

TO THE PUBLIC AND RESIDENTS OF VERNAL CITY:

Notice is hereby given that the **VERNAL CITY PLANNING COMMISSION** will hold a Regular Meeting on **Tuesday, April 14, 2026 at 5:30 P.M.** in the Vernal City Council Chambers at 374 East Main Street, Vernal, Utah.

AGENDA

A. STANDING BUSINESS

1. Welcome and Designation of Chair and Members
2. Approval of Meeting Minutes for March 10, 2026

B. PUBLIC HEARING

1. Recommendation to consider approval of the Francisco Rezone (Rebecca Francisco) for property located at 356 East 100 North, Parcel #050200075 – 2026-010-REZ– Braeden Christofferson
2. Recommendation to consider approval of the Civil Solutions Group Rezone (Jake Black) for property located at 350 North 500 West, Parcel #050220054 – 2026-007-REZ – Braeden Christofferson
3. Recommendation to consider approval of the Everbuilt Rezone (Jacob Speirs) for property located at 1315 West 500 North, 1189 West 400 North, and 381 North 1250 West, Parcel #'s 050060012, 050060013, 050050029 – 2026-012-REZ – Braeden Christofferson
4. Recommendation to consider approval of the Quail Run II Preliminary Plat (Joshua Flake) for properties located at 1621 West 500 South, Parcel #050670044 – 2026-011-SUB – Braeden Christofferson
5. Recommendation to consider approval to amend the Vernal City Municipal Planning and Zoning Code Sections 16.04 – Definitions, 16.26 – Off-Street Parking and Vehicle Access Standards, 16.27 – Landscaping Requirements, 16.42 – R-3 Residential Zone, 16.44 – R-4 Residential Zone – Ordinance #2026-09 - Braeden Christofferson

C. ACTION ITEMS

1. Recommendation to consider approval of the Marcella Meadows Subdivision Amendment (Tyler & Marilee Shiner) for property located at 715 South 300 West, Parcel #'s 050540038, 050540332, 050540329 – 2026-013-SUB – Braeden Christofferson

ADJOURN

1 **MINUTES of the Vernal City PLANNING COMMISSION**

2 Vernal City Council Chambers - 374 East Main Street, Vernal, Utah

3 March 10, 2026

4 5:30 pm

5
6 **Members Present:** Stephen Lytle, Troy Allred, Brittany Young, Hailee Todich,
7 Samantha Chapoose, Aaron Bancroft

8
9 **Members Excused:** Ryan Balch

10
11 **Alternates Present:**

12
13 **Alternates Excused:**

14
15 **Staff Present:** Braeden Christofferson, Assistant City Manager; Matthew Tate,
16 Building Official; Taylor Munguia, Planning Technician.

17
18 **WELCOME AND DESIGNATION OF CHAIR AND MEMBERS:** Chair Stephen Lytle
19 welcomed everyone present to the meeting.

20
21 **APPROVAL OF MINUTES FROM, February 10, 2026:** Stephen Lytle Chair asked if there
22 were any changes to the minutes from, February 10, 2026. The minutes were approved with there
23 being no corrections, *Samantha Chapoose moved to approve the minutes of February 10, 2026*
24 *as presented. Brittney Young seconded the motion. The motion passed with Stephen Lytle, Troy*
25 *Allred, Brittany Young, Hailee Todich, Samantha Chapoose, and Aaron Bancroft voting in*
26 *favor.*

27
28 **PRESENTATION OF THE UTAH WELL BEING SURVEY**

29
30 Katie Flaniken presented information regarding the Utah Wellbeing Survey. Ms. Flaniken
31 explained that the survey is conducted in partnership with Utah State University as part of the Utah
32 Wellbeing Project and is available to Vernal residents ages 18 and older. Participation is voluntary,
33 anonymous, and limited to one submission per individual. The survey is offered in both English
34 and Spanish and is mobile-friendly. It was explained that the City receives this data at no cost and
35 that the survey is part of a statewide initiative involving over sixty (60) communities, allowing for
36 comparative analysis. The data collected can be used to support planning efforts, grant
37 applications, infrastructure decisions, and community programs. Ms. Flaniken reviewed key
38 findings from the 2024 survey, which included four hundred ninety one (491) respondents.
39 Reported personal wellbeing averaged 3.6 out of 5, while community wellbeing averaged 3.12 out
40 of 5. Top concerns identified by residents included affordable housing, youth opportunities, water
41 supply, and public safety. Respondents also indicated concerns about population growth occurring
42 too quickly and economic growth progressing too slowly. Katie also highlighted underrepresented
43 groups in the prior survey, including adult males, renters, individuals without degrees, and
44 unmarried residents, and noted efforts to increase participation among those groups. Outreach

45 efforts for the current survey were discussed, including social media campaigns, partnerships with
46 community organizations, local media, QR code distribution, and engagement at community
47 events. Ms. Flaniken encouraged members of the public to participate in and promote the survey
48 to increase community response, emphasizing that higher participation leads to more accurate and
49 useful data. The presentation concluded with appreciation for the Commission's time and support.
50

51 **CONSIDERATION OF APPROVAL OF THE TRESTLEWOOD PRELIMINARY PLAT**
52 **FOR PROPERTIES LOCATED AT 1700 W 750 S (PARCEL#:04:031:0008) & 1787 W 319**
53 **S (PARCEL #:04:133:0029)**
54

55 Braeden Christofferson presented the proposed Trestlewood subdivision, explaining that the
56 project is planned as a residential development intended for a 55+ community. The development
57 includes approximately sixty eight (68) units designed as fourplex buildings, with a density of
58 approximately 5.91 units per acre, which is below the maximum allowed in the R-4 zone. The
59 project includes internal circulation and two access points including one connection to Aggie
60 Boulevard. Mr. Christofferson noted that all zoning, setback, and infrastructure requirements had
61 been reviewed and met. It was also explained that a small portion of land had been annexed to
62 facilitate access to Aggie Boulevard. The annexation process has been completed and approved
63 including coordination with the State and recording with the County. The Commission asked
64 questions regarding the canal crossing for the access road. Staff indicated that the developer had
65 coordinated with the County and Public Works to construct a culvert or bridge structure, which
66 was already largely completed.
67

68 Chair, Stephen Lytle, opened the hearing for public comment.
69

70 Jacob Speirs, 2795 W 1500 N, inquired about the relatively low density of the proposed
71 development within the R-4 zone, specifically questioning why the density was lower than what
72 is permitted within that zoning designation.
73

74 Branden Kirk, PO Box 275, Stockton, UT, the applicant for the proposed Trestlewood Subdivision,
75 responded that the development was intentionally designed at a lower density to better align with
76 community needs, with a focus on providing housing opportunities for existing residents rather
77 than higher-density or workforce housing.
78

79 Chair, Stephen Lytle, closed the hearing for public comment.
80

81 *Brittney Young moved to approve the Trestlewood Preliminary Plat for properties located at*
82 *1700 W 750 S (Parcel#:04:031:0008) & 1787 W 319 S (Parcel#:04:133:0029). Troy Allred*
83 *seconded the motion. The motion passed with Stephen Lytle, Troy Allred, Brittany Young,*
84 *Hailee Todich, Samantha Champoose, and Aaron Bancroft voting in favor.*
85

86 **RECOMMENDATION TO CONSIDER APPROVAL OF AN AMENDMENT TO THE**
87 **VERNAL CITY PLANNING AND ZONING CODE, SECTION 16.58.120 LAYOUT AND**
88 **ACCESS – ORDINANCE NUMBER 2026-05**
89

90 Braeden Christofferson introduced the amendment, explaining that it would increase the maximum

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91 number of units allowed on a single access from twenty five (25) to thirty (30) for single-family,
92 two-family, and townhome developments. The change is intended to align City standards with
93 Uintah County and the International Fire Code. Mr. Christofferson also noted that the Fire
94 Authority would retain final discretion to require fewer units or additional access if safety concerns
95 warranted it. The Commission had a discussion that included concerns regarding increased density,
96 traffic, and overall neighborhood safety. Some members expressed a preference for maintaining
97 lower density and multiple access points to preserve community character and reduce congestion
98 while others noted the benefits of consistency with state and international standards.

99
100 Chair, Stephen Lytle, opened the hearing for public comment.

101
102 Riley Todich, 1284 West 250 North, expressed concern that increasing the limit from twenty five
103 (25) to thirty (30) units would reduce safety, stating that allowing more units on a single access
104 point could lead to overcrowding and increased risk.

105
106 Jacob Speirs, 2795 W 1500 N, spoke in support of the amendment, noting that aligning with state
107 and international standards is generally beneficial and well-researched. He also stated that limiting
108 development can create barriers to housing availability and affordability.

109
110 Branden Kirk, PO Box 275, Stockton, UT, provided additional perspective, explaining that site-
111 specific constraints such as lot size, layout, and access can already limit development potential.
112 He noted that increasing the unit allowance provides flexibility, particularly for properties that are
113 landlocked or otherwise constrained, and does not necessarily result in overcrowding.

114
115 Chair, Stephen Lytle, closed the hearing for public comment.

116
117 Additional discussion with Commission members and City Staff emphasized that zoning
118 regulations, lot size requirements, setbacks, and infrastructure standards would continue to
119 regulate overall density and design regardless of the proposed change. The Commission also
120 discussed broader considerations related to housing, including the need for affordable housing,
121 efficient land use, and maintaining the character of the community.

122
123 *Samantha Chapoose moved to forward a positive recommendation to the City Council to*
124 *consider amending the Vernal City Planning and Zoning Code, Section 16.58.120 Layout and*
125 *Access – Ordinance Number 2026-05. Troy Allred seconded the motion. The motion passed with*
126 *Stephen Lytle, Troy Allred, Brittany Young, Samantha Chapoose, and Aaron Bancroft voting*
127 *in favor. Hailee Todich was against.*

128
129 **RECOMMENDATION TO CONSIDER APPROVAL OF AN AMENDMENT TO THE**
130 **VERNAL CITY PLANNING AND ZONING CODE, CHAPTER 16.45 MX MIXED USE**
131 **ZONE – ORDINANCE NUMBER 2026-06**

132
133 Braeden Christofferson began the discussion on the proposed ordinance amendment by explaining
134 that the intent of the MX zone is to encourage integrated developments that combine residential
135 and commercial uses within the same structure. It was noted that the current code contains
136 ambiguities that could allow developments to be entirely residential or entirely commercial, which

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137 is inconsistent with the original purpose of the zone. The proposed amendments clarified that
138 mixed-use developments must integrate both residential and commercial uses within the same
139 building rather than allowing them as separate structures. Additional changes included refining
140 permitted uses, removing ambiguous or inappropriate uses, and establishing clearer development
141 standards. Mr. Christofferson also proposed reducing the maximum residential density from
142 approximately forty to fifty (40–50) units per acre to thirty five (35) units per acre to better align
143 with surrounding zones. Parking requirements were revised to require two (2) spaces per
144 residential unit in addition to applicable commercial parking, improving clarity and functionality.
145 The amendments also addressed shared parking areas and removed unclear provisions related to
146 special assessment areas. During Commission discussions questions were raised regarding parking
147 designation between residential and commercial uses. While it was noted that parking would be
148 required, there was discussion about whether spaces should be specifically designated. City Staff
149 explained that shared parking arrangements are often regulated through development agreements
150 and that designating spaces could create enforcement and legal challenges. Additional discussion
151 addressed the removal of “row housing” as a listed use. Mr. Christofferson clarified that the term
152 was removed due to ambiguity and overlap with other housing types and that density standards
153 would instead regulate development intensity. Samantha Chapoose noted that the original intent
154 of the MX zone was to support mixed-use development along corridors such as Main Street,
155 encouraging commercial activity at street level with residential units above.

156
157 Chair, Stephen Lytle, opened the hearing for public comment. There being no public comment the
158 hearing was closed.

159
160 *Samantha Chapoose moved to forward a positive recommendation to the City Council to*
161 *consider amending the Vernal City Planning and Zoning Code, Chapter 16.45 MX Mixed Use*
162 *Zone – Ordinance Number 2026-06. Brittney Young seconded the motion. The motion passed*
163 *with Stephen Lytle, Troy Allred, Brittany Young, Samantha Chapoose, Hailee Todich, and*
164 *Aaron Bancroft voting in favor.*

165
166 **ADJOURN:** There being no further business, *Samantha Chapoose moved to adjourn. Hailee*
167 *Todich seconded the motion. The motion passed with a unanimous vote, and the meeting was*
168 *adjourned.*

169
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173 _____
174 Stephen Lytle , Planning Commission Chair
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Vernal City Planning Commission Staff Report

Prepared By: Braeden Christofferson

Date: 3/10/2026

Public Hearing Items

1. Recommendation to consider approval of the Francisco Rezone (Rebecca Francisco) for property located at 356 E 100 N, Parcel #050200075 - 2026 - 010 REZ – Braeden Christofferson

- A. **Type of Decision:** Public Hearing, Recommendation to City Council (Legislative Action)
- B. **Application:** Zoning Map Amendment (Rezone)
- C. **Applicant:** Issac and Rebecca Francisco
- D. **Location:** 356 E 100 N, Vernal, Utah
- E. **Parcel:** 05:020:0075
- F. **Current Zoning:** R-4 Residential
- G. **Proposed Zoning:** CC-1 Commercial Corridor



H. Project Description and Background

- i. The subject property is currently zoned R-4 Residential. The applicant is operating or proposing a massage therapy business within an existing structure that was previously used as a residence.

The proposed use is not permitted within the R-4 zoning district. Staff previously discussed the potential for the use to operate as a Major Home Occupation; however, the use does not meet the applicable requirements.

The applicant is requesting a Zoning Map Amendment to CC-1, which allows for commercial and personal service uses and is consistent with nearby zoning patterns.

I. Applicable Code and Law:

- i. Local Code VCMC 16.06 - Amendments
- ii. State code 10-20-101 & 10-20-205

J. Analysis

i. Existing Zoning vs Proposed Use

- 1. The R-4 zoning district does not permit standalone commercial uses. A massage therapy business is generally classified as a personal service use, which is more appropriately located within a commercial zoning district such as CC-1.

ii. Surrounding Land Use and Zoning

- 1. The surrounding area includes a mix of residential and commercial zoning and land uses. The subject property is located in an area where differing land use intensities are present, and the relationship between these uses may reflect either a continuation of an existing pattern or the introduction of a new zoning condition.

7. Public Welfare

The amendment is consistent with the purposes outlined in Utah Code §10-20-101.

