

# TO THE PUBLIC AND RESIDENTS OF VERNAL CITY:

Notice is hereby given that the **VERNAL CITY PLANNING COMMISSION** will hold a regular meeting on **Tuesday, April 9, 2024 at 5:30 p.m.** in the Vernal City Council Chambers at 374 East Main Street, Vernal, Utah.

## AGENDA

### A. STANDING BUSINESS

1. Welcome and Designation of Chair and Members
2. Approval of Meeting Minutes for March 12, 2024

### B. PUBLIC HEARING – 5:30 PM

1. Recommendation to consider amending Vernal City Municipal Planning and Zoning Code, Chapter 16.08 Planning Commission – Ordinance 2024-12 – Gabby Hawkes Blackburn
2. Recommendation to consider amending Vernal City Municipal Planning and Zoning Code, Chapter 16.06.010 – Zoning Map Amendments, 16.08.060 Public Hearing Requirements, 16.58.110 – Amended Plats – Ordinance 2024-11 – Gabby Hawkes Blackburn
3. Recommendation to consider amending Vernal City Municipal Planning and Zoning Code, Chapter 16.20, adding Section 16.20.620 – Tiny Home Overlay – Ordinance 2024-10 – Gabby Hawkes Blackburn
4. Recommendation to consider amending Vernal City Municipal Planning and Zoning Code, Chapter 16.20, adding Section 16.20.370 – Food Truck Courts – Ordinance 2024-09 – Gabby Hawkes Blackburn
5. Recommendation to consider a request for a subdivision amendment from Porcupine Properties, LLC for property located at 577 North and 587 North 100 East, Vernal, Utah (parcels 04:076:0281 & 04:076:0280) – 2024-004-SUB – Gabby Hawkes Blackburn

### C. DISCUSSION ITEM

1. Discussion to consider adding Extended Stay Hotel/Motel Ordinances to the Vernal City Municipal Planning and Zoning Code, Chapter 16.20 – Specific Use Regulations – Gabby Hawkes Blackburn

### D. ADJOURN

# MINUTES of the Vernal City PLANNING COMMISSION

Vernal City Council Chambers - 374 East Main Street, Vernal, Utah

March 12, 2024

5:30 pm

**Members Present:** Brandon Parker, Stephen Lytle, Ryan Pugh, Troy Allred, Samantha Chapoose, Nick Porter, Ryan Balch

**Members Excused:**

**Alternates Present:**

**Alternates Excused:** Brittany Young, Rebecca Wilkey

**Staff Present:** Gabby Hawkes Blackburn, Assistant City Manager, Taylor Munguia, Planning Tech.

**WELCOME AND DESIGNATION OF CHAIR AND MEMBERS:** Chair Stephen Lytle welcomed everyone present to the meeting.

**APPROVAL OF MINUTES FROM February 13, 2024:** Stephen Lytle Chair asked if there were any changes to the minutes from February 13, 2024. The minutes were approved with there being no corrections, *Ryan Pugh moved to approve the minutes of February 13, 2024 as presented. Brandon Parker seconded the motion. The motion passed with Brandon Parker, Stephen Lytle, Ryan Pugh, Troy Allred, Samantha Chapoose, Nick Porter, and Ryan Balch voting in favor.*

## **DISCUSSION TO CONSIDER ADDING FOOD TRUCK COURT ORDINANCES TO THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE, CHAPTER 16.20 – SPECIFIC USE REGULATIONS –**

Gabby Hawkes Blackburn commenced discussions concerning the addition of food truck court ordinances to Chapter 16 of the City Code, with a focus on specific regulations for their use. The Commission considered various aspects, including defining food truck courts, approval processes, zoning regulations, parking requirements, restroom facilities, utility connections, grease trap regulations, and permissible locations for food truck courts. There were debates about the size of food truck courts, parking space dimensions, and setback requirements, as well as discussions on the feasibility of sharing utilities with neighboring businesses and grease trap requirements for food trucks. Key points of discussion included:

- Defining food truck courts as any location where a food truck operates for more than 30 days in a calendar year or has two (2) or more food trucks.
- Approval processes through master site plans, business licensing, or conditional use permits.
- Zoning considerations, with Commercial and Industrial zones being generally acceptable,



but Residential and Agricultural zones posing challenges.

- Parking requirements based on the number of food trucks and patrons, with a recommendation of four (4) parking spots per food truck and additional spots based on seating or square footage.
- Utilities and grease traps requirements, with considerations for health and safety.
- Bathroom and handwashing facilities, with suggestions for portable toilets and permanent structures.
- Zoning restrictions and setbacks, especially regarding residential areas, to address noise and other concerns.

The consensus leaned towards allowing food truck courts in Commercial and Industrial zones with Mixed-Use zoning options. In conclusion, the conversation aimed to draft comprehensive regulations for the operation of food truck courts in the community.

### **DISCUSSION TO CONSIDER ADDING A TINY HOME OVERLAY TO THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE –**

Gabby Hawkes Blackburn initiated discussions on introducing and regulating tiny homes in the community, addressing a variety of topics from building codes to zoning exemptions, and how these relate to broader goals such as affordable housing and diversified housing options.

Ms. Hawkes Blackburn provided feedback from the City Council, which showed support for tiny homes for reasons including affordable housing, vacation homes, and providing diverse housing options for different life stages. One significant focus was on the definition and size specifications for tiny homes, with a discussion on setting a maximum square footage to distinguish them from larger dwellings and mobile homes. Ms. Hawkes Blackburn proposed to not enforce minimum lot size requirements as long as homes meet setback and width requirements, suggesting a radical approach towards parking regulations by potentially reducing the parking space requirements due to the smaller size and occupancy of tiny homes.

Ms. Hawkes Blackburn covered the potential for Planned Residential Unit Developments (PRUDs) to allow for closer unit placement with shared open spaces, and how tiny homes could fit into this model or through minor subdivisions, provided they meet specific exemptions.

The commissioners deliberated on the aesthetic and functional aspects of tiny home communities, including infrastructure needs, utility hookups, and whether tiny homes should be mobile or stationary. The discussion concluded with considerations on the regulatory framework needed to support tiny homes, focusing on flexibility in design while ensuring the developments meet community standards, IBC regulations, and contribute positively to housing diversity and affordability.

This comprehensive discussion underscored the complexities of integrating tiny homes into existing urban frameworks, highlighting the need for thoughtful regulation that balances innovation in housing with community values and infrastructure capabilities.

### **DISCUSSION TO CONSIDER AMENDING VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE CHAPTER 16.08 – PLANNING COMMISSION –**

**Vernal City Planning Commission Minutes**  
**March 12, 2024**

Gabby Hawkes Blackburn detailed the discussion centered on the structure and function of the Planning Commission within the City Code. Currently, the Code specifies seven regular members and three alternates serving four-year terms, along with one or two City Council members. Ms. Hawkes Blackburn proposed we change the amount of alternates to two, while removing City Council members entirely. The attendance of Commission members has been consistent, prompting consideration for reducing the amount of alternates in the Commission. Ms. Hawkes Blackburn suggested a proposal to simplify and streamline the language in the Planning Commission section of the City Code to make it more typical and clearer. This would involve restructuring the Code to follow a more standard format, focusing on purpose, membership, responsibilities, and meetings. The discussion highlighted the need to clarify the role of the Chairman, particularly regarding voting, agenda approval, and signing off on meeting reports.

The Commissioners agreed to make changes to the Code to reflect the current composition of the Planning Commission and to streamline language while ensuring clarity on the roles and responsibilities of Commission members and the Chairman.

**DISCUSSION TO CONSIDER AMENDING VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE SECTION 16.06.010 - AMENDMENTS –**

Gabby Hawkes Blackburn introduced the discussion to amend noticing requirements for public meetings and public hearings within the City Code. Public hearings are more formal and require additional staff time and notice compared to public meetings. Currently, the City Code mandates two (2) public hearings, which is uncommon and can lead to logistical challenges. Ms. Hawkes Blackburn proposed to conform with State requirements and reduce the requirement to one public hearing, while still maintaining flexibility to hold additional hearings if needed.

