

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, January 14, 2025 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 December 10, 2024

B. PUBLIC HEARING

1. Recommendation to consider amending the Vernal City Municipal Planning and Zoning Code, Section 16.20 – Extended Stay Hotel/Motel– Ordinance 2025-02 – Gabby Hawkes Blackburn

C. ACTION ITEMS

1. Recommendation to consider approval of Morton Short Term Rental Conditional Use Permit for property located at 41 East 100 North, Vernal, Utah (parcel #05 019 0027) – 2024-026-CUP – Gabby Hawkes Blackburn
2. Recommendation to consider approval of Preece Flag Lot for property located at 740 West 1100 South, Vernal, Utah (parcel #05 065 0001) – 2024-024-SUB – Gabby Hawkes Blackburn
3. Recommendation to consider approval of Cochran Conditional Use Permit for property located at 92 West Main, Vernal, Utah (parcel #05 024 0050) – 2025-001-CUP – Gabby Hawkes Blackburn
4. 2025 Meeting Schedule
5. 2025 Planning Commission Election of Chair and Vice-Chair

D. ADJOURN

MINUTES of the Vernal City PLANNING COMMISSION

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

December 10, 2024

5:30 PM

Members Present: Nick Porter, Ryan Balch, Troy Allred, Brittany Young, Samantha Chapoose

Members Excused: Stephen Lytle, Kennedy Hansen

Alternates Present:

Alternates Excused: Rebecca Wilkey

Staff Present: Gabby Hawkes Blackburn, Senior Planning Consultant at Sunrise Engineering; Taylor Munguia, Planning Technician.

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Vice Chair Nick Porter welcomed everyone present to the meeting.

APPROVAL OF MINUTES FROM NOVEMBER 12, 2024: Nick Porter, Vice Chair asked if there were any changes to the minutes from November 12, 2024. The minutes were approved with there being no corrections. *Ryan Balch motioned to approve the minutes of November 12, 2024 as presented. Troy Allred seconded the motion. The motion passed with Nick Porter, Ryan Balch, Troy Allred, Samantha Chapoose, and Brittany Young voting in favor.*

RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE, SECTION 16.20 – FOOD TRUCK COURTS – ORDINANCE 2025-01

Gabby Hawkes Blackburn introduced the public hearing focused on proposed amendments to Vernal City's food truck court ordinance. The discussion began with an overview of the current ordinance, which allows for a hybrid model of food truck courts combining temporary and permanent features, similar to RV parks. The ordinance includes requirements such as a maximum three-acre limit, fencing near residential areas, paved drives and parking areas, utility connections within twenty five (25) feet of food truck stalls, bathroom availability, and guidelines for landscaping, garbage, and lighting. Ms. Hawkes Blackburn explained the applicant proposed changes, including amending the noise requirements to allow for occasional higher decibel levels, increasing the utility connection distance from twenty five (25) feet to fifty (50) feet, adjusting bathroom requirements to permit more food trucks before triggering additional facilities, and adding gravel or road base to the existing options for parking surfaces. The Planning Commission engaged in a detailed discussion on these proposed changes. Regarding noise, there was general agreement that it would be reasonable to apply the 65-decibel limit only when the property is adjacent to residential areas, aligning it with broader city noise ordinances. However, the proposed increase to the utility connection distance was rejected due to concerns

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about potential hazards such as cords and water lines obstructing pathways. Similarly, the Planning Commission upheld the existing bathroom requirements, which were deemed consistent with public health department guidelines and standards applied to residential and commercial properties. The suggestion to allow gravel or road base for parking surfaces was also rejected, as it conflicted with the city-wide requirement for asphalt or concrete in all parking areas. The commission ultimately concluded that the original standards were well-founded and comprehensive, leaving no justification to amend them aside from potentially revising the noise provision to address residential-adjacent properties.

Vice-Chair, Nick Porter, opened the public hearing for public comment. There being no public comment. Vice-Chair, Nick Porter, closed the public hearing.

Troy Allred moved to forward a negative recommendation to the City Council to consider amending the Vernal City Municipal Planning and Zoning code to consider changes to Chapter 16.20 – Food Truck Courts – Ordinance 2025-01. Ryan Balch seconded the motion. The motion passed with Nick Porter, Ryan Balch, Troy Allred, Samantha Chapoose, and Brittany Young voting in favor.

RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE, SECTION 16.20 – EXTENDED STAY HOTEL/MOTEL – ORDINANCE 2025-02

Gabby Hawkes Blackburn began the discussion focused on amending an ordinance for extended stay hotels and motels in Vernal City to address complaints in the existing framework. The ordinance amendment aimed to clarify standards for these establishments, blending elements of hotel and apartment regulations. The review was initiated by staff in response to complaints from hotel and motel owners. It was unclear whether the complainants would actually be out of compliance under the current ordinance, as they had not applied for extended stay status before providing feedback. Consequently, staff was unable to evaluate the businesses for compliance. The primary concerns raised by these businesses focused on parking requirements, room standards, signage, and landscaping provisions. To address these concerns, the Planning Commission proposed adjustments. Parking requirements could be reduced to one and one half (1.5) spaces per unit, down from two (2). Landscaping requirements could be lowered to 5% of the property, down from 10%, aligning with the lowest zoning standard and allowing greater flexibility for existing structures. Signage regulations could also be simplified to focus solely on signage in the hotel or motel lobby, or outside of the building, rather than in each room that offers extended stay accommodations. The Planning Commission raised concerns about how to collaborate with existing businesses seeking to designate as extended stay facilities, rather than immediately enforcing the new ordinance upon their decision to operate as an extended stay hotel or motel. Additionally, the Planning Commission wondered if existing hotels and motels could operate under a legal nonconforming use, given that some were already offering extended stays. Ms. Hawkes Blackburn clarified that when the ordinance was initially adopted on August 7, 2024, existing hotels and motels would be required to declare their intended use to renew their licenses in 2025. Businesses opting to designate as extended stays would have until September 1, 2025 to comply with the new extended stay ordinance. Multiple letters were sent to all of the hotels and motels before and after the adoption of this ordinance so there was adequate

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communication and time to plan before renewals were due on December 31, 2024. Ms. Hawkes Blackburn further explained that existing hotels and motels could not qualify as legal nonconforming uses for extended stay operations, as any such offerings prior to the ordinance had not been legally permitted. The adoption of the extended stay ordinance formalized the option to legally operate as an extended stay facility. With these details the Planning Commission opted for a procedural enforcement of this ordinance so existing businesses had the opportunity to apply to be an extended stay and to also come up to code with building requirements if necessary.

Vice-Chair, Nick Porter, opened the public hearing for public comment. There being no public comment. Vice-Chair, Nick Porter, closed the public hearing.

Ryan Balch moved to forward a positive recommendation to the City Council to consider amending the Vernal City Municipal Planning and Zoning code to consider changes to Chapter 16.20 – Extended Stay Hotels – Ordinance 2025-02 – Removing signage requirements in individual rooms, reducing parking to one and one half (1.5) spots per extended stay unit, reducing landscaping requirements to 5%, and working on procedural enforcement. Troy Allred seconded the motion. The motion passed with Nick Porter, Ryan Balch, Troy Allred, Samantha Chapoose, and Brittany Young voting in favor.

MISCELLANEOUS DISCUSSION ITEMS

Parkridge PRUD Update

The Parkridge PRUD project, which was previously discussed at the November 12, 2024 Planning Commission meeting, is now on a clear path after a meeting with the developer. They intend to maintain the PRUD designation, incorporate common spaces, and adjust ownership structures, with plans expected to be resubmitted in January or February.

Planning Commission Training Joint Meeting and Staff Update

For the annual joint Planning Commission training, funding has been secured from the state Ombudsman's office, and several cities, including Vernal City, Naples City, and the county, are interested in participating. However, scheduling is on hold until the new planning director, who has been offered the position and is expected to start in late December or early January, confirms his availability. The training is tentatively planned for early February, with a format that allows participants to submit questions for a more in-depth session compared to last year.

