



**REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Wednesday, November 4, 2020 at 6:00 p.m.**

This meeting will be held electronically because of the gathering restrictions in force due to the COVID-19 Pandemic.

Please click the link below to access:

<https://zoom.us/j/95514019384?pwd=ZTV5WlAwRlBITDhBNXovMGtPYks0QT09>

Meeting ID: 955 1401 9384

Passcode: 003367

One tap mobile

+16699006833,,95514019384#,,,,,0#,,003367# US (San Jose)

+12532158782,,95514019384#,,,,,0#,,003367# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Live stream is also available at https://www.youtube.com/channel/UC_IoRhVzIR3LJPp7V9i-lqw.

CALL TO ORDER

1. WRITTEN DETERMINATION

This meeting will be an electronic meeting according to Vineyard Municipal Code Section 3.08.030.

I, Anthony Jenkins, as the Chair of the Vineyard Planning Commission, do hereby find and declare as follows:

1. Due to the Emergency conditions which currently exist in the State of Utah, and specifically in Utah County and Vineyard City as a result of the COVID-19 Pandemic and the recent surge in COVID-19 infections across the state and in Utah County, the holding of public meetings with an anchor location as defined in the *Utah Open and Public Meetings Act*, presents a substantial risk to the health and safety of those who may be present at the anchor location; and
2. The risk to those who may be present at an anchor location can be substantially mitigated by holding public meetings of the Planning Commission pursuant to electronic means that allow for public participation via virtual means; and
3. The City has the means and ability to allow virtual participation in the public meetings in accordance with the *Utah Open and Public Meetings Act*;

NOW THEREFORE, BASED UPON THE FOREGOING,

For thirty days from the date of this Order, meetings of the Vineyard Planning Commission shall be conducted by virtual means without an anchor location.

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 future agenda. However, the Planning Commission may elect to discuss the item if it is an immediate matter of concern.

4. MINUTES REVIEW AND APPROVAL:

4.1 October 21, 2020 PC Meeting Minutes

5. BUSINESS ITEMS: None

6. PUBLIC HEARINGS

6.1 ZTA 15.38 Parking Regulations & 15.060.020 Definitions

The Planning Commission will hold a public hearing and consider Ordinance 2020-15. This ordinance proposes modified language allowing the Planning Commission the ability to reduce onsite parking requirements for specified nonresidential uses. Additionally, this ordinance increases front yard parking coverage allowances and amends the method used in determining front yard areas.

6.2 ZTA 15.34.030 Accessory Buildings, 15.12 Establishment of Districts and Zoning Tables and 15.34.150 Home Occupations

The Planning Commission will hold a public hearing and consider Ordinance 2020-16. This ordinance proposes adding provisions allowing accessory structures to be used with approved home occupations, allowing detached accessory structures within established side/front yard areas of a single-family zoned lot and clarifies setback requirements for residential swimming pools.

7. COMMISSION MEMBERS’ REPORTS AND EX PARTE DISCUSSION DISCLOSURE

8. ADJOURNMENT

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 Briam Amaya Perez, Planner II, at least 24 hours prior to the meeting by calling (801) 226-1929 or email at briamp@vineyardutah.org.

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: November 3, 2020

NOTICED BY: /s/ Briam Amaya Perez

Briam Amaya Perez, Planner II

**ORDER ON PUBLIC MEETINGS OF THE
VINEYARD PLANNING COMMISSION**

I, Anthony Jenkins, as the Chair of the Vineyard Planning Commission, do hereby find and declare as follows:

1. Due to the Emergency conditions which currently exist in the State of Utah, and specifically in Utah County and Vineyard City as a result of the COVID-19 Pandemic and the recent surge in COVID-19 infections across the state and in Utah County, the holding of public meetings with an anchor location as defined in the *Utah Open and Public Meetings Act*, presents a substantial risk to the health and safety of those who may be present at the anchor location; and
2. The risk to those who may be present at an anchor location can be substantially mitigated by holding public meetings of the Planning Commission pursuant to electronic means that allow for public participation via virtual means; and
3. The City has the means and ability to allow virtual participation in the public meetings in accordance with the *Utah Open and Public Meetings Act*;

NOW THEREFORE, BASED UPON THE FOREGOING,

For thirty days from the date of this Order, meetings of the Vineyard Planning Commission shall be conducted by virtual means without an anchor location.

DATED this 3 day of November, 2020.

By: _____

Anthony Jenkins, Chair

ATTEST: _____

Pamela Spencer, City Recorder





**REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Vineyard City Hall, 125 S Main St., Vineyard, Utah
Wednesday, October 21, 2020 at 6:00 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

Commissioner Tim Blackburn

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

Staff Present: Community Development Director Morgan Brim, Planner II Briam Amaya Perez,
and Assistant City Engineer Chris Wilson

Others Present: Jason Peery with Circustrix and Resident David Lauret

1. CALL TO ORDER

Chair Jenkins called the meeting to order at 6:05 p.m.

2. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE

Chair Jenkins asked Commissioner Bryce Brady for an invocation.

3. OPEN SESSION

Chair Jenkins asked if anyone from the public had any questions for the open session.
Hearing none, he closed the open session.

4. MINUTES REVIEW AND APPROVAL:

No minutes were presented for review and approval.

5. BUSINESS ITEMS:

No items of business were presented.

6. WORK SESSION

6.1 ZTA Parking Regulations: VZC 15.38.030(2)[c]

The applicant requested a code amendment to change the required amount of parking stalls required for his business.

41 Planning Commission Chair Jenkins turned the time over to Community Development
42 Director Morgan Brim.

43
44 Mr. Brim explained that the purpose of this discussion is for a zoning text amendment
45 for Jason Peery. Mr. Peery is wanting to build a pickleball facility but wants the parking
46 code to be amended for this specific use. Currently, there is a requirement for 5 parking
47 spaces per thousand square feet. Mr. Peery believes that a parking study would
48 determine the actual need of space for this facility. Mr. Brim discussed similar parking
49 requirements from Sandy, Logan, Saratoga Springs, and Lehi.

50
51 Chair Jenkins stated that he is typically against commercial parking minimums, as
52 business owners know exactly how much parking they might need. Extra parking is
53 costly for business owners.

54
55 The applicant, Jason Peery, discussed his involvement in the indoor recreation sector.
56 He is one of the co-owners of Circustrix, the largest indoor trampoline park company in
57 the world. He believes that an indoor pickleball facility would be put to use by the
58 community and be successful. He is concerned with purchasing more land than what is
59 needed for his use, which he believes is 3 parking spaces per thousand square feet. With
60 17 indoor courts, the facility would reach full capacity at 68 people. With this size of
61 building, only 1 per thousand would be necessary for parking needs.

62
63 Commissioner Jeff Knighton stated that he agreed with Chair Jenkins. He stated he
64 understood that parking requirements can be very restrictive. He did not want to over-
65 pave and over-park and counseled to be aware that parking may increase if tournament
66 seating is included in the facility.

67
68 Mr. Brim asked Mr. Peery if he intended on including tournament seating. The applicant
69 responded that is not currently in the plans. Minimal seating would be included for the
70 center court. He doesn't believe more than 100 spectators would be attending the
71 facility.

72
73 Mr. Brim stated that the City could perform a parking study based on the proposed site
74 plan. The City could make sure to account parking for all proposed uses within the
75 facility. Mr. Peery stated that Ryan Hales owner of Hales Engineering would be
76 performing the parking study.

77
78 Mr. Brim discussed how parking uses in other categories such as restaurants need
79 revision as different types of restaurants have different turnover times, thus requiring
80 more or less parking than others.