8. Spot Zoning Consideration

The amendment does not represent an isolated or inconsistent zoning designation solely benefiting a single property.

vii. **Planning Commission Action**

1. Hold a Public Hearing
2. Deliberate Based on Applicable Code and Law
3. Approve or disapprove
4. If approved forward a recommendation to City Council

2. **Recommendation to consider the approval of the Civil Solutions Group Rezone (Jake Black) for property located at 350 N 500 W, Parcel #050220054 - 2026-007-REZ _ Braeden Christofferson**

- A. **Type of Decision:** Public Hearing, Recommendation to City Council (Legislative Action)
- B. **Application:** Zoning Map Amendment (Rezone)
- C. **Applicant:** Civil Solutions Group
- D. **Location:** 350 North 500 West, Vernal, Utah
- E. **Parcel:** 05:022:0054
- F. **Current Zoning:** R-3 Residential
- G. **Proposed Zoning:** R-4 Residential
- H. **Location / Code Reference**
 - i. Local Code 16.06. - Amendments
 - ii. State Code 10-20-101 & 10-20-205
- I. **Project Description and Background**

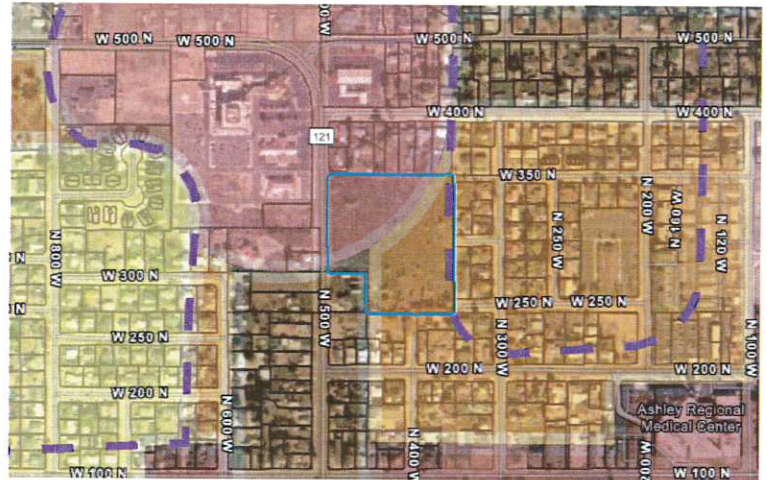


- i. The subject property is currently zoned R-3 Residential. The applicant is requesting a Zoning Map Amendment to R-4 Residential to allow for higher density residential development.
 - ii. The applicant has indicated a potential mixed residential development consisting of a combination of multi-family residential units, townhomes, and a possible assisted living or senior housing component. Conceptual plans have been provided for illustrative purposes only and are not required as part of the Zoning Map Amendment request.
 - iii. The request is limited to a change in zoning designation and does not constitute approval of any specific site plan or development layout. Any future development of the property will be subject to additional review and approval processes, including preliminary plat and final plat approval, and must comply with all applicable development standards at that time.
- J. **Analysis**
- i. **Existing Zoning vs Proposed Use**
 1. The R-3 zoning district allows for moderate density residential development. The proposed R-4 zoning designation allows for higher density residential development and a broader range of housing types, including multi-family residential uses.
 - ii. **Surrounding Land Use and Zoning**
 1. The surrounding area is predominantly residential in nature, consisting of established neighborhoods with similar zoning designations. The subject property is located in proximity to existing higher-intensity uses, including a hospital facility located directly across 500 West.
 2. The property is also located along 500 West (Highway 121), a UDOT corridor that carries higher traffic volumes and provides regional connectivity. The location and roadway

classification indicate the area may accommodate increased development intensity relative to interior neighborhood streets.

iii. General Plan Considerations

1. The subject property contains multiple designations on the Vernal City General Plan Future Land Use Map, including Central Commercial, Medium Density Residential, and High Density Residential, and is located within the Mixed Use boundary. This combination of designations indicates the property is intended to accommodate a range of development intensities and land uses within a transitional area.



2. Surrounding properties are predominantly residential, with an established commercial use located directly across 500 West (Highway 121), including a hospital facility. The location of the property along a major corridor, in proximity to commercial services and within a designated Mixed Use area, reflects an environment where varying residential densities and complementary uses may occur in proximity to one another.

iv. Notice and Compliance

1. Public notice for the proposed Zoning Map Amendment has been provided through publication on the City’s website and in designated public locations. Written notice has been mailed to the subject property owner(s), and on-site signage has been posted to notify surrounding residents of the request. In addition, courtesy notices have been mailed to surrounding property owners within the vicinity of the subject property.
2. All noticing and procedural requirements have been completed in accordance with applicable provisions of Vernal City Code and Utah Code §10-20-205.

v. Policy Considerations

1. Considerations related to the proposed amendment include:
 - a. Logical and orderly development patterns
 - b. Compatibility with surrounding residential neighborhoods
 - c. Whether the proposed zoning represents an appropriate increase in density
 - d. Potential impacts related to traffic, parking, and infrastructure
 - e. The scale and intensity of development relative to surrounding properties

vi. Code Based Evaluations and Considerations

1. This report does not establish decision criteria but is intended to assist the Planning Commission in applying the requirements of Vernal City Code §16.06 and applicable provisions of Utah Code Title 10-20.
2. Procedural Compliance
The application has been processed in accordance with VCMC §16.06
3. Notice Compliance
Notice has been provided consistent with Utah Code §10-20-205
4. General Plan Alignment
The proposed amendment aligns with, or does not materially conflict with, the General Plan

5. Consistency with Surrounding Zoning and Uses
The proposed zoning is compatible with existing and anticipated land uses in the area
6. Orderly Development
The amendment promotes logical and consistent development patterns
7. Public Welfare
The amendment is consistent with the purposes outlined in Utah Code §10-20-101
8. Spot Zoning Consideration
The amendment does not represent an isolated or inconsistent zoning designation solely benefiting a single property

vii. Planning Commission Action

1. Hold a Public Hearing
2. Deliberate Based on Applicable Code and Law
3. Approve or disapprove
4. If approved forward a recommendation to City Council



3. **Recommendation to consider the approval of the Everbuilt Reone (Jacob Speirs) for property located 1315 West 500 North, 1189 West 400 North, and 381 North and 1250 West, Parcel #'s 050060012, 050060013, 050050029 -2026-012-REZ - Braeden Christofferson**

A. **Type of Decision:** Public Hearing, Recommendation to City Council (Legislative Action)

B. **Application:** Zoning Map Amendment (Rezone)

C. **Applicant:** Everbuilt

D. **Location:** 1315 W 500 N, Vernal, Utah

E. **Parcels:** 05:006:0012, 05:006:0013, 05:005:0029

F. **Current Zoning:** R-1 Residential

G. **Proposed Zoning:** R-3 Residential

H. **Location / Code Reference**

- i. VCMC 16.06 - Amendments
- ii. State Code 10-20-101 & 10-20-205

I. **Project Description and Background**

- i. The subject properties are currently zoned R-1 Residential. The applicant is requesting a Zoning Map Amendment to R-3 Residential to allow for a higher density residential development.
- ii. The applicant has indicated a potential townhome-style development intended to provide additional housing options within the community. No formal site plan is required as part of the Zoning Map Amendment request, and no specific layout is being approved at this stage.
- iii. The request is limited to a change in zoning designation and does not constitute approval of any specific site plan or development layout. Any future development of the property will be subject to additional review and approval processes, including preliminary plat and final plat approval, and must comply with all applicable development standards at that time.

J. **Analysis**

i. **Existing Zoning vs Proposed Use**

1. The R-1 zoning district is intended for low-density residential development. The proposed R-3 zoning designation allows for moderate density residential development, including housing types such as townhomes, which provide a transition between lower and higher density residential areas.

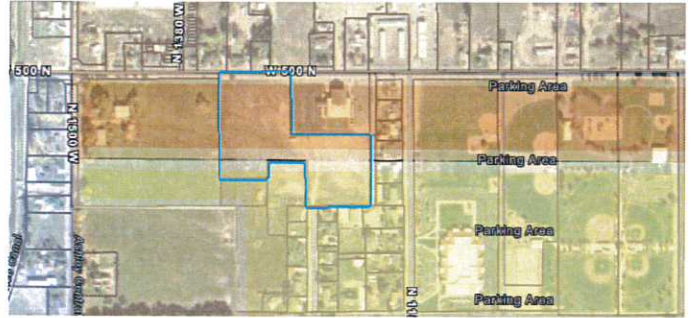
ii. **Surrounding Land Use and Zoning**

1. The surrounding area includes a mix of residential uses, institutional uses, and open space. The subject property is located adjacent to a religious facility (RA-1 zoning) and is in proximity to educational institutions, including Utah State University Uintah Basin and UBTech.
2. The property is located along 500 North (Highway 121), a UDOT corridor that provides regional access and connectivity. The location along a higher-capacity roadway, combined with proximity to schools, parks, and institutional uses, indicates the area may support a broader range of residential densities.



iii. General Plan Considerations

1. The Vernal City General Plan Future Land Use Map identifies this area with a transition in residential density, with medium density residential designations located along the 500 North corridor and lower density residential areas located further from the roadway.
2. The location of the subject property along a major corridor, in proximity to educational institutions, parks, and community facilities, reflects an area where increased residential density may be accommodated while transitioning to lower density neighborhoods beyond the corridor.



iv. Notice and Compliance

1. Public notice for the proposed Zoning Map Amendment has been provided through publication on the City's website and in designated public locations. Written notice has been mailed to the subject property owner(s), and on-site signage has been posted to notify surrounding residents of the request. In addition, courtesy notices have been mailed to surrounding property owners within the vicinity of the subject property.
2. All noticing and procedural requirements have been completed in accordance with applicable provisions of Vernal City Code and Utah Code §10-20-205.

v. Policy Considerations

1. Considerations related to the proposed amendment include:
 - a. Logical and orderly development patterns
 - b. Compatibility with surrounding residential and institutional uses
 - c. Whether the proposed zoning represents an appropriate transition in residential density
 - d. Potential impacts related to traffic, parking, and infrastructure
 - e. The scale and intensity of development relative to surrounding properties

vi. Code based Evaluation Considerations

1. This report does not establish decision criteria but is intended to assist the Planning Commission in applying the requirements of Vernal City Code §16.06 and applicable provisions of Utah Code Title 10-20.
2. Procedural Compliance
The application has been processed in accordance with VCMC §16.06
3. Notice Compliance
Notice has been provided consistent with Utah Code §10-20-205
4. General Plan Alignment
The proposed amendment aligns with, or does not materially conflict with, the General Plan
5. Consistency with Surrounding Zoning and Uses
The proposed zoning is compatible with existing and anticipated land uses in the area
6. Orderly Development
The amendment promotes logical and consistent development patterns
7. Public Welfare
The amendment is consistent with the purposes outlined in Utah Code §10-20-101

8. Spot Zoning Consideration

The amendment does not represent an isolated or inconsistent zoning designation solely benefiting a single property

vii. **Planning Commission Action**

1. Hold a Public Hearing
2. Deliberate Based on Applicable Code and Law
3. Approve or disapprove
4. If approved forward a recommendation to City Council

4. **Recommendation to consider the approval of the Quail Run II Preliminary Plat (Joshua Flake) for properties located at 1621 West 500 South, Parcel #050670044- 2026-011-SUB - Braeden Christofferson**

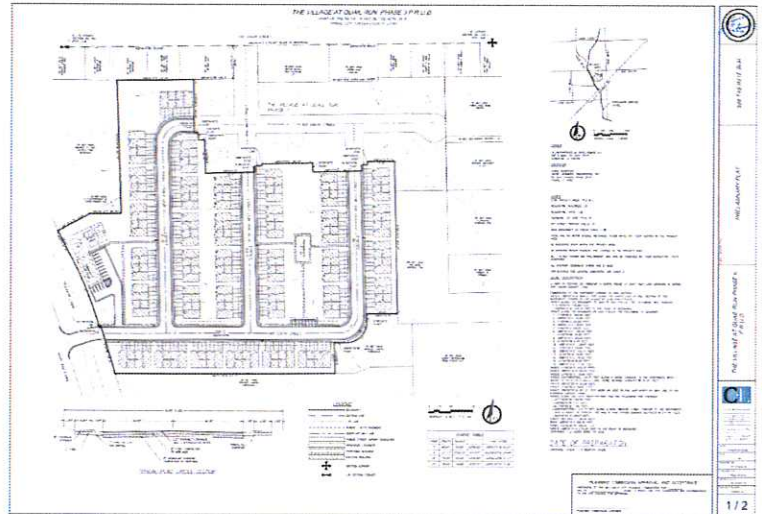
A. Type of PC Decision: Administrative

B. Review Trigger: Submission of Preliminary Plat

C. Location / Code Reference: § 16.58.080 and Utah State Code §

D. Project Description and Background:

- i. The applicant, JL Construction and Development LLC, has submitted a Preliminary Plat application for The Village at Quail Run Phase II P.R.U.D., located at approximately 1621 W 500 S, Vernal, Utah.
- ii. The subject property consists of approximately 11.2 acres and is zoned R-3 Residential.
- iii. The proposed development is a multi-phase townhome-style subdivision designed as an extension of the existing Quail Run development. The Preliminary Plat identifies approximately 33 residential buildings and 136 residential units arranged within an internal roadway network.
- iv. The proposed development is structured as a Planned Residential Unit Development (P.R.U.D.), which allows for flexibility in layout, building configuration, and dimensional standards while maintaining compliance with the intent of the zoning district and subdivision code.
- v. The Preliminary Plat establishes the general layout of the subdivision, including internal roadways, building configurations, phasing, and utility alignments. Any future development of the property will be subject to additional review and approval processes, including final plat approval, and must comply with all applicable development standards at that time.