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

Nick Porter, Planning Commission Vice-Chair

AWAITING FORMAL APPROVAL

Vernal City Planning Commission

Staff Report

Prepared by: Braeden Christopherson and Gabby Blackburn

Date: 01/14/2025

Public Hearing Items

1. Recommendation to consider amending the Vernal City Municipal Planning and Zoning Code, Section 16.20 – Extended Stay Hotel/Motel

Type of PC Decision: Recommendation on legislative action

Review Trigger: Throughout business license renewal season a few extended stay hotels have expressed concerns with meeting this ordinance. As the intention was not to prohibit businesses currently operating in good standing without issues or nuisances City Staff has chosen to look at a few of the requirements to simplify. It should be noted no business applied for this amendment and it is unknown if the businesses complaining would meet existing ordinance or not.

Location: Section title 16 planning and zoning chapter 20 specific use regulations

Discussion: Second discussion - Previous Discussion December 10th 2024

Next Steps: recommended approval or denial to City Council

16.20.407 Extended Stay Hotels Language:

Proposed Language in Green

- A. The purpose of this ordinance is to ensure extended stay facilities provide safe, comfortable, and well-managed accommodations for transient guests staying for extended periods while preventing their misuse as long-term living accommodations. This ordinance aims to promote economic growth while fostering harmonious development and ensuring the well-being of both guests and the surrounding community by preserving the character and quality of this community. Furthermore, in recognizing extended but non-permanent occupancy, the city acknowledges that an extended stay hotel does not provide "temporary sleeping accommodations." Therefore, the Innkeeper's Rights Act, Utah Code Annotated Title 29, Chapter 2, shall not apply.
- B. For the purposes of this chapter, "Extended Stay Hotel" shall be defined as a facility offering lodging services primarily to guests staying for extended periods of 30 days or more, ~~not to exceed 180 days in a 12-month period~~, with amenities such as kitchen facilities, housekeeping, and concierge services. Extended stay hotels are intended for extended, non-permanent occupancy and are, therefore, distinct from traditional hotels, which

provide temporary sleeping accommodations. Additionally, extended stay hotels differ from residential apartments as they do not provide for permanent residency.

C. Extended stay hotels are permitted in the following zones:

- a. C-2 Commercial Zone
- b. CC-1 Central Commercial Zone
- c. CP-2 and CCP-1 Planned Commercial Zones
- d. I-1 Industrial Zone
- e. MX Mixed Use Zone

D. Operational Requirements shall be as follows:

- a. ~~Maximum Length of Stay: Guests may not stay for more than 180 days in a 12-month period.~~
- b. Guest Registration: Extended stay hotels must maintain a guest registration system, including check-in and check-out dates, to verify compliance with maximum length-of-stay requirements.
- c. Residential Group: R-2 occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including:
 - i. Hotels (non-transient)
 - ii. Motels (non-transient)
- d. Room Area: Every dwelling unit shall have at least one room with a minimum net floor area of 120 square feet. Other habitable rooms shall have a net floor area of no less than 70 square feet if separate bedrooms are provided.
- e. Room Amenities: Per IBC Section 1208.4, Efficiency Dwelling Units, each unit shall meet the following requirements:
 - i. ~~A minimum of two (2) 70-square foot living/sleeping spaces.~~
 - ii. ~~A bathroom with a toilet, sink, and shower or bathtub.~~
 - iii. A separate closet.
 - iv. For other than accessible, Type A and B dwelling units, the unit shall include a kitchen sink, cooking appliance, and refrigerator, each having a clear working space of no less than 30 inches in front. Light and ventilation conforming to this code shall be provided.
 - v. A separate bathroom containing a water closet, lavatory, and bathtub or shower.
 - vi. Dimensions are subject to change by code cycle. Existing buildings must meet IEBC code requirements from when the building was constructed for an R2 occupancy (IBC). Newly converted R2 occupancy (IBC) buildings must meet the current Utah state-adopted IBC code.
 - vii. All furniture shall be provided by the hotel.
- f. Kitchen Facilities: Each unit must be equipped with a kitchenette that meets the International Building Code (IBC) standards, including:
 - i. ~~A minimum of 50 square feet of kitchen space.~~
 - ii. ~~A sink with hot and cold running water.~~
 - iii. ~~A sanitary sink for washing dishes.~~
 - iv. A refrigerator with a minimum capacity of ~~5~~ four (4) cubic feet.
 - v. A microwave oven.
 - vi. A cooktop (not a hot plate).
 - vii. At least two dedicated electrical outlets in the kitchen area:

1. NFPA 70 210.52.b.3 Kitchen Receptacle Requirements
 2. Receptacles installed in a kitchen to serve countertop surfaces shall be supplied by no fewer than two small-appliance branch circuits.
 3. Requirements are subject to change by code cycle. Existing buildings must meet IEBC code requirements from when the building was constructed for an R2 occupancy (IBC). Newly converted R2 occupancy (IBC) buildings must meet the current Utah state-adopted NFPA70 code.
- viii. A countertop area of at least four (4) linear feet.
- ix. ~~Full kitchen facilities (i.e., stove, oven) are not permitted.~~
- g. Accessibility: ICC A117.1 requires that dwelling units and sleeping units include Type A and Type B accessible units. Requirements are subject to change by code cycle. Existing buildings must meet IEBC code requirements from when the building was constructed for an R2 occupancy (IBC). Newly converted R2 occupancy (IBC) buildings must meet the current Utah state-adopted ICC A117.1 code.
- h. Housekeeping Services: Housekeeping services must be provided at least once a week for each unit, with documentation kept to show compliance. ~~Records must be available for inspection by the city upon request.~~
- i. Service Desk Requirement: Extended stay hotels must maintain a central check-in desk to manage guest registration and provide concierge services. This service desk must be staffed during business hours to ensure proper operation and guest support.
- j. Signage: Extended stay hotels must display signage at the entrance and within each unit indicating that the facility is an extended stay hotel and not intended for permanent residence.
- k. Mixed Use Within a Building: Portions of a building may be designated for extended stay use while other portions are designated for short-term stays or other uses. This designation must be clearly documented on the approved master site plan and in guest registration systems.

E. Building and Site Requirements shall be as follows:

- a. Parking Requirements: In accordance with Section 16.26 of this code, parking shall include:
 - i. Extended stay hotel rooms: One and one-half (1.5) ~~2~~ parking spaces per unit.
 - ii. Non-extended stay hotel rooms: One (1) parking space per unit.
- b. Landscaping Requirements: In accordance with Section 16.27 of this code, landscaping shall include:
 - i. Extended stay hotels must comply with all applicable landscaping standards specified in the underlying zoning district.
 - ii. Where the underlying zoning district does not require landscaping, extended stay hotels must provide at least one area of the site as landscaped open space, which may include a mix of trees, shrubs, and ground cover to achieve a balanced and visually appealing landscape.
- c. Common Areas:
 - i. Extended stay hotels must include a minimum of one (1) indoor common area, such as a lobby, fitness center, business center, or other joint indoor amenity accessible to all guests.

d. ~~Building Design:~~

- i. ~~Extended stay hotels must have a central check-in desk and provide concierge services.~~

F. Compliance and Enforcement of Extended Stay Hotels shall be as follows:

- a. Inspection and Reporting: The City ~~may~~ **shall** conduct periodic inspections of extended stay hotels to ensure compliance with this ordinance. Extended stay hotels must submit any guest registration or housekeeping reports to the City when requested, at a rate not to exceed once every six (6) months.
- b. Violations and Penalties: Any extended stay hotel found to be in violation of this ordinance shall be subject to penalties, including fines and revocation of permits. The property owner will be given a 90-day period to come into compliance following notification of non-compliance. Repeated violations may result in reclassification of the facility as an apartment. Furthermore, the City shall have the sole discretion to revoke the business license of the hotel through designation by Vernal City Staff. Continued operation of the business without a license may result in criminal penalties.
- c. ~~Service Desk Requirement: Extended stay hotels must maintain a central check-in desk to manage guest registration and provide concierge services. This service desk must be staffed during business hours to ensure proper operation and guest support.~~
- d. Appeal Process: Any person who deems themselves aggrieved by a decision of the City staff under this section may appeal such decision by making a written application for an appeal hearing before the Vernal City Appeals Officer. The notice of appeal shall be made within ten (10) days after notice of the decision appealed from. The Appeals Officer shall grant a hearing and, after consideration of the matter, may uphold, modify, or reverse such decision.

G. Severability: If any provision of this ordinance is found to be invalid or unconstitutional by a court of competent jurisdiction, such finding shall not affect the remaining provisions of this ordinance, which shall continue in full force and effect.

