

**ORDINANCE 2018-16**

**AN ORDINANCE AMENDING THE VINEYARD MUNICIPAL ZONING CODE SECTIONS 15.12.050 DISTRICT USE TABLE, 15.32.120 EXCEPTIONS TO MAXIMUM HEIGHT LIMITATIONS, 15.34.060 ACCESSORY DWELLING UNITS, 15.38.030 PARKING REQUIREMENTS, 15.40.080 DESIGN STANDARDS AND REQUIREMENTS, 15.60.020 DEFINITIONS, AND 2.08.5 DEVELOPMENT STANDARD, BUILDING HEIGHT AND DELETING CHAPTER 15.44.**

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

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

**WHEREAS**, the Planning Commission held a public hearing on November 7, 2018 and after fully considering public comment and staff recommendations, recommended approval to the Vineyard City Council; and

**WHEREAS**, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on November 14, 2018; and

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

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

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

**AMENDMENT**

15.12.050 District Use Table

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

table, additional requirements for specific uses are listed in VZC 15.14 Special Purpose Districts, VZC 15.32 General Property Development Standards and VZC 15.34 Supplementary Development Standards of the zoning ordinance. Accessory Use: An accessory use, unless otherwise permitted in the zoning ordinance, shall not commence and no accessory structure shall be constructed without a principal use first being lawfully established on the subject site.

P = Permitted Use; C = Conditional Use; T = Temporary Use; N = Non-Permitted Use; Xx = Indicates Additional Standards Below

*P = Permitted Use; C = Conditional Use; T = Temporary Use; N = Non-Permitted Use; X<sup>x</sup> = Indicates Additional Standards Below*

ZONING DISTRICT USES		OS	A-1	R&A-5	RE-20	R-1-15	R-1-10	R-1-8	R-2-15	HDR-1	HDR-2	RMU	FMU	BP	RC	FOI	M	PF	
RESIDENTIAL	Dwelling, Multiple-Family	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N	N	N	
	Dwelling, Single-Family	N	P	P	P	P	P	P	P	P	N	P	N	N	N	N	N	N	
	Dwelling, Two-Family	N	N	N	N	N	N	N	P	P	N	P	P	N	N	N	N	N	
	Model Home	N	P	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	
	Residence for Persons with a Disability	N	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	N	N	N	N	N	N	N	
	Residence for Persons with a Disability that are Substance Abuse Facilities located within 500 feet of a school.	N	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	C <sup>5</sup>	N	N	N	N	N	N	N	
	Residential Facility for Elderly Persons	N	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	N	N	N	N	N	N	N	
	Residential Lease, Short-term	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
COMMERCIAL	Agriculture, Commercial	P	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
	Animal Hospital	N	N	N	N	N	N	N	N	N	N	P	N	N	P	P	P	N	
	Financial Institution	N	N	N	N	N	N	N	N	N	N	P	P	C	P	P	N	N	
	Billboard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
	Car Wash	N	N	N	N	N	N	N	N	N	N	C	N	N	C <sup>3</sup>	C	P	N	
	Chemical Manufacture, Storage, and Distribution (Existing)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
	Commercial Day Care/Preschool Center	N	N	N	N	N	N	N	N	N	N	C	C	C	C	C <sup>3</sup>	N	N	

Commercial Plant Nursery	N	C	C	N	N	N	N	N	N	N	C	N	N	P	P	P	N
Commercial Recreation, Indoor	N	N	N	N	N	N	N	N	N	N	C	C	C	P	N	N	N
Commercial Recreation, Outdoor	N	C	C	N	N	N	N	N	N	N	C	N	C	C	N	N	N
Composting Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
Construction Sales and Service	N	N	N	N	N	N	N	N	N	N	P	N	N	C	C	P	N
Contractor's Office/Storage Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N
Distribution Center	N	N	N	N	N	N	N	N	N	N	C	N	C	N	N	P	N
Drive-thru Facility	N	N	N	N	N	N	N	N	N	N	P <sup>7</sup>	P <sup>7</sup>	N	P <sup>7</sup>	N	P <sup>7</sup>	N
Dry Cleaning	N	N	N	N	N	N	N	N	N	N	P	P	N	P	P	N	N
Flammable Liquids or Gases Manufacture, Storage and Distribution	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	C	N
Funeral Home/Mortuary	N	N	N	N	N	N	N	N	N	N	C	N	C	N	N	N	N
Golf Course	C	C	C	N	C	N	N	N	N	N	N	N	N	N	N	N	N