E. Analysis:

i. Subdivision Compliance

1. The Preliminary Plat appears to meet the general layout and design requirements of VCMC §16.58.080, including subdivision configuration, phasing, and overall site organization. The development follows a P.R.U.D. format, which allows flexibility in design while maintaining compliance with applicable subdivision standards.
2. The Preliminary Plat is reviewed based on the standards currently in effect. Any amendments to applicable development standards considered by the Planning Commission and City Council will apply to the project at the time of final plat review, as applicable.

ii. Zoning Compliance:

1. The subject property is zoned R-3 Residential. The proposed development consists of higher-density residential units in a townhome configuration, which is consistent with the intent of the R-3 zoning district.
2. The proposed layout utilizes a P.R.U.D. approach, allowing variation in standard lot and setback configurations while maintaining overall compliance with the zoning district. The submitted Preliminary Plat includes typical residential building dimensions and spacing. Final verification of side setbacks, parking allocation, and all dimensional standards shall be completed prior to final plat approval.

iii. Access and Circulation:

1. The subdivision is designed with internal roadway circulation connecting to existing public streets and the existing Quail Run development. The internal road network provides looped circulation and connectivity throughout the development.
2. Final determination of access adequacy, including roadway design and emergency access, will be subject to review and approval by Public Works and Fire Department standards.

iv. Infrastructure and Utilities:

1. The Preliminary Plat includes proposed infrastructure for water, sewer, storm drainage, and other utilities. Utility alignments are shown in a preliminary capacity and will require coordination with City departments and utility providers.
2. The Preliminary Plat includes common areas and amenities typical of a planned residential development. The City is currently considering amendments to landscaping and open space standards that would allow certain amenities, such as parks, sports courts, and pavilions, to be credited toward required landscaping percentages. These amendments are scheduled for consideration by the Planning Commission and City Council.
3. Final determination of compliance with landscaping and open space requirements shall be based on the standards adopted at the time of final plat approval.

F. Findings:

- i. The Preliminary Plat is consistent with the requirements of VCMC §16.58.080.
- ii. The proposed development is consistent with the R-3 zoning designation.
- iii. The subdivision layout provides for internal access and circulation.
- iv. The development includes provision for required infrastructure and utilities.
- v. The Preliminary Plat represents a continuation and expansion of the existing Quail Run subdivision pattern.

G. Staff Recommendation

- i. Staff recommends approval of the Preliminary Plat for The Village at Quail Run Phase II P.R.U.D., subject to the following conditions:
 1. Compliance with all applicable provisions of VCMC §16.58
 2. Final engineering plans shall be reviewed and approved prior to final plat approval
 3. All required utilities and infrastructure improvements shall be installed or bonded
 4. Any outstanding comments from City departments shall be addressed
 5. Ownership and maintenance of common areas shall be clearly established prior to final plat approval
 6. Parking calculations and parking allocation per unit shall be provided and verified for compliance with applicable City standards prior to final plat approval
 7. All setbacks and dimensional standards, including side setbacks, shall be clearly verified for compliance with applicable development standards prior to final plat approval
 8. Landscaping and open space calculations shall be provided and verified for compliance with the standards in effect at the time of final plat approval

9. All phases of development shall maintain compliant access and infrastructure at each stage of construction

5. Recommendation to consider approval to amend the Vernal City Municipal Planning and Zoning Code Sections 16.04 - Definitions, 16.26 - Off-Street Parking and Vehicle Access Standards, 16.27 - Landscaping Requirements, 16.45 - R-3 Residential Zone, 16.44 - R-4 Residential Zone - Ordinance # 2026-09 - Braeden Christofferson

A. Type of PC Decision: Public Hearing, Recommendation to City Council (Legislative Action)

B. Application: Text Amendment to Vernal City Municipal Code

C. Applicant: Vernal City

D. Location / Code Reference: VCMC Title 16; Utah Code §10-20-101

E. Description and Background:

- i. The proposed amendments to Title 16 represent a series of coordinated updates to the City's development standards, including definitions, parking requirements, landscaping standards, and residential zoning regulations within the R-3 and R-4 zones. These changes are the result of ongoing internal evaluation and discussion among staff, administration, and policy-makers regarding the clarity, consistency, and effectiveness of the City's development standards. These discussions have occurred over an extended period of time and are not tied to any individual development application, rezone request, or external proposal.
- ii. Through continued application of the existing code, staff has identified recurring challenges related to density calculations, parking design, landscaping requirements, and overall site layout standards. In several instances, the current code structure has created ambiguity or unintended limitations, making it difficult to apply standards consistently across projects. The proposed amendments are intended to resolve these longstanding issues by providing clearer, more predictable standards that can be uniformly applied.
- iii. While recent development activity has brought additional attention to these topics, the amendments themselves are the product of City-led analysis and are intended to apply broadly to all future development within Vernal City. These changes reflect the City's independent policy direction and are supported by staff as necessary improvements to ensure clarity, consistency, and functionality in the administration of the code.
- iv. These amendments are intended to establish a consistent regulatory framework that applies equally to all development and is not influenced by any single project or applicant.

F. Analysis:

- i. The proposed ordinance includes updates across multiple sections of Title 16, which collectively work to improve how residential development is evaluated and implemented.
- ii. Key changes include the transition from lot-based density calculations to a units-per-acre framework within the R-3 and R-4 zones, providing a more consistent and predictable method for evaluating residential density. Adjustments to setback standards and site design flexibility are also included to better accommodate a range of housing types while maintaining compatibility with surrounding development.
- iii. The transition to a units-per-acre framework does not inherently increase allowable density but instead establishes a uniform and measurable standard that eliminates inconsistencies created by prior lot-based calculations.
- iv. Parking standards are refined to allow for more administrative clarity in design and layout, including provisions for shared parking, dimensional adjustments under site constraints, and updated frontage limitations that better reflect observed and established development patterns in

the region. These changes are intended to ensure that required parking can be accommodated without unnecessarily constraining site design or creating excessive hardscape.

- v. Landscaping standards are updated to ensure compliance while accommodating a more functional and water-conscious design, including the incorporation of drought-tolerant materials and the recognition of park-like amenities as part of overall landscaping requirements. These updates maintain minimum landscaping thresholds while allowing for more usable and integrated open space within developments.
- vi. These updates reflect regional water conservation considerations and promote efficient landscape design consistent with arid climate conditions.
- vii. Updates to definitions further support these changes by clarifying terminology related to residential uses, site design elements, and landscaping practices, reducing ambiguity in code interpretation and application.

G. Findings

- i. The proposed amendments are consistent with the intent of Vernal City Code Title 16 and support improved administration and application of development standards.
- ii. The amendments promote more predictable and consistent evaluation of residential density through the use of units-per-acre calculations.
- iii. The updates to parking and landscaping standards maintain minimum requirements while allowing for more practical and functional site design.
- iv. The amendments reflect ongoing City-led evaluation of code effectiveness and are not the result of any single development proposal.
- v. The proposed changes support orderly development patterns and are consistent with the purposes outlined in Utah Code §10-20-101.
- vi. The proposed amendments are the result of independent City-led evaluation and are not derived from or dependent upon any specific development application.

H. Staff Recommendation:

- i. Staff recommends that the Planning Commission hold a public hearing, deliberate based on the applicable provisions of Vernal City Code and Utah Code, and forward a recommendation of approval for Ordinance #2026-09 to the City Council.

I. To See Proposed Ordinance Language See Exhibits A, B, C, D, E

All changes are as follows

Red - Proposed removals

Green - Proposed New

Action Item

1. Recommendation to consider the approval of the Marcella Meadows Subdivision Amendment (Tyler & Marilee Shiner) for property located at 715 South 300 W Parcel #'s 050540038, 050540332, 050540329 - 2026-013-SUB - Braeden Christofferson

A. **Type of Decision:** Administrative

B. **Applicant:** Marilee Shiner

C. **Review Trigger:** Submission of a Subdivision Amendment

D. **Location / Code Reference:** Utah State Code § Utah Code §10-20-811 and VCMC §16.58

E. **Project Description and Background**

- i. The applicant has submitted a request for a Subdivision Amendment involving property located at approximately 715 South 300 West, consisting of Parcel #'s 05:054:0038, 05:054:0332, and 05:054:0329.
- ii. The subject property was previously part of a recorded subdivision and has since been vacated. The purpose of this amendment is to reconfigure the parcels such that two of the resulting lots are incorporated into the existing Marcella Meadows Subdivision, while the remaining southern parcel will remain as a separate lot.
- iii. The request represents a modification to existing subdivision boundaries and lot configurations and does not create additional lots beyond those currently established.



F. **Analysis**

i. **Subdivision Compliance**

1. Subdivision amendments are reviewed in accordance with Utah State Code §10-20-811 and VCMC §16.58. The request involves the reconfiguration of previously subdivided and vacated property and the incorporation of portions of that property into an existing subdivision.
2. The proposed amendment appears to be consistent with the intent of subdivision regulations, as it adjusts existing lot boundaries without creating new density or altering the overall subdivision pattern beyond the incorporation of the two northern lots into Marcella Meadows.

ii. **Zoning Compliance**

1. The resulting parcels must comply with the requirements of the underlying zoning district, including minimum lot size, frontage, and dimensional standards. The proposed amendment does not appear to introduce any nonconformities, subject to verification of final lot dimensions.

iii. **Access and Circulation**

1. The affected parcels maintain access through existing public streets and established subdivision infrastructure. The amendment does not alter roadway patterns or create additional access points that would impact circulation.

iv. **Infrastructure and Utilities**

1. The parcels are located within an area served by existing infrastructure and utilities. The proposed amendment does not require the extension of new public infrastructure and will utilize existing service connections, subject to verification during final review.

v. Impact on Surrounding Properties

1. The proposed subdivision amendment modifies existing parcel boundaries and incorporates two parcels into the Marcella Meadows Subdivision while leaving one parcel as a standalone lot.
2. The amendment does not increase the number of lots, introduce new uses, or alter the overall density of the area. Existing access, infrastructure, and development patterns remain unchanged. As such, impacts to surrounding properties are limited to adjustments in lot configuration and ownership boundaries.

G. Findings

- i. The proposed Subdivision Amendment complies with Utah State Code §10-20-811 and VCMC §16.58.
- ii. The amendment reconfigures existing parcels without increasing density or creating additional lots.
- iii. The proposed lot configuration is consistent with the surrounding subdivision pattern.
- iv. The parcels retain access to existing public streets and infrastructure.
- v. The amendment facilitates incorporation of two parcels into the Marcella Meadows Subdivision while maintaining one independent lot.

H. Staff Recommendation

- i. Staff recommends approval of the Marcella Meadows Subdivision Amendment, subject to the following conditions:
 1. Compliance with all applicable provisions of VCMC §16.58.
 2. Final plat documents shall reflect accurate lot configurations, legal descriptions, and parcel boundaries.
 3. All resulting parcels shall comply with applicable zoning requirements, including lot size, frontage, and setbacks.
 4. Any required utility adjustments or easements shall be reviewed and approved prior to final recording.
 5. All necessary documents associated with the prior subdivision vacation shall be properly recorded and referenced.

Exhibit A. Residential R4

Section 16.44.010 Objectives -- Characteristics

The R-4 Residential Zone is established to accommodate high-density residential development within the City. This zone is intended to provide opportunities for a range of housing types, including multi-family dwellings, apartments, townhomes, and other attached residential forms. The R-4 zone is designed to support increased residential density in appropriate locations while ensuring that development remains functional, efficient, and compatible through the application of site design, parking, landscaping, and access standards. In addition to residential development, the R-4 zone may accommodate certain institutional, civic, and limited non-residential uses, such as schools, churches, offices, and similar uses, where such uses are compatible with surrounding residential development and do not adversely impact the residential character of the area. In order to accomplish the objectives and purposes of this chapter, development within the R-4 Residential Zone shall be subject to the regulations set forth herein.

~~The R-4 residential zone has been established as a district in which the primary use of the land is for multi-family residential purposes but in which office buildings and certain other uses of a semi-commercial nature may be located. In general, this district serves as a transitional zone between the commercial zone. Since this zone is essentially residential in character, office buildings, rest homes, mortuaries, parking lots and other transitional uses must be developed and maintained in harmony with the residential uses. While a greater amount of automobile traffic and automobile parking is characteristic of this zone, attractive lawns, trees, shrubs, both on the street and around the building, is also characteristic of this zone. In order to accomplish the objectives and purposes of this chapter and to stabilize and protect the essential characteristics of this zone, the following regulations shall apply in the R-4 residential zone.~~

Section 16.44.030 Density Per Acre

Density calculations shall apply to all residential development types within the R-4 zone, including townhome developments.

The Residential R4 zone shall be limited to twenty-five (25) Units Per Acre

Section 16.44.035 Uses

Uses are as set out in this section:

USES	R-4
Bed and breakfast	C
Boarding houses	C
Churches	P
Day care nursery	P
Dwelling, internal additional	P
Dwelling, two, three and four family	P
Dwelling, single family	P

Dwelling, multiple family, containing thirty (30) or less units	P
Dwelling, multiple family, containing more than thirty (30) units	E
Dwelling, Multiple Family	P
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Hospitals and clinics	P
Household pets not exceeding 4	P
Mortuary	P
Portable Storage Container	P
office buildings or group of office buildings	P
PRUD	P
Public parking lots	P
Public utility buildings and facilities	P
Rest home	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Retail establishments	N
Row House	P
Schools	P
Signs, monument	P
Signs - non-flashing, flat	P
Signs pertaining to sale or lease of property or professional offices	P
Temporary storage buildings for construction	P

Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Townhome	P
Urban farm	P
Livestock	C
Uses ruled to be similar by the Planning Commission	P
Wedding chapel	P
Wholesale commercial establishment	N

Section 16.44.040 Minimum Area Requirements

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

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

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

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

~~Row houses: three thousand (3000) square feet.~~

Residential density in the R4 Residential Zone shall be regulated by maximum units per acre as established in Section 16.44.030 (Density Per Acre). Lot size configuration and layout shall be governed by setback, landscaping, parking, and site design standards.

Section 16.44.050 Minimum Width Requirements

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

The minimum width of any parcel for a one (1) family or other main building shall be sixty-five (65) feet, plus five (5) additional feet for each additional dwelling unit up to eighty (80) feet.

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

~~Row House: thirty (30) feet.~~

Section 16.44.060 Setback Requirements

Front Setback: All buildings and structures shall be set back at least **fifteen (15)** ~~twenty (20)~~ feet from the front lot line.

Townhome developments shall comply with the following:

- A. Townhome developments with vehicular access provided from a rear alley or private drive may utilize the minimum fifteen (15) foot front setback.
- B. Townhome developments with vehicular access provided from the front of the lot shall provide a minimum front setback sufficient to accommodate required driveway parking spaces.
- C. Where driveway parking is utilized to satisfy required parking, the driveway shall have a minimum depth of twenty (20) feet.

Side Setback:

Except for dwellings utilizing zero side yards, all dwellings and other main buildings shall be set back from the side property line a distance of at least five (5) feet.

The minimum side setback for accessory buildings shall be the same as for main buildings except that no side setback shall be required for accessory buildings located twelve (12) feet or more in back of the dwelling.