H. Effective Date: No provisions allowing the legal operation of extended stay hotels previously existed prior to this ordinance. As such, all existing buildings with a valid Certificate of Occupancy (C of O) ~~and business license as of September 1, 2024,~~ may seek approval to convert portions or their entire operation to extended stay hotel use. Such approvals must be obtained within one year from this date, ensuring compliance with the requirements set forth in this ordinance.

Action Items

1. Morton Short Term Rental Conditional Use Permit

Type of PC Decision: Administrative
Applicant: Kevin Lance Morton
Address: 41 East 100 North
Parcel Number: 050190027
Owner: Kevin Lance & Michelle Morton
Project Title: Morton Short Term Rental CUP - 2024-026-CUP
Zone: C-2



Background

- Location previously was a flower shop, new owners purchased the building and now would like to transition the building into a short term rental. Staff couldn't find a previous master site plan and currently no known zoning violations on the property.
- Multiple sections of city code that talk about this and some may conflict.

Vernal City Code:

16.04.005 Planning And Zoning Definitions:

"Bed and Breakfast Home" is an operator -occupied dwelling containing a minimum of two (2) but not more than eight (8) guest rooms where lodging for compensation is provided to the public and that is in operation for more than ten (10) nights in a twelve (12) month period. The operator shall be the owner of the property or the owner's agent."

16.23 Short Term Rentals:

"The purpose of this section is to establish regulations for privately-owned dwelling units as short-term rentals in residential zones within Vernal City. These regulations aim to protect the quality of life for local residents', preserve the characteristics of residential neighborhoods, ensure proper collection and remittance of transient room taxes and appropriate sales and use taxes and to address negative impacts relating to noise, parking, traffic, garbage and other common occurrences resulting from short-term rentals."

Section 16.48.030 C2 Use Table:

Uses	C-2 and CC-1
Bed and Breakfast	Conditional Use Permit

Section 16.20.160 Bed And Breakfast Inn

Section 16.22.035 Bed And Breakfast Homes

CUP Vernal City Zone Analysis:

Short term rentals are specific to residential zoning where as Bed and Breakfast is specific to Commercial zoning requirements. Due to the wording in section 16.20.160 whereas it states that the structure must be continuously occupied and resided in by the owner of the property or owner's agent. There would be a necessary deviation from that to allow the property to be utilize

- Zoning:
 - Conditional in C-2
- The Home shall meet all building, zoning, fire, health, and other applicable ordinances, prior to any approval being given.
 - Previous flower shop had an approved business license which includes periodic health fire and building inspections however the structure has not recently been inspected for residential sleeping/ living.
 - Health, fire, building code requirements will have to be met regardless of PC decision and can not be exempted by PC. This will be checked and verified at the building permit stage.
- The Home shall be and remain the primary residence of the owner(s) of the home and a home occupation permit shall be required. If approved by the Planning Commission, one (1) employee may be hired in conjunction with the Home; however, the employee shall not be allowed to reside at the residence. A letter attesting that the owner(s) will occupy the said Home, except for bona fide temporary absences, shall be submitted with the conditional use permit application.
 - Unclear Vernal City code. This is not a requirement for short term rentals in residential zones so it is unclear why it is in commercial zones.
 - This property is not operating as a full bed and breakfast, rather a short term rental, more similar to residential zone short term rentals.
 - Vernal city code does not specify short term rentals can be in commercial zones just bed and breakfasts.
 - We need to update vernal city code to fix future issues. In the short term PC needs to determine how this requested use will be classified and what regulations should apply to it.
 - Food service, if offered, shall be provided for overnight guests only.
 - No food service planned to be offered
 - No kitchen shall be permitted within any rental room.
 - Need building plans to determine where kitchen facilities shall be located. Can not be in a residential bedroom as defined by International Building Code (IBC).
 - Construction, alterations, and landscaping changes to the structure and property shall not alter the residential character of the structure(s).
 - No additional structures to be added to the site to accommodate or facilitate the bed and breakfast Inn use.
 - No food service planned to be offered (see bullet above)