The Commissioners agreed that public input is valuable, but the current process may be more burdensome than necessary. By aligning with State requirements and simplifying the process, the City can ensure adequate public participation while improving efficiency. Additionally, there was discussion about the timing of public hearings within meetings and the possibility of removing specific time designations, allowing for more flexibility in the meeting agenda. In conclusion, the goal was to streamline the public hearing process, reduce administrative burden, and enhance the effectiveness of public input while ensuring compliance with State regulations.

**ADJOURN:** There being no further business, *Ryan Pugh moved to adjourn. Samantha Chapoose seconded the motion. The motion passed with a unanimous vote, and the meeting was adjourned.*

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Stephen Lytle, Planning Commission Chair



# Vernal City Planning Commission

## Staff Report

Prepared by: Planning Director - Gabby Hawkes Blackburn  
Date: 04/08/2024

### Public Hearing Items

1. Amending Planning Commission Section of Vernal City Code

**Type of PC Decision:** Recommendation

**Review Trigger:** Language did not match current procedures

**Location:** Vernal City Code 16.08.010 - 16.08.090 (10 sections)

**Ordinance:** 2024-12

**Discussion:** First discussed at the March 12th 2024 regularly scheduled PC meeting

**Next steps:** Give staff direction on changes you would like to see or make a motion to recommend approval/denial/approval with conditions of ordinance amendment to City Council.

### Proposed 16.08.010 - 16.08.090 Language Changes:

[Staff Comments](#) Proposed Language/ Changes

### Section 16.08.010 ~~Membership~~ ~~Term~~ ~~Removal~~ Establishment and Purpose

#### SUMMARY OF Original key points:

- Composition: The Planning Commission consists of seven members and three alternate members. One or two members can be from the City Council, with the remaining members appointed by the Mayor and approved by the City Council from among the city's qualified electors. [\(now covered in Membership\)](#)
- Term: Appointed for a four-year term. Members serve until their successors are appointed and qualified. [\(now covered in Membership\)](#)
- Vacancy and Removal: Vacancies filled by the Mayor and City Council for the remaining term. Members may be removed for cause by the City Council after a public hearing, if requested. [\(now covered in Membership\)](#)

#### SUMMARY OF New key points:

- Name: Vernal City Planning Commission
- Purpose: To guide and oversee comprehensive planning, land use, and development within Vernal City, ensuring sustainable growth and development that reflects the community's needs and values.
- Powers and Duties
  - Comprehensive Planning
  - Land Use Authority vs. Advisory Role
  - Public Hearing

- Reporting
- The Commission can make reports and recommendations on city planning and development, propose public improvement programs, and enter land to make examinations and surveys
- The Planning Commission of Vernal City shall have such other powers and functions
- Economic advisory board
- Ordinance recommendation

PROPOSED LANGUAGE:

This body shall be known as the Vernal City Planning Commission (hereafter referred to as the Commission). The purpose of the Commission is to guide and oversee comprehensive planning, land use, and development within Vernal City. The Commission aims to ensure sustainable growth and development that reflects the community's needs and values, preserving the integrity and enhancing the livability of the city. Powers and Duties of the commission shall include:

- A. The Commission shall develop and certify to the City Council a general plan for the city's physical development to which all public and private developments shall conform to. This includes advising on land use, transportation, environmental concerns, public services, and economic development.
- B. The Commission shall be responsible for maintaining the general plan and may recommend to the City Council amendments, extensions, or additions to the general plan or detail any subject matter further after holding a properly noticed public hearing. All public and private developments shall conform to the general plan or the general plan be approved for amendment by the Planning Commission and the City Council before development may occur.
- C. The Commission, on its initiative or by City Council order, shall make and certify to the City Council all land use ordinances. This includes the full text of the land use ordinance, maps, and any amendments thereto, based on comprehensive planning accompanying a recommendation from the planning commission to the City Council on approval or denial of said ordinances.
- D. The Commission shall act as a Land Use Authority and as an advisory body to the City Council on land use plans and holds authority over specific planning matters, balancing advisory and decision-making responsibilities.
- E. The Commission is responsible for conducting public hearings on land use ordinances and significant planning initiatives to ensure community involvement and feedback.
- F. The Commission will provide necessary reports to the City Council detailing meeting attendance, approvals, denials, and training activities when applicable.
- G. The Commission may make recommendations to City officials, agencies, and citizens on city planning, development, and public improvement programs. This includes entering upon any land for examinations and surveys, as necessary.
- H. The Planning Commission is hereby designated the Vernal City Economic Opportunity Advisory Board. In this capacity the Planning Commission shall fulfill all of the duties and responsibilities of an Economic Opportunity Advisory Board as delineated in Utah Code.



- I. The Planning Commission of Vernal City shall perform such duties as are prescribed by Title 10, Utah Code Annotated, 1953, as hereafter amended, and such other powers and duties as may be prescribed by law.

This chapter is enacted to ensure that the planning and development processes within Vernal City are conducted transparently, inclusively, and sustainably, reflecting a commitment to the health, safety and well-being of the community. The Vernal City Planning Commission stands as a pivotal body in guiding the city towards a future that respects its heritage, meets current needs, and anticipates future growth challenges and opportunities. Does Planning Commission like this mission statement?

- ~~— The Planning Commission shall consist of seven (7) members and three (3) alternate members. One (1) member, but not more than two (2) members, shall be members of the City Council, and the remainder shall be appointed by the Mayor with the consent of the City Council from among the duly qualified electors of the City. Planning Commission members shall be appointed to serve for a period of four (4) years. Each member of the Planning Commission shall serve until the expiration of the term for which he is appointed and until his successor is appointed and qualified. Any vacancy occurring during the term of any member of the planning commission by reason of death, resignation, removal or disqualification shall be promptly filled by the Mayor and City Council for the unexpired portion of the term. Any member may be removed for cause by the City Council upon written charges after a public hearing, if such hearing is requested.~~
- ~~— Alternative members shall have no voting privileges except when to fill a vacancy caused by the temporary absence of a regular member. Most of this language moved to the membership section below.~~

#### ~~Section 16.08.020—Organization—Meetings—Records—Membership~~

##### SUMMARY Original key points:

- Officers: The Commission elects a chairman and vice chairman and adopts rules and regulations, filed with the City Recorder.
- Meetings: Presided over by the chairman; a quorum is four or more members. Meetings are public, except executive sessions.
- Records: Minutes of proceedings, including votes and attendance, are public records.

##### SUMMARY New key points:

- Composition: We are changing from 10 members (7 regular and 3 alternates) to 9 members (7 regular and 2 alternates). We are changing to not have city council members on the board
- Qualifications
- Appointment process/ filling vacancies
- Length of term
- Removal
- Compensation

##### PROPOSED LANGUAGE:

- A. The Vernal City Planning Commission is structured to include nine (9) duly qualified electors of Vernal City. This means members must be registered voters within the city, showcasing a vested

interest in the community's development and welfare. The composition of the membership should aim to ensure a broad representation of the city's interests and perspectives.

- B. The commission shall be organized into seven regular members and two alternates. Both regular members and alternates will be appointed for a term of four (4) years.
- C. Duly qualified electors of Vernal City interested in serving on the Commission must submit a detailed application, which will be reviewed by city staff for qualifications and suitability. Appointments to the commission are made by the Mayor with the consent of the City Council, reflecting a collaborative effort to select members who best represent the city's diverse needs.
- D. Should a vacancy arise due to resignation, death, removal, or disqualification, the Mayor, with the City Council's approval, will promptly fill the position for the remainder of the term.
- E. Vacancies are advertised on the city's website and in physical locations where public notices are traditionally posted, ensuring transparency and community awareness.
- F. Members wishing to continue in their position on the board shall submit the required application and be appointed by the mayor with the consent of the City Council.
- G. Alternates wishing to fill the open position for a regular member shall submit the required application and be appointed by the mayor with the consent of the City Council.
- H. Members may be removed from their position for just cause including but not limited to absences of more than 2 meetings per calendar year or not completing the required training. This action requires written charges to be presented, and a public hearing must be held if the member requests it. This process ensures fairness and accountability.
- I. Members of the Planning Commission may receive compensation or reimbursement for expenses. Such financial considerations are determined and approved by the City Council, based on the responsibilities undertaken and the expenses incurred in the service of the Commission.