On corner lots, the side setback from the street along the exterior lot line for any dwelling, accessory building or other main building shall not be less than ~~fifteen (15)~~ twenty (20) feet, unless:

The exterior lot line is directly adjacent to an unimproved, undeveloped section of public right-of-way. If this is the case, the side setback for accessory buildings shall be ten (10) feet.

Rear Setback:

For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ten (10) feet. Accessory buildings shall be set back at least one (1) foot from the rear property line.

For exterior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ten (10) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than five (5) feet.

Section 16.44.070 Height And Coverage Requirements

The maximum height requirement in the R-4 Residential Zone is as follows:

- a. Single-family dwellings, duplexes, triplexes, and fourplexes shall not exceed three (3) stories or forty-five (45) feet in height.
- b. Multi-family residential structures shall not exceed four (4) stories or sixty (60) feet in height.
- c. All accessory buildings shall not exceed thirty-five (35) feet in height.

Chimneys, flagpoles, television antennas, church towers, and similar structures not used for human occupancy are excluded in determining height.

~~The maximum height requirement in the R-4 residential zone is as follows:~~

~~The maximum height for residential housing developments containing four (4) or less units ie: single-family, duplex, triplex, or four-plex structure shall not exceed three (3) stories tall with a maximum of forty-five (45') feet.~~

~~Multi-family projects containing five (5) or more dwelling units and all commercial projects shall not exceed four (4) stories with the overall height of structures not exceeding sixty (60') feet.~~

~~All accessory buildings shall not exceed thirty-five (35') feet.~~

~~Chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.~~

The maximum area of any lot that may be covered by structures is sixty-five (65) percent.

Section 16.44.080 Special Provisions

Same as required in the R-3 residential zone except that off-street parking and landscape plans shall also be required for office buildings, clinics, mortuaries and similar structures (see Sections 16.42.080 through 16.42.100).

Section 16.44.090 Landscaping Requirements

Landscaping shall be in conformance with Chapter 16.27 herein and shall provide for and meet the needs of the tenants.

Exhibit B. Residential R3

Section 16.42.010 Objectives -- Characteristics

The R-3 Residential Zone is established to accommodate medium-density residential development and to serve as a transition between lower-density residential areas and higher-density residential or mixed-use areas of the City. This zone is intended to provide for a variety of housing types, including single-family dwellings, duplexes, triplexes, fourplexes, townhomes, and other compatible residential forms. In addition to residential development, the R-3 zone may accommodate parks, schools, churches, and other community-oriented or institutional uses that serve the residents of the area and are compatible with surrounding residential development. Development within the R-3 zone is expected to be more compact than in the R-1 and R-2 zones while maintaining compatibility with surrounding neighborhoods through appropriate site design, landscaping, parking, and access standards. In order to accomplish the objectives and purposes of this chapter, development within the R-3 Residential Zone shall be subject to the regulations set forth herein.

~~The R-3 residential zone covers the portion of the City which is primarily suited for residential development represented by the commingling of one (1) family, two (2) family and multiple-family dwellings, plus parks, playgrounds, schools, churches and other community facilities designed to serve the residents of the zone. This zone is characterized by a more compact and somewhat denser residential development than in the R-1 and R-2 zones. Owners and developers of property within this zone should bear in mind that privacy is given to multiple unit housing development and maintain their properties in recognition thereof. In order to accomplish the objectives and purposes of this chapter and to stabilize and protect the essential characteristics of this zone, the following regulations shall apply in the R-3 residential zone.~~

Section 16.42.030 Density Per Acre

Density calculations shall apply to all residential development types within the R-3 zone, including townhome developments.

The Residential R3 zone shall be limited to fourteen (14) Units Per Acre

Section 16.42.035 Uses

Uses are as set out in this section:

USES	R-3
Bed and breakfast	C
Boarding houses	C

Churches	P
Day care nursery	P
Dwelling, internal additional	P
Dwelling, two, three or four family	P
Dwelling, single family	P
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Hospitals and clinics	C
Household pets not exceeding 4	P
Livestock	C
Mortuary	C
Portable Storage Container	P
Professional office buildings	C
PRUD	P
Public parking lots	C
Public utility buildings and facilities	P
Rest home	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Schools	P
Signs, monument	P
Signs pertaining to sale or lease of property or professional offices	P

Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Townhome	P
Urban farms	P
Wedding chapel	C

Section 16.42.040 Minimum Area Requirements

One (1) family dwelling: six thousand five hundred (6,500) square feet;

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

~~Two (2) family dwelling: nine thousand (9,000) square feet;~~

~~Three (3) family dwelling: ten thousand (10,000) square feet;~~

~~Four (4) family dwelling: twelve thousand (12,000) square feet.~~

Minimum lot area requirements based on dwelling count are hereby removed. Residential density in the R3 Residential Zone shall be regulated by maximum units per acre as established in Section 16.42.030 (Density Per Acre). Lot size configuration and layout shall be governed by setback, landscaping, parking, and site design standards.

Section 16.42.050 Minimum Width Requirements

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

One (1) family dwelling: sixty-five (65) feet;

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

Two (2) family dwelling: ninety (90) feet;

Three (3) family dwelling: ninety (90) feet;

Four (4) family dwelling: one hundred (100) feet;

Section 16.42.060 Setback Requirements

A. Front Setback: All buildings and structures shall be set back at least **Twenty (20) Feet** ~~Thirty (30) feet~~ from the front lot line.

B. Side Setback:

1. Except for dwellings utilizing zero side yards, all dwellings and other main buildings shall be set back from the side property line a distance of at least five (5) feet.

2. The minimum side setback for accessory buildings shall be the same as for main buildings except that no side setback shall be required for accessory buildings located twelve (12) feet or more in back of the dwelling.
3. On corner lots, the side setback from the street along the exterior lot line for any dwelling, accessory building or other main building shall not be less than twenty (20) feet, unless:
 - a. The exterior lot line is directly adjacent to an unimproved, undeveloped section of public right-of-way. If this is the case, the side setback for accessory buildings shall be ten (10) feet.

C. Rear Setback:

1. For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least **fifteen (15) feet** ~~twenty (20) feet~~. Accessory buildings shall be set back at least one (1) foot from the rear property line.
2. For exterior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least **fifteen (15) feet** ~~twenty (20) feet~~. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than five (5) feet.

Section 16.42.070 Height And Coverage Requirements

The maximum height for any main dwelling, or any other main structure in the R-3 zone is thirty-five (35) feet. The minimum height for any dwelling or any other main structure in the R-3 zone is eight (8) feet.

The maximum height for any accessory building shall be governed by the same restrictions as in the R-1 Zone, Section 16.36.100.

The maximum area of any lot that may be covered by structures is fifty-five (55) percent.

Section 16.42.080 Special Provisions

Special provisions are the same as required in the R-1 residential zone (see Sections 16.36.090 and 16.36.120 through 16.36.140).

Section 16.42.090 Off-Street Parking Layout And Landscaping Plan Requirements

Plans showing proposed off-street parking layout and landscaping in conformance with Chapter 16.27 herein shall be submitted to and approved by the Planning Director as applicable for buildings containing five (5) or more dwelling units, boarding houses, rest homes, clubs, lodges, churches, schools, and similar uses prior to the issuance of a building permit. The plans shall provide that all land not covered by buildings or by off-street parking space shall be planted in lawn, trees, shrubs or groundcover and otherwise landscaped and maintained in accordance with good landscaping practice as outlined in Chapter 16.27 herein. Where structures are to be placed on the property, the required thirty (30) foot setback space shall not be used for automobile parking, but shall be landscaped and maintained with lawn, trees, shrubs or groundcover except for permitted driveways.

Section 16.42.100 Landscaping Requirements

Landscaping shall be in conformance with Chapter 16.27 herein and shall provide for and meet the needs of the tenants.

(PZSC § 03-21-008 (3))

(Ord. No. 94-22, Amended, 11/2/94; Ord. No. 96-27, Amended, 11/20/96)

Exhibit C. Landscaping

Section 16.27.010 Purpose

It is the purpose of this Chapter to provide for the retention and development of landscaping in order to provide orderly and adequate development of these necessities, and in so doing, promote the comfort, aesthetics and well-being of the citizens of the City. Consequently, there shall be provided at the time of the construction, reconstruction, alteration, expansion or development of commercial, institutional, and multi-family residential uses, landscaping as provided herein.

Section 16.27.020 Installation

It shall be the responsibility of the developer to grade, place topsoil, seed or sod, install automatic sprinkler irrigation systems, and properly plant trees, shrubs, and other approved plant materials in accordance with the site plan approved by the Planning Director.

All landscape work shall be installed prior to a Certificate of Occupancy of the building being issued. The Planning Director may grant an extension in the event a situation arises that prevents the completion of the required landscaping provided that a financial guarantee in accordance with Section 16.60.010 (F) is filed with the City ensuring the completion of such improvements.

Section 16.27.030 Maintenance

It shall be the responsibility of the property owner to properly maintain all landscaped areas in accordance with the approved site plan and associated landscape plan. Such landscaping shall be maintained and kept alive and free from weeds and debris.

Section 16.27.040 Vegetation Removal

Once the required landscaping has been installed in conformance with the approved site plan, major changes or modifications shall not be made without review and approval of the Planning Director.

Removed vegetation shall be replaced with equal or better quality plant materials. Trees that are necessarily removed shall be replaced in accordance with the approved site plan.

Section 16.27.050 Tree And Shrubbery Mix

There shall be a reasonable mix of evergreen trees and deciduous trees, and shrubbery on all development sites to allow for a green winterscape. A minimum of two (2) of the three (3) above groups shall be shown on the proposed site plan.

Buffering from neighboring uses;
Location of trees and shrubbery in relation to clear vision for traffic.

Section 16.27.060 Minimum Number Of Trees Or Shrubbery

CC-1, C-2, CP-2, CCP-1, HC-1, I-1 and F-1 zones.

A minimum ratio of one (1) tree or shrubbery per every 500 square feet of landscaping shall be provided on the overall site plan. For example: Commercial C-2 one (1) acre site shows 5% greenspace; $5\% = 2178$ sq. ft. divided by $500 = 4.356$ rounded to 4 trees or shrubbery for the 1 acre site;

R-3, R-4, MX and P-1 zones;

A minimum ratio of one (1) tree or shrubbery per every 1500 square feet of landscaping shall be provided on the overall site plan. For example: A one (1) acre R-4 multi-family site shows 30% open green space: $30\% = 13068$ sq. ft. divided by $1500 = 8.712$ rounded to 9 trees or shrubbery for the one (1) acre site.

Coniferous trees (evergreens) shall be a minimum of six (6) feet high. Deciduous trees (leaf bearing) shall be a minimum of two (2) inches caliper. Shrubbery shall be a minimum of ten (10) gallons.

Locations of Trees.

Trees shall be incorporated into site design, particularly along street frontages, within common areas, and as part of required buffering. Tree type, size, and spacing shall be appropriate to the scale and layout of the development and may include a mix of shade and ornamental species.

Trees shall be located and maintained within the yards so as not to impact public sidewalks or rights-of-way with roots, branches, or other debris.

Section 16.27.070 Minimum Area Requirements

Landscaping shall be provided for all land not covered by buildings or by off-street parking space in those zones requiring landscaping. In zones that require a building set back, the main landscaped area shall be distributed across the site with emphasis on street frontage, buffers, and open spaces. ~~(60% of the total landscaping requirement) shall be along the frontage, parallel to the public road right of way. No rock or gravel, except boulders, shall be allowed in the main landscaped area.~~ Landscaping shall be arranged to provide functional open space, site buffering, and visual enhancement of development.

Landscaping may include drought-tolerant plantings, native vegetation, decorative rock, and other water wise design elements, provided 50% of landscaped areas incorporate living plant material and are not composed solely of inorganic ground cover.

Landscaping plans shall be submitted with site plans according to site plan regulations. All zones shall require the following minimum landscaping regulations:

Park-like amenities such as sports courts, pavilions, and similar recreational or community-oriented features may be credited toward required landscaping areas, subject to approval and provided that a minimum amount of living plant material is maintained in accordance with this section.

Residential.

R-3 Residential: ~~Multi-family~~ Residential developments of less than three (3) or more dwelling units shall have minimum landscaping of **20%** ~~30%~~ of the lot area.

R-4 Residential: Multi-family developments of three units or more shall have minimum landscaping of **25%** ~~28%~~ of the lot area.

R-4 Residential: ~~Townhome Row-house~~ developments shall have minimum landscaping of 15% of the lot area.

~~MX Mixed Use Residential: Developments having a residential component shall have minimum landscaping of 10% of the lot area.~~

Commercial.

CC-1 Central Commercial Zone: None, except for areas of the development not covered by buildings or parking.

C-2 Commercial Zone: Commercial developments shall have a minimum landscaping of 5% of the lot area.

Multi-family dwellings shall meet the same requirement as the R-4 Residential zone.

CP-2 Planned Commercial Zone: Commercial developments shall have a minimum landscaping of 5% of the lot area. Multi-family dwellings shall meet the same requirement as the R-4 Residential Zone.

CCP-1 Planned Commercial Zone: None, except as required by the Planning Commission.

~~MX Mixed Use Residential: Developments having no residential component shall have minimum landscaping of 5% of the lot area.~~

I-1 Industrial Zone shall have a minimum landscaping of 5% of the main building area.

P-1 Parks zone shall have a minimum landscaping of 40% of the lot area.

F-1 Fairgrounds zone shall have a minimum landscaping of 15% of the lot area.

HC-1 Health Care Zone shall have a minimum landscaping of 10% of the lot area.

MX Mixed use zone: Developments shall have minimum landscaping of 10% of the lot area.

~~Locations of Trees:~~

~~Trees shall be located and maintained within the yards so as not to impact public sidewalks or rights-of-way with roots, branches, or other debris.~~

Section 16.27.080 Landscaping Within Commercial Parking Areas

All traffic channelization islands shall be fully landscaped.

All landscaped areas abutting any paved area shall be curbed with a six (6) inch high continuous concrete curb.

At intersections of streets, driveways, sidewalks, etc., landscaping shall be limited to a height of not more than four (4) feet above street level within the area required for minimum site distance.

Section 16.27.090 Undeveloped Areas

All undeveloped, unpaved areas not utilized for parking, access, storage and/or future expansion areas shall be maintained free of weeds and trash.

Section 16.27.100 Parking In Landscaped Areas

Parking is prohibited upon any front, side, rear, or interior landscaped area.