P: Permitted Uses; C = Conditional Use; T = Temporary Use; N = Non-Permitted Use; X<sup>s</sup> = Indicates additional standards below

ZONING DISTRICT USES		OS	A-1	R&A-5	RE-20	R-1-15	R-1-10	R-1-8	R-2-15	HDR-1	HDR-2	RMU	FMU	BP	RC	FOI	M	PF	
COMMERCIAL	Health and Fitness Facility	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	
	Hotel	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	N	N	
	Hybrid Production Facility	N	N	N	N	N	N	N	N	N	N	C	C	N	C	P	N	N	
	Kennel, Commercial	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P <sup>2</sup>	P <sup>2</sup>	N	
	Kennel, Outdoor Commercial	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C <sup>2</sup>	C <sup>2</sup>	N	
	Laundry, Commercial	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N	P	P	N
	Laundry, Self-Serve	N	N	N	N	N	N	N	N	N	N	N	P	P	P	N	P	P	N
	Manufacturing, Heavy	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
	Manufacturing, Light	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	N
	Medical and Dental Clinic	N	N	N	N	N	N	N	N	N	N	N	P	P	P	N	N	N	N

Medical or Dental Laboratory	N	N	N	N	N	N	N	N	N	N	N	P	P	P	N	P	P	N
Motel	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	N	N
Motor Vehicle Fueling Station	N	N	N	N	N	N	N	N	N	N	N	C	N	N	C	C	N	N
Nightclub	N	N	N	N	N	N	N	N	N	N	N	C	C	N	C	N	N	N
Nursing Care Facility	N	N	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N
Nursing Home, Convalescent Care	N	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	N	N
Office	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P <sup>4</sup>	P <sup>4</sup>	N	N
Pawnshop	N	N	N	N	N	N	N	N	N	N	N	C	N	N	N	N	N	N
Personal Care Services	N	N	N	N	N	N	N	N	N	N	N	P	P	N	P	N	N	N
Personal Instruction Service	N	N	N	N	N	N	N	N	N	N	N	P	P	C	P	C	N	N
Private Club	N	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	N	N
Restaurant	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	<del>N</del> P <sup>3</sup>	N	N
Retail Sales and Services	N	N	N	N	N	N	N	N	N	N	N	P	P	P <sup>3</sup>	P	P <sup>3</sup>	N	N
Retail Sales and Services (Community Commercial)	N	N	N	N	N	N	N	N	N	N	N	P	P	N	N	N	N	N

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ZONING DISTRICT USES		OS	A-1	R&A-5	RE-20	R-1-15	R-1-10	R-1-8	R-2-15	HDR-1	HDR-2	RMU	FMU	BP	RC	FOI	M	PF	
COMMERCIAL	Retail Sales and Services (Regional)	N	N	N	N	N	N	N	N	N	N	P	P	N	P	N	N	N	
	Salvage Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	
	Sexually Oriented Business	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	
	Storage - Self Service Mixed-Use Facility	N	N	N	N	N	N	N	N	N	N	C <sup>2</sup>	N	C <sup>2</sup>	C <sup>2</sup>	C <sup>2</sup>	N	N	
	Storage - Self Service	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	
	Storage of Recreational Vehicles	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	
	Trailer/RV Camping Facilities	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
	Vehicle and Equipment Rental	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N
	Vehicle and Equipment Repair (Major)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	P	N
	Vehicle and Equipment Repair (Minor)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	P	N
	Vehicle and Equipment Sale and Rental New or Used (Heavy)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N
	Vehicle and Equipment Sale or Rental or Sale - New or Used (Light)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P	N	N
	Warehouse	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	P	P	N
	Warehouse Club	N	N	N	N	N	N	N	N	N	N	N	C	N	N	C	N	N	N
	Wholesale Distribution	N	N	N	N	N	N	N	N	N	N	N	C	N	C	N	P	P	N
PUB	Assembly, Place of	N	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C	C	C	N	N	N	N	