~~The Planning Commission shall organize and elect a chairman and a vice chairman, and adopt rules and regulations in accordance with the provisions of this title. Such rules and regulations shall then be filed in the office of the City Recorder. The chairman, when in attendance, shall preside at all meetings of the Commission and shall be a voting member. A quorum of the Planning Commission shall consist of four (4) or more members or alternates. Meetings of the Commission shall be at the call of the chairman and at such other times as the Commission may determine. All meetings of the Commission, except executive sessions wherein no binding decisions can be made, shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such facts, all of which shall be filed in the office of the Commission and shall be a public record. Most info moved to titles and responsibilities below.~~

#### **Section 16.08.030 Compensation Titles and Responsibilities:**

SUMMARY Original key points:

- Members may receive compensation or reimbursement as set and approved by the City Council. (covered in above section)

SUMMARY New Key Points.



- Chair and Vice
- Elections
- Duties
- Staff
- Consultants

Proposed Language

- A. A Chairman and Vice Chairman responsible for the conduct of meetings, enforcing adherence to commission rules and overseeing the execution of the commission's responsibilities shall be elected yearly from among the Commission members through a blind vote of the commission members with a simple majority win.
- B. Chairman serves as the presiding officer at Commission meetings and represents the Commission in all official capacities. The Chairman ensures that meetings are conducted efficiently and that the Commission's decisions are communicated effectively to both the City Council and the public. The Chairman shall sign on behalf of the Commission when necessary as well as set and approve the agenda for the meetings. Chairman shall not participate in the vote unless a tie breaker is needed. Chairman may, however, make second motions to bring the motion to a vote of the commission. The Chairman shall liaison with city staff, managing the application review process, and upholding the Commission's commitment to the city's planning objectives.
- C. The Vice Chairman assumes the duties of the Chairman in their absence, ensuring no disruption in the Commission's activities and leadership continuity.
- D. The Commission is supported by city staff within the budgetary allocations approved by the City Council. This support includes administrative, technical, and logistical assistance essential for the Commission's functions.
- E. Access to legal advice is provided by either city staff or external legal counsel, as required. This ensures that the Commission's decisions and operations are compliant with relevant laws and regulations.
- F. The Commission has the authority, through directing staff, or contract with city planners and other consultants as deemed necessary for its work. All such expenditures shall not exceed the funds appropriated by the City Council or provided to the Commission through gifts or other means. This allows the Commission flexibility in obtaining specialized expertise and support for its planning efforts.

~~Members of the Planning Commission may be compensated an amount set and approve by the City Council or reimbursed for reasonable expenses incurred with the approval of the City Council. (covered in membership)~~

**Section 16.08.040 Staff -- Contracting Authority Meetings**

SUMMARY Original key points:

- The Commission can appoint staff and contract with consultants as needed, within budgetary constraints set by the City Council.

SUMMARY New key points:

- Quorum
- Types of meetings
- Public participation
- Records and minutes
- Ethics and conduct

### PROPOSED LANGUAGE

1. The Vernal City Planning Commission conducts its meetings and affairs transparently, and efficiently, fostering public trust and ensuring that the planning process reflects the community's needs. The Commission may not make decisions without a full Quorum consisting of four or more members or alternates. The commission will conduct and facilitate:

- A. Regular, Special, and Work Sessions are convened under the Chairman's direction or as decided by the Commission, promoting adaptability in addressing planning requirements. Except for executive sessions, these meetings are open to the public, ensuring transparency. Public participation may be initiated by the Chairman of the Planning Commission.
- B. Public Meetings are conducted regularly to discuss general Commission business. These meetings are designed to be accessible to the public, providing a platform for transparency and public oversight. These meetings will be open to the public for attendance with public participation initiated by the Chairman of the Planning Commission.
- C. Public Hearings are specially convened sessions that focus on specific planning issues, such as land use changes, zoning regulations, and development proposals. These hearings are crucial for gathering public input and ensuring that decisions reflect community views and interests. These meetings shall be properly noticed with the intent to allow the public to give comments in an organized and respectful manner. The Commission not only encourages but facilitates public involvement in all public hearings.
- D. Detailed minutes of all meetings, including public meetings and hearings, are diligently maintained by City Staff. These documents, which record discussions, decisions, and attendance, are made available to the public.

2. Members are held to a high ethical standard, ensuring that all Commission activities are conducted with honesty, integrity, and respect for the public interest. This includes but is not limited to:

- A. Commission members are required to disclose any potential conflicts of interest that may arise in relation to the matters under discussion. Members must recuse themselves from deliberations and decisions where such conflicts exist, ensuring that the Commission's actions are free from any undue influence.
- B. To preserve the decision-making process's integrity, members must avoid ex parte communications on pending applications or matters before the Commission. Should such communications occur, they must be disclosed in a public session, allowing all parties to respond.
- C. Members are cautioned against "walking quorums," where informal discussions among a quorum of members outside official meetings could lead to consensus-building that circumvents public meeting laws. Such practices are discouraged to uphold the principles of open governance.

~~The Planning Commission may appoint such employees and staff as it may deem necessary for its work and may contract with City planners and other consultants for such services as it requires, provided the~~



~~expenditures of the Commission shall not be in excess of such sums as may be appropriated by the City Council and/or placed at the disposal of the Commission through gift or otherwise. (covered in titles and responsibilities)~~

#### **Section 16.08.050 Reports And Recommendations -- Entry Upon Land**

Original key points:

- The Commission can make reports and recommendations on city planning and development, propose public improvement programs, and enter land to make examinations and surveys. Now covered in establishment/ purpose

~~The Planning Commission may make reports and recommendations relating to the plan and development of the City to City officials and agencies, other organizations and citizens. It may recommend to the Mayor or City Council programs for public improvements and the financing thereof. The Commission, its members and employees, in the performance of its functions, may enter upon any land at reasonable times to make examinations and surveys.~~

#### **Section 16.08.060 Land Use Plan**

Original key points:

- The Commission creates and certifies a land use ordinance and amendments to the City Council after public hearings. The City Council also conducts a public hearing before adopting or amending the land use ordinance. Now covered in establishment/ purpose

~~—The Planning Commission, through its own initiative or by order of the City Council, shall make and certify to the City Council a land use ordinance, including both the full text of the land use ordinance and maps and any amendments thereto, representing the Commission's recommendations for land use in all or part of the City after holding a public hearing. The notice for the public hearing before the Planning Commission shall be published on the Utah Public Notice Website and posted on the Vernal City website at least ten (10) days before the public hearing. The City Council shall hold a public hearing on the proposed land use ordinance recommended to it by the Planning Commission. The notice for the public hearing of the City Council shall be published at least ten (10) day's before the hearing and shall include the time and place of such public hearing, shall be published on the Utah Public Notice Website and posted on the City's web site. After the public hearing the City Council may divide the City into districts or zones of such number, shape and area as it may determine.~~

~~—The City Council may amend the number, shape, boundaries or area of zones, regulations of or within zones, or any other provisions defined in the land use ordinance after being proposed by or submitted to the Planning Commission for its approval, disapproval or recommendations. The City Council shall hold a public hearing on the proposed land use ordinance amendment recommended to it by the Planning Commission. The notice for the public hearing shall be published at least ten (10) day's before the hearing and shall include the time and place of such public hearing, shall be published on the Utah Public Notice Website and posted on the City's web~~

~~site. Also, written notices shall be mailed to owners of property within three hundred (300) feet of the proposed zone change. The notices to the property owners shall state the time and place of the hearing and the proposed zone changes.~~