Section 16.27.110 Adjacent To Residential Districts

A minimum ten (10) foot width of landscaping, including a combination of trees, shrubs, and ground covers shall be provided to create a buffer adjacent to any residential use or zone boundary.

Section 16.27.120 Existing Trees

The retention of existing healthy, desirable tree species on-site is preferred. Buildings and parking areas should be designed around existing trees wherever possible.

Exhibit D. Parking

Section 16.26.010 Purpose

It is the purpose of this chapter to regulate parking and loading spaces, vehicle traffic and access in order to provide orderly and adequate development of these necessities, and in so doing, promote the safety and well-being of the citizens of the City. Consequently, there shall be provided at the time of the erection of any building or at the time any main building is enlarged or increased, off-street parking space in accordance with the Vernal City minimum parking design standards.

Section 16.26.020 Off-Street Parking -- Minimum Requirements -- Reductions

The number of off-street parking spaces required in connection with any particular land use shall not be less than that set forth in this chapter, except for permitted reductions allowed under the provisions of Section 16.26.080 and 16.26.150.

Section 16.26.030 Permanent Parking Space Requirements -- In-Lieu Fee

Every building, structure, improvement or use hereafter constructed, reconstructed or enlarged shall be provided with permanently maintained parking spaces as specified in this chapter for the area of the construction, reconstruction or enlargement; or shall pay an in-lieu fee for the spaces as provided herein.

Section 16.26.040 Continuing Obligation

The required off-street parking facilities shall be a continuous obligation of the property owner so long as the use requiring vehicle parking or vehicle loading facilities continues. It is unlawful for any owner of any building or use to discontinue or dispense with the required vehicle parking facilities without providing some other vehicle parking area which meets the requirements of this chapter.

Section 16.26.050 Nonconforming Facilities

Any use of property which, on the effective date of this title or of any subsequent amendment thereto, is nonconforming only as to the regulations relating to off-street parking facilities may continue in the same manner as if the parking facilities were conforming. Such existing parking facilities shall not be further reduced however.

Section 16.26.060 Parking District -- Boundaries

There exists a parking district within Vernal City which shall include all property within Vernal City which is presently or may become zoned center commercial zone (CC-1), commercial zone (C-2), planned regional commercial zone (CCP-1), planned commercial zone (CP-2) and Mixed Use Residential Zone (MX) and shall automatically include all property in the City subsequently zoned or rezoned to CC-1, C-2, CCP-1 CP-2 and MX zones.

Section 16.26.070 Parking District -- Purpose

The parking district was created for the purpose of acquiring properties and constructing, maintaining and improving public parking facilities within the boundaries of the district and to stimulate business development and provide for the safe and orderly flow of traffic.

Section 16.26.080 Parking District Fund -- Established Use

A parking district fund has been established, composed of in-lieu parking space fees and such other revenues as the City Council may deem to be appropriate. The parking district fund shall be used to acquire property for parking facilities within the parking district as well as to plan, build and maintain the parking facilities.

Section 16.26.090 In-Lieu Parking Fees -- Calculation

The regulations contained herein are deemed necessary to increase safety and lessen congestion in the public streets, to adequately provide for parking needs associated with the development of land and increased automobile usage, and to set standards for the requirements of off-street parking according to the amount of traffic generated by each use. The minimum required off-street parking spaces for each particular use as specified in this chapter as it presently exists or as it may be amended is the standard.

In the event an owner or developer feels he cannot meet the minimum standard for off-street parking, he may request consultation with the City Council, whereupon he shall provide the City Council with all information, maps, charts, diagrams or other material necessary to adequately explain his position and to answer questions raised by the Council. Following consultation, the City Council will either require the minimum off-street parking standard to be met or will require and authorize the acceptance of an in-lieu parking fee to take the place of each parking space not provided by the owner or developer. The determination of how many, if any, parking spaces will be authorized for an in-lieu parking fee shall be solely at the discretion of the City Council.

The amount of the in-lieu parking fee shall be calculated by multiplying the number of spaces approved by the City Council for in-lieu payment times the unit cost of each parking space so approved. The unit cost per space shall be established by motion of the City Council. It is intended that the unit cost shall approximate the cost of providing a parking space in the same vicinity of the development and consequently the Council may distinguish unit cost difference within the various parts of the parking district. All in-lieu parking fees shall be contributed to the parking district fund and shall be used for the purpose of providing and maintaining public parking facilities as provided in Section 16.26.080.

Section 16.26.100 Parking Development Plan

A parking development plan may be created as a part of the downtown development plan to encourage and protect the economic development of the central business district.

Section 16.26.110 Parking Space Requirements -- Dwellings

In all zones there shall be provided parking spaces in a private garage or in an area properly located for a future garage:

- A. Single-family dwelling, to include townhomes ~~row houses~~: two (2) spaces;
 - a. **Required parking for townhome developments may be satisfied through a combination of garage spaces, driveway spaces, and common parking areas, provided all applicable design and access standards of this Title are met.**
 - b. Up to fifty percent (50%) of the parking requirement for a townhomes ~~row houses~~ development may be provided in a common parking lot provided the following conditions are met:
 - i. Easements upon the common parking lot for the benefit of all units in the development must be recorded with the Uintah County Recorder, and;
Common parking lots must be contiguous with the residential area of the townhomes ~~row houses~~ development and located within the same city block as the lots they serve. When the townhomes ~~row houses~~ development is not located in an area platted with standard city blocks, the common parking lot, and; All other parking lot design standards specified within this title must be met.
All other parking lot design standards specified within this title must be met.
- B. Two-family dwelling: four (4) spaces;
- C. Three-family dwelling: six (6) spaces;
- D. Four-family dwelling: eight (8) spaces;
- E. Other multiple-family dwellings:
 - a. Standard multiple-family dwelling requires two (2) spaces per dwelling unit,
 - b. **Studio or efficiency dwelling units shall require one (1.5) parking space per dwelling unit. ~~Multiple-family dwellings designed to accommodate exclusively bachelors and/or bachelorettes require one (1) space for each person in each unit. The building permit shall stipulate the maximum number of persons per unit and the number and type of unit;~~**
 - c. **Age-restricted residential developments, including housing for older persons as defined by applicable federal law, shall require one (1.5) parking space per dwelling unit. ~~Housing exclusively for the elderly and/or handicapped require one (1) space per unit;~~**
 - d. ~~Except as provided below;~~ Multiple family developments containing more than four (4) dwelling units shall provide one (1) additional parking space for each two (2) dwelling units.
 - e. **The additional parking requirements set forth in sub-section E(d) shall not apply to townhomes or townhome developments.**

All dwelling units within the CC-1 ~~or MX zones~~ require one and one half (1.5) parking spaces per unit.

Residential development in the MX Zone shall provide Off-Street Parking as follows:

- i. **Development shall provide a minimum of two (2) Parking spaces per dwelling unit.**
 - ii. **Development shall provide a minimum of parking as listed in commercial use table 16.26.120 (parking spaces required non-dwelling).**
 - iii. **Parking count can be modified if an adjacent special assessment area is established**
- b. Parking spaces may include garage spaces, driveway spaces or designated surface parking spaces**

If any dwelling unit is increased by occupant use after the original building permit is issued, the parking requirements shall reflect that increase;

In addition to the parking space requirements set out in this section, one (1) space shall be provided for every two (2) paying guests residing in such dwelling unit. "Paying guest" refers to the rental of sleeping rooms within the dwelling unit. (PZSC § 03-12-011)

Section 16.26.120 Parking Space Requirements -- Nondwelling

Except as otherwise provided in this title, the number of off-street parking spaces for various uses shall be as follows:

USE	PARKING SPACE REQUIRED
Banks	One (1) space for each 300 sq.ft. of gross floor space

Bowling alleys	Four (4) spaces for each bowling lane
Churches & accessory uses	One (1) space for each 4 seats in the chapel or main assembly area or if there are no fixed seats, then one (1) space for each 100 sq.ft. of floor space used for main assembly area. 18 linear inches of bench space shall be considered a fixed seat.
Data center	One (1) space for each 1000 sq. ft. of gross floor area.
Food establishments for the sale & consumption on the premises of food & beverages	One (1) space for each 4 seats including stools, benches, booths or one (1) for each 75 sq. ft. of floor area when number of seats is unknown, but in no case shall there be less than four (4) spaces.
Furniture & appliance stores	One (1) space for each 800 sq. ft. of gross floor area.
Hardware stores, household equipment service shops, clothing or shoe repair or similar personal service shops	One (1) space for each 600 sq. ft. of gross floor area or three (3) parking spaces, whichever is greater.
Hospitals	Two and one-half (2.5) spaces for each bed.
Libraries	One (1) space for each 500 sq. ft. of gross floor area.
Museums & similar non-assembly cultural facilities	One (1) space for each 500 sq.ft. of gross floor area.
Manufacturing uses, research & testing labs, creameries, bottling establishments, bakeries, canneries, printing & engraving shops, etc. without retail sales on premises	One (1) space for each 1000 sq. ft. of gross floor area and one space for each 250 sq. ft. of office area.
Medical & dental clinics or offices	One (1) space for each 200 sq. ft. of gross floor area.
Mortuaries	One (1) space for each 100 sq. ft. of gross floor area.
Motels/Hotels	One (1) space for each sleeping or dwelling unit.
Motor vehicle & machinery repairs (minor)	One (1) space for each 600 sq. ft. of gross floor area.
Motor vehicle & machinery repairs (major), sales or wholesaling	One (1) space for each 500 sq. ft. of gross floor area.
Multi-tenant commercial structures containing three (3) or more leasable spaces	One (1) space for each 225 sq. ft. of gross floor space.

Nursing home, children's home, homes for the aged	One (1) space for each 3 beds, except where skilled care (long term care) is provided, the requirement is one (1) parking space for each 2 beds.
Offices not providing customer services or sales on premises	One (1) space for each 400 sq. ft. of gross floor area.
Public parks, playgrounds and open spaces	City Council may require parking at its discretion.
Professional offices for attorneys, CPA's, architects, engineers, etc.	One (1) space for each 300 sq. ft. of gross floor area.
Retail stores except as otherwise specified herein	One (1) space for each 225 sq. ft. of gross floor area on the ground floor and one (1) space for each 350 sq. ft. of floor area on all floors above or below ground floor.
Rooming house, lodging houses, & clubs having sleeping facilities	One (1) space for each 2 beds.
Schools, private	One (1) space for each employee and one (1) space for each 2 students of driving age.
Stadiums, sports arenas, auditoriums (including private school auditoriums) & other places of public assembly and clubs & lodges having no sleeping quarters.	One (1) space for each 4 seats and/or one (1) space for each 100 sq. ft. of gross floor area used for assembly and not containing fixed seats.
Swimming pools, commercial & public	One (1) space for each 5 persons based on capacity load.
Theaters	One (1) space for each 4 fixed seats and/or one (1) space for every 35 sq. ft. of seating area where there are no fixed seats based on the design capacity of the structure.
Transportation terminals & facilities	Adequate number as determined by the Planning Commission. The Planning Commission may require a parking study be submitted by the applicant.
Warehouses & wholesale storage buildings (dead storage or high volume distribution)	One (1) space for each 2000 sq. ft. of gross floor area and one space for each 250 sq. ft. of office or sales area.

Section 16.26.130 Parking Space Requirements -- Computation

When measurements determining number of required parking spaces result in a fractional space, any fraction up to one-half (1/2) shall be disregarded, and fractions including one-half (1/2) shall require one (1) parking space.

Section 16.26.140 Parking Space Requirements For Uses Not Specified

The parking requirements for land uses which are not specified in this chapter shall be recommended by the City Planning Department to the City Council. The determination shall be based upon the requirements for the most comparable use specified herein.

Section 16.26.150 Maintenance Of Required Parking On Lots Separate From Lot On Which Use In Maintained

If a building, structure or improvement requiring parking is located upon a separately recorded lot from that upon which the required parking is provided, whether in the same or separate ownership, there shall be a recording in the office of the county recorder of a covenant by such owner or owners for the benefit of the City, in the form first approved by the City, that such owner or owners will continue to maintain such parking space so long as the building, structure or improvement is maintained in the City. The covenant herein required must stipulate that the title to the right to use the lot or lots upon which the parking facilities are to be provided will be suberected and that the lot or lots are not and will not be made subject to any other covenant or contract for use without prior written consent of the City.

Section 16.26.160 Location

Off-street parking facilities shall be located as hereinafter specified.

For any type building, parking facilities shall be located on the same lot or building site as the buildings which they are required to serve.

For uses other than those specified in subsection A of this section, parking spaces shall not be over five hundred (500) feet from the building they are required to serve.

~~In any residential zone, not more than twenty-five (25) percent of the required front yard or side yard adjacent to a street shall be devoted to driveways and off-street parking.~~

In any residential zone, not more than thirty-five percent (35%) of the required front yard or side yard adjacent to a street shall be devoted to driveways and off-street parking for single-family detached dwellings.

For attached residential dwellings, including duplexes, triplexes, fourplexes, townhomes, and multi-family structures, not more than fifty percent (50%) of the required front yard or side yard adjacent to a street shall be devoted to driveways and off-street parking.

Driveway and parking areas shall be designed to support required off-street parking while maintaining visual quality, minimizing excessive hardscape, and avoiding domination of the streetscape.

Where distance is specified, such distance shall be walking distance measured from the nearest point of the building that such facility is required to serve.

Section 16.26.170 Illumination

Lights shall be provided to illuminate parking areas required by this chapter.

The following shall apply when lighting fixtures are installed in a residential zone, adjacent to a residential zone, or used in an area designated as a future residential area by the Vernal City general plan or adjacent to any other sensitive use.

Fixtures shall have cutoff shields installed when the parking lot is adjacent to residential zones or uses. Cutoff shields shall be designed and installed so as to direct light onto the parking area and away from the adjacent property.

Poles and their attached fixtures shall not exceed a height of 30 feet when installed in or adjacent to residential zones. Height shall be measured from the adjacent grade to the highest point on the lighting structure.

The average maintained footcandles shall be at least one (1) footcandle, but may not exceed three (3) footcandles. A photometric study may be required by the Planning Commission to demonstrate compliance with this requirement.

Where parking areas are separated from the buildings they serve by a public street, the crosswalk serving the parking area and building shall be appropriately lighted with a nine thousand five hundred (9,500) lumen sodium vapor light or other equivalent fixture as approved by Vernal City. The Planning Commission may waive this requirement for a crosswalk light if a lighted crosswalk is within two hundred (200) feet of the parking lot.