Commuter and Light Rail Facilities and Station	N	N	N	N	N	N	N	N	N	N	P	P	C	C	C	C	C
Earth Station (Satellite Dish Farm)	N	N	N	N	N	N	N	N	N	N	N	N	C	N	N	P	N
Educational Facility	N	C	C	C	C	C	C	C	C	C	P	P	P	C	N	N	N
Emergency Care Facility	N	N	N	N	N	N	N	N	N	N	P	P	C	N	N	N	N
Environmental Remediation Activities	N	N	N	N	N	N	N	N	N	N	P	P	€ P	€ P	€ P	€ P	€ P
Farmers' Market	N	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C
Heliport	N	N	N	N	N	N	N	N	N	N	C	N	N	C	N	C	N
Hospital	N	N	N	N	N	N	N	N	N	N	C	C	N	N	N	N	N
Liquor Store (State Owned)	N	N	N	N	N	N	N	N	N	N	C	C	N	C	N	N	N
Major Facility of a Public Utility	C	C	C	C	C	C	C	C	C	C	C	N	N	C	C	C	C
Minor Facility of a Public Utility	P	P	P	P	P	P	P	P	P	P	C	C	P	C	P	P	P
Museum	N	N	N	N	N	N	N	N	N	N	P	P	C	C	N	N	N

P: Permitted Uses; C = Conditional Use; T = Temporary Use; N = Non-Permitted Use; X<sup>s</sup> = Indicates additional standards below

ZONING DISTRICT USES		OS	A-1	R&A-5	RE-20	R-1-15	R-1-10	R-1-8	R-2-15	HDR-1	HDR-2	RMU	FMU	BP	RC	FOI	M	PF
PUBLIC AND INSTITUTIONAL	Open Space and Trails	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Parks and Associated Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Park and Ride Facility	N	N	N	N	N	N	N	N	N	N	P	N	C	N	P	P	N
	Power Plant	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
	Public Use	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P
	Recycling Collection Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	P	N
	Recycling Processing Facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
	Transit Passenger Hub (Intermodal)	N	N	N	N	N	N	N	N	N	N	P	P	N	C	C	C	C
	Wireless Telecommunications Site/Facility	N	C <sup>2</sup>	C <sup>2</sup>	N	N	N	N	N	N	N	C <sup>2</sup>	C <sup>2</sup>	C <sup>2</sup>	N	C <sup>2</sup>	C <sup>2</sup>	C <sup>2</sup>
ACCESSORY USES	Accessory Building	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	N	N	N	N	N	N	N
	Accessory Dwelling Unit	N	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	N	N	N	N	N	N	N
	Accessory Dwelling Unit for Owner or Employee	N	P	P	N	N	N	N	N	N	N	N	N	N	N	C	C	N
	Accessory Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	Billboard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Domestic Livestock and Fowl	N	P <sup>2</sup>	P <sup>2</sup>	N	N	N	N	N	N	N	N	N	N	N	N	N	N
	Home Day Care	N	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N
	Home Occupation	N	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	<del>N</del> P <sup>2</sup>	N	N	N	N	N	N
	Home Preschool	N	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N
	Household Pets, Noncommercial	N	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	N	N	N	N	N	N	N
	Open/Outdoor Display of Products or Merchandise	N	N	N	N	N	N	N	N	N	N	C	N	N	C	C	P	N
	Seasonal Use	T <sup>5</sup>	N	N	N	N	N	N	N	N	N	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	N	N
	Sign - Temporary	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>	T <sup>6</sup>
	Swimming Pool	P	C <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	N	N	N	N	N

Temporary Use	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	T <sup>5</sup>	
Tennis Court/Sports Court	C	C	C	C	C	C	C	C	C	C	C	N	N	N	N	N	N	C

1. Assembly uses as defined in VZC 15.60 of this ordinance are permitted.
2. See VZC 15.34 for additional use development standards.
3. Use is allowed as an accessory use to a principle use.
4. Use shall not exceed 25% of the net square footage of a single building or development.
5. See VZC 15.26 for additional use standards.
6. See VZC 15.48 for signage requirements.
7. In accordance with the District Use Table above, drive-thru facilities complying with all standards listed in Section 15.34.190 Part 1 through 1 of the VZC are considered a permitted use. Drive-thru facilities containing a drive aisle between the building's front façade and the front property line shall require approval of a conditional use permit. See Part 12 of Section 15.34.190 of the VZC.

**8. A dwelling unit shall be occupied by one (1) family, as defined herein.**

**SECTION 2: AMENDMENT** “15.32.120 Exceptions To Maximum Height Limitations” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

15.32.120 Exceptions To Maximum Height Limitations

The requirement for maximum building height shall not apply to steeples.

