Persons with a Disability: A residence in which more than one (1) person with a disability resides; and is Licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities; or is Licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act. See definition of Disability.

Residential Lease, Short Term: The use, occupancy, rent or lease, for direct or indirect compensation, of a structure or any portion thereof constructed for single family or multifamily occupancy or of any other residential property for an effective term of thirty (30) days or less.

Residential Uses: Means the uses identified in the Zoning District Use Matrix under the Residential category.

Restaurant: A building or facility for the preparation and retail sale of food and beverages.

Retail Sales and Services: Establishments engaged in the retail sale of goods and services, except those uses as otherwise clearly defined herein.

Retail Sales and Services (Community Commercial): Establishments engaged in the retail sale of goods and services. Community Commercial Retail Sales and Service businesses must conduct all sales of goods and services, with all associated storage of goods and materials, within a totally enclosed building (with the exception of occasional outdoor "sidewalk" promotions), with no separate individual building to exceed 3,000 square feet in total gross building and the total gross floor area of all buildings, on any separate, individual lot, does not exceed more than 6,000 square feet of gross building area.

Community Commercial Retail Sales and Services specifically excludes all sales, accessory uses, and service uses that typically display goods or services, or store goods or product in open, unenclosed areas, including but not limited to, automotive, truck, recreational vehicle, trailer, and manufactured home sales lots, repair yards, open storage areas, and all similar outside display and storage areas of goods, materials, equipment, and vehicles.

Retail Sales and Services (Regional): A commercial retail business that occupies more than 80,000 square feet of floor space, is a car or motor vehicle dealer, is a retail shopping facility (shopping center) that has at least one (1) anchor tenants if the total floor area of all tenants is more than 150,000 square feet, or is a grocery store of more than 30,000 square feet.

Revocation: A action by a Land Use Authority that has the effect to terminate any Approval, Permit, or License required by the city's Land Use Ordinances, including this Ordinance.

Right-of-Way: Any area provided for conveying vehicle and pedestrian traffic.

Roof Line: The highest point on any building or structure.

Salvage Yard: The use of any lot, portion of a lot, or 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 and/or the storage and sale of dismantled or damaged vehicles or their parts.

Sanitary Sewer Authority: The department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.

Seasonal Use: A Seasonal Use shall not exceed ninety (90) days. Such uses include fireworks stands, fruit or vegetable stands, beverage or snow cone vendors, and Christmas tree lots.

Self-Service Storage: An enclosed commercial storage facility providing independent, fully enclosed bays, which are leased to persons exclusively for storage of their household goods or personal property.

Self-Storage, Mixed Use: A single building containing more than the primary land use of self-storage, or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas. A mixed-use self-storage facility is intended to be used for a mix of uses between the primary use of a private noncommercial, non-industrial storage facility and general, professional office, medical or dental offices, retail or residential dwelling units' uses.

Sexual Oriented Business: A business which depicts, portrays, or describes "specified sexual activities" or "specified anatomical areas," or instruments, devices, or paraphernalia which are designated or used in connection with specified sexual activities, including but not limited to adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, or nude or seminude model studio.

Sign: A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, business, article or merchandise, service, assemblage, solicitation, or a request for aid; also, the structure or framework or a 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, Illegal: Any sign which does not conform to the requirements of this Ordinance and was constructed or installed without the necessary Approvals, Permits, or Licenses required by this Ordinance, or prior enactments.

Sign, Legal: A sign that conforms to the requirements of this Ordinance and has received all necessary Approvals, Permits, or Licenses, as required by this Ordinance, or prior enactments.

Sign, Noncomplying: A sign or sign structure of portion thereof lawfully existing at the time this Ordinance became effective, but which does not conform to all applicable requirements now provided by this Ordinance.

Sign, Non-maintained: A sign which, due to lack of repair, cleaning, painting, oiling, or changing of light bulbs has become deteriorated, hazardous, or non-functional.

