

ORDINANCE NO. 2019-01

AN ORDINANCE OF THE VINEYARD CITY COUNCIL, VINEYARD, UTAH, AMENDING THE CITY'S ZONING ORDINANCE TO ADD SECTION 15.34.200 DRIVING RANGES TO PROVIDE ALLOWANCES FOR GOLF SAFETY NETTING HEIGHT, STANDARDS FOR PROTECTION NETTING, REQUIREMENTS FOR SITE AND BUILDING LIGHTING AND MINIMUM SPACING FROM RESIDENTIAL USES; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, the Planning Commission held a public meeting on February 19, 2019 and after fully considering staff recommendations, recommended approval to the Vineyard City Council on February 19, 2019; and

WHEREAS, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on February 27, 2019; 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 MAYOR AND COUNCIL OF THE CITY OF VINEYARD: Section

1: SECTION 15.34.200 DRIVING RANGES:

1. Golf Safety Netting.
 - a. Golf safety nets may be permitted for the purposes of retaining golf balls within the boundaries of an established driving range.
 - b. Golf safety netting shall only be permitted on the sides and rear of the driving range and are not permitted within the front yard area of the facility.
 - c. Golf safety netting and associated support system shall not exceed a height of one hundred eighty feet (180') measured from the adjacent grade of each pole.
 - d. Flags, signs, banners and other appurtenances are prohibited from being attached to the support structure or netting.
 - e. Golf safety nets shall be constructed in accordance with the following minimum standards:
 - i. All golf safety nets require a building permit.
 - ii. Support posts and netting shall be consistent in all detail and design throughout the project area serving the driving range.
 - iii. All golf safety nets shall be constructed in accordance with the manufacturer's recommendations.
 - iv. Support posts shall be constructed of rust-resistant metal approved by a structural engineer and shall meet all requirements of the city's Building Code and all other applicable codes.
 - v. Netting material shall be designed for the purpose of obstructing golf balls.
 - vi. Support structures should be fitted with a device, such as a halyard, that allows the net panel(s) to be removed for repair or storage.

- f. Golf safety nets shall be maintained and repaired by the property owner in accordance with the following minimum standards:
 - i. Any missing or broken support post that was a component of the original design of the golf safety net shall be repaired or replaced with similar material.
 - ii. Torn netting which no longer serves the intended purposes shall be repaired or replaced with similar material.
- g. Driving range facilities, safety netting and support structures shall maintain a minimum distance of four-hundred feet (400') from residential buildings.
- h. Driving range facilities and associated safety netting and support poles may be allowed through the provision of a conditional use permit under the Outdoor Commercial Recreation use category within the Regional Mixed-Use District (RMU) within the commercial project known as "The Yard", bounded on the north by 650 North, on the west by Mill Road, to the south by 400 North and on the east by Geneva Road.

2. Golf Range Lighting.

- a. All lights placed on property entrances or on building facades shall be down-directed and shielded to direct light to the entry or pedestrian way. The lighting design shall minimize light trespass. Spotlights and floodlights are prohibited. All pedestrian pathways shall include either bollard lighting, or down-directed lighting which shall not exceed twelve feet in height.
- b. Exterior lighting attached to a golf safety netting support pole shall not exceed a height of sixty (60') feet and shall only be used for the purposes of illuminating the driving range.
- c. Additional lighting height may be approved as required by State or Federal Law.
- d. A lighting plan shall be submitted for review with all driving range site plan and/or conditional use permit applications demonstrating impacts on residential uses located in the general vicinity of the subject area. The Planning Commission may impose conditions to mitigate potential adverse impacts to surrounding properties.

Section 2: REPEALER CLAUSE. All City of Vineyard Ordinances, or parts thereof, which are in conflict herewith are hereby repealed.

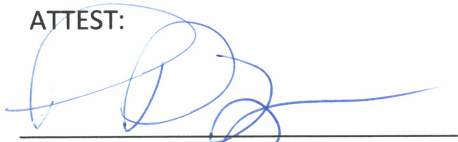
Section 3: SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4: PUBLICATION. This Ordinance, or a summary thereof, shall be published in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

Section 5: EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED by the CITY COUNCIL and APPROVED by the Mayor of Vineyard, Utah on this 13th day of March, 2019.

ATTEST:



Pamela Spencer, City Clerk




Julie Fullmer, Mayor

PASSAGE BY MUNICIPAL COUNCIL
ROLL CALL VOTE

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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 13th day of March, 2019, on a roll call vote as described above.

II

MAYOR'S ACTION

Mayor's Action: X Approved Disapproved

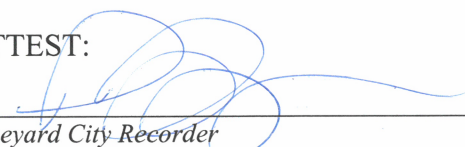
III

CITY RECORDER'S CERTIFICATE AND ATTEST

This Ordinance was recorded in the office of the Vineyard City Recorder on the 19th day of March, 2019

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance No. 2019-01

ATTEST:



Vineyard City Recorder




CERTIFICATE OF POSTING

I, THE DULY APPOINTED AND ACTING RECORDER FOR VINEYARD, UTAH, HEREBY CERTIFY THAT COPIES OF THE FOREGOING **ORDINANCE SUMMARY** FOR ORDINANCE 2019-01 WERE POSTED AT THE FOLLOWING PUBLIC PLACES WITHIN THE MUNICIPALITY ON THE 19th DAY OF MARCH, 2019. WHICH PUBLIC PLACES ARE:

POSTED:

1. VINEYARD CITY OFFICES; 125 SOUTH MAIN
2. VINEYARD CITY WEBSITE; www.vineyard.utah.gov

AND THAT SAID NOTICE REMAINED SO POSTED AND AVAILABLE UNTIL THE 18th DAY OF APRIL, 2019.


Name/Signature

City Recorder
Title