~~1. Flagpoles.~~

~~2. Steeples.~~

**SECTION 3: AMENDMENT** “15.34.060 Accessory Dwelling Units” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

15.34.060 Accessory Dwelling Units

11. Entrance: The exterior entrance to the accessory apartment shall be on the side or rear of the building and shall must enter directly into the accessory dwelling unit. The interior entrance to the accessory dwelling unit shall must be from within the principle dwelling unit. Only one (1) front entrance shall be visible from the front yard.

**SECTION 4: AMENDMENT** “15.38.030 Parking Requirements” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

15.38.030 Parking Requirements

2 Off-street Parking Requirements

b. Additional Residential Parking Requirements

v. Grade/Slope for residential driveways shall not exceed 8%, anything higher shall receive approval from the City Engineer.

c. Nonresidential Uses. The number of parking spaces for non-residential uses shall be provided as follows:

NON-RESIDENTIAL SPACES		
USE	DESCRIPTION	PARKING RATIO
EATING AND DRINKING ESTABLISHMENTS		
<del>Restaurants</del>	<del>With drive through services</del>	<del>In addition to the above eighty (80) linear feet of stacking space from the entrance of the drive through lane to the menu board exclusive of drive aisle and parking spaces, plus eighty (80) linear feet of stacking space from the menu board to the pickup window.</del>
MEDICAL		
Medical Offices and Clinics	Facilities providing medical, dental, optical care or preventative medicine and clinical research studies in a clinic or laboratory, including accessory offices	One (1) space per <del>two</del> <u>one</u> hundred fifty ( <del>200</del> <u>150</u> ) sq. ft. of floor area.

**SECTION 5: AMENDMENT** “15.40.080 Design Standards and Requirements” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

15.40.080 Design Standards and Requirements

1. Generally

- a. Landscape Improvements and Guarantees: All landscape improvements (landscape materials, irrigation system, screening walls, etc.) shall be installed and paid for by the developer on the site in accordance with the approved final landscape plan prior to the issuance of a certificate of occupancy for the building or use. When considered advisable, upon presentation of a cash bond, cash deposit, or assured later of credit in an amount sufficient to guarantee installation of the landscaping and irrigation system, the ~~Town~~ City Planner may approve a delay in the immediate installation of the required landscape improvements for a period of time not to exceed six (6) months. In those instances where the ~~Town~~ City Planer approves a delay in the installation of the required landscape improvements, a temporary certificate of occupancy shall be issued for the building or use conditioned upon the satisfactory installation of the required landscape improvements within the time period approved by the Town Planer.
- b. Minimum Size of Plantings. Unless otherwise specified herein, al required deciduous trees shall be a minimum of two-inch caliper in size. All evergreen trees shall be a minimum of six feet in height. All shrubs shall be a minimum of five gallon in size
- c. Plant Installation. Plants installed pursuant to this Chapter shall conform to installation standards within the approved Vineyard Tree Manual. ~~or exceed the plant quality standards of the most recent edition of American Standard for Nursery Stock, published by the American Association of Nurserymen.~~
- d. Plant Materials. Plant shall be drought tolerant and well-suited to the soil conditions at the project site. Plants with similar water needs shall be grouped together in landscape zones as much as possible. The applicant shall provide the water requirements for all plant material. Plant materials shall be chosen from the approved Vineyard Tree Manual. ~~It is suggested that plants be chosen from the Water Wise Plants for Utah Landscapes list prepared by the Utah State University Extension.~~

**SECTION 6: AMENDMENT** “15.44 Building Codes” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

15.44 Building Codes

~~15.44.010 Purpose~~

~~The adoption and enforcement of Building Codes for the construction of buildings and structures located within the Town serves the public interest by providing for structural stability, fire resistance, adequate ventilation and other safety and sanitary features.~~

This Title is located in the Municipal Code Title 11.

**SECTION 7: AMENDMENT** “15.44.020 Building Permit Required” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

~~15.44.020 Building Permit Required~~

- ~~1. The construction, reconstruction, restoration, extension, alteration, expansion, or enlargement of any building or structure shall not be commenced until a Building Permit Application is approved, as required by the adopted Building Codes, unless exempt by the Building Code, or State Law.~~
- ~~2. For any construction exempt from the requirements of the adopted Building Codes or State Law, the Building Official may require the submission of information and materials necessary to ensure compliance with the provisions of the Land Use Ordinances, Building Codes, and State Law.~~