Sign, Off-Premise: Any sign, including a billboard or general outdoor advertising device, that advertises or directs attention to a business, commodity, service, activity, or matter conducted, sold, or offered at a location other than on the lot, parcel, or tract upon which such sign is located.

Sign, On-Premise: A sign that directs attention to a business, commodity, product, use, service or other activity that is sold, offered or conducted on the lot, parcel, or tract upon which such sign is located.

Site Plan: A schematic, scaled drawing of a lot, parcel, or tract which indicates, as may be required by this Ordinance, including but not limited to the placement and location of buildings, setbacks, yards, property lines, adjacent parcels, utilities, topography, waterways, irrigation, drainage, landscaping, parking areas, driveways, trash containers, streets, sidewalks, curbs, gutters, signs, lighting, fences and other features of existing or proposed use, activity, building or structure.

Slope: The level of inclination of land from the horizontal plane determined by dividing the horizontal run or distance, of the land into the vertical rise, or distance, of the same land and converting the resulting figure in a percentage value.

Special District: An entity established under the authority of Title 17A, Special Districts, U.C.A., 1953, as amended.

Specified Public Utility: Means an electrical corporation, gas corporation, or telephone corporation, as those terms are defined in Section 54-2-1, U.C.A., 1953, as amended.

Start of Construction: The issuance date of a Building Permit if construction, repair, reconstruction, placement, or other improvement begins within one hundred eighty (180) days of the Permit date. “Begins” means the date of the commencement of the first development activity on the site.

Story: The space within a building, included between the surface of any floor and the surface of the ceiling next above.

Street: A public right-of-way, including a highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, tunnel, bridge, public easement, or other way.

Structural Alterations: Any change in supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

Subdivision: Means any land that is divided, resubdivided or proposed to be divided into two 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 the installment plan or upon any and all other plans, terms, and conditions, and as further defined by LUDMA.

Subdivision Application: The Applications required by the City of Vineyard Subdivision Ordinance and required to initiate the review procedures for any required subdivision approval.

Substantial Action: Action taken in good faith to diligently pursue any matter necessary to obtain approval of an Application filed pursuant to the provisions of this Ordinance or to exercise development rights authorized pursuant to such an approval.

Swimming Pool: An artificial body of water having a depth in excess of eighteen inches, designed, constructed and used for swimming, dipping or immersion purposes by men, women or children, and located on a same lot or parcel as a dwelling, or dwellings.

Temporary Use: A use or event established for a maximum period of sixty (60) days, such use or event being discontinued after the expiration of sixty (60) days.

Tennis Court/Sports Court: An improved area used for the playing of tennis or other sports activities, including, but not limited to, basketball and volleyball, and located on a same lot or parcel as a dwelling, or dwellings.

Trailer/RV Camping Facilities: Any area or tract of land used or designed to accommodate two (2) or more travel trailers, recreational vehicles, motor homes or camping parties.

Travel Trailer: A vehicular, portable unit, mounted on wheels, not requiring special highway movement permits when drawn by a motorized vehicle:

1. Designed for travel, recreational and vacation use; and
2. When factory equipped for the road, having a body width of not more than eight feet (8') and a body length of not more than forty feet (40').

Unincorporated: Means the area of Utah County, Utah and located outside of the incorporated area of the City of Vineyard, or another municipality.

Use: The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.

USGS: The United States Geological Survey.

Utilities: Include, but are not limited to, natural gas, electric power, cable television, telephone, telecommunication services, storm system, sewer system, irrigation facilities, culinary water, street lights and other services deemed to be of a public-utility nature by the city.

Utility Easement: The area designated for access to construct or maintain utilities on a lot, parcel, or tract of land.

Utility, Public Major Facility: Any overhead or underground electric transmission lines (greater than 115,000 volts), substations of electric utilities; gas regulator stations, transmission and gathering pipelines and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities, water treatment plant, sewage treatment plant, or similar public or quasi-public use or activity.

Utility, Public Minor Facility: Any water, sewer power, gas, telephone, cable television, or other utility, distribution line, or facility, which is located underground and buried beneath the surface of the ground.