82 Chair Jenkins stated that the City should be open to what the parking studies say. Where
83 neighboring businesses exist, shared parking could be considered. Chair Jenkins asked
84 for opinions from Commissioner Amber Rasmussen and Commissioner Bryce Brady.
85 Commissioner Brady said that he believed most businesses know what they need and
86 the city's role is to help them make good decisions regarding parking. He mentioned
87 how different uses need different parking requirements such as a shooting range
88 compared to an art facility. Commissioner Rasmussen stated she was pro-parking study,
89 but asked what happens if the parking study improperly predicts the amount of parking
90 needed.

91
92 Mr. Brim stated several solutions in the case that parking problems surface. Retroactive
93 planning might need to be adapted to fix issues that arise. It would be up to parking
94 enforcement to regulate any overflow parking. From a legal aspect, if any issues arise
95 after the plan had been improved, the city is not able to enforce any new rules. Mr.
96 Peery stated that it is in their best interest to get the parking right. They want to avoid
97 being forced to buy extra land.

98
99 Mr. Brim stated that the City has the benefit of having this proposal reviewed by a
100 professional engineer. In the end, Staff will analyze the proposed parking strategy and
101 make recommendations based on discovered issues. Commissioner Rasmussen asked if
102 the parking study would apply only for this business or if it would be applied to the
103 whole City. Mr. Brim replied that by including it into the parking code, it would allow 4-5
104 different types of uses to apply for a parking reduction based off a parking study.
105 Commissioner Rasmussen asked if the city would pay for the study or the business. Mr.
106 Brim stated that the applicant would pay for the parking study.

107
108 Chair Jenkins asked if the facility included tennis and restaurants also. The applicant
109 responded only pickleball courts with food trucks. He compared this to a Chicken and
110 Pickle, a similar pickleball facility in the Midwest.

111
112 Chair Jenkins indicated that he was in favor of a parking reduction as long as a parking
113 study was included. Similarly, if someone was to overbuild parking, Chair Jenkins would
114 want a study done to determine if that is actually needed.

115
116 Mr. Brim informed Mr. Peery that we will put this on the agenda for a public hearing for
117 the November 4, 2020 Planning Commission Meeting. He asked Mr. Peery to have a
118 parking study prepared before the public hearing.

119
120 Chair Jenkins concluded by speaking for the counsel saying that they are flexible and
121 open to new, and innovative businesses.
122

123 **6.2 ZTA Front Yard Parking Coverage: VZC 15.38.030(2)[b]**

124 Chair Jenkins turned the time over to staff to present the next issue.

125
126 Mr. Brim detailed the history regarding the code on front yard parking coverage. He
127 read this part of the code into the record: “parking shall not exceed a maximum of
128 thirty- five percent (35%) of the front yard area, except on lots less than seven thousand
129 (7,000) square feet in which case the excess vehicle and visitor parking may be located
130 on up to fifty percent (50%) of the front yard. This standard is similar to most cities in
131 Utah Valley. Except that other cities were developed historically, meaning that they had
132 a main street and downtown with .5-1-acre farmland around. Vineyard meanwhile was
133 built much more compact. The code reflects a standard adopted long ago when lots
134 were much larger.

135
136 Mr. Brim stated that this code has created some issues in that, historically, the Building
137 and Planning Departments did not enforce this code. Due to this being an administrative
138 error, we can no longer retroactively deny already approved building permits and cause
139 residents to take out hardscape in their front yards.

140
141 Mr. Brim also included that because the city’s housing program allowed for ADU’s, more
142 hardscape was necessary to accommodate needed parking. ADU’s were beneficial to the
143 city in that they help residents supplement their income and provided more housing
144 availability within the city. He asked the Commission how they felt about the increased
145 size of hardscape for larger lots.

146
147 Chair Jenkins asked Mr. Brim if a permit is need to pour cement. Mr. Brim stated that it
148 was not. Nevertheless, the City wanted to encourage anyone who wanted to pour
149 additional cement that this action should be discussed with the city engineer or their
150 designee. This could be written into the city code. A public education outreach could be
151 commenced to reestablish where the threshold is.

152
153 Resident, Ryan Erdmann, from the Willows subdivision, came to the pulpit. He lives in
154 the Willows. He decided to move to the Willows from Bridgeport due to the availability
155 of larger lots. Mr. Erdmann Expressed support for the 50% parking across the board.
156 Additional parking space would allow for accommodating ADU tenants and their guests,
157 and safer streets for their children. He expressed frustration for how the ordinance
158 measured the front yard-based on the face of the house closet to the street. Mr. Brim
159 suggested that the code should measure front yards from the corners of the house
160 outward across the entire width of the property. This would require a change in the
161 definition of front yard.

162
163 Commissioner Rasmussen expressed concern that the code, as written, may prefer
164 wealthier residents and provide them added benefits. Commissioner Knighton

expressed that concrete does not determine aesthetics. A front yard which is 50% paved will not negatively affect aesthetics. This regulation significantly provides moderate income housing stock.

Mr. Erdmann spoke to a parking issue in Windsor with driveways that are too short. To secure safety, he encouraged the City to require developers to design houses with driveways that are long enough to comfortably accommodate cars.

A conversation regarding the process for submitting a code enforcement complaint regarding illegal ADU'S and driveway coverage ensued. Mr. Brim stated that the City cannot prohibit parking on private streets.

Commissioner Sullivan expressed support for an Assemble Poll regarding ADU's. She also expressed support for the 50% driveway coverage. Commissioner Brady suggested that when the Assemble poll is sent out, residents should submit first what neighborhood they reside in. Chair Jenkins suggested that any questions in the poll should be scripted to reduce emotions.

6.3 ZTA Home Occupations: VZC 15.34.150

The core of this issue was previously well discussed. It was included in this discussion so that the issue is not forgotten on the staff agenda.

6.4 ZTA Accessory Structures within Side Yards: VZC 15.34.030

Chair Jenkins introduced the subject and then turned the time to Mr. Brim to explain. Requests have been made to allow detached garages in side yards in places such as James Bay and Holdaway Cove. Accessory buildings in side lots of corner lots cannot exceed a height limit of 10'. Mr. Brim suggested that this should be revisited. This text amendment could limit it to detached garages only. Chair Jenkins stated that staff should ask themselves what they are trying to avoid when scripting this code.

7. COMMISSION MEMBERS' REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Commissioner Knighton thanked Ryan Erdmann for showing up to the meeting and encouraged all Vineyard residents to come speak to the City whenever a concern arose. They will be heard.

Mr. Brim stated that the Planning Department would have a meeting once a year discussing the goals and plans of the General Plan.

Chair Jenkins called for a motion to adjourn the meeting.

Motion: COMMISSIONER BRADY MOVED TO ADJOURN THE MEETING AT 7:45 PM. VICE-CHAIR KNIGHTON SECONDED THE MOTION. ROLL WENT AS FOLLOWS: CHAIR JENKINS, COMMISSIONERS GUDMUNDSON, RASMUSSEN, SULLIVAN, AND WELCH VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

8. ADJOURNMENT

Meeting was adjourned at 7:45 p.m.

NOTICED BY: /s/ Cache J. Hancey

Cache J. Hancey, Planning Technician



COMMUNITY DEVELOPMENT

DATE: November 4, 2020
FROM: Morgan Brim, Community Development Director
TO: Planning Commission
ITEM: Public Hearing and Consideration of Ordinance 2020-15 Parking Study and Front Yard Parking Coverage
APPLICANT: Jason Peery applied for parking study amendment; the city initiated the text amendment for parking coverage allowances.