**SECTION 8: AMENDMENT** “15.44.030 Building Permit Application” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

~~15.44.030 Building Permit Application~~

- ~~1. Applications for Building Permits shall be presented to the Building Official, including all information and materials as required by the adopted Building Codes.~~
- ~~2. Prior to the issuance of any required Building Permit(s), the proposed use(s), building(s), or structure(s) shall have received the necessary Approvals, Permits or Licenses, or other Land Use Application approvals, as applicable, as required by this Ordinance, and the Town’s other Land Use Ordinances.~~

~~3. Prior to issuance of a Building Permit, the Applicant may be required to post a bond, or provide other financial security, in such form and sum as required by the Land Use Authority, or Building Official, and approved by the Town Attorney, with sufficient surety running to the Town to offset any costs or expenses associated with construction activities on and of the site.~~

**SECTION 9: AMENDMENT** “15.44.040 Building Code Compliance” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

~~15.44.040 Building Code Compliance~~

~~1. All structures requiring a Building Permit shall comply with Title 1 in the Municipal Code. The requirements of the Building Codes, as adopted.~~

**SECTION 10: AMENDMENT** “15.44.050 Certificates of Occupancy” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

~~15.44.050 Certificates of Occupancy~~

~~1. A Certificate of Occupancy (CO) shall be required before any building or structure, or part hereof, may be used or occupied, as required by the adopted Building Codes. No Certificate of Occupancy shall be issued permitting the occupancy or use of any building or structure unless and until;~~

- ~~a. All construction has been completed, as authorized, if a Building Permit is required.~~
- ~~b. The use conforms to the regulations of the Land Use Ordinances of the Town and all other applicable statutes, Ordinances and regulations, if no Building Permit is required.~~
- ~~e. Payment of all applicable fees, charges, other requirements have been provided, and all conditions for the establishment of the use, building, or structure have been met.~~

**SECTION 11: AMENDMENT** “15.60.020 Definitions” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

15.60.020 Definitions

Dwelling Unit: A building, occupied by no more than one (1) family as defined herein, containing one (1) or more rooms and one (1) kitchen and including areas for living and

**SECTION 12: AMENDMENT** “Special Purpose Districts 2.08 Development Standards” of the Vineyard Municipal Zoning Code is hereby amended as follows:

**AMENDMENT**

2.08 Development Standards

5. **Building Height.** Building height standards are provided for in Section 15.12.060-Dimensional Standards Table.

~~a. The maximum allowable building height shall be fifty-two (52) feet. The maximum number of stories shall be four (4) for standalone residential uses and four (4) stories for non-residential or vertical mixed-use buildings.~~

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

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

**EFFECTIVE DATE:** This Ordinance shall be in full force and effect from November 14, 2018 and after the required approval and publication according to law.

ATTEST:

  
\_\_\_\_\_  
City Recorder

  
\_\_\_\_\_  
Mayor Julie Fullmer



PASSAGE BY MUNICIPAL COUNCIL  
ROLL CALL VOTE

**ORDINANCE NO 2018-16**

**AN ORDINANCE AMENDING THE VINEYARD MUNICIPAL ZONING CODE SECTIONS 15.12.050 DISTRICT USE TABLE, 15.32.120 EXCEPTIONS TO MAXIMUM HEIGHT LIMITATIONS, 15.34.060 ACCESSORY DWELLING UNITS, 15.38.030 PARKING REQUIREMENTS, 15.40.080 DESIGN STANDARDS AND REQUIREMENTS, 15.60.020 DEFINITIONS, AND 2.08.5 DEVELOPMENT STANDARD, BUILDING HEIGHT AND DELETING CHAPTER 15.44.**

***ROLL CALL VOTE:***

MAYOR JULIE FULLMER  
COUNCILMEMBER JOHN EARNEST  
COUNCILMEMBER TYCE FLAKE  
COUNCILMEMBER CHRIS JUDD  
COUNCILMEMBER NATHAN RILEY  
**TOTALS**

MOTION	SECOND	AYES	NAYS	ABSENT
		X		
X		X		
		X		
				X
	X	X		
		4		1

This Ordinance was passed by the City Council of Vineyard, Utah on the 14th day of November 2018 , on a roll call vote as described above.

**II**

MAYOR'S ACTION

Mayor's Action:  X  Approved       Disapproved

**III**

CITY RECORDER'S CERTIFICATE AND ATTEST

This Ordinance was recorded in the office of the Vineyard City Recorder on the 15<sup>th</sup> day of November, 2018

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance No. 2018-16

ATTEST:

  
\_\_\_\_\_  
Vineyard City Recorder

