

**VERNAL
ORDINANCE 2023-02**

AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING THE VERNAL CITY MUNICIPAL CODE, AMENDING SECTIONS 16.26.110 - PARKING SPACE REQUIREMENTS - DWELLINGS, 16.27.060 - MINIMUM NUMBER OF TREES, AND 16.27.070 MINIMUM AREA REQUIREMENTS.

WHEREAS, the City Council finds that the regulation of parking and landscaping requirements within new development is necessary for orderly growth and conduct of business within the City, 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 Council of the Vernal, in the State of Utah, as follows:

SECTION 1: AMENDMENT “Section 16.26.110 Parking Space Requirements -- Dwellings” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

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 row houses: two (2) spaces;
 - 1. Up to fifty percent (50%) of the parking requirement for a row house development may be provided in a common parking lot provided the following conditions are met:
 - a. Easements upon the common parking lot for the benefit of all units in the development must be recorded with the Uintah County Recorder, and;
 - b. Common parking lots must be contiguous with the residential area of the row house development and located within the same city block as the lots they serve. When the row house 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.

c. 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:

1. Standard multiple-family dwelling requires two (2) spaces per dwelling unit,

2. 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,

3. Housing exclusively for the elderly and/or handicapped require one (1) space per unit;

4. ~~Except as provided below, multiple family developments containing more than nine (9) dwelling units shall provide one (1) additional parking space for each two (2) dwelling units; This additional parking shall be grouped together and separated from all other parking.~~

~~A multi-family development providing affordable housing and receiving funding for such purposes from Vernal City, Uintah County, the State of Utah, any duly authorized housing authority and/or the federal government, or under management contract with any of those agencies, may be exempted from this requirement, provided that the developer enters into a development agreement with the City restricting parking within the development to passenger vehicles only and excluding trailers, recreational vehicles, and other related items.~~

Except as provided below, multiple family developments containing more than four (4) dwelling units shall provide one additional parking space for each two (2) dwelling units.

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

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

H. 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)

(PZSC § 03-12-011)

(Ord. 2010-16, Amended, 08/04/2010; Ord. 2009-11, Amended, 07/15/2009)

SECTION 2: AMENDMENT "Section 16.27.060 Minimum Number Of Trees Or Shrubbery" of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.27.060 Minimum Number Of Trees Or Shrubbery

- A. CC-1, C-2, CP-2, CCP-1, HC-1, I-1 and F-1 zones.
 - 1. 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;
- B. R-3, R-4, MX and P-1 zones;
 - 1. 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.
- C. 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.

(Ord. No. 94-15, Enacted, 07/14/94; Ord. No. 96-27, Amended, 11/20/96)

SECTION 3: AMENDMENT "Section 16.27.070 Minimum Area Requirements" of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

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

- A. Residential.
 - 1. R-3 Residential: Multi-family developments of three units or more shall have minimum landscaping of 30% of the lot area.
 - 2. R-4 Residential: Multi-family developments of three units or more shall have

minimum landscaping of ~~30~~28% of the lot area.

3. R-4 Residential: Row house developments shall have minimum landscaping of 15% of the lot area.
4. MX Mixed Use Residential: Developments having a residential component shall have minimum landscaping of 10% of the lot area.

B. Commercial.

1. CC-1 Central Commercial Zone: None, except for areas of the development not covered by buildings or parking.
2. 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.
3. 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.
4. CCP-1 Planned Commercial Zone: None, except as required by the Planning Commission.
5. MX Mixed Use Residential: Developments having no residential component shall have minimum landscaping of 5% of the lot area.

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

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

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

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

G. Locations of Trees.

1. 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.

(Ord. No. 94-15, Enacted, 07/14/94; Ord. No. 97-01, Amended, 07/02/97)

(Ord. 2005-01, Amended, 04/06/2005)

PASSED AND ADOPTED BY THE VERNAL COUNCIL

May 3rd 2023

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Nicholas Porter	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Robin O'Driscoll	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Councilmember Dave Everett	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Corey Foley	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Ted Munford	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest

Doug B. Hammond
Doug Hammond, Mayor, Vernal

Roxanne Behunin
Roxanne Behunin, City Recorder,
Vernal