Variance: A modification granted by the Land Use Hearing Officer to a development standard with a finding of hardship.

Vehicle: A Licensed automobile, truck, trailer, boat or other device in which a person or thing is or can be transported from one (1) place to another.

Vehicle and Equipment Repair (Major): An establishment primarily engaged in the major repair or painting of motor vehicles or heavy equipment, including auto body repairs, installation of major accessories and transmission and engine rebuilding services. Typical uses include major automobile repair garages, farm equipment repair, paint, and body shops.

Vehicle and Equipment Repair (Minor): An establishment providing motor vehicle repair or maintenance services and conducted entirely within completely enclosed buildings, but not including paint and body shops or other activities associated with Vehicle and Equipment Repair (Major). Typical uses include businesses engaged in the following activities: electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, frontend alignments, battery recharging, lubrication, and sales, repair and installation of minor parts and accessories such as tires, batteries, windshield wipers, hoses, windows, etc. Vehicle and Equipment Repair (Minor) may include the retail sale of fuels, lubricants and other supplies for motor vehicles.

Vehicle and Equipment Sale and Rental: A facility providing for the sale, lease, or rental of new or used vehicles, including automobiles, trucks, motorcycles, recreational vehicles, or boats. The cleaning and routine maintenance of motor vehicles is allowed as an accessory use.

Violated or Violating: There exists reasonable cause to believe that an Ordinance, Code, Statute, or Law has been, or is being broken.

Warehouse Club: A retail business requiring patron membership, and selling packaged and bulk foods and general merchandise characterized by high volume and a restricted line of popular merchandise in a no-frills environment. Examples include, but are not limited to Wholesale Club, Costco, and Sam's Club.

Wholesale Distribution: A business that maintains an inventory of materials, supplies and goods related to one or more industries and sells bulk quantities of such materials, supplies and goods from its inventory to retail companies within the industry and which may include the parking and storage of distribution vehicles, and accessory activities.

Wireless Telecommunication Facility: A facility used for the transmission or reception of electromagnetic or electro-optic information, including wireless telecommunications facilities such as “cellular” or “PCS” (Personal Communications Systems) – communication and paging systems. This use is not required to be located on a separate lot or to comply with the minimum lot size requirement for the District in which it is located but is required to meet the design and locational requirements, as established for such uses, as provided by this Ordinance. Telecommunications Site/Facility does not include radio antennas complying with the ruling of the Federal Communications Commission in “Amateur Radio Preemption, 101 FCC 2nd 952 (1985)” or a regulation related to amateur radio service adopted under 47 C.F.R. Part 97.

Yard: An open space on a lot, parcel or tract of land, unoccupied and unobstructed from the ground upward by buildings, except as otherwise provided herein.

Yard, Front: An open space on the same lot with a building between the front line of the building and the front lot line and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.

Yard, Rear: An open, unoccupied space on the same lot as a building, between the rear line of the building and the rear lot line and extending the full width of the lot except, on corner lots, the rear yard shall not include the side yard bordering the street.

Yard, Side: An open, unoccupied space on the same lot as a building, between the rear line of the building and the front line of the building and extending from the side line of the building to the side lot line; except, on corner lots, the side yard bordering the street shall extend to the rear from the front line of the building to the rear lot line, the same distance as is required for side yard setbacks on corner lots in each zone.

Zoning District: An area of the city that has been given a designation which regulates the construction, reconstruction, alteration, repair, or use of buildings or structures, or the use of land as set forth in this Ordinance.

Zoning Districts Map: The map, adopted as part of a Land Use Ordinance, including this Ordinance that depicts and identifies the geographic location of the Zoning Districts provided by this Ordinance.

Zoning Ordinance: This Ordinance, and any amendments thereto as may be amended from time to time. This Ordinance is determined and identified to be a Land Use Ordinance of the City of Vineyard, Utah.

SECTION 6: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from July 22, 2020 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
John Earnest	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Chris Judd	_____	_____	_____	_____
Cristy Welsh	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder
Vineyard