A thirty (30) day review period beginning with the energizing of a lighting system shall be required to evaluate and adjust illumination levels of parking lots in and adjacent to residential districts or other sensitive land uses.

Poles and their attached fixtures shall be kept operational and in good repair by the owner of the property upon which the poles and their attached fixtures are located. All wiring and similar components shall be concealed.

Section 16.26.180 Parking Space Requirements -- Mixed Occupancies

In the case of mixed uses in the building or on a lot, the total requirement for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one (1) use shall not be considered as providing required parking facilities for any other uses, except as hereinafter specified for joint use.

Section 16.26.190 Parking Space Requirements -- Joint Use

The Planning Commission may, upon application by the owner or lessee of any property, authorize the joint use of parking facilities by the following uses or activities under conditions specified herein. Up to fifty (50) percent of the parking facilities required by this chapter for a use considered to be primarily a daytime use may be provided by the parking facilities of a use considered to be primarily a nighttime use; up to fifty (50) percent of the parking facilities required by this chapter for a use considered to be a nighttime use may be provided by the parking facilities of a use considered to be primarily a daytime use, provided such reciprocal parking area shall be continuous and the joint use of such facilities is assured by recording in the office of the County Recorder of a covenant by such owner or owners of properties jointly used as prescribed by Section 16.26.120.

Section 16.26.200 Parking Space Requirements -- Use Of Common Facilities

Common parking facilities may be provided in lieu of the individual requirements contained herein, provided the total of such off-street parking spaces, when used together, shall not be less than the sum of the various uses computed separately. If the common facilities are located on more than one (1) parking lot, a covenant for the preservation of the parking must be filed in accordance with the provisions of Section 16.26.120.

Section 16.26.210 Parking Space Requirements -- Submission Of Plans

The plans for any proposed parking area shall be submitted to the Planning Director at the time of application for a site plan approval to which the parking area is accessory. The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed parking lot.

Section 16.26.220 Parking Space Requirements -- Existing Buildings

For buildings in existence at the effective date of this chapter or an amendment thereto, the use of such buildings may change without being required to comply with the parking requirements contained in this chapter. However, if a building is enlarged, it shall either provide the required number of off-street parking spaces for the enlargement as set forth in Sections 16.26.110 and 16.26.120 or shall pay in lieu of required parking as set forth in Section 16.26.090.

Section 16.26.230 Commercial Parking Space Design And Access

Commercial parking areas shall be paved with asphalt or concrete surface and shall have appropriate bumper guards or curbs where needed, as determined in the Master Site Plan, to protect adjacent property owners or persons using a sidewalk. All storm water shall be collected and retained in accordance with Section 16.06.060.

Backing space shall be provided for parking areas to prevent backing into a public street or alley. Public sidewalks shall not be permitted to be used as part of the required backing space.

The width of each parking space shall be measured at a right angle to the side lines of the parking space. All parking spaces shall have minimum dimensions of ten (10) feet by twenty (20) feet except;

Parking spaces with dimensions of 9 feet by 20 feet may be permitted under the following conditions:

The site layout must demonstrate a clear constraint that prevents the use of ten)(10-foot wide stalls, such as narrow lot dimensions or existing structural features.

Approval by the Planning Commission is required, confirming that the narrower stalls will not impair safety, access, or functionality

Parking stalls with dimensions of 9 feet in width by 18 feet in length may be permitted under the following circumstances:

These stalls may only be used in areas with significant site constraints, such as steep grades, existing mature trees, or historical site features.

They must be located in areas designated for compact vehicles or short-term parking where the reduced length will not hinder the parking lot's overall effectiveness.

Stalls shall not be placed adjacent to public sidewalks or pedestrian walkways unless there is a physical barrier or buffer, such as a landscaped strip of at least three (3) feet in width, to prevent vehicles from encroaching on the pedestrian area. This is to ensure that pedestrian safety and accessibility are not compromised.

Handicapped parking spaces shall be in accordance with the International Building code minimum dimensions and separation strip.

Aisle width for parking shall vary depending on the parking angle and be approved by the public works department in the Master Site Plan to be no less than;

45-degree parking: A minimum aisle width of 14 feet for one-way traffic is required.

60-degree parking: A minimum aisle width of 16 feet for one-way traffic is required.

90-degree parking (perpendicular): A minimum aisle width of 24 feet is required for two-way traffic.

Angled parking shall be designed to meet the same minimum stall width as 90 degree parking. The angle of parking spaces should generally be 45 degrees or 60 degrees. Other angles may be considered but must be approved by the Public Works Department to ensure safe and efficient traffic flow.

Angled parking stalls shall not be placed adjacent to public sidewalks or pedestrian walkways unless:

There is a landscaped buffer of at least three (3) feet in width, or

A barrier, such as curbing or bollards, is installed to prevent vehicles from encroaching on pedestrian areas.

The use of angled parking in proximity to pedestrian areas must ensure that the safety and visibility of pedestrians are not compromised.

Back-in angled parking may be considered for specific locations where forward visibility is critical (e.g., near busy pedestrian crossings).

Back-in angled parking may require a traffic study to be submitted to and approved by the Public Works Department and Planning Department, ensuring that it will not disrupt traffic flow or pedestrian safety.

Access to parking lots must be approved by the agency responsible for the access road. A greater number of access strips may be required as determined by the Planning Commission during site plan approval.

All commercial off-street parking spaces and associated access lanes shall be effectively screened on any side adjoining any property in a residential zone by a fence, wall or hedge of not less than four (4) feet nor more than seven (7) feet high. Provided, however, that front yard and corner lot fences, walls or plantings shall maintain height requirements of their respective zones

For all commercial uses permitted in RA-1, R1, R2, R3, or R4 excluding multi-family or residential, only fifty (50%) percent of the front yard area required by the respective zones shall be used for parking. Access across and over the required front yard is allowed to the side yard or rear yard.

Section 16.26.232 Residential Parking Space Design And Access

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

To count towards the minimum parking requirement, parking spaces including the inside dimensions of garages or carports shall:

Be no less than ten (10) feet in width by twenty (20) feet in length per parking space.

Be paved with an asphalt or concrete surface.

Not include public sidewalks to be used as part of the required space.

Provide ample room so as to allow for the entirety of the vehicle, truck, trailer, ect (including hitches, bumpers, and additions) be completely out of the right-of-way.

Tandem parking (front to rear) shall not be counted toward the parking stall requirement except for single-family or two-family dwellings when the front and back spaces are both designed to serve the same dwelling and may be accessed simultaneously.

Adequate automobile access to a garage, carport or parking area shall be provided. The minimum size of the access strip shall be equal to the width of the parking stall.

All storm water shall be collected and retained in accordance with Section 16.06.060.

For residential uses excluding commercial multi-family with an approved Master Site Plan; parking spaces / parking shall not cover more than fifty (50) percent of the the street facing wall of the structure.

Section 16.26.235 Maintenance And Repair Of Parking Lots

Effective December 25, 2013 for any new construction of parking lots:

Parking lots shall be maintained and kept in good repair, allowing:

Storm water to drain from the parking lot in accordance with the design of said parking lot, and;

Pedestrians and vehicular traffic to safely use the parking lot, and;

The parking lot to be illuminated in accordance with the design of said parking lot.

Section 16.26.240 Off-Street Truck Loading Space

On the same premises with every building or use involved in the receipt or distribution by vehicle of materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interference with public use of streets or alleys. Such space, unless otherwise adequately provided, shall include a ten (10) foot by twenty-five (25) foot loading space with fourteen (14) foot clearance for every twenty thousand (20,000) square foot or fraction thereof in excess of three thousand (3,000) square feet of land used for the above-mentioned purposes.

Section 16.26.250 Businesses Requiring Automobile Access

Businesses requiring motor vehicle access shall meet the following requirements:

Access to the structure or parking lot shall be by not more than two (2) access strips for each one hundred (100) feet or fraction thereof of frontage on any street, providing that no two (2) access strips shall be closer to each other than twenty (20) feet; each of the access strips shall not be more than thirty-four (34) feet in width and shall not be closer than twenty (20) feet or greater where required by the Planning Commission to the point of intersection of two (2) property lines or at any street corner; and a curb, hedge or fence of not more than two (2) feet in height shall be provided by the owner to limit access to the permitted access strip.

Commercial and industrial sites desiring access widths larger than thirty-four (34) feet may apply to the Planning Commission for the larger accesses. The applicant shall submit to the Planning Commission;

Written documentation explaining the reasons for the larger access applications;

A traffic plan drawn to scale showing;

Widths of all adjacent public streets;

Traffic flow pattern of deliveries;

Schedule of deliveries;

Lengths and widths of trucks that will be making deliveries.

The Planning Commission shall make its decision based on the following criteria:

The width of the roadway;

Traffic flow of large vehicles through the site;

Truck size and frequency of deliveries.

Gasoline pumps shall be set back at least twenty (20) feet from any property line bordering a street; provided, that a pump island parallel to and adjoining a street may be located not less than fifteen (15) feet from the property line bordering the street.

Exhibit E. Definitions

Section 16.04.005 Planning And Zoning Definitions

Definitions:

The following is the definitions used for the land use Section of the City Code:

"Access Strip" shall be defined as a strip of land which is part of a lot and provides access to the part thereof used or to be used for buildings and structures.

"Affected Entity" in accordance with Section **10-20-102** ~~10-9a-103~~ of Utah Code Annotated.

"Age-Restricted Residential Development" means a residential development that is intended and operated for occupancy by older persons and complies with applicable federal and state laws governing housing for older persons.

"Agriculture" is the tilling of the soil, the raising of crops, horticulture and gardening, but not including keeping or raising of domestic animals or fowl except household pets and not including any agricultural industry or business such as fruit packing plants, fur farms, animal hospital or similar uses.

"Alley" is a public thoroughfare less than twenty-six (26) feet wide.

"Amusement Devices" is any machine which, upon the insertion of a coin, slug, token, plate, disc or upon the payment of a consideration, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It includes such devices as marble machine, pinball machine, skill ball, mechanical grab machines which yield a prize and all games, operations or transactions similar thereto under whatever name they may be indicated. The term does not include coin-operated phonographs, ride machines designed primarily for the amusement of children or vending machines in which are not incorporated features of gambling or skill.

"Animal Boarding" is a commercial facility that, in a completely enclosed facility, keeps household pets as defined herein.

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

"Bakery" is a facility with the primary, but not the sole, function of producing baked food products. Bakeries may also include the on-site retail sales of baked goods.

"Barber / Beauty Shop" is a commercial establishment where licensed professionals provide personal grooming services including hair cutting, styling, coloring, shaving and related cosmetic treatments to the public.

"Basement" is a story partly underground and having at least one-half (1/2) its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement.

"Bed and Breakfast Home" is an operator -occupied dwelling containing a minimum of two (2) but not more than eight (8) guest rooms where lodging for compensation is provided to the public and that is in operation for more than ten (10) nights in a twelve (12) month period. The operator shall be the owner of the property or the owner's agent.

"Blanketing or Blanket" is when applied to signs or sign structures, means the partial or complete shutting off of the face of one (1) sign by another.

"Boardinghouse" is a building with not more than five (5) guest rooms where, for compensation, meals are provided for at least five (5) but not more than fifteen (15) persons.

"Building" is any structure used or intended for supporting or sheltering any use or occupancy.

"Building, Accessory" is a subordinate building or a portion of a main building on a lot, the use of which is customarily incidental to that of a main or principal building. All accessory structures and buildings over one hundred eighty (180) square feet shall be designed and constructed as to be compatible with the architectural components of the main dwelling or building. This shall include compatible roof pitch, compatible exterior material and design, landscaping, etc. Structures primarily and continually used as green houses, shall be exempt from the compatibility requirements. Further, no accessory building in any residential zone shall cover more than twenty-five (25%) percent of the rear yard.

"Building Agricultural" Is a structure designed and constructed to house farm implements, hay, grain, poultry, livestock and other horticultural products.

"Building, Detached" is a building surrounded by open space on the same lot.

"Building, Facade" is that portion of an exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.

"Building, Facade Facing" is a rebuilding of an existing facade with approved material illuminated or nonilluminated.

"Building, Height of" is the vertical distance above "grade" as defined herein to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The measurement may be taken from the highest adjoining sidewalk or ground surface within a five (5) foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten (10) feet above grade. The height of a steeped or terraced building is the maximum height of any segment of the building.

"Building, Main" is a building in which is conducted the principal use of the lot on which it is located.

"Building Official or Chief Building Official": is the official or other person charged with the administration and enforcement of Title 15 of the Vernal City Municipal Code and other ordinances as specifically noted to be enforced by the Building Official, or the duly authorized designee appointed by the City Manager or Mayor.

"Building, Public" is a building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the state of Utah, or any of its political subdivisions.

"Bus Shelter" is a structure associated with a designated bus stop designed to provide shelter to passengers awaiting transportation on a bus system.

"Business Complex" is a group of associated businesses, whether located on the same parcel of property or not, having cross connectivity between parking areas and sharing accesses to public roadways, which jointly identify themselves as part of said business group.

"Cannabis Cultivation Facility" means a person that:

- possesses cannabis; and
- grows or intends to grow cannabis; and
- sells or intends to sell cannabis to a cannabis cultivation facility or to a cannabis processing facility.

"Cannabis Processing Facility" means a person that:

- acquires or intends to acquire cannabis from a cannabis production establishment or a holder of an

industrial hemp processor license under Title 4, Chapter 41, Hemp and Cannabidiol Act, Utah Code Annotated;

- possesses cannabis with the intent to manufacture a cannabis product;

- manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and

- sells or intends to sell a cannabis product to a medical cannabis pharmacy or the state central fill medical cannabis pharmacy.

"Cannabis Production Establishment" is a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory.

"Carwash, Laundry-Type" is a structure or portion thereof containing facilities for washing passenger automobiles, using production line methods such as, but not limited to, chain conveyor, movable or revolving cleaning brushes, blower, steam cleaning or similar mechanical device.

"Carwash, Manual spray" is a structure or portion thereof containing facilities for washing passenger automobiles, limited to using only hand-operated manual spray cleaning equipment and techniques.

"Cellar" is a story having more than one-half (1/2) its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.

"Changeable Copy Panel" is a sign panel which is characterized by changeable copy, regardless of method of attachment.

"Chief Executive Officer" is the current, officially elected Mayor of Vernal City, Utah.

"City" is Vernal City, Utah.