INTRODUCTION:

The Planning Commission discussed the proposed zoning text amendments in their last work session meeting held on October 21, 2020. The zoning ordinance currently contains larger categorical uses like recreation, restaurants and medical facilities. This umbrella uses contain many specific subsets uses like birth centers, ambulatory surgical facilities and blood banks. Each of uses will have different parking demands and hours of operation. Similar to medical uses, recreational facilities under the Vineyard Zoning Code includes several subset uses like sporting complexes, stadiums, skating rinks, pool halls, and racquet clubs. The proposed text amendment will allow the applicant to provide a parking study from a qualified professional and request the number of parking spaces be reduced per individual uses.

Additionally, this ordinance amends parking coverage within residential front yards. Single-family residences will be allowed to contain a parking surface in the front yard area, bounded by the garage facade (internal square footage dedicated to the garage), the front property line, and the side property line adjacent to the garage area. The front yard area between the front entry into the home, front property line, and side property line opposite of the side property line adjacent to the garage area shall not contain parking or surface material dedicated toward parking. In no case shall parking areas or driveways cover more than sixty-five percent (65%) of the front yard area. This new language would ensure most current single-family homes are now in compliance with city code while ensuring the area adjacent to the main entrance remain open from parking.

RECOMMENDATION:

Staff is recommending approval of the proposed ordinance.

PLANNING COMMISSION PROPOSED MOTION:

"I move to recommend approval of the proposed zoning Ordinance 2020-15."

ATTACHMENTS:

- Proposed Ordinance 2020-15.

**VINEYARD
ORDINANCE 2020-15**

AN ORDINANCE OF THE VINEYARD CITY, UTAH, AMENDING THE VINEYARD ZONING ORDINANCE TO AMEND CHAPTER 15.38 PARKING AND LOADING REQUIREMENTS, SECTION 15.38.030 (B) TO REPLACE FRONT YARD AREA GRAPHIC AND ADD NEW GRAPHIC FOR PARKING COVERAGE, ADDING PROVISIONS TO SPECIFY AREAS FOR VEHICULAR PARKING WITHIN FRONT YARD AREAS AND PROVIDING A MAXIMUM COVERAGE OF SIXTY-FIVE PERCENT, PROVIDING ALLOWANCES FOR PARKING REDUCTIONS BASED ON PARKING STUDIES APPROVED BY THE PLANNING COMMISSION; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN AFFECTIVE 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 welfare of the community through local land use planning and the adoption of the 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 November 4, 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 Zoning Text Amendment, held a public hearing on November 11, 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 on November 11, 2020, adopt the proposed Zoning Text Amendments.

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

SECTION 1: AMENDMENT "15.38.010 Purpose" of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.38.010 Purpose

It is the purpose of this Section ~~is~~ to protect the public health, safety, and welfare by providing for the orderly parking of motor vehicles and the implementation of related site elements.

SECTION 2: AMENDMENT "15.38.020 Plans Required" of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.38.020 Plans Required

Applications for a building permit for new construction, additions, alterations, or change in use shall include a site plan at an appropriate scale that clearly shows proposed site improvements relating to parking as required by this Section. All plans shall show the location, arrangement and dimensions of off-street parking area(s), parking spaces, parking lanes, aisles/driveways, points of ingress and egress, walls, landscaping and barriers. Sidewalks, pedestrian ways, bicycle facilities and their access shall also be shown. The access or driveway locations, width and spacing as well as sight lines and distances, the arrangement of spaces, stall dimensions, surfacing, striping and lighting shall be in compliance with adopted ~~city~~ **Town** standards.

SECTION 3: AMENDMENT "15.38.030 Parking Requirements" of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.38.030 Parking Requirements

1. Off-street parking spaces shall be provided according to the following provisions and standards.

a. **General Provisions**

i. **Floor Area.** The term "floor area" for the purpose of calculating the number of required parking spaces shall be the "Gross Floor Area" of the structures plus defined exterior use areas except as may be provided or modified herein.

b. **Change of Use or Occupancy of Buildings.** Off-street parking and loading spaces as required herein shall be provided at the time of any new uses of land or construction of a new building. Any change of use or occupancy of any building or buildings, including additions thereto, requiring more parking shall not be permitted until such additional parking spaces as required by this Section are provided.

c. **Parking for a Residential Use.** Off-street parking facilities for residential uses shall be utilized solely for the parking of licensed and operable passenger vehicles owned by the occupants of the residence or the parking of passenger automobiles by guests of said occupants.

d. **Accessible Parking**

i. Accessible parking for non-residential developments shall be provided in conformance with the, Americans with Disabilities Act (ADA), Utah Americans with Disabilities Act (Utah ADA) and International Building Code (IBC) as amended.

ii. Accessible parking for multiple-family residential developments shall be provided in conformance with the Americans with Disabilities Act (ADA), Federal Fair Housing Act (FFHA) and International Building Code (IBC) as amended.

e. **Parking Stall Dimensions.** The following shall be the minimum parking stall size:

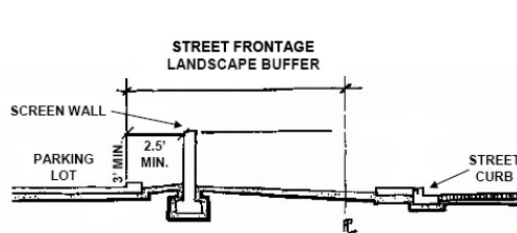
Type	Width	Length*
Standard	9 Feet	20 Feet
Parallel	8 Feet	24 Feet

* The front of the parking space may overhang two (2) feet into a landscape strip or pedestrian walkway, however, any parking spaces protruding over a pedestrian walkway shall maintain at least a four (4) foot wide clearance for pedestrian access (a total of six (6) feet from the curb face to the opposite edge of the walkway).

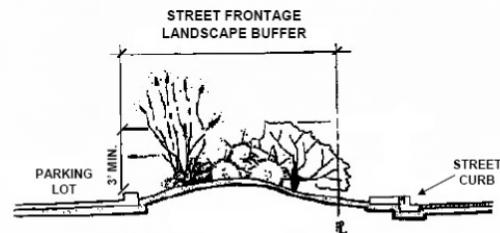
f. **Parking Aisle Dimensions.** The following shall be the minimum parking aisle width:

Parking Angle	One-Way Aisle	Two-Way Aisle
90 degree	24 Feet	24 Feet
60 degree	18 Feet	22 Feet
45 degree	18 Feet	20 Feet
30 degree	18 Feet	20 Feet

- g. **Parking Lots.** Parking lots shall be designed in groupings no larger than two hundred (200) spaces. Larger lots shall be divided by buildings, plazas, or significant landscaped areas oriented for pedestrian use.
- h. **Within Structures.** The off street parking requirements may be furnished by providing spaces designed within the principle building or a parking structure. However, no building permit shall be used to convert said parking structures into a dwelling unit, living area, or other activity until other adequate provisions are made to comply with the required off-street parking provisions of this Section.
- i. **Circulation Between Bays.** Parking areas shall be designed so that circulation between parking bays occur within the designated parking lot and does not depend upon a public street or alley. Parking area designs which require backing into a public street are prohibited except one, two or three-family dwellings.
- j. **Surfacing.** All areas intended to be utilized for parking space, access aisles, and driveways shall be paved with concrete or asphalt to control dust and drainage. Areas for outdoor storage of material and equipment may be covered with decomposed granite to provide a dust-free surface. Such area shall not be considered as part of a required landscape area.
- k. **Striping.** Except for one, two and three-family dwellings, all parking stalls shall be marked with painted lines not less than four inches (4") wide.
- l. **Lighting.** Parking lots used during hours of darkness shall be illuminated. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light down and/or away from adjoining property, abutting residential uses and public right-of-ways and shall be a maximum of twenty-five (25) feet in height above the surface of the parking lot for non-residential uses and sixteen (16) feet for residential uses.
- m. **Protruding Vehicles.** All on-site parking stalls shall be designed and constructed so that parked vehicles shall not protrude over a property line.
- n. **Screening.** All off-street parking lots of four (4) or more spaces shall be screened from the street view and adjacent residential districts by a landscaped berm, decorative wall, vertical landscaping, or combination thereof at least three (3) feet high, as measured at finished grade adjacent to the parking area to be screened. All walls or berms shall be installed a minimum of two and one-half (2.5) feet back from the edge of the parking stall.



