

**VERNAL CITY
ORDINANCE 2021-18**

AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING THE VERNAL CITY MUNICIPAL CODE, PERMITTED USE SECTIONS OF TITLE 16, SECTION 16.34.020, SECTION 16.36.035, 16.38.035, 16.40.035, 16.42.035, AND 16.46.020 AND ADDING SECTION 16.20.308 - DWELLING, INTERNAL ADDITIONAL (IADU).

WHEREAS, the City Council finds that the definition of a dwelling needs to be updated for the orderly growth within the City and to comply with new legislation; and,

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

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

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

SECTION 1: ADOPTION "Section 16.20.308 Dwelling, Internal Additional (IADU)" of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.20.308 Dwelling, Internal Additional (IADU) (*Added*)

- A. An IADU may only be created in relation to a primary single family dwelling.**
- B. One (1) additional parking space must be created to support the IADU so that the minimum number of parking spaces for a single family dwelling with an IADU shall be three (3).**
 - 1. The parking space supporting the IADU must be surfaced in either asphalt, concrete, masonry pavers or gravel.**
- C. The minimum lot size for an IADU shall be six thousand (6,000) square feet. D. Current fire egress requirements concerning bedroom window egress must be met at the time an IADU is created. E. An IADU may not be created or maintained within a manufactured home as defined in this title.**

SECTION 2: AMENDMENT "Section 16.34.020 Permitted Uses" of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.34.020 Permitted Uses

The following buildings, structures and uses of land shall be permitted in the A-1 agricultural zone upon compliance with requirements set forth in this title:

A. Agriculture including, but not limited to, raising of row crops, grains and fruits, and buildings incidental to the use of the land for agricultural purposes;

B. The raising and grazing of animals and fowl including the supplementary or full feeding of such animals and fowl, as follows:

1. Four (4) horses, or four (4) cattle, or four (4) llamas, or four (4) emus, or four (4) ostriches, or eight (8) sheep, swine or goats and their suckling offspring, or a combination thereof, may be kept for each one (1) acre of agricultural use lot area, and further provided that no animal shall be kept on lots containing less than twenty thousand (20,000) square feet of agricultural use lot,

2. Fowl,

3. The keeping and raising of not more than eight (8) hogs more than sixteen (16) weeks old; provided, that no person shall feed any such hog any market refuse, house refuse, garbage or offal other than that purchased on the premises;

4. Household pets not to exceed a combination of four (4) pets over the age of four (4) months.

C. Barns, corrals, pens, coops and feed storage buildings for the keeping of animals and fowl, and the storage of farm products, provided such structures for the care and keeping of livestock and fowl are located at least one hundred fifty (150) feet in distance from any existing dwelling, public or semipublic building on any adjoining parcel of land, or at least one hundred (100) feet from any side property line, whichever distance is greater, and located at least one hundred (100) feet in distance from any existing dwelling on the same parcel of land;

D. Cannabis Production Establishment

E. One-family dwellings and buildings accessory thereto ~~including dwelling, internal~~
~~additional~~

F. Water reservoirs and water facilities, oil and gas wells;

G. Public utility buildings and facilities, and airports;

H. Schools and churches, parks and golf courses;

I. Temporary buildings and yards for storage of construction materials and equipment incidental and necessary to construction uses otherwise permitted in this zone. A

permit therefor shall be valid for not more than one (1) year and shall not be renewable at the same location;

J. Home occupations in accordance with Chapter 16.22 of this title.
 K. Day care nursery's which have been approved by the State Health and Welfare Department and are eligible for licensing by the State.

L. Urban farms

M. Towers

1. Amateur radio.
2. Low power radio.
3. Small cellular.

N. Portable Storage Container

(PZSC § 03-17-002) (Ord. No. 96-12, Amended, 06-19-96; Ord. No. 96-17, Amended, 07-17-96)
 (Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017)

SECTION 3: AMENDMENT "Section 16.36.035 Uses" of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.36.035 Uses

Use are as set out in this section:

USES	R-1
Bed and breakfast	C
Churches	P
Day care nursery	P
Domestic abuse shelter	P
Dwelling, Internal Additional	P
Fences not exceeding seven feet	P
Home occupations in accordance with 16.22	P
Household pets not exceeding 4	P
Portable Storage Container	P
PRUD	P
Public utility buildings and facilities	P
Residential facilities for the elderly	C
Residential facilities for the handicapped	C
Schools	P

Signs pertaining to sale or lease of property or professional offices	P
Single family dwelling	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Urban farms	P
Urban livestock	P

(Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2012-04, Add, 05/02/2012)

SECTION 4: AMENDMENT “Section 16.38.035 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