"Clear Vision Triangle" is a triangular area formed by the curb lines, or edges of vehicular travel ways in areas where no curbs are present, and a line connecting them at points twenty (20) feet distant from the intersection of curb lines or travel ways.

"Cluster Subdivision" is a subdivision of land in which the areas and widths of residential lots are reduced below the minimum lot areas and lot width requirements of the zone in which the subdivision is located and where equivalent common open space areas are provided to compensate for such lot reduction.

"Common Open Space" is the land area in a planned residential unit development (PRUD) reserved and set aside for recreational uses, landscaping, open grass areas, parking and driveway areas for the common use and enjoyment of the residents of PRUD.

"Common Open Space Easement" is the required right-of-way granted to the City by the owner(s) of a PRUD, on and over land in a PRUD designated as open space, which easement guarantees to the City that the designated common open space and recreation land is permanently reserved for access, parking and recreation and open space purposes in accordance with the plans and specifications approved by the Planning Commission and the City Council at the time of approval of the PRUD or as such plans are amended from time to time.

"Conditional Uses" is a land use that, because of its unique characteristics or potential impact on the City, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

"Condominium Projects" is a real estate condominium; a plan or project whereby two or more units, whether contained in existing or proposed apartments, commercial or industrial buildings or structures, or otherwise, are separately offered or proposed to be offered for sale, together with an undivided interest in any common areas and facilities of the property. Condominium project shall also mean the property when the context so requires. Such projects shall meet all requirements of the Condominium Ownership Act of the State of Utah.

"Corral" is a space other than a building less than ten thousand (10,000) square feet in area and less than one hundred (100) feet in width used for the confinement of animals.

"County" is the unincorporated areas of Uintah County, Utah.

"Court" is a space open and unobstructed to the sky, located at or above grade level on a lot and bounded on three (3) sides by walls of a building.

"Coverage, lot" is the percent of the lot area covered by the main and accessory buildings.

"Dairy" - A commercial establishment for the manufacture, processing or sale of dairy products.

"Data Center" is a facility used to house and maintain electronic hardware whose primary function is the storage, management, and dissemination of electronic data.

"Day Care Center" is a building or structure where seven (7) or more children are regularly cared for during the day for compensation.

"Domestic Abuse Shelter" is a place of temporary residence and associated services for individuals who are victims of domestic abuse.

"Dry Cleaner" is an establishment which has, as its sole purpose, the cleansing of fabrics with substantially non-aqueous organic solvents. Laundry establishments with self-service, coin-operated cleaning machines shall not be classified as a dry cleaner.

"Dwelling" is a building or portion thereof designated or used as the living quarters for one (1) or more families. The portion of the building that is classified as dwelling shall have a minimum of fifty (50%) percent of its floor area used as "habitable space" as defined in the International Residential Code such as (IRC) garage.

"Dwelling, Caretaker" is a permanent structure used as a dwelling on the same site as a building, operation, plant or recreation facility that is occupied by an employee of those premises.

"Dwelling, Group" is two (2) or more dwellings placed upon a single lot.

"Dwelling, Internal Additional" is a habitable dwelling unit created within or attached to a primary dwelling unit and located entirely on the same lot as said primary dwelling unit.

"Dwelling, Mixed use accessory" is a dwelling that is incorporated into a structure that is subsidiary and subordinate to the primary use of the structure.

"Dwelling, multi-family" is a building arranged or designed to be occupied by three (3) or more families.

"Dwelling, single family" is a building arranged or designated to be occupied by (1) family; the structure having only one (1) dwelling unit.

"Dwelling, single family row house" is a building built directly against an adjoining building without an open space between and containing one (1) family dwelling unit extending from basement to roof. Each such single-family attached dwelling unit shall have a front and rear entrance. Each group of single-family attached buildings shall be considered (1) structure for purposes of front, rear and side yard requirements.

"Dwelling, temporary" is a portable structure having provisions for living, sleeping, cooking and sanitation, to include travel trailers, campers and manufactured homes, but not to include tents or tent trailers.

"Dwelling, two-family" is a building arranged or designated to be occupied by two (2) families; the structure having only two (2) dwelling units.

"Dwelling unit" is one (1) or more rooms in a dwelling, apartment, motel, hotel or apartment hotel designed for or occupied by one (1) family for living, sleeping, eating and sanitation purposes. A dwelling unit may contain more than one (1) set of kitchen facilities, whether temporary or permanent, provided they are used only by members of the family occupying the dwelling unit or their non-paying guests. A dwelling unit may include up to two (2) persons per unit to whom rooms are rented in addition to a family related by blood, marriage or operation of law, but if the number of such additional persons exceeds two (2) or if they use or are furnished separate cooking facilities, whether temporary or permanent, such additional persons shall be considered a separate dwelling unit.

~~"Dwelling unit, bachelor or bachelorette" is a dwelling unit designed or used to accommodate unrelated persons exclusively.~~

"Educational institution" is a public elementary or secondary school or a private educational institution having a curriculum similar to that ordinarily given in public schools.

"Elderly person" is a person who is sixty (60) years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

"Explosive magazine" is any building, structure or device, other than an explosive manufacturing building, used for the storage of explosives.

"Family" A group of individuals, related or unrelated, living together as a domestic group.

"Urban Farm Stand" is a temporary structure used for the display and sale of unprocessed produce or honey only produced or grown on-site.

"Fence" is a tangible barrier or obstruction of any material with the purpose or intent, or having the effect of preventing passage or view across the fence line. It includes hedges and walls.

"Floor Area" is the sum of the gross horizontal area of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not devoted to residential use, but including the area of roofed terraces. All dimensions shall be measured from the exterior faces of the exterior walls.

"Floor-lot area ratio" is the total floor area of a building divided by the area of the lot on which it is located

"Frontage" is a property line along either a public or private right-of-way.

"Pet Grooming Parlor" is any establishment that bathes, clips, pedicures or grooms any pet or captive animal for profit or compensation. Pet grooming parlors may not keep any animal on premises for more than twenty-four (24) hours.

"Garage, Carport" is a private garage not completely enclosed by walls or doors. For the purposes of this title, a carport shall be subject to all the regulations prescribed for a private garage.

"Garage, Private" is an enclosed space or accessory building for the storage of one (1) or more motor vehicles; provided, that no business, occupation or service is conducted for profit therein, nor space therein for more than one (1) car is leased to a nonresident of the premises. A garage shall be considered part of a dwelling if the garage and dwelling have a roof or wall in common or are connected structurally by a physical connection such as a wall, trellis or solid fence.

"Garage, Public" is a building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling or storing motor vehicles.

"General or Master Plan" is a document that Vernal City adopts that sets forth general guidelines for proposed future development of the land within the City under the guidelines set forth by state of Utah statutes.

"Grade" is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

"Guest home" is a separate dwelling structure located on a lot with one (1) or more main dwelling structures and used for a housing of guests or servants and not rented, leased or sold separate from the rental, lease or sale of the main building.

"Handicapped Person" is a person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments that is likely to continue indefinitely and that results in a substantial functional limitation in three (3) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living and economic self-sufficiency; and requires a combination or sequence of special interdisciplinary or generic care, treatment or other services that are individually

planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.

"Home Occupation" is, unless defined more specifically elsewhere in this Code, any occupation, profession, trade or other commercial activity conducted on a regular basis within or from an approved residential dwelling by one or more occupant residing in the dwelling that is clearly incidental and subordinate to the primary or principal use of the dwelling and property.

"Hotel" is a building designed for or occupied as the more or less temporary abiding place of sixteen (16) or more individuals who are, for compensation, lodged with or without meals.

"Household Pets" are animals ordinarily permitted in residences and kept for the company or pleasure of residents, such as domesticated birds, domesticated cats and domesticated dogs. Household pets also include tropical fish, amphibians, reptiles, or invertebrates of a number that do not constitute a health hazard or nuisance and can safely and humanely be kept in aquariums, cages, or enclosures within a residence. Household pets shall not include the keeping of "vicious animals", "wild animals" or "livestock" as defined in Title 6 of the Vernal City code. Furthermore, household pets shall not include miniature horses, pygmy goats, and Vietnamese pot-bellied pigs.

"Incombustible Material" Any material which will not ignite at or below a temperature of one thousand two hundred (1200) degrees during an exposure of five (5) minutes, and will not continue to burn or glow at that temperature. Tests shall be made as specified in the Uniform Building Code.

"Independent Cannabis Testing Laboratory" means a person that: conducts a chemical or other analysis of cannabis or a cannabis product; or acquires, possesses, and transports cannabis or a cannabis product with the intent to conduct a chemical or other analysis of the cannabis or cannabis product.

"Junkyard" is the use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof; provided, that this definition shall not be deemed to include such uses which are clearly incidental to and accessory to any agricultural use permitted in the zone.

"Kennel" is land or buildings used in the keeping of four (4) or more dogs or cats over four (4) months old.

"Kindergarten" is a school or class for children generally under six (6) years of age.

"Landscaping" is some combination of planted trees, shrubs, vines, groundcover, flowers or lawns. In addition, the combination or design may include rocks, boulders and screens, bark, walls, fences, or benches, but such objects shall not exceed 20% of the landscaping requirement. The selected combination of objects for landscaping purposes shall be arranged in a harmonious manner in conformance with this Title.

"Laundromat or Launderette" is a self-service laundry establishment where clothes are cleansed in a coin-operated machine. Laundromats and launderettes may include self-service coin-operated dry cleaning machines.

"Legislative Body" is the Vernal City Council.

"Livestock" shall have the definition set forth in Utah Code Ann. §76-9-301(f) and as set forth in 6.04.030, and shall refer to domesticated animals raised in an agricultural setting for the production of food, fiber and labor. This includes, but is not limited to, cows, horses, sheep, goats, and poultry. The term excludes domestic pets such as dogs and cats and wild or exotic animals kept for non-agricultural purposes.

"Lodging house" is a building where lodging only is provided for compensation to five (5) or more, but not exceeding fifteen (15) persons in contrast to hotels.

"Lot" is a parcel of land occupied or to be occupied by a main building or group of buildings (main and/ or accessory) together with such yards, open spaces, lot width and lot area as are required by this title, and having frontage upon a street.

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

"Flag Lots" is a lot shaped like a flag with the pole of the flag being the access to a dedicated public street. No more than three (3) lots can share access off a dedicated public street.

"Lot, Interior" is any lot other than a corner lot.

"Maintain" refers to, but is not limited to, the following: service, repair, alter, remodel, reletter, redecorate, repaint, move or remove. It does not include the removal of signs by a licensed wrecking contractor. Owners or lessees of signs may repaint, redecorate and/or change letters or panels on their own signs.

"Manufactured Home" is a transportable factory-built housing unit constructed, reconstructed or remodeled on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one (1) or more sections, which, in traveling mode, is eight (8) body feet or

more in width or forty (40) body feet or more in length, or when erected on site, is four hundred (400) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems. All manufactured homes constructed, reconstructed, or remodeled on or after June 15, 1976, shall be identifiable by the manufacturer's data plate bearing the date the unit was manufactured, and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

"Manufacturing" includes activities involved in processing of materials that produce a material of higher value than that of the original material. All activities are usually in establishments and often times are called plants, factories or mills. Establishments involved in putting together parts of a manufactured project are considered manufacturing as long as the new product is neither a structure nor other fixed improvements such as highways.

"Marquee" is a permanent roofed structure attached to and supported by the building and projecting over public property.

"Medical Cannabis Pharmacy" is a person that: acquires or intends to acquire: cannabis in a medicinal dosage form or a cannabis product in a medicinal dosage form from a cannabis processing facility; or a medical cannabis device; or possesses cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device; and sells or intends to sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device to a medical cannabis cardholder.

"Mobile Home" See "Manufactured home." (HUD Code).

"Motor Vehicle and Machinery Repairs (Major)" refers to any or all of the following activities: Engine rebuilding; Major reconditioning of worn or damaged motor vehicles; Collision service, including body, frame, or fender straightening or repair; Overall painting of vehicles within an enclosed structure.

"Motor Vehicle and Machinery Repairs (Minor)" refers to any activity not listed in Section 16.04.377, motor vehicle and machinery repairs (major) that involves the repair or maintenance of motor vehicles or machinery, such as oil changing business, and tire sales business.

"Manufactured Home Park" is a parcel of land which has been planned and improved for the placement of manufactured homes for residential use, with single control or ownership.

"Manufactured Home Subdivision" is a parcel of land which has been planned and improved for the placement of manufactured homes for residential use on single lots with private ownership of the lots.

"Motel" is any building or group of buildings containing sleeping rooms designed for temporary use by automobile tourists or transients, with garage attached or parking space conveniently located to each unit.

"Natural Waterways" are those areas, varying in width, along streams, creeks, gullies, springs or washes which are natural drainage channels as determined by Planning Director and in which areas no buildings shall be constructed.

"Nightclub" is a place of entertainment open at night, usually serving food and liquor, having a floor show and providing music and space for dancing.

"Noncomplying Building" is a building or structure or portion thereof that legally existed before its current land use designation; and because of subsequent land use ordinance changes does not comply with the land use regulations setback, height restrictions or other regulations that govern the building or structure.

"Nonconforming Use" is the use of land that legally existed before its current land use designation; has been maintained continuously since the time the land use regulation governing the land changed; and because of subsequent land use ordinance changes, does not conform with the land use regulations that now govern the land.

"Nursery For Children" is a building or structure where six (6) or more children are regularly cared for during the day for compensation.

"Open Green Space" is an open space suitable for relaxation or landscaping. It shall be unoccupied and unobstructed by buildings and/or hard surfaces such as asphalt, cement and packed gravel, except that such open green spaces may be traversed by necessary sidewalks.

"Ordinance Or Zoning Ordinance" is Title 16 of this code.

"Oversized Trailers" is any trailer over six (6) feet in height including cargo, (i.e. boat containers etc.) that obstructs visibility and impairs the view to the other side of the trailer or any trailer with a length, excluding the hitch, that is sixteen (16) feet in length or longer that is eight (8) feet in width or wider.

"Parcel Of Land" is a contiguous quantity of land, in the possession of or owned by or recorded as the property of the same claimant or person.

"Park Strip" is the area between the curb, or in the case where there is no curb, the edge of the roadway and the abutting property line not improved by surfacing that is not intended for the use of automobile operations. Any opening made in a surfaced area between the roadway and the abutting property line for the purpose of planting trees or other vegetation shall be considered part of the parking strip. Grates or other coverings of said areas shall not be considered as surfacing.

"Parking Lot" is an open area, other than a street, used for parking of more than (4) automobiles and available for public use, whether free, for compensation or as an accommodation for clients or customers.