SECTION AT TYPICAL SCREEN WALL



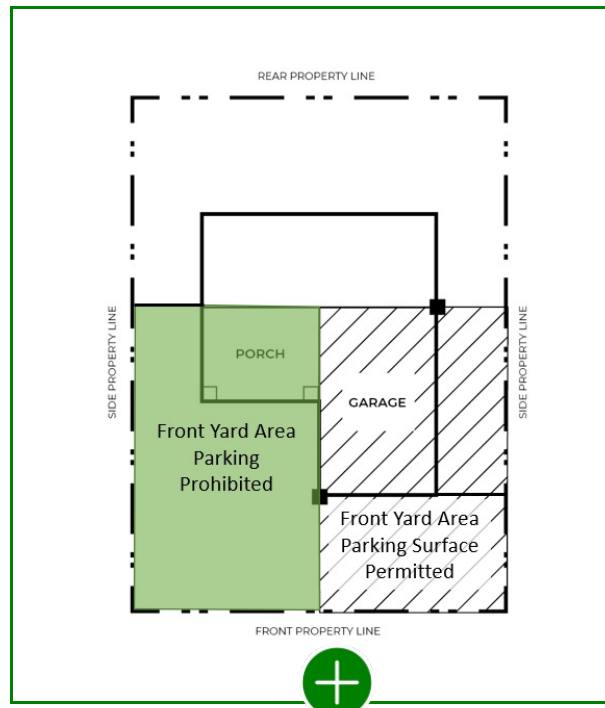
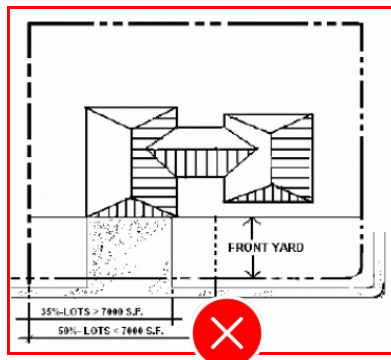
SECTION AT TYPICAL LANDSCAPED BERM

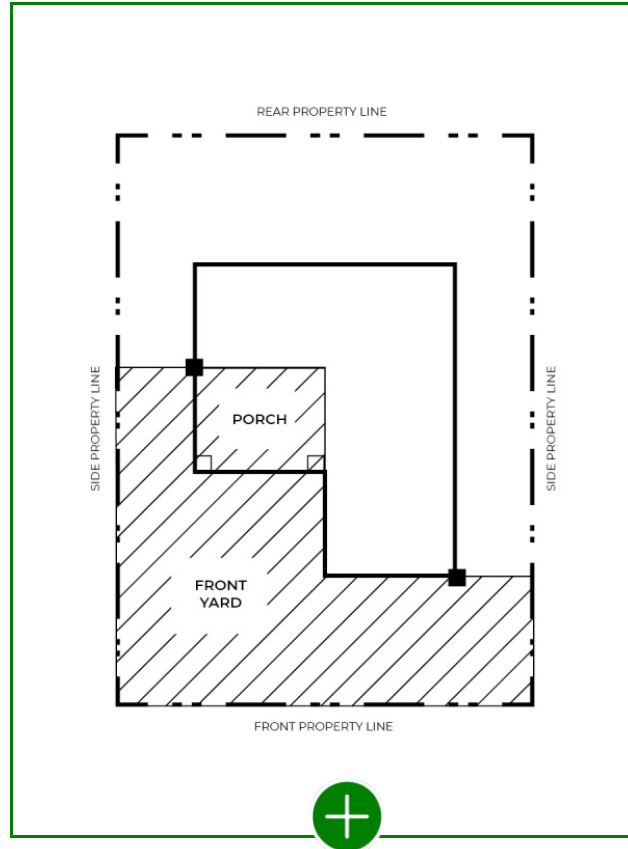
- o. **Parking Area Landscaping**
- Five percent (5%) of the gross parking surface area shall be of dispersed interior landscaping, designed so as to reduce the "heat island" effect and to enhance the aesthetics of a parking area. A development with single drive aisle between a building and property boundary may include the required landscaping on the perimeter of the drive aisle toward this requirement. The following are acceptable interior landscaping designs:
 - Five (5) feet by five (5) feet tree diamonds placed not more than six (6) parking spaces apart and located at the intersection of parking stalls. Tree diamonds shall be used only with ninety (90) degree parking spaces.
 - Minimum five (5) feet wide landscape medians with trees planted forty (40) feet apart;
 - Minimum five (5) feet wide landscape islands and peninsulas with at least one (1) tree;
 - Other similar designs that disperse landscaping throughout a parking area, to be determined by the Planning Commission.
 - Parking areas should be buffered from adjacent residential property and screened from streets so automobiles are not visible below the average headlight height. Screening methods may include landscaped berms, low walls, and hedges.
 - Access drives, internal circulation drives, parking areas, and pedestrian walkways shall be designed to provide safety and convenience for both motorists and pedestrians and to ensure access for the physically disabled. Areas where pedestrian walkways cross driveways shall be constructed of stamped and/or raised concrete, or of other material and design so as to differentiate the area as a pedestrian/vehicle interface.
 - In projects greater than 1 acre, every parking space should be no greater than one hundred fifty (150) feet from a walkway leading to a building entrance.
 - Joint use of parking is encouraged in order to reduce trips. Access to, and the location of, new parking areas should relate to adopted area plans, planned parking in the area, or to existing area parking schemes. The Planning Commission may increase or reduce the minimum required number of parking spaces required based on city approved parking studies.
 - The number of curb cuts (street accesses) should be minimized and pedestrian access enhanced.
 - Site lighting should be aesthetically attractive, of pedestrian scale, and provide pedestrians with a sense of security.
 - All sites shall meet the requirements of the Americans with Disabilities Act ("ADA").
 - Parking lot design shall consider development on adjacent sites. The City may require cross access connections/easements to improve traffic circulation and to enhance public safety.
 - Traffic circulation patterns should direct commercial traffic onto arterial streets and not local/neighborhood streets. Multiple-family residential traffic should be directed onto collector streets. The City may deny access onto a local/residential street if access to a collector or arterial street is available.
 - A site plan shall be designed to separate pedestrian and vehicular traffic to the extent possible.
- p. **Maintenance**
- It shall be the joint and separate responsibility of the owner and/or lessee of the principal use, uses or building to maintain in a neat and adequate manner, the parking space, access ways, striping, landscaping, and required fences or screening.
 - Shrubs within a landscape island shall be maintained to a maximum height of three (3) feet, and all trees at maturity within such planters shall maintain a minimum clearance of six (6) feet from the lowest branch to the adjacent grade elevation.
- q. **Use of Required Parking Areas for Parking Only.** Required off-street parking spaces in any district shall not be utilized for open storage, sale or rental of goods, or storage of inoperable vehicles, except when permitted as a Temporary Use.
- r. **Signs.** No sign shall be so located as to restrict the sight lines and orderly operation and traffic movement within any parking area.
- s. **Parking Canopies, Non-Residential and Multi-Family Residential Land Uses**
- Covered parking canopies may be located within the required side and rear building setbacks provided the structure drains onto the property on which it is located.
 - Covered parking canopies may encroach into required side and rear building setbacks, but may not encroach into required landscaped buffers.
 - Height of such structures shall be limited to 10'.
 - All canopies shall include a fascia.
 - Setbacks are measured from property line to nearest edge of canopy.
 - All required landscaping, parking or otherwise, shall be provided.
2. **Off-street Parking Requirements.** The following minimum number of off-street, paved parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth. Any proposed uses not listed herein will be determined by the ~~Town~~ Planner through the site plan approval process.
- a. **Residential Uses.** Parking Spaces Required:

Dwelling Types	
Single-family	4.0 Spaces/Unit
Two-family	4.0 Spaces/Unit
Three-family	4.0 Spaces/Unit
Multi-family**	
Efficiency/Studio	1.0 Spaces/Unit
1 Bedroom	1.5 Spaces/Unit
2 Bedrooms	2.0 Spaces/Unit
3 Bedrooms	3.0 Spaces/Unit
**In addition to the required spaces, 0.5 guest stalls per unit shall be included.	

b. Additional Residential Parking Requirements

- i. All standard front-entry garage and carport entrances shall be setback a minimum of eighteen (18) feet from the street right-of-way line, access easement or private roadway tract.





- iii. It shall be unlawful to park or store any vehicle within the front or side yard of a single-family residence use unless such parking or storage is on an improved, dustproof- parking surface such as concrete or asphalt or crushed rock or aggregate that is a minimum of three inches thick. All crushed rock or aggregate shall be contained by a permanent border. Parking within the front yard of a single residence use shall be on or contiguous to a legal driveway.
 - iv. ~~Single-family residences may contain a parking surface in the front yard area, bounded by the garage facade (internal square footage dedicated to the garage), the front property line, and the side property line adjacent to the garage area. The front yard area between the front entry into the home, front property line, and side property line opposite of the side property line adjacent to the garage area shall not contain parking or surface material dedicated toward parking. In no case shall parking areas or driveways cover more than sixty-five percent (65%) of the front yard area. Such parking shall not exceed a maximum of thirty-five percent (35%) of the front yard area, except on lots less than seven-thousand (7,000) square feet in which case the excess vehicle and visitor parking may be located on up to fifty percent (50%) of the front yard.~~
 - v. ~~For lots greater than seven-thousands (7,000) square feet, the Town Planner may approve additional paved areas, not to exceed fifty percent (50%), on irregularly shaped lots resulting from curvilinear streets, topography or other unique conditions so long as the intent and purposes of this Ordinance are preserved.~~
 - vi. ~~Tandem parking spaces shall count as one space.~~
 - vii. ~~Prior to construction, property owners are responsible for meeting with the City Engineer, or her/his designee to ensure parking areas and driveways do not conflict with public utilities, easements, or meters.~~
 - viii. ~~Any work conducted within the public-right-of-way, including parking strips and driveway approaches, must be approved through a right-of-way permit prior to construction.~~
 - ix. Grade/Slope for residential driveways shall not exceed 8%, anything higher shall receive approval from the City Engineer.
- c. **Nonresidential Uses.** The number of parking spaces for non-residential uses shall be provided as follows:

NON-RESIDENTIAL SPACES		
USE	DESCRIPTIONS	PARKING RATIO
ADMINISTRATIVE & FINANCIAL		
Professional Offices	Facilities for general office work providing professional, business administrative, informational services, or facilities that house governmental agencies and similar uses	One (1) space per two hundred fifty (250) sq. ft. of floor area.

Financial Services	Institutions providing financial advice and services in a bank, or similar financial institutions, to include accessory office building, automatic teller machine, and similar uses	One (1) space per one hundred fifty (150) sq. ft. of floor area
	Financial institutions with drive-through facilities	In addition to the above, a sixty (60) linear feet of stacking space per lane exclusive of drive aisles and parking spaces.
Unspecified Office Use		One (1) space per two hundred fifty 250(200) sq. ft. of floor area.
AUTOMOBILE RELATED		
Auto Services	Facilities providing general vehicle service or repair, and similar services	Three (3) spaces per service bay, plus one (1) space per three hundred (300) sq. ft. of gross floor area excluding service bay(s).
	Facilities providing fast or express service bays or lanes	In addition to the above, a queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces.
Automobile Rentals or Dealerships	Facilities for sale or rental of new or used auto, boat, RV, truck, trailer, camper, motor home or Motorcycle. (Outdoor vehicle display spaces are not required to meet dimensional requirements of this Article)	One (1) space per one thousand (1000) sq. ft. of gross floor area, plus one (1) space per six thousand (6000) sq. ft. outdoor vehicle display area.
Automobile Towing & Impound Facilities	Facilities for towing, dismantling, recycling, impound, and storage of junk vehicles, to include sanitary landfills and similar uses	Four (4) spaces or one (1) space per one thousand (1000) sq. ft. of floor area whichever is greater.
Car Washes	Facilities for the cleaning of vehicles,	One (1) space per three hundred (300) sq. ft. of office floor area, plus a queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces.
	Self-service facilities for the cleaning of vehicles	A minimum of four (4) spaces and the requirements above.
EATING & DRINKING ESTABLISHMENTS		
Restaurants	Eating establishments and similar services	One (1) space per one hundred (100) sq. ft. of floor area including outdoor seating
Taverns, Bars, Pubs & Lounges	Establishments licensed to sell alcoholic beverages to be consumed on the premises, often with limited food service	One (1) space per fifty (50) sq. ft. of serving area, plus one (1) space per two hundred (200) sq. ft. for preparation area.
ENTERTAINMENT & RECREATION		
Adult Uses	Establishments for adult entertainment that emphasize adult-oriented uses and services in an adult motion picture theater, arcade, adult cabaret, adult motel, nude studio, and similar facilities	One (1) space per fifty (50) sq. ft. of floor area
	Adult specialty shops for purchase of adult books, video, and similar products	One (1) space per three hundred (300) sq. ft. of floor area
	Facilities providing a variety of indoor public assemblies in a convention or reception	One (1) space per two hundred (200) sq. ft. of

Indoor Public Assembly	center, meeting hall, social or private club, music hall, theatre and similar places, excluding taverns, bars, pubs, lounges, and adult uses	floor area, or one (1) space per four (4) fixed seats of design capacity whichever is greater
Indoor Recreation	Facilities providing a variety of indoor health and sports activities in a sporting complex, stadium, skating rinks, pool hall, dance hall, tennis and racquet clubs, game room, video arcade, bingo hall, community center, fitness center, and similar indoor facilities	One (1) space per two hundred (200) sq. ft. of floor area
	Bowling Alleys	Two (2) spaces per lane, plus two (2) spaces per billiard table, plus one (1) space per each five visitor gallery seats
Outdoor Amusement & Recreations	Facilities providing a variety of outdoor amusement, entertainment, and similar activities in an amusement park, fairground, zoo, auditorium, and similar places, to include special outdoor events such as carnivals or outdoor concerts. Outdoor recreations include a variety of outdoor health and sports activities in a racetrack, stables, rodeo ground, outdoor shooting range, swimming and tennis clubs, miniature golf, and similar places	One (1) space per one thousand (1000) sq. ft. of activity area
	Golf course and driving range	One (1) space per two hundred (200) sq. ft. of main building floor area, plus one (1) space per every two (2) practice tees in driving range, plus four (4) spaces per each green in the playing area
GENERAL INDUSTRIAL & MANUFACTURING		
Light Industrial and Manufacturing	Facilities providing manufacturing and assembly services	One (1) space per seven hundred and fifty (750) sq. ft. of warehouse area plus one (1) space per three hundred (300) sq. ft. office or retail floor area
Outdoor storage	Facilities providing exterior storage of construction equipment and materials, recyclable material, and similar uses	A minimum of four (4) spaces and one (1) space per five thousand (5000) sq. ft. of designated outdoor area or one (1) space per three hundred (300) sq. ft. office floor area whichever is greater.
Unspecified Industrial Use (Shell Building)		One (1) space per seven hundred and fifty (750) sq. ft. of warehouse area plus one (1) space per three hundred (300) sq. ft. office or retail floor area
Warehousing	Facilities providing warehousing of material and goods and similar uses	One (1) space per one thousand (1000) sq. ft. of warehouse area, plus one (1) space per three hundred (300) sq. ft. office floor area.
	Mini-storage facilities and similar uses	One (1) space per fifty (50) units
	Facilities providing wholesale or distribution of trucks, trailers, boats, new and used cars, bulk fuel,	One (1) space per five

