

**VINEYARD
ORDINANCE 2023-11**

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AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, UPDATING 15.12 'ESTABLISHMENT OF DISTRICTS AND ZONING TABLES' OF THE ZONING CODE. THIS ORDINANCE MODIFIES THE LANGUAGE FOUND IN 15.12.050 'DISTRICT USE TABLE', MORE PARTICULARLY SUPERSCRIPIT 8, TO INCREASE CLINICAL SUPPORT HOUSING IN A SINGLE BUILDING OR DEVELOPMENT WITHIN THE NEIGHBORHOOD COMMERCIAL ZONING DISTRICT TO NO MORE THAN 80% OF THE NET SQUARE FOOTAGE. PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in compliance with the Utah State Municipal Land Use, Development, and Management Act (LUDMA), the City established an amendment to 15.12 "Establishment of Districts and Zoning Tables" of the Zoning Code; and

WHEREAS, the amendment to 15.12 'Establishment of Districts and Zoning Tables' of the Vineyard Zoning Code allows Clinical Support Housing in a single building or development within the Neighborhood Commercial Zoning District to no more than 80% of the net square footage; and

WHEREAS, the Planning Commission held a public hearing on February 15, 2023, and after fully considering public comment and staff recommendation, recommended approval to the City Council; and

WHEREAS, the City Council reviewed the amended language within Vineyard Zoning Code Section 15.12 'Establishment of Zoning Districts and Zoning Tables and held a public hearing on February 22, 2023, and after fully considering public comment, staff and Planning Commission's recommendations, evidence, and testimony presented by the City, staff, and other interested parties.

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

SECTION 1: **AMENDMENT** "15.12.050 District Use Table*" of the Vineyard 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; X^x = Indicates Additional Standards Below

NCNP

| ZONING DISTRICT USES | | O S | A - 1 | R & A - 5 | R E - 2 0 | R - 1 1 5 | R - 1 1 0 | R - 1 1 8 | R - 2 1 5 | H D R - 1 | H D R - 2 | R M U | F M U | B P | R C | N C | FOI | M | PF |
|--------------------------|---|-----|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|-------|-----|-----|----------------|----------------|---|----|
| RESIDENTIAL ⁸ | Clinical Support Housing | N | N | N | N | N | N | N | N | N | N | N | N | N | N | P ₈ | N | N | N |
| | Dwelling, Multiple-Family | N | N | N | N | N | N | N | N | N | P | P | P | N | 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 | N |
| | Dwelling, Two-Family | N | N | N | N | N | N | N | P | P | N | P | P | N | N | N | N | N | N |
| | Model Home or Unit | N | P | P | P | P | P | P | P | P | P | P | N | N | N | N | P | N | N |
| | Residence for Persons with a Disability | N | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | N | N | N | N | P ₂ | N | N |
| | Residence for Persons with a Disability that are Substance Abuse Facilities located within 500 feet of a school | N | C ₅ | C ₅ | C ₅ | C ₅ | C ₅ | C ₅ | C ₅ | C ₅ | C ₅ | C ₅ | N | N | | N | N | N | N |

| | | | | | | | | | | | | | | | | | | | |
|--|---|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|---|---|---|----------------|---------------------|----------------|----------------|---|---|
| Residential Facility for Elderly Persons | N | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | N | N | N | N | C ⁵ 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 | N | N |
| 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 | C | P | P | N | |
| Billboard | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N |
| Cannabis Production Establishment | N | N | N | N | N | N | N | N | N | N | N | N | N | N | N | p ⁹ | p ⁹ | N | |
| Car Wash | N | N | N | N | N | N | N | N | N | N | C | N | N | C ₃ | N | 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 | N | N |
| Commercial Day Care/Preschool Center | N | N | N | N | N | N | N | N | N | N | C | C | C | C | C | C ₃ | N | N | |
| Commercial Plant Nursery | N | C | C | N | N | N | N | N | N | N | C | N | N | P | N | P | P | N | |
| Commercial Recreation, Indoor | N | N | N | N | N | N | N | N | N | N | C | C | C | P | P | N | N | N | |
| Commercial Recreation, Outdoor | N | C | C | N | N | N | N | N | N | N | C | N | C | C | N | N | N | N | |
| Composting Facility | N | N | 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 | N | C | P | N | |
| Contractor's Office/Storage Yard | N | N | 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 | N | N | P | N |
| Drive-thru | N | N | N | N | N | N | N | N | N | N | P | P | N | P | N | N | p ⁷ | N | |

| | | | | | | | | | | | | | | | | | | | |
|-----------------------------------|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| AC CES SOR Y USE S | Fowl | | | | | | | | | | | | | | | | | | |
| | Home Day Care (one to seven children) | N | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N | N | N |
| | Home Day Care (eight to ten children) | N | C | C | C | C | C | C | C | C | C | N | N | N | N | N | N | N | N |
| | Home Occupation | N | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | N | N | N | P ₂ | N | N | N |
| | Home Preschool (one to seven children) | N | P | P | P | P | P | P | P | P | P | N | N | N | N | N | N | N | N |
| | Home Preschool (eight to ten children) | N | C | C | C | C | C | C | C | C | C | N | N | N | N | N | N | N | N |
| | Household Pets, Noncommercial | N | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | N | N | N | N | P ₂ | 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 | C | P | N |
| | Seasonal Use | T ₅ | N | N | N | N | N | N | N | N | N | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | N | N |
| | Sign - Temporary | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ | T ₆ |
| | Swimming Pool | P | C ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | P ₂ | N | N | P ₂ | N | N | N |
| | Temporary Use | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T ₅ | T |
| Tennis Court/Sports Court | C | C | C | C | C | C | C | C | C | C | N | N | N | N | P | N | N | C | |

1. Religious institutions are allowed through the provision of a conditional use permit. No other 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 11 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 the approval of a conditional use permit. See [Part 12 of Section 15.34.190](#) of the VZC.

8. Clinic Support Housing use shall not exceed ~~5~~80% of the net square footage of a single building or development.

9. Use shall meet all licensing requirements as required by Utah State Code and conform to [Section 15.34.210](#) Cannabis Production Establishments and Medical Cannabis Pharmacies development standards of this title.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: 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.

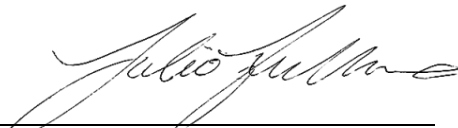
SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL FEBRUARY 22, 2023.

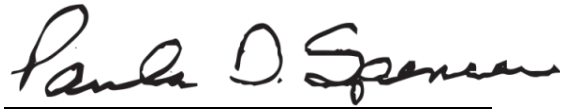
| | AYE | NAY | ABSENT | ABSTAIN |
|---------------------|--------------|------------|---------------|----------------|
| Mayor Julie Fullmer | _____ | _____ | <u> X </u> | _____ |
| Tyce Flake | <u> X </u> | _____ | _____ | _____ |
| Amber Rasmussen | <u> X </u> | _____ | _____ | _____ |
| Mardi Sifuentes | <u> X </u> | _____ | _____ | _____ |
| Cristy Welsh | <u> X </u> | _____ | _____ | _____ |

Presiding Officer

Attest



Julie Fullmer, Mayor, Vineyard



Pamela Spencer, City Recorder,
Vineyard