- ~~— A property owner may petition the City Council to amend the zoning map of the land use plan in the area that addresses the property owner's parcel. Petition shall be made on forms provided by the City and a fee shall be paid in an amount set by resolution of the City Council. The process set forth in subsection B of this section shall be followed.~~

### **Section 16.08.070 General Plan**

Original key points:

- The Commission is tasked with creating and adopting a general plan for the city's physical development, including outside areas with related planning, after a public hearing. The plan includes elements on land use, transportation, environment, public services, rehabilitation, economic development, and implementation recommendations. Now covered in establishment/purpose
  
- ~~— It shall be the function and duty of the Planning Commission, to make and adopt and certify to the City Council a general plan for the physical development of the City, including any areas outside of its boundaries which, in the Commission's judgement, bear relation to the planning of the City, after holding a public hearing. The notice for the public hearing before the Planning Commission shall be published on the Utah Public Notice Website and posted on the City's website at least ten (10) days prior to the hearing. Where the plan involves territory outside the boundaries of the City, action shall be taken with the concurrence of the county or other municipal legislative body concerned. The general plan, with the accompanying maps, charts and descriptive and explanatory matter, shall show the Commission's recommendations for the physical development and may include, among other things:
  - ~~— A land use element that:
    - ~~— Designates the proposed general distribution and location and extent of uses of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate; and~~
    - ~~— May include a statement of the standards of population density and building density recommended for the various land use categories covered by this plan;~~~~
  - ~~— A transportation and circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, mass transit and any other modes of transportation that are appropriate, all correlated with the land use element of the plan;~~
  - ~~— An environmental element that addresses:
    - ~~— The protection, conservation, development and use of natural resources, including the quality of air, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources, and~~
    - ~~— The reclamation of land, flood control, prevention and control of the pollution of streams and other waters, regulation of the use of land on hillsides, stream~~~~~~



- ~~channels and other environmentally sensitive areas, the prevention, control and correction of the erosion of soils, protection of watersheds and wetlands and the mapping of known geologic hazards;~~
- ~~— A public services and facilities element showing general plans for sewage, waste disposal drainage, local utilities, rights-of-way, easements and facilities for them, police and fire protection, and other public services;~~
- ~~— A rehabilitation, redevelopment and conservation element consisting of plans and programs for:
 
  - ~~— Historic preservation;~~
  - ~~— The elimination of blight and for redevelopment, including housing sites, business and industrial sites, and public building sites;~~~~
- ~~— An economic element composed of appropriate studies and an economic development plan that may include review of Vernal City's revenue and expenditures, revenue sources, identification of base and residentiary industry, primary and secondary market areas, employment and retail sales activity;~~
- ~~— Recommendations for implementing the plan, including the use of land use ordinances, subdivision ordinances, capital improvement plans, and other appropriate actions; and~~
- ~~— Any other elements the City considers appropriate.~~
- ~~— The Planning Commission may from time to time recommend to the City Council an amendment, extension or addition to the plan or in carrying any subject matter in greater detail, after holding a public hearing. Notice of the public hearing shall be published at least ten (10) days before the hearing on the Utah Public Notice Website, posted on the City's web site and mailed to the affected entities.;~~

**Section 16.08.080 Conformity To General Plan Required**

Original key points:

- Public and private developments must conform to the general plan or be approved as an amendment to the plan by the Planning Commission and City Council. Now covered in establishment/ purpose

~~Whenever the City Council shall have adopted the general plan of the City or amendment thereof, then and thenceforth no street, park or other public way, ground, place or space, no publicly-owned building or structure, and no public utility, whether publicly or privately owned, shall be constructed or authorized until and unless the location and extent thereof shall conform to the plan or shall have been submitted to and approved by the Planning Commission and after receiving the advice of the Planning Commission, approved by the City Council as an amendment to the general plan. The accepting, widening, removing, extending, relocating, narrowing, vacating, abandoning, changing the use, acquiring land for or selling or leasing any street or other public way, ground, place, property or structure, shall be subject to similar submission and approval.~~

**Section 16.080.085**

Original key points:

- Additional powers and duties are as prescribed by Utah Code Annotated and other laws. Now covered in establishment/ purpose

The Planning Commission is hereby designated the Vernal City Economic Opportunity Advisory Board. In this capacity the Planning Commission shall fulfill all of the duties and responsibilities of an Economic Opportunity Advisory Board as delineated in Utah Code.

~~Section 16.08.090 Other Powers And Duties~~ Now covered in establishment/ purpose

~~The Planning Commission of Vernal City shall have such other powers and functions, and shall perform such duties as are prescribed by Title 10, Chapter 9, Utah Code Annotated, 1953, as hereafter amended, and such other powers and duties as may be prescribed by law.~~

## 2. Amending Public Hearing Requirement Sections of Vernal City Code

**Type of PC Decision:** Recommendation

**Review Trigger:** Language did not match State requirements/ causing issues for staff.

**Location:** Vernal City Code 16.06.010 (zoning map amendments), 16.08.060 (Public Hearing Requirements Covered in PC section above), 16.58.110 (amended plats)

**Ordinance:** 2024-10

**Discussion:** First discussed at the March 12th 2024 regularly scheduled PC meeting

**Next steps:** Give staff direction on changes you would like to see or make a motion to recommend approval/denial/approval with conditions of ordinance amendment to City Council.

### **Proposed Language Changes section 16.06.010 Amendments:**

Staff comments (NOT LANGUAGE PROPOSAL) in blue

#### Section 16.06.010 Amendments

- A. All Vernal City land use ordinances, including this title and the zoning map, may be amended to ensure Vernal City's land use regulations remain responsive to the communities needs and growth patterns. ~~This title, including the zoning map, may be amended from time to time by the City Council after holding a public hearing.~~ The City Council is authorized as the land use authority responsible for the review, approval or denial of all land use ordinance amendment applications. City Council decisions shall be made after receiving a recommendation from the Planning Commission and following the required public engagement process as outlined in Utah Code. All meetings and hearings ~~The public hearing~~ required in the public engagement process shall comply with the provisions for such meetings and be published and noticed in accordance with applicable Utah Codes including title 52 chapter 4, title 10 chapter 9 and title 63G chapter 30 ensuring timely and accessible information to affected entities and members of the public. ~~shall be published on the Utah Public Notice Website and posted on the~~



~~City's web site at least ten (10) days prior to the public hearing of the City Council. All proposed amendments shall be first proposed by the Planning Commission or shall be submitted to the Planning Commission for its recommendation within thirty (30) days. The Planning Commission shall hold a public hearing before giving its recommendation to the City Council. Notice of the Planning Commission public hearing shall be published on the Utah Public Notice Website and posted on the City's web site at least ten (10) days before the hearing. Failure of the Planning Commission to take action on the proposed amendment within 30 days the prescribed time.~~ Vernal City's receipt of a complete amendment application shall be deemed a recommendation of approval for the by such Commission of the proposed change or amendment. ~~The City Council may overrule the Planning Commission's recommendation by a majority vote of its members.~~ The City Council retains final authority to adopt, modify, or reject proposed amendments, ensuring legislative oversight and adherence to community standards and state requirements. The City Council shall prescribe, by resolution, the fees required to amend this title or the accompanying map.

- B. A development agreement may be entered into between any applicant for a zoning map amendment and the City.
1. The City Council shall review the development agreement concurrently with the application for a zoning map amendment.
  2. The development agreement shall be perpetually attached to the property as described in the agreement and shall be recorded with the Uintah County Recorder within ten (10) calendar days of its execution.
  3. In the event that State or federal laws or regulations, enacted after a development agreement has been entered into, prevents or precludes compliance with one or more regulations of the development agreement, such agreement may be amended or terminated as may be necessary to comply with the new State or Federal laws or regulations.
  4. The City Council may waive the requirement for a development agreement.
  5. A final development agreement may be amended or terminated in whole or in part by either a request of the parties to the agreement, or their successors in interest, with approval by the Vernal City Council or by action initiated by the City Council.
    - a. The termination or amendment shall be consistent with the process and provisions specified in the development agreement.