Wholesale, distribution	machines, appliances, equipment, building material, lumber, plant nurseries, produce and similar merchandise in indoor or outdoor storage areas to include machine shops, lumberyards, import/export shops, moving, rental, or storage companies, market sales yards, and similar facilities	hundred (500) sq. ft. of sales or display area, plus one (1) space per one thousand (1000) sq. ft. of indoor storage area, plus one (1) space per two hundred (200) sq. ft. of retail or office floor area.
GENERAL RETAIL		
Retail	Establishments providing general retail sales and services in a single store on a single lot, not part of a shopping center	One (1) space per three hundred (300) sq. ft. of floor area.
	Establishments providing general retail sales and services in a shopping centers (a commercial establishment planned, developed, owned, or managed as a unit)	One (1) space per two-hundred-fifty (250) sq. ft. of floor area. Note: for any center with more than fifteen percent (15%) of floor area in public assembly uses, including theaters, restaurants, schools, health spas, bars or cocktail lounges, there shall be required, in addition to these standards, ten (10) spaces per one thousand (1000) sq. ft. of public area within these uses.
	Establishments providing drive-through services including liquor stores, laundries and dry cleaners, pharmacies and similar services	In addition to the above, one hundred (100) linear feet of stacking space exclusive of drive aisles and parking spaces.
Unspecified Retail Use (Shell Building)		One (1) space per two hundred fifty (250) sq. ft. of floor area.
INSTITUTIONAL		
Child care	Facilities providing daily care of children in a nursery, daycare or preschool center	One (1) space per four hundred (400) sq. ft. of floor area.
Public, social and cultural services	Facilities providing public, social, non-profit, or institutional services in a library, museum, art gallery, post office, treatment, detention, or release center, halfway house, employment agency, shelter, and similar civic/public, cultural, and social institution (excluding group home)	One (1) space per two hundred (200) sq. ft. of floor area.
Religious Assembly	Facilities providing religious worship or study in a church, temple, synagogues and similar places	One (1) space per four (4) seats in main assembly area based on design capacity.
School	Public, charter or private educational institutions for Elementary and Junior High	One (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
	Senior High	Two (2) spaces per classroom, plus one (1) space per employee, plus one (1) space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
	Public or private facilities	Five (5) spaces per classroom, plus one (1)

Secondary Education	providing education in a college, university, trade or vocational school, and similar institutions	space per three (3) fixed seats of auditorium based on design capacity plus a minimum of ten (10) spaces for visitors parking.
Senior care	Facilities providing long-term care for seniors in a nursing or convalescent home, hospices or similar care facility (excluding group home)	One (1) space per three (3) beds.
Utility	Structures, equipment, or facilities providing for public/private utility & services, including radio, television, communication transmission, tower and similar structures	One (1) space per use.
LODGING		
Hotels or Motels	Places for lodging with ancillary facilities to include sleeping rooms, restaurants, lounges, resorts, meeting rooms and similar uses	One (1) space per room, plus one (1) space per one hundred (100) sq. ft. of restaurant and bar serving area, plus one (1) space per one hundred (100) sq. ft. of outdoor seating serving area, plus ten (10) minimum spaces for visitors parking, plus one (1) space per two hundred (200) sq. ft. of meeting room floor area.
Lodging Accommodations	Establishments providing accommodation in a bed and breakfast, lodge, to include fraternity, sorority, and similar facilities	One (1) space per room.
Recreational Resorts	Facilities providing overnight stops in Recreational Vehicle Park, travel trailer park, overnight camp ground and similar places	One (1) space per two hundred (200) sq. ft. of gross activity area, or one (1) space per RV or trailer whichever is greater.
MEDICAL		
Medical Offices and Clinics	Facilities providing medical, dental, optical care or preventative medicine and clinical research studies in a clinic or laboratory, including accessory offices	One (1) space per two hundred fifty 250(200) sq. ft. of floor area.
Hospitals	Facilities providing medical or surgical care, emergency medical and similar services	A minimum thirty (30) spaces for emergency services or two (2) spaces per bed, plus one (1) space per employee whichever is greater.
Veterinarian Hospitals or Clinics	Establishments for medical, surgical, and emergency care of animal, to include veterinary office and clinics without animal boarding	One (1) space per one hundred fifty (150) sq. ft. of floor area.
PERSONAL SERVICES		
General Professional Services	Establishments providing general professional services such as cabinet and carpentry making, custom dressmaking and alteration, watch and clock repair, dry cleaning & laundry, pet care, messenger delivery, photographic developing & printing, blueprint production, travel information & similar professional services	One (1) space per two hundred (200) sq. ft. of floor area.
Personal	Establishments providing personal services such as tanning, massage therapy, manicure, hair and beauty	One (1) space per one hundred fifty (150) sq. ft.

Improvement	treatment, tattoo and body piercing, palm reading, fortune tellers, and similar services	of floor area.
OTHER		
Funeral Services	Facilities providing burial preparation and/or funeral services in a cemetery, crematorium, mausoleum, funeral home and chapel, mortuaries and similar facilities	One (1) space per every three (3) fixed seats in main viewing rooms based on design capacity plus one (1) space per funeral vehicle.

d. Mixed Uses

- i. In the case of horizontal mixed-use occupancies in a building or on a lot, the total requirement for off-street parking shall be the sum of the requirements for the various uses computed separately.
- ii. A horizontal mixed use development may reduce that amount of required parking by ten (10) percent if the project is a mixed use development that includes, as part of an integrated development plan, both residential and non-residential uses or by twenty-five (25) if the property is within a quarter of a mile walking distance to a transit or front runner station. This measurement shall be made along standard pedestrian routes from the property with a parking study submittal by a qualified Registered Professional with demonstrated experience conducting parking studies Engineer, to be approved through the development or site plan approval process.
- e. **Calculating Spaces.** In case of fractional results in calculating parking requirements, the required numbers of the sum for the various uses shall be rounded up to the nearest whole number if the fraction is .5 or greater.

f. Joint Use Parking

- i. Up to fifty percent (50%) of the parking facilities required by this Section for a religious institution, cultural center or an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities by the following daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing, wholesale and similar uses.
- ii. Other joint use of parking on adjacent commercial uses to reduce total parking spaces may be allowed with a parking study submittal by a qualified Registered Professional Engineer with demonstrated experience conducting parking studies, to be approved by the Planning Commission through the site plan approval process.
- iii. The Planning Commission may use the parking study as a basis for reducing the amount of onsite parking required for specific uses defined under the following nonresidential categories listed in table 15.38.030(2)(c): Eating & Drinking Establishments, Entertainment and Recreational Uses and Medical Uses.
- iv. **Conditions Required for Joint Use**
 - (1) The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred (300) feet of such parking facilities.
 - (2) The applicant shall show that there is no substantial conflict in the operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.
 - (3) A properly drawn legal instrument, executed by the parties concerned for joint use of off-street parking facilities, duly approved as to form and manner of execution by the ~~Town~~City Attorney shall be filed with the ~~Town~~City Clerk and recorded with the County Recorder.