Section 16.38.035 Uses

Uses are as set out in this section:

USES	RA-1
Assisted living facilities	C
Barns, corrals, pens, coops	P
Bed and breakfast	C
Churches	P
Clubs, lodges	P
Day care nursery	P
Domestic abuse shelter	P
Dwelling, internal additional	P
Farm produce sheds, buildings and cellars	P
Feed storage building	P
Fences not exceeding seven feet	P
Home occupations in accordance with 16.22	P
Household pets not exceeding 4	P
Livestock in limited numbers	P
Machinery sheds	P
Portable Storage Container	P
PRUD	P

Public utility buildings and facilities	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Rest homes	P
Schools	P
Signs, monument	C
Signs pertaining to sale or lease of property or professional offices	P

Single family dwelling	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Urban farms	P
Urban livestock	P
Uses ruled to be similar by Planning Commission	P

(Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2012-04, Add, 05/02/2012)

SECTION 5: AMENDMENT “Section 16.40.035 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

Section 16.40.035 Uses

Uses are as set out in this section:

USES	R-2
Bed and breakfast	C
Churches	P
Day care, nursery	P
Dwelling, internal additional	P
Fences not exceeding seven feet	P
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Household pets not exceeding 4	P

Mortuary	C
Portable Storage Container	P
PRUD	P
Public utility buildings and facilities	P
Rest homes	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Schools	P
Signs pertaining to sale or lease of property or professional offices	P
Single family dwelling	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Two (2) family dwellings	P
Urban farms	P
Urban livestock	P
Wedding chapel	C

(Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2012-04, Add, 05/02/2012)

SECTION 6: AMENDMENT “Section 16.42.035 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

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
Fences not exceeding seven feet	P
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P

Hospitals and clinics	C
Household pets not exceeding 4	P
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	C
Signs pertaining to sale or lease of property or professional offices	P
Single family dwelling	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
Two family dwellings	P
Urban farms	P
Urban livestock	C
Wedding chapel	C

(Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2012-04, Add, 05/02/2012)

SECTION 7:AMENDMENT “Section 16.44.035 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

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
<u>Dwelling, internal additional</u>	<u>P</u>
Fences not exceeding seven feet	P
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Hospitals and clinics	P
Household pets not exceeding 4	P
Mortuary	P
Multiple family dwellings containing thirty (30) or less units	P
Multiple family dwellings containing more than thirty (30) units	C
Portable Storage Container	P
Professional office buildings or group of office buildings	P
PRUD	P
Public parking lots	P
Public utility buildings and facilities	P
Rest home	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Retail establishments	N
Row House	P
Schools	P
Signs, monument	C
Signs - non-flashing, flat	P
Signs pertaining to sale or lease of property or professional offices	P
Single family dwelling	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P

Two family dwellings	P
Urban farm	P
Urban livestock	C
Uses ruled to be similar by the Planning Commission	P
Wedding chapel	P
Wholesale commercial establishment	N

(Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2012-04, Add, 05/02/2012)

SECTION 8: AMENDMENT “Section 16.46.020 Permitted Uses” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.46.020 Permitted Uses

The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:

- A. Accessory buildings and uses customarily incidental to any permitted use;
- B. Temporary buildings for use incidental to construction work, such buildings shall be removed upon completion or abandonment of the construction work;
- C. Single-family manufactured home subdivisions in accordance with the site development standards set out in this chapter and the standards prescribed by Chapter 16.58, Vernal City subdivision regulations, of this title;
- D. Single-family dwellings meeting the International Residential Code as adopted by Vernal City and dwelling, internal additional;
- E. Household pets not to exceed a combination of four (4) pets over the age of four (4) months
- F. Day care nursery's which have been approved by the State Health and Welfare Department and are eligible for licensing by the State.
- G. Towers
 - 1. Amateur radio.
 - 2. Low power radio.
 - 3. Small cellular.
- H. Urban farms
- I. Portable Storage Containers

(PZSC § 03-23-002) (Ord. No. 96-12, Amended, 06-19-96; Ord. No. 96-17, Amended, 07- 17-96; Ord. No. 96-28, Amended, 11/20/96; Ord. No. 98-16, Amended, 10/21/98; Ord. No. 98-16, Amended, 10/21/98)

(Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2013-01, Amended, 05/15/2013)

PASSED AND ADOPTED BY THE VERNAL COUNCIL 15th day of September, 2021.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Nicholas Porter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Travis Allan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Dave Everett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Bert Clark	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Ted Munford	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Presiding Officer

Doug B Hammond
Doug Hammond, Mayor, Vernal

Attest
Roxanne Behunin
Roxanne Behunin, City Recorder