#### **Section 16.58.110 Amended Plats**

Amended plats must be filed when more than two adjacent lots of a subdivision which has been recorded are affected, an amended plat thereof approved and filed in accordance with the requirements of State code. No change shall be made in the approved plats unless approval thereof has been obtained by the Planning Commission after a public hearing is held with at least ten (10) days notice on the Utah Public Notice Website and posted on the City's website, except that the City Planner may approve petitions to adjust lot lines between two adjacent properties upon the filing of a record of survey and recordation of an appropriate deed if:

- A. No new dwelling lot or housing unit results from the lot line adjustment, and;
- B. The lot line adjustment does not result in remnant land that did not previously exist;
- C. The adjustment does not result in violation of applicable zoning requirements.
- D. All adjoining property owners consent to the lot line adjustment and sign the plat.

Notice of the lot line adjustment must be made on the Utah Public Notice Website and posted on the City's website indicating the date by which objections must be received in the City Recorder's office. If no objections are received, the lot line adjustment may be approved by the City Planner if all other requirements are met. If an objection is filed, the lot line adjustment will be heard at the next Planning Commission meeting for their review and decision.

Petitions to adjust lot or parcel lines between adjoining properties not within a recorded subdivision may be executed upon the recordation of an appropriate deed after a record of survey has been approved by the zoning administrator and cleared for taxes by Uintah County Treasurer and filed with the county surveyor within ninety (90) days of approval, if:

- A. No new dwelling lot or housing unit results from the lot line adjustment;
- B. That all adjoining property owners consent to the lot line adjustment;
- C. The lot line adjustment does not result in a remnant piece of land that did not exist previously;
- D. The lot line adjustment does not result in the violation of any applicable zoning district requirements. (fix punctuation mistake)

~~When Vernal City proposes to vacate, alter, or amend a subdivision plat, or any road or lot contained in a subdivision plat, the City Council shall consider the issue at a public hearing after giving the notice, as required by Section 17-27a-207 et seq., Utah Code Annotated, 1953, as amended. This must have been an error leaving a part of the old subdivision code when we did the major update december 6th. It directly contradicts the above sections of code.~~

### 3. Adding Tiny Home Overlay to Vernal City Code

**Type of PC Decision:** Recommendation

**Review Trigger:** City Manager, Building Official, and Zoning Administrator have been receiving interest from the community and wanted to explore the benefits "tiny homes" could bring to the community while minimizing negative impacts.

**Location:** ADD 16.20.620 Tiny Home Overlay

**Ordinance:** 2024-09

**Discussion:**

- July 2023 Planning Commission Meeting
- March 6th City Council Meeting
- March 12th Planning Commission Meeting

**Next steps:** Give staff direction on changes you would like to see or make a motion to recommend approval/denial/approval with conditions of ordinance amendment to City Council.

**Proposed Language Changes:**



Staff comments (NOT LANGUAGE PROPOSAL) in blue

### Section 1: Purpose and Intent

The purpose of the Tiny Home Overlay Ordinance is to facilitate the thoughtful integration of tiny homes within Vernal City, leveraging their potential to enhance the diversity and affordability of the housing stock. Recognizing the unique challenges and opportunities presented by tiny homes, this ordinance aims to:

- Provide separate zoning regulations to a limited area to better accommodate tiny homes, addressing lot size minimums, setback requirements, and other zoning parameters that may currently limit the potential for tiny home development.
- Promote the efficient use of available space, particularly through infill development to optimize land use.
- Provide diverse housing types to allow for various lifestyles, family sizes, and income levels, reflecting the diversity of our community's needs.
- Ensure that the development of tiny homes enhances the overall quality of life in the community by complementing the existing housing stock and meeting identified housing needs without displacing current residents.

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### Section 2: Definitions

For the purpose of this ordinance, the following terms are defined as follows:

1. "Tiny Home" is a residential dwelling that is detached and independent, with a footprint not exceeding 700 square feet and a total living space under 900 square feet. Tiny Homes are constructed on a permanent foundation, designed for year-round living, and equipped with all necessary services and facilities.
2. "Overlay" is an additional zoning designation applied to a specified area within the city that imposes a set of requirements or standards distinct from those of the underlying zone. Overlays are used to address specific planning goals, such as increasing housing diversity, without altering the foundational zoning classifications applicable to all zones within city boundaries.
3. "Conditional Overlay" refers to the period during which the Tiny Home Overlay is approved pending conditions specified are met within the provided time frame.
4. "Tiny Home Lot" refers to a parcel of land designated for the development of tiny homes, consisting solely of four (4) or fewer tiny homes. These lots are subject to the development standards and permitting processes outlined in this ordinance.
5. "Permanent Foundation" is a fixed ground support system that securely anchors a tiny home to the ground, meeting all applicable building codes and standards. Permanent foundations are designed to ensure the structural integrity and longevity of tiny homes.
6. "Infill Development" refers to the development of vacant or underutilized land within previously built areas of the city. Infill development aims to optimize land use, reduce urban sprawl, and promote growth patterns which preserve Agricultural and Recreational areas.
7. "Mobile structure" A Mobile Structure refers to any structure designed and constructed to be movable rather than permanently located. Key characteristics of mobile structures

include the ability to be transported on wheels directly or via a trailer chassis from one location to another and not being affixed to a permanent foundation. Mobile structures may include, but are not limited to, mobile homes, travel trailers, recreational vehicles (RVs), and other prefabricated or modular structures designed for temporary or semi-permanent residential, commercial, or recreational use.

### Section 3: Overlay Zone Designation

The Tiny Home Overlay shall be denoted on the Vernal City Zoning Map once tiny home overlay areas have been approved.

The Tiny Home Overlay shall only be applicable within the following zoning districts as defined by Vernal City's Zoning Ordinance:

Residential 3 (R3)

Residential 4 (R4)

Mixed-Use (MX)

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The Tiny Home Overlay shall be denoted on the Vernal City Zoning Map once tiny home overlay areas have been approved.

#### Approval Criteria

The Tiny Home Overlay shall be approved in areas within the R3, R4, and MX zones under the following criteria:

- **Smaller Lot Utilization:** Areas where the utilization of smaller lots and an increase in residential density will not adversely affect the community character or impose undue strain on existing infrastructure and municipal services.
- **Redevelopment Areas:** Zones identified for redevelopment, where tiny homes can contribute to revitalization efforts without displacing current residents or disrupting existing community fabrics.
- **Infill Development:** Locations suitable for infill development, particularly vacant or underused parcels that can be optimized for residential use, thereby reducing urban sprawl and encouraging more efficient land use.
- **Mixed Housing Types:** Areas that benefit from a diverse housing stock, including tiny homes, to cater to a variety of lifestyles, family sizes, and income levels, promoting inclusivity and affordability in the housing market.

In the designation of the Tiny Home Overlay, the following development considerations shall be adhered to:

- **Emergency Access:** All development within the overlay must ensure clear access for emergency vehicles and services, with appropriately designed ingress and egress points to safeguard the well-being of residents.
- **Community Integration:** Tiny home developments shall be designed to integrate seamlessly with existing neighborhoods, complementing the architectural styles and scales to maintain the aesthetic coherence and community character.



- Infrastructure Capacity: The existing infrastructure's capacity to support additional residents, including water, sewer, and electrical services, shall be a primary consideration in the approval process to ensure sustainable growth.