g. Offsite Parking

- i. Any off-site parking which is used to meet the requirements of this Section shall be regulated by this Ordinance and shall be subject to the conditions listed below:
 - (1) Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Section.
 - (2) Reasonable access from off-site parking facilities to the use being served shall be provided.
 - (3) The site used for meeting the off-site parking requirements of this Section shall be under the same ownership as the principal use being served, under public ownership, or shall have guaranteed permanent use by virtue of a perpetual lease filed with the ~~City~~Town Clerk and County Recorder.
 - (4) Offsite parking for multiple-family dwellings shall not be located more than two hundred (200) feet from any commonly used entrance of the principal use served, unless approved through the site plan approval process.
 - (5) Off-site parking for non-residential uses shall not be located more than three hundred (300) feet from the primary entrance of the principal use being used, unless approved through the site plan approval process.
- h. **Bicycle Parking.** Required bicycle parking shall be convenient, secure, and readily accessible to shoppers, customers, visitors, employees, students, residents, commuters and others on the site.
 - i. **Required Bicycle Parking Spaces:** Bicycle parking spaces shall be required in all zones for each site to which this Title applies. The number of bicycle parking spaces to be provided shall be a minimum of three (3) or a number equal to ten percent (10%) of the required on-site automobile parking spaces, whichever is greater. The total number of bicycle parking spaces required by this Title shall not exceed thirty (30) spaces per building. Exception: The Community Development Director may reduce the bicycle parking requirements by fifty percent (50%) for developments that are not likely to attract bicycle traffic because of the nature, location, or other circumstances associated with the development. Developments which are not likely to attract bicycle traffic, but are not limited to, a car wash and personal storage units.
 - ii. **Bicycle Rack General Requirements.**
 - (1) Racks shall be of an "inverted-U" design or as approved by the Community Development Director. Other types of bicycle rack facilities may be provided with approval from the Community Development Director, so long as they meet the requirements list below.
 - (2) Racks shall be securely anchored so that they cannot be easily removed and of solid construction, resistant to rust, corrosion, hammers, and saws.
 - (3) Racks shall be located in a convenient, highly visible, active, and well-lit area.
 - (4) Racks may be located no more than fifty (50) feet from the primary entrance of each principal building. If there is more than one primary entrance to a building, the bicycle parking must be along all facades with a main entrance.
 - (5) Racks must hold the bicycle securely by means of the frame. The bicycle frame must be able to be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels. The rack should provide two (2) points of contact with the frame, a minimum of six (6) inches apart horizontally. The rack's high point should be at least thirty-two (32) inches.
 - (6) Racks should be arranged so that the parking area for each bicycle is a minimum of two (2) feet wide and six (6) feet long.
 - (7) Racks should have a minimum of three (3) feet between rack elements (side by side).
 - (8) A minimum of five (5) feet of aisle width shall be provided between rows of bikes.
 - (9) Where two bikes can be locked on both sides without conflict, each side can be counted as one (1) required space.

SECTION 4: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 5: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 6: EFFECTIVE DATE This Ordinance shall be in full force and effect from _____ 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: November 4, 2020
FROM: Morgan Brim, Community Development Director
TO: Planning Commission
ITEM: Public Hearing and Consideration of Ordinance 2020-16: 15.34.030 Accessory Buildings,
15.12 Establishment of Districts and Zoning Tables and 15.34.150 Home Occupations
APPLICANT: City Initiated

INTRODUCTION:

The Planning Commission discussed the proposed zoning text amendments in their last work session meeting held on October 21, 2020. This ordinance amends accessory structure and home occupation requirements to allow detached garages within the side yards of single-family zoned lots; and provides allowances to home occupations to utilize space within accessory structures. Changes also provide clarification regarding residential swimming pools to be regulated similar to accessory structures.

RECOMMENDATION:

Staff is recommending approval of the proposed ordinance.

PLANNING COMMISSION PROPOSED MOTION:

"I move to recommend approval of the proposed zoning Ordinance 2020-16."

ATTACHMENTS:

- Proposed Ordinance 2020-16.

**VINEYARD
ORDINANCE 2020-16**

**AN ORDINANCE OF THE VINEYARD CITY, UTAH, AMENDING THE
VINEYARD ZONING ORDINANCE TO AMEND SECTION 15.12.060
DIMENSIONAL STANDARDS TABLE; SECTION 15.34.030 ACCESSORY
BUILDINGS AND SECTION 15.34.150 HOME OCCUPATIONS; TO ALLOW USE
OF ACCESSORY STRUCTURES FOR HOME OCCUPATIONS, PROVIDE
ALLOWANCES FOR RESIDENTIAL DETACHED GARAGES IN SIDE YARDS,
AND TO CLARIFY DIMENSIONAL STANDARDS FOR RESIDENTIAL
SWIMMING POOLS; PROVIDING A REPEALER CLAUSE; PROVIDING A
SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION BY
SUMMARY; AND PROVIDING AN AFFECTIVE 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 welfare of the community through local land use planning and the adoption of the 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 November 4, 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 Zoning Text Amendment, held a public hearing on November 11, 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 on November 11, 2020, adopt the proposed Zoning Text Amendments.

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

SECTION 1: **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

15.12.060 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	OS	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	N C	F O I	M	P F
Minimum Lot Size	NA	40 Acres	5 Acres	40,000 sf	15,000 sf	10,000 sf	8,000 sf	15,000 sf per SFD or 25,000 sf per Two-Family Dwelling	10,000 sf plus 5,000 sf per multi-family unit.	8,000 sf plus 4,500 sf per multi-family unit.	10 acres ¹ .	40,000 sf	NA	NA	20,000 sf	20,000 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	NA	NA	NA	NA
Minimum Lot Width	NA	Lot width to lot length ratio		100'	90'	80'	80'	100' for SFD and 120' for Two-	60' unless otherwise approved	120'		140'	NA	NA	10'	100'	NA

		not less than 1:3						Family Dwellings	by the City Council.			See standard #1 below.				0'		
Minimum Distance Between Condominium & Multi-Family Units Primary Buildings located on the same Lot or Parcel	N A	N A	N A	N A	N A	N A	N A	NA	30'	30'			N A	N A	N A	N A	N A	N A
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' 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' 6	60' 2	60' 2	N A	
Minimum Front Yard	N A	30'	30'	30'	30'	30'	20'	20'	20'	20'		30'	20'	N A	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'	N A	
Minimum																		

Side Yard for Corner Lots	N A	30'	30'	30'	30'	30'	20'	20'	20'	20'		25'	25'	N A	25'	25'	N A
Minimum Rear Yard	N A	30'	30'	30'	30'	30'	20'	20'	20'	20'		25'	25'	20' 7	25'	25'	N A
Maximum Building Lot Coverage (Principle and Accessory Buildings)	N A	N A	15 %	50 %	50 %	50 %	50 %	50%	50%	50%	NA	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'	3'	N A
Accessory Buildings <u>and Residential Swimming Pools</u> - 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' 3'	N A	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	6'	N A	N A	N A
Minimum																	

Distance from Principle Building	N A	6'	6'	6'	6'	6'	6'	6'	6'	6'	6'	6'	N A	N A		N A	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	25' 4	N A	N A		N A	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	1' ⁵	N A	N A		N A	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	N A	N A
<u>Residential- Detached Garages in Side Yards</u>	N A	<u>Residential-detached garages are allowed in established side yards of lots containing a single-family residence. Residential-detached garages shall maintain a minimum distance of 6' from the single-family residence and meet all fire and building codes. The same setbacks that apply to single-family residences apply to residential-detached garages located in a side yard. Residential-detached garages are limited to a maximum building height of 25'.</u>								<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>N A</u>	<u>N A</u>	<u>N A</u>	<u>N A</u>	<u>N A</u>	<u>N A</u>