"Parking Space" is a space within a building or lot for parking or storage of one (1) automobile.

"Paying Guest" is any person hiring a room in a dwelling unit for living, eating or sleeping purposes.

"Person" is one (1) or more persons, an association, a co-partnership, a corporation or firm, either by themselves or by an agent, employee, guardian or trustee.

"Planned Residential Unit Development" is a development in which the regulations of the zone in which the development is situated are waived to allow flexibility and initiative in site and building design and location in accordance with an approved plan and imposed general requirements.

"Planning Commission" is the Planning Commission of Vernal City, Utah.

"Planning Director" is the Planning Director of Vernal City.

"Portable Food Sales Structure" is a portable structure for the merchandising or sale of food or foodstuffs from a nonpermanent location. The structure shall be less than two hundred (200) square feet in area.

"Portable Storage Containers" is any on-site storage container described as a steel portable container, dry van container, warehouse storage unit, semi-tractor cargo container, cargo trailer or any other similarly described unit.

"Private Drive" is a nondedicated thoroughfare or road used exclusively for private access to and from private land and/or development.

"Public Hearing" is any special meeting, either required by law or deemed necessary by the City Council, Planning & Zoning Commission or Board of Adjustment, for which public notice is required for soliciting public input on matters under discussion.

"Recreational Vehicle" is synonymous with "travel trailer" or "camper" and means all units, other than manufactured homes as herein defined, which are mobile and are primarily used or maintained as a temporary dwelling for travel, vacation or recreational purposes.

"Recreational Vehicle Park - Long Term (RV Park)" means any area or tract of land, other than manufactured home parks as herein defined, where lots are rented or held out for rent to one (1) or more owners or users of recreational vehicles for a monthly or yearly contract.

"Recreational Vehicle Park (RV Park), Short Term" means any area or tract of land, other than manufactured home parks as herein defined, where lots are rented or held out for rent to one (1) or more owners or users of recreational vehicles for a nightly or weekly contract.

"Recreational Facility For Elderly Persons" is a single or multifamily dwelling unit that meets the requirements of Section 10-9-501 et seq., Utah Annotated Code, 1953, and any ordinance adopted under authority of that part; and does not include a health care facility as defined by Section 26-21-2, Utah Annotated Code, 1953.

"Residential Facility For Handicapped Persons" is a single or multifamily dwelling unit that meets the requirements of Section 10-9-601, et seq., Utah Annotated Code, 1953, and any ordinance adopted under authority of that part.

~~"Row Houses" is a group of three (3) or more single family dwellings meeting the following criteria: Each dwelling is placed entirely on one (1) parcel, and: Each dwelling utilizes a zero side setback from the property line on both sides of said dwelling and share a common wall with another dwelling on both sides of said dwelling, except end dwellings, which utilize only one (1) common wall and one (1) zero side setback.~~

"Setbacks" is the shortest horizontal distance permitted in each zoning district, as set forth in the Vernal City zoning ordinance, between the boundary lines of a parcel or the edge of a public right-of-way and the building, structure or part thereof.

"Sexually Oriented Business" is all adult bookstores, adult video stores, adult media theaters, adult theater, escort services, out-call services, semi-nude entertainment businesses, semi-nude entertainment bars, and semi-nude dancing agencies as defined in Chapter 5.72.050.

"Sexually Oriented Business Employee" means those employees who work on the premises of the sexually oriented business in activities related to the sexually oriented portion of the business. This includes all managing employees, dancers,

entertainers, escorts, models, and other similar employees whether or not hired as employees, agents, or as independent contractors. Employees does not include individuals whose work is unrelated to the sexually oriented portion of the business such as janitor, bookkeepers and similar employees. Sexually oriented business employees does not include cooks, serving person, bartenders, and similar employees; except where they are managers or supervisors of the business or where the employee will be required or chooses to appear in the sexually oriented business in a nude or semi-nude condition. All sexually oriented business employees making the "out-call" meetings under this Chapter, including escorts, models, entertainers, guard, escort runners, drivers, chauffeurs, and other similar employees are sexually oriented business employees, regardless of the location of the premises of the licensed business employing the out-call employee.

"Shopping Center" is a multi-entity commercial complex under single ownership or control which leases space to various commercial establishments.

"Sign" is a presentation or presentation of words, letters, figures, designs, pictures or colors publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation or a request for air; also the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

"Sign, Abandoned" is a sign that is deemed abandoned if it meets any of the following conditions: Any sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least one hundred twenty (120) days, or; Any sign announcing an event or the date or dates of an event which has passed, except permanent signs announcing the opening of a new business or activity provided that the references to the dates of the opening are removed upon opening, or; Any dilapidated, deteriorated, unreadable, illegible, structurally unsound, or unsafe sign, to include any sign missing any portion of its facing, or; Any multi-tenant sign which advertises for a business, service, owner, product or activity that has not been present on the site for a period of at least one hundred twenty (120) days, or; Any sign remaining after the demolition of a principal structure. Signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one (1) year or more. A sign having a fully intact facing that is in good condition shall not be deemed abandoned if it meets one of the following conditions: Has a completely blank sign face, or; Advertises the property on which the sign is located as being for sale, lease or rent.

"Sign, Advertising" See sign, off-premises.

"Sign, Animated" is a sign which involves motion or rotation of any part created by artificial means or displays flashing or intermittent lights.

"Sign, Background Area" is the entire background area of a sign upon which copy is placed. In computing area of sign background, only the face or faces which can be seen from any one (1) direction at one (1) time shall be counted.

"Sign, Blade" is a sign which is suspended from an overhang, canopy, or awning or is supported from a mounting attached directly to a building and hangs perpendicular to the building wall having an area of three (3) square feet per side or less.

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

"Sign, Business" is an on-premises sign which directs attention to a use conducted, a commodity sold or service performed on the premises. A maximum of ten (10) percent of copy area may also advertise a product not manufactured on the premises.

"Sign, Cloth" is any sign executed upon or composed of any flexible fabric.

"Sign, Combination" is a sign incorporating any combination of the features of projecting, roof or freestanding signs.

"Sign, Copy Area" is the area of a sign that is used for display purposes excluding the minimum frame and supports. In relation to signs that do not have a frame or separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display.

"Sign, Development" is an on-premises sign identifying a construction project or subdivision development. The sign may contain the name of the project, name and address of the construction firm(s), architect and developer.

"Sign, Directional" is an on-premises incidental sign designed to guide or direct pedestrians or vehicular traffic.

"Sign, Flat" is any sign attached to a building or other structure that projects less than eighteen (18) inches beyond the building but extends parallel or substantially parallel thereto.

"Sign, Floodlighted" is any sign illuminated in the absence of daylight only by devices which reflect or project light upon it.

"Sign, Freestanding" is a sign which is supported by one (1) or more columns, uprights or braces in or upon the ground.

"Signs, Identification and Information" is an on-premises sign displayed to indicate the name or nature of a building or use, including all professional and business buildings, home occupations, apartment complexes and public and semipublic buildings. Temporary and development signs are classified in this category only.

"Sign, Illuminated" is a sign in which a source of light is used in order to make the message readable. This definition includes internally and externally lighted signs.

"Sign, Incombustible" is a sign which is constructed entirely of incombustible material.

"Sign Marquee" is any sign attached or made an integral part of a marquee.

"Sign, Multiple-Copy" is a sign which advertises other than the name of the business and the principle project or service.

"Sign, Nameplate" is a sign indicating the name of the person or persons residing on the premises.

"Sign, Off-Premises" is a sign which directs attention to a use, product, commodity or service not related to the premises on which it is located.

"Sign, On-Premises" See Sign, business.

"Sign, Projecting" is a sign attached to a building that projects eighteen (18) inches or more away from said building and has an area greater than three (3) square feet per side.

"Sign, Roof" I any sign erected upon or supported by the roof or parapet of a building.

"Sign, Structure" is any structure which supports any sign as defined in this code. A sign structure may be a single pole or poles or an integral part of a building.

"Sign, Temporary" is any sign, handbill or poster which is placed to advertise or announce a specific event or which pertains to a particular event or occurrence, or which is not designed or intended to be placed permanently. Temporary signs shall not be regulated as off-premises signs.

"Sign, Time And/or Temperature" is a display containing illuminated numbers to show the time and/or temperature.

"Sign, Wall" is a sign which is affixed to an exterior wall of a building or structure and which projects not more than eighteen (18) inches from the building or structure wall and

which does not extend more than four (4) feet above the parapet, eaves or building facade on which it is located.

"Site Development Standards" are the established regulations concerning lot areas, yard setbacks, building height, lot coverage, open green space and any other special regulations deemed necessary to accomplish the purpose of this title.

"Stable, Private" is a detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

"Stable, Public" is a stable other than a private stable.

"Story" is the space within a building, other than a cellar, included between the surface of any floor and the surface of the ceiling next above.

"Story, Half" is a story with at least two (2) sides situated in a sloping roof, the floor area of which does not exceed two-thirds (2/3) of the floor immediately below it.

"Street" is a public rights-of-ways, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.

"Structural Alterations" are any change in supporting members of a building, such as bearing walls, columns, beams or girders.

"Structure" is anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

"Studio" or "Efficiency Dwelling Unit" means a dwelling unit that contains a single habitable space for living, sleeping, and cooking, with no separate bedroom, and includes a separate bathroom.

"Subdivision" is any land that is divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions; and includes the division or development of land whether by deed, metes and bounds description, devices and testacy, lease, map, plat or other recorded instrument and divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

"Swimming Pool" is any artificial or semiartificial container, whether indoors or outdoors or whether above or below the surface of the ground or both, used or intended to be used to

contain a body of water for swimming for any person or persons, together with all permanent structures, equipment, appliances and other facilities used or intended to be used in and about the operation, maintenance and use of such pool.

"Swimming Pool, Family" is a pool used and intended to be used solely by the owner, operator or lessee thereof and his family and by guests invited to use it without payment of any fee or consideration.

"Tavern" is any business establishment operating under a class C beer license. Such establishments shall be limited in number to two (2) per lineal block.

"Theater, Indoor Picture" is a building or part of a building devoted to the showing of moving pictures on a paid admission basis.

"Theater, Outdoor Drive-in" is an open lot, or part thereof, with its appurtenant facilities devoted primarily to the showing of motion pictures on a paid admission basis to patrons seated in automobiles.

"Tourist Home" is a dwelling, or any portion thereof, that in the regular course of business, is rented or leased for occupancy for a period of less than thirty (30) days.

"Tower, Amateur Radio" is a monopole with antenna and antenna support structures. A single pole with at least one (1) private radio service antenna array mounted on the pole. These antennas are for private use and must be erected and used in association with an amateur radio station licensed by the Federal Communications Commission (FCC) or is a lattice tower antenna, which has three (3) legs taller than twenty (20) feet either self-supporting or supported by guy wires with at least one (1) private radio service antenna array mounted on the tower. These antennas are for private use and must be erected and used in association with an amateur radio station licensed by the Federal Communications Commission (FCC).

"Tower, Low Power Radio" is a monopole with antenna and antenna support structures. A single pole with at least one (1) commercial low power radio service antenna array mounted on the pole. These antennas service the general public. Or, it is a lattice tower antenna, which has three (3) legs taller than twenty (20) feet either self-supporting or supported by guy wires with at least one (1) commercial low power radio service antenna array mounted on the tower. These antennas service the general public.

"Tower, Small Cellular" A monopole tower that: Supports one (1) or more low power radio service antennas and associated equipment, and; Provides service for cellular telecommunications networks, and; Is placed with a public easement or a public right-of-way. Such tower may also

support other utilities and may be owned and maintained by entities other than the owner of the cellular telecommunications network antennas and equipment.

"Townhome" means a single-family attached dwelling unit constructed as part of a group of three (3) or more attached dwelling units, in which each unit extends from foundation to roof and is separated from adjoining units by one or more common walls. Each townhome is designed for individual ownership and may be located on its own lot or parcel, or within a development established under applicable condominium or common interest community laws.

"Travel Trailer Or Camper" is defined as all vehicles, other than manufactured homes as herein defined, which are mobile and are primarily used or intended to be used or maintained as a temporary dwelling or shelter for travel, camping, vacation, or recreational purposes including; motorhomes, caravans, pop up campers, truck campers, 5th wheel trailers, camper trailers. The term "recreational vehicle" is synonymous with travel trailer or camper.

"Trim, Nonstructural" is the molding, battens, caps, nailing strips, latticing, cutout or letters and walkways which are attached to a sign structure.

"Uniform Building Code (UBC)" is the current edition of the Uniform Building Code as adopted by the City.

"Urban Farms" is a lot or portion thereof used to grow and harvest produce, including the keeping and raising of honeybees, for commercial or group use further, allowing the sale of such produce on-site.

"Use" is the specific purposes for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.

"Use, Accessory" is subordinate use customarily incidental to and located upon the same lot occupied by the main use and devoted exclusively to the main use of the premises.

"Use, Conditional" is any use lawfully occupying land or buildings as authorized in the zone regulations and for which no conditional use permit is required. is a use or occupancy of a building or use of land permitted only when authorized upon issuance of a conditional use permit and subject to the limitations and conditions specified therein as provided in Chapter 16.14 of this title. See also conditional use, Section 16.04.140.

"Use, Permitted" is any use lawfully occupying land or buildings as authorized in the zone regulations and for which no conditional use permit is required.

"Width Of Lot" is the distance between the side lot lines at the distance back from the front lot line required for the depth of the front yard.

"Yard" is an open unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this title, on the lot on which a building is situated.

"Yard, Front" is an open space on the same lot with a building, between the front line of the building (exclusive of steps or architectural projections) and a lot line having frontage and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the lot line frontage and front line of the building.

"Yard, Rear" is an open, unoccupied space on the same lot with a building, between the rear line of the building (exclusive of steps or architectural projections) and the lot line directly opposite of the front lot line and extending the full width of the lot.

"Yard, Side" is an open, unoccupied space on the same lot with a building, (exclusive of steps or architectural projections) that is not considered part of the front or rear yard.

“Xeriscape” or “Xeriscaping” means a method of landscaping that reduces or eliminates the need for supplemental water from irrigation by using drought-tolerant and native plant materials, efficient irrigation practices, and appropriate use of inorganic ground covers such as decorative rock, gravel, or mulch. Xeriscape landscaping shall include a combination of plant materials and ground cover and shall not consist solely of inorganic material.

"Zone" is the geographical area of the City within which the zoning regulations are uniform.