#### Section 4: Development Standards

The following development standards are established to guide the development of tiny home lots within the Tiny Home Overlay, ensuring that such developments contribute positively to the community objectives. All building, planning, business licensing, and development permits within the tiny home overlay shall submit a site plan showing compliance with the established requirements of this chapter including:

- Minimum Lot Size
  - The minimum lot size for the placement of a tiny home shall be 2,500 square feet, with an additional requirement of 500 square feet for each tiny home placed on the lot.
- Lot Width
  - The minimum lot width for tiny home lots shall be 45 feet regardless of underlying zoning requirements.
- Setbacks
  - Front: Setback requirements shall adhere to the standards established for the respective underlying zone.
  - Side: A minimum of 5 feet from property lines as per fire code, or 3 feet with an appropriate fire rating.
  - From Other Structures: A minimum setback of 5 feet from other structures on the same lot.
  - Rear: A minimum of 5 feet from the rear property line as per fire code.
  - Corner: 30 feet or 20 feet depending on the orientation of the lot to the adjacent streets.
- Lot Coverage
  - There shall be no maximum lot coverage requirement for tiny home lots to allow flexibility in design and placement.
- Height Restrictions
  - Tiny homes shall not exceed a maximum height of 20 feet
- Utility Connections
  - All tiny homes shall be individually connected to municipal water, sewer, and electrical services to ensure health and safety standards are met.
- Parking
  - A minimum of one parking space per tiny home unit is required.
    - Each parking space must be no smaller than 12 feet by 20 feet and located out of the public right-of-way (ROW).
    - All areas intended or used for parking vehicles wider than 50 inches at any part shall be paved asphalt or concrete parking spaces.
    - Parking spaces/ parking shall not cover more than 50% of the street facing wall of the structure.
    - Tiny homes wishing to store more than one vehicle shall provide additional parking.
    - Street parking shall follow the rules and requirements of the underlying zone.
- Landscaping

- For lots less than 3,000 square feet designated for a single tiny home or less than 6,500 square feet for multiple tiny homes, all areas not covered by buildings or pavement shall be landscaped. Landscaping must be completed before the issuance of the final certificate of occupancy (C of O).
- In instances where weather conditions prevent the timely completion of landscaping a Temporary Certificate of Occupancy (C of O) may be granted under the condition that all required landscaping improvements are completed by no later than August 1st following the issuance date. To ensure compliance, the city must receive a performance bond equal to the total amount quoted in a landscaping bid sourced from a landscaping business currently holding a valid business license.
  - Should the landscaping improvements not be completed by the stipulated deadline of August 1st following the issuance of the Temporary Certificate of Occupancy (C of O), the performance bond will be forfeited. Upon forfeiture, the City reserves the right to either:
    - Undertake the necessary landscaping improvements directly, utilizing the forfeited bond amount to cover the costs of such landscaping; or
    - Allocate the forfeited bond amount towards other city improvement projects as deemed appropriate by the City Council or its designated authority.

- Trash Receptacles
  - Designated areas for trash receptacles must be provided outside of the front setback
- Adequate Drainage
  - Development plans must include provisions for adequate drainage to prevent water accumulation and ensure proper runoff management.
- Emergency Access
  - Developments must ensure clear access for emergency vehicles and services, with appropriately designed ingress and egress points to safeguard residents and property.

### Section 5: Tiny Home Standards

To ensure that tiny homes contribute positively to the housing landscape of Vernal City while adhering to safety, stability, and community aesthetic standards, the following criteria are established:

#### Size Limitations

- Tiny homes are defined as having a maximum footprint of 700 square feet and a total living space not exceeding 900 square feet.

#### Occupancy and Parcel Development Restrictions

- No more than four (4) tiny homes may be placed on any single lot.
- A parent parcel may not be subdivided to create more than four (4) lots within a three (3) year period for the purpose of developing tiny homes.

#### Permanent Foundation Requirement



All tiny homes within the overlay zone must be built on permanent foundations. No mobile structures may be allowed in the tiny home overlay.

- The design and construction of the foundation must meet the International Building Code (IBC) requirements as currently adopted by Vernal City. Compliance with these standards assures that tiny homes are built to withstand local environmental conditions and maintain structural integrity over time.

## Section 6: Permitting Process

### A. Administrative Processing and Approval

The Tiny Home Overlay designation shall be processed and approved through an administrative procedure managed by Vernal City staff. This process is designed to facilitate the development of tiny homes within specified areas in alignment with the strategic planning objectives and community needs of Vernal City. The overlay designation shall receive written approval from the following city officials:

1. City Zoning Administrator,
2. Building Official,
3. City Attorney, and
4. Public Works Department Representative.

#### 1. Application Requirements

Applicants seeking a Tiny Home Overlay designation must submit a complete application package to the City Planning Department, which includes:

1. A statement of purpose for the proposed overlay, elucidating its benefits and how it aligns with the city's planning goals.
2. A detailed site plan demonstrating the ability of affected lots to comply with the requirements set forth in this chapter.
3. Any supporting documents necessary to show compliance with this chapter's requirements.
4. The non-refundable application fee, set at the same rate as the fee for rezoning applications as specified in the current fee schedule.

### B. Public Notification and Review Process

Upon receipt of the application, city staff will:

1. Issue a public notification to properties within 300 feet of the proposed overlay area, inviting commentary on relevant aspects such as parking and utility arrangements.
2. Perform an initial assessment to verify the completeness of the application and its adherence to the specified requirements.

Following the acceptance of the application, the City Zoning Administrator will conduct a thorough evaluation of the proposal. This evaluation will include:

1. Analysis of the proposal's impact on zoning, infrastructure, and environmental factors.
2. Consideration of the proposal's alignment with the comprehensive city plan.

#### C. Decision and Notification

The decision, either approval or denial, will be communicated in writing via certified mail to the applicant. This communication will include a staff report, signed by the required city officials, detailing the findings from the comprehensive evaluation and stating any conditions related to the approval or denial.

#### D. Appeal Process

Applicants may appeal decisions in accordance with the city's established appeal procedures.

#### E. Ongoing Monitoring and Authority

City staff shall conduct ongoing administrative monitoring to ensure compliance with the overlay requirements. The City retains the right, exercised through administrative authority, to either maintain or remove the Tiny Home Overlay designation as dictated by evolving planning needs and objectives of Vernal City.

### 4. Adding Food Truck Courts to Vernal City Code

**Type of PC Decision:** Recommendation

**Review Trigger:** Several local locations started having food trucks gather for extended periods of time. This is not allowed under current city code. Staff wanted to discuss the possible ways we could allow for these uses while mitigating negative impacts on the community.

**Location:** ADD 16.20.370 Food Truck Courts

**Ordinance:** 2024-09

**Discussion:** First discussed at the March 12th 2024 regularly scheduled PC meeting

**Next steps:** Give staff direction on changes you would like to see or make a motion to recommend approval/denial/approval with conditions of ordinance amendment to City Council.

#### **Proposed add section 16.20.370**

Staff comments (NOT LANGUAGE PROPOSAL) in blue

The purpose of this chapter is to establish regulations for the operation and location of food truck courts within Vernal City to enhance economic growth, support local entrepreneurs, create community gathering



spaces, and provide diverse food options for residents while addressing potential impacts on public health, safety, and livability.

#### DEFINITIONS:

- Food Truck Court: Any area where one or more Mobile Food Vendor(s) are parked for more than 60 days in a calendar year OR any area where three (3) or more Mobile Food Vendor(s) are simultaneously located for any amount of time outside of an approved and permitted event. Food truck courts can include area(s) designated and designed for mobile food vendors, including food trucks, trailers, and carts, where food and beverages are sold to the public. The court may include amenities such as seating areas, restrooms, and parking.
- Public Amenity: Features provided for public use within a food truck court, including seating, lighting, restrooms, and waste disposal facilities.
- Mobile Food Vendor: An operator of a food truck, trailer, or cart that sells food or beverages for consumption.

#### PERMITTED ZONES:

Food truck courts are permitted within the following zones, subject to the provisions of this chapter:

- A. CP-2 (Community Planned Commercial Zone)
- B. C-2 (Commercial Zone)
- C. MX (Mixed Residential and Commercial Zone)

#### OPERATIONAL STANDARDS:

- A. All food truck courts and mobile food vendors must comply with Vernal City Health Department regulations concerning food handling, storage, and sanitation.
- B. Food truck courts are subject to regular inspections by the Vernal City Health Department, Fire Department, and other relevant city departments to ensure compliance with the provisions of this chapter and Fire Code.
- C. Food truck courts shall be approved for operation upon receiving an approved Vernal City business license.
- D. No Vernal City business license shall be issued for food trucks without approved master site plans or in violation of the approved master site plan, health code, fire code or Vernal City Code requirements.
- E. Food truck courts shall not be larger than 3 acres.
- F. Food truck courts shall be fenced on any boundary bordering residential or agricultural use or zone.
  - a. Fencing requirements can be waived by the planning commission with the written approval of neighboring property owners or for unique geographical situations.