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 2: **AMENDMENT** “15.34.030 Accessory Buildings” of the Vineyard Zoning Code is hereby *amended* as follows:

AMENDMENT

15.34.030 Accessory Buildings

1. Accessory buildings and accessory uses may be authorized in association with a primary building or primary use.
2. Accessory buildings and accessory uses shall only be authorized concurrently with, or following, the establishment of the primary building or primary use.
3. Accessory buildings, excluding residential-detached garages, are only permitted within the rear yard and street side yards of corner lots.
4. Accessory buildings, excluding residential-detached garages, located within the street side yard of a corner lot shall maintain a minimum setback distance of three (3') feet from the street side property line. Accessory buildings located within street-side yards of a corner lot shall be screened with a fence with a minimum height of 5' 6", from the street right-of-way on the front and sides and from neighboring properties adjoining the subject parcel on the rear property line.
5. Accessory buildings, excluding residential-detached garages, located within the street side yard of a corner lot shall not exceed a height of ten (10') feet.
6. Setbacks and building height standards for residential-detached garages located in side yards are found in Section 15.12.060 Dimensional Standards Table.
7. No storm water runoff from any accessory building shall be allowed to run onto adjacent property.
8. Accessory buildings shall meet all of the required dimensional standards of VZC 15.12.060.
9. Accessory buildings shall comply with the requirements of the adopted Building Code, as applicable.
10. No mobile home, travel trailer, boat, or similar recreational vehicle shall be used as an accessory building.
11. No shipping container, cargo container, shipping crate, box, trailer, or similar moveable piece of equipment or object shall be used as an accessory building.
12. No accessory buildings shall be rented, leased, or sold separately from the rental, lease, or sale of the primary building, except as allowed in VZC 15.34.060.
13. No accessory building shall be used as a permanent dwelling unit, except as allowed in VZC 15.34.060.
14. Accessory buildings used for the housing of domestic livestock or fowl shall comply with the requirements of VZC 15.34.120.

SECTION 3: AMENDMENT “15.34.150 Home Occupations” of the Vineyard Zoning Code is hereby *amended* as follows:

A M E N D M E N T

15.34.150 Home Occupations

The following regulations are established to provide minimum standards for the establishment and operation of home occupations.

1. Purpose and Intent
 - a. To encourage the majority of business activities to be conducted in appropriate commercial zones. Business activities may be conducted within a residence on a limited basis if such activities comply with the standards of this ordinance. The use should be conducted so that neighbors, under normal conditions, would not be aware of its existence. Home occupations are a temporary privilege which can be revoked if disruption of the residential neighborhood occurs.
2. Definition
 - a. The use of a residential dwelling for commercial activities; these activities must be clearly secondary to the primary residential use.
3. Home Occupation - without Impact
 - a. A home occupation that only involves persons and related persons working on the premises or routinely operating from the premises who are permanent residents of the dwelling and where no customers are permitted.
 - b. Business include non-impacting uses such as home-based office, clerical work, sales and crafting.
 - c. Home Occupations without impact are exempt from the minimum parking requirements.
4. Home Occupation - with Impact
 - a. A home occupation that involves the permanent resident(s) of the dwelling with a maximum of one (1) non-resident working on the premises at any point in time, and where customers are received.
 - b. Is limited to only one (1) customer at a time and by appointment only.
 - c. Visitors in conjunction with the home occupation shall be permitted only between the hours of 8.00 a.m. and 8.00 p.m.
 - d. Permitted activities include but are not necessarily limited to the following:
 - i. Personal services, crafting, home cooking and sales.
 - ii. Music lessons, tutoring and general education instruction.
5. Home Occupation - Day Care
 - a. As defined in the Vineyard Zoning Code Section 15.60.020 Definitions “Home Day Care” and must meet the following requirements:
 - i. The daycare service provider may have only one (1) non-resident employee.
 - ii. Daycare program shall be permitted only between the hours of 7:00

a.m. and 8.00 p.m.

6. Home Occupation - Preschool

- a. As defined in the Vineyard Zoning Code 15.60.020 Definitions “Home Preschool” and must meet the following requirements:
 - i. Only a maximum of two (2) sessions is permitted per day
 - ii. Preschool program shall be permitted only between the hours of 8:00 a.m. and 8:00 p.m.

7. The following uses and activities shall not be permitted in conjunction with a Home Occupation:

- a. Veterinarian office, kennel or any similar animal services; and medical practitioners; ~~outdoor storage or use of accessory structures.~~

8. The following conditions apply to all Home Occupation types:

- a. Incidental/Secondary – The home occupation must be clearly incidental and secondary to the principal use as a residence by the person conducting the occupation.
- b. Exterior – No home occupation shall alter the exterior of the home to differ from the residential use of colors, materials, construction or lighting. A salesroom or display window is prohibited.
- c. Storage – All equipment, supplies and materials used in business must be stored inside the home or legal accessory structure.
- d. Outdoor Activity – All home occupation activity shall be carried out within the home or legal accessory structure and shall not be observable by the general public from the street in front of the residence. Garage doors shall remain closed while business activity is conducted therein.
- e. Parking – Clearly marked driveway dimensions (or a scaled site plan) showing a total of four (4) parking spaces onsite, with a dimension of 8' wide by 18' deep each. Home Occupations with Impact, Preschools and Daycare must meet the minimum four (4) onsite parking spaces. Vehicles used by the business (other than passenger cars without signage) shall not be parked on the site, unless enclosed parking is utilized to shield the vehicles from view.
- f. Nuisances – No machinery or equipment shall be permitted that produces noise, noxious odor, vibration, glare, electrical interference or radio or electromagnetic interference beyond the boundary of the property. Only general types and sizes of machinery that are typically found in dwellings for hobby or domestic purposes shall be permitted.
- g. Signs – There shall be no use of show windows, business display or advertising visible from outside the premises except a name plate attached to an exterior door that does not exceed one (1) square foot.
- h. Off-Site Employees – Any home occupation may utilize employees to work off-site. The off-site employee, volunteer, hiree, or any other person engaged with the home occupation shall not come to the home for purposes related to the Home Occupation Business License.
- i. Multiple Home Business Licenses – More than one home business license may be issued for a residence, provided that the home businesses or the accumulative effects of the home businesses do not violate the Zoning Ordinance for Home

Occupation.

- j. Floor Area – The home occupation shall be conducted completely indoors. The total amount of floor area used for a home occupation shall not be greater than 25% of the total floor area of the principal dwelling unit including attached garages and accessory structures.

9. Application

- a. The following items shall be submitted to the city business licensing office in applying for a home occupation business license under:
 - i. Application forms as provided by the city and the associated fee as listed in the fee schedule.
 - ii. Description of the nature of the home occupation and information as requested in the application.
 - iii. Must meet the building code and its accessibility requirements.
 - iv. Sketch of the site plan of the property and the floor plan of the dwelling and the area to be devoted to the home occupation (with impact, day care, preschool) with dimensions and area calculations.
 - v. List of materials and equipment to be used.
 - vi. Hours of operation and the number of customers, vehicle trips and deliveries to be made each day.
 - vii. Other government approvals required for conducting the home occupation.
 - viii. Proposed remodeling needed to conduct the home occupation and whether a city building permit will be required.
 - ix. Signed affidavit by the applicant that all requirements and conditions of the city will be followed.

SECTION 4: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 5: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 6: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from _____ 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