#### SITE PLANS FOR APPROVAL SHALL SHOW:

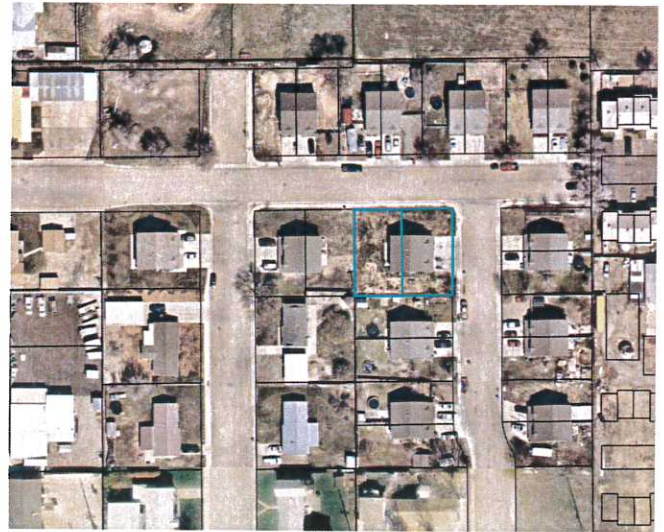
1. Compliance with Health Code requirements
2. Noise and Lighting Control shielding noise and lighting away from property boundaries
  - a. Noise generated by the food truck court activities shall not exceed 65db at the property line.
3. All required infrastructure facilitating gas, water and power available per food truck spot.

- a. No generators shall be permitted to operate food truck court activities including the trucks, music, lighting and other amenities.
4. Access to a grease trap, either on site or off, for the use of occupants.
5. Garbage available for the use of occupants
6. Landscaping required per Vernal City code 16.27
7. Parking required per Vernal City code 16.26 (likely 1 stall per 2 food truck spots or if seating is provided using the restaurant seating)
8. Compliance with sign regulations per Vernal City code 16.28
9. Restrooms for the use of occupants
  - a. Food truck courts containing 4 or less food truck spots shall provide a minimum of 1 portable toilet and hand washing facility for the joint use of occupants. Portable toilets must be screened from public ROW view and set back a distance of 30' from all accesses to existing structures and 50' from the boundary of any residential zone or residential structure.
  - b. Food truck courts containing 5 or more food truck spots shall provide a minimum of 1 stationary toilet and handwashing facilities for the joint use of occupants with an extra 1 stationary restroom facility per 10 food truck stalls in excess of 5.
  - c. Neighboring properties within 250' of the boundary of the food truck court with excess existing toilet facilities for their use may grant food truck courts a permanent use easement for the use of their toilet facilities.
  - d. At no point shall any food truck court be permitted to operate without approved restroom facilities.
10. Parking spots for food trucks shall be no less than 12'x25'
11. All areas intended for vehicular use shall be paved either with asphalt or concrete.
12. All areas intended for patrons shall be gravel, asphalt, concrete or landscaped for the use of pedestrians.
13. All storage associated with the food truck court shall be fully enclosed.



## 5. Request for Subdivision Amendment

**Type of PC Decision:** Administrative  
**Applicant:** Mike Horanson  
**Owner:** Mike Horanson  
**Applicant Address:** 3575 N 100 E STE. 100  
**Project Title:** Subdivision Amendment Amending Lots 111A and 111B of the amended murray subdivision.  
**Project Address:** 577&587 N 100 E Vernal Utah 84078  
**Project Parcel Number:** 04:076:0281 & 04:076:0280  
**Zone:** R2



### Application:

DigSign Verified - 518171d1-f10-42dc-865 2d8f9a9414  
 VC 10 20 1111 (instead of 2023 registration Section) NEED: Record of Survey approved by City and Recorded w/ county

**VERNAL CITY** Standard Application Form  
 Land Use  Record new deeds

374 East Main, Vernal, Utah 84078 Phone (435) 789-2271  
 www.vernalcity.org FAX (435) 789-2256

Fill out cover sheet INCLUDING ALL SIGNATURES. (Include the appropriate supplemental form(s))

<b>TYPE OF REQUEST</b>	
<input type="checkbox"/> Subdivision (final)	<input type="checkbox"/> Ordinance Amendment
<input type="checkbox"/> Subdivision (concept plan)	<input type="checkbox"/> Annexation
<input type="checkbox"/> Subdivision (preliminary plat)	<input type="checkbox"/> Zoning Map Amendment
<input type="checkbox"/> Subdivision (final plat)	<input checked="" type="checkbox"/> Lot Line Adjustment / Property Boundary Adjustment
<input checked="" type="checkbox"/> Subdivision Amendment	<input type="checkbox"/> Appeal to Board of Adjustment
<input type="checkbox"/> Time Extension	<input type="checkbox"/> Variance
<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Master Site Plan

**SITE INFORMATION** 572 N. / 584 N. 50 E.  
 Address: 577 + 587 N. 100 E. Vernal, UT 84078  
 County Parcel Number(s): 040760281, 040760280  
 Acreage: .11, .12 Current Zone(s): New Zone (treasure only):  
 Notes:

**APPLICANT**  
 Name: Porcupine Properties LLC  
 Address: 3575 N. 100 E. Ste. 100 Daytime Phone: 801-319-3822  
 P.O. Box, UT 84004 Evening Phone:  
 FAX: email: mike@meridmail.com  
 I certify that this information, including any attachments, is correct to the best of my knowledge. I further understand that approval of any application does not supersede the requirements of Vernal City Code.  
 Signature: Mike Horanson Date: 03/12/2024

**OWNER** (for multiple owners, use Multiple Owner supplementary form 3025)  
 Name: Porcupine Properties  
 Address: 3575 N. 100 E. Ste. 100 Daytime Phone: 801-319-3822  
 FAX: Evening Phone:  
 email: mike@meridmail.com  
 I consent to this application and to allow Vernal City staff to enter the property for related site inspections.  
 Signature: Mike Horanson Date: 03/12/2024

**FOR OFFICE USE ONLY**  
 Application Number: 2024-004-548 Date: March 28, 24 By: (Signature)  
 Required Fee: 200.00 Paid:  Cross Reference  
 Vernal City Form 302 (25 March 2016) page \_\_\_ of \_\_\_

### Supplemental Multiple Owners:

DigSign Verified - 33d7831a-86c-34022-9af 5a8641a230

**VERNAL CITY** Supplemental Form  
 Multiple Owners

374 East Main, Vernal, Utah 84078 Phone (435) 789-2271  
 www.vernalcity.org FAX (435) 789-2256

**OWNER**  
 Name: Porcupine Properties - Serial # 040760293  
 Address: 3575 N. 100 E. Ste. 100 Phone: 801-319-3822  
 P.O. Box, UT 84004  
 Email: mike@meridmail.com  
 I consent to this application and to allow Vernal City staff to enter the property for related site inspections.  
 Signature: Mike Horanson Date: 03/12/2024

**OWNER**  
 Name: Lavell Olsen - Serial # 040760292  
 Address: 673 Vernal Ave. Phone: 435-789-8338  
 Vernal UT 84078  
 Email:  
 I consent to this application and to allow Vernal City staff to enter the property for related site inspections.  
 Signature: Lavell Olsen Date: 03/14/2024

**OWNER**  
 Name:  
 Address: Phone:  
 Email:  
 I consent to this application and to allow Vernal City staff to enter the property for related site inspections.  
 Signature: Date:

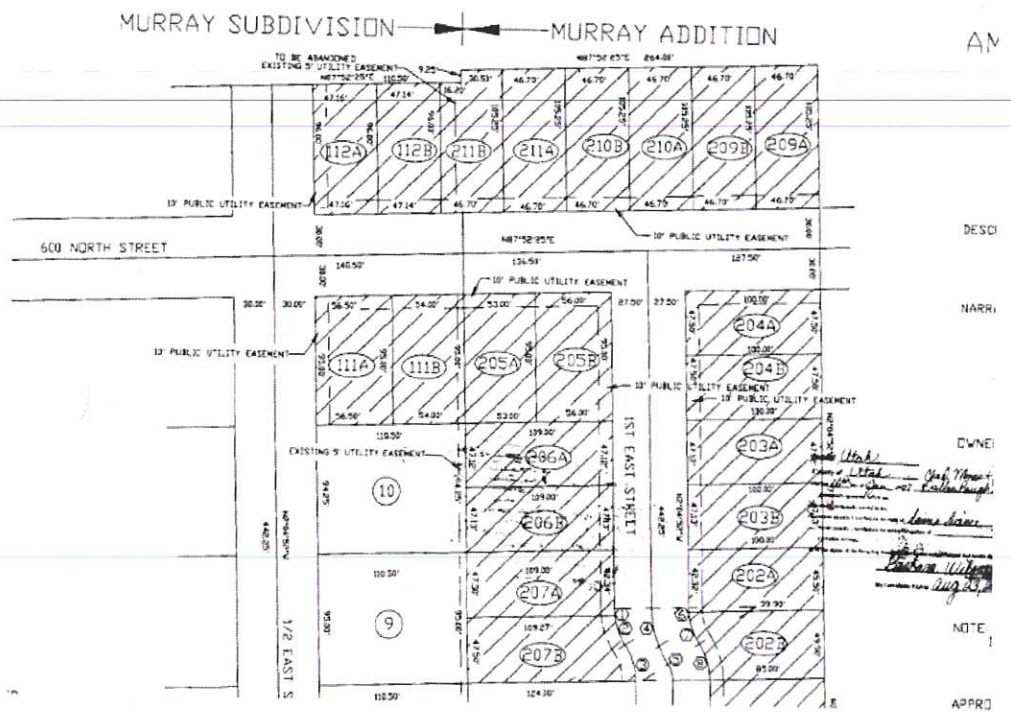
**OWNER**  
 Name:  
 Address: Phone:  
 Email:  
 I consent to this application and to allow Vernal City staff to enter the property for related site inspections.  
 Signature: Date:

**FOR OFFICE USE ONLY**  
 Application Number: Vernal City Form 302b (9 May 2023) page \_\_\_ of \_\_\_

**Background:** A twin home in 2007 was built facing the wrong way on the lots causing the property line to not split the two units down the middle of the shared wall but instead split the front and back half of the building. The applicant would like to amend the subdivision to have the lot lines run down the middle of the shared wall splitting the left unit from the right.



Original Plat:



**Process:** PC Approval is the first step. Once PC approves this application the applicant will get all required signatures on the plat with the final signature being Planning Director Approval (Gabby Hawkes Blackburn) who will not sign if any of the items are missing. The plat will then be taken to City Council for final approval. After City Council approval the applicant will have 90 days to record the signed plat, which will make the change to the lot lines.



**Clarification:** Initially a real estate agent contacted staff regarding 2 twin homes (4 lots total) with the same issues.

The application that staff received later only included two of the parcel numbers for the east building although addresses of both buildings were present and plats for both buildings had been delivered prior to receiving the application.



Staff called the applicant at the listed number of 801-319-3822 on April 1st, 2024 at 12:12pm to get clarification but was unable to reach them at that time. Due to the application being submitted on the day of the public hearing deadline and staff who had previously received the plats off for that day, the public notice was sent with only the two parcel numbers listed on the application. This means we will only be discussing the property to the east at this time.

#### 16.58.110 Vernal City Code Analysis:

Green= COMPLIES | Orange= CONDITIONALLY COMPLIES | Red= DOES NOT COMPLY | Blue= STAFF COMMENTS

- No change shall be made in the approved plats unless approval thereof has been obtained by the Planning Commission after a public hearing is held with at least ten (10) days notice on the Utah Public Notice Website and posted on the City's website  
**Pending PC meeting decision:** Meeting has been noticed correctly for parcel numbers 04:076:0281 & 04:076:0280 included on the application.
- The adjustment does not result in violation of applicable zoning requirements.  
R2 twin home applicable zoning requirements requirements
  - 16.40.040 - Lot Size: Dwelling utilizing zero side yard: four thousand five hundred (4,500) square feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot.  
**Complies:** Amended lots will be 5,183 sq ft & 5,172 sq ft
  - 16.40.050 - Frontage: Dwelling utilizing zero side yard: forty-five (45) feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot.  
**Complies:** Amended lots will each be located entirely on their own individual lot and have 47.4' & 47.6' of frontage.
  - 16.40.070 The maximum area of any lot that may be covered by structures is forty-five (45) percent.

**Complies:** Approximately 18% building coverage

- 16.36.060 - Setbacks All buildings and structures shall be set back at least thirty (30) feet from the front lot line

**Complies with standards all structures in the area were built under at the time of construction:** Setbacks of existing structure approximately 25' Subdivision amendment will not be altering the lot line not in compliance with today's ordinances so this setback is considered a Legal Non-Conforming use.

- 16.36.080 - For corner lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least thirty (30) feet, except that for dwellings having an attached garage or carport, the setback shall not be less than twenty (20) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of no less than eight (8) feet.

**Complies:** Vernal City code allows attached units but does not specify what their setback is for them. Taking this consideration that attached garages have a setback of 20' we can assume attached dwelling units could be the same. Side setback of the existing structure is approximately 30' & 26' which complies with today's ordinances.

- When Vernal City proposes to vacate, alter, or amend a subdivision plat, or any road or lot contained in a subdivision plat, the City Council shall consider the issue at a public hearing after giving the notice, as required by Section 17-27a-207 et seq., Utah Code Annotated, 1953, as amended

**Scheduled for May 1st, 2024 City Council Meeting:** Meeting has been noticed for parcel numbers 04:076:0281 & 04:076:0280 included on the application.

**16.58.100, 16.58.110- A Complete Plat containing the following items (Staff will check before signing):**

- A tax clearance from the Uintah County Treasurer, indicating that all taxes, interest and penalties owing for the property have been paid and taxes, interest and penalties have been paid for the current tax year, if applicable as shown by the County Treasurer signature.

**Signature block on plat.**

- All adjoining property owners consent to the lot line adjustment and sign the plat.

**All owners signed application**

**All owners signature blocks on plat**

- Notation of any self-imposed restrictions, or other restrictions as required by the Planning Commission or City Council in accordance with this chapter.

**Pending PC meeting decision**



- A subdivision name, approved by the County Recorder, and the general location of the subdivision, in bold letters at the top of the sheet. The Township, Range, and Quarter Section shall be shown on the top of the plat. Where a subdivision complies with a different subdivision option provisions, the final plat shall indicate underneath the subdivision name words describing the subdivision option that the subdivision was approved under.

**Title on Plat:** "Subdivision Amendment Amending lots 205 A and 205 B of the Amended murray Addition to Vernal City, Utah"

- North arrow, date, boundaries, dimensions, house numbers, surveyor stamp signed and dated.

**Shown on plat**

- Signature blocks prepared for the dated signatures of the Vernal City Planning Director, County Treasurer, County Surveyor, Tri- County Health Department, Vernal City Public Works Director.

**Shown on plat and amended by staff:** Tri-county health department, ~~City Surveyor~~ Vernal City Public Works Director, Uintah County Treasurer, ~~Chairman~~ Vernal City Planning Director.

**Notes:**

- Subdivision amendments are subject to State, Recording and Surveying Rules and regulations in addition to Vernal City Ordinances.
- Staff recommends approval of this subdivision amendment.