- Need building plans to determine the kitchen
 - Will be used by occupants during time of stay.
- Following items to be evaluated
 - Impact of Traffic due to guest
 - Impact of parking on adjoining properties
 - Code for Bed and Breakfast is as follows
 - “The Home shall not unduly increase traffic in the immediate neighborhood. Parking shall be off-street, hard surfaced, and provided at a rate of one (1) space per guest room plus two (2) spaces for the residing owner(s). Off-street parking shall not be in any required setback area unless it can be shown by the applicant that parking in a specific setback area will not adversely affect surrounding property owners or cause any unsafe conditions.”
 - Impact of guest outdoor activities on nearby properties
 - Impact on of lighting and other structures on nearby properties
 - Assurance of water and sewer services to accommodate any uptick in demand
- Ensure the dwelling contains a minimum of 2 and no more than 8 guest rooms for Bed and Breakfast Homes. (Section 16.04.005 Definitions)
- One (1) space per guest room.
- Two (2) additional spaces for the residing owner(s). (Section 16.22.035) Ensure parking spaces are hard-surfaced and do not encroach on required setback areas unless approved.
- Confirm installation of at least one operable fire extinguisher in each unit. (Section 16.23.040)
- Evaluate the impact of the proposed use on the neighborhood, including:
 - Traffic generated by the use.
 - Noise and disturbances, especially during quiet hours (10:00 p.m. to 8:00 a.m.).
 - Outdoor activities and associated lighting. (Section 16.20.160 & Section 16.23.030)
- Ensure any proposed signage complies with the following:
 - Limited to one (1) non-lighted sign.
 - Maximum size of 576 square inches (2'x2'). (Section 16.22.035)
- Ensure transient room tax and sales tax will be collected and remitted as required. (Section 16.23.030)
- Verify that trash storage complies with standards: Not visible from public view except on collection days. (Section 16.23.040)
- No additional structures are added to the site to support the use.
- Construction and landscaping changes do not negatively impact the neighborhood. (Section 16.20.160 & Section 16.22.035)
- STILL NEEDED:
 - Site plan showing parking, property layout, and compliance details.
 - Inspection reports and agency sign-offs for compliance with building, fire, and health standards.



Standard Application Form Land Use

374 East Main, Vernal, Utah 84078
www.vernalcity.org

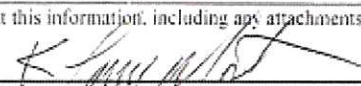
Phone (435) 789-2271
FAX (435) 789-2256

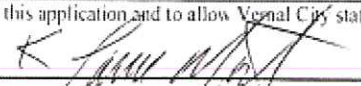
COMPLETE APPLICATIONS MUST BE SUBMITTED 30 DAYS PRIOR TO THE PLANNING & ZONING
COMMISSION MEETING—(2nd TUESDAY OF THE MONTH)

Fill out completely, including signatures. Include the appropriate supplemental form(s).

TYPE OF REQUEST	
☐ Subdivision (minor)	☐ Ordinance Amendment
☐ Subdivision (concept plan)	☐ Annexation
☐ Subdivision (preliminary plat)	☐ Zoning Map Amendment
☐ Subdivision (final plat)	☐ Appeal to Board of Adjustment
☐ Subdivision (amendment)	☐ Variance
☒ Conditional Use Permit	☐ Master Site Plan
☐	☐

SITE INFORMATION		
Address: 41 E 100 N		
County Parcel Number(s): Serial # 050190027 Account #: 149537		
Acreage: .13	Current Zone(s): C2	New Zone (rezone only):

APPLICANT	
Name: Kevin Lance Morton	
Address: 1186 S 2500 W	Phone: 435-828-7517
Vernal, UT 84078	
Email: mortons@easilink.com	
I certify that this information, including any attachments, is correct to the best of my knowledge.	
Signature: 	Date: 12-16-24

OWNER (for multiple owners, use Multiple Owner supplementary form 302b)	
Name: Kevin Lance & Michelle Morton	
Address: 1186 S 2500 W	Phone: 435-828-7517
Vernal, UT 84078	
Email: mortons@easilink.com	
I consent to this application and to allow Vernal City staff to enter the property for related site inspections.	
Signature: 	Date: 12-16-24

FOR OFFICE USE ONLY

Application Number 2024-026-CLIP Date Dec 16, 24 By [Signature]
Required Fee 200.00 Paid ☐ Cross Reference 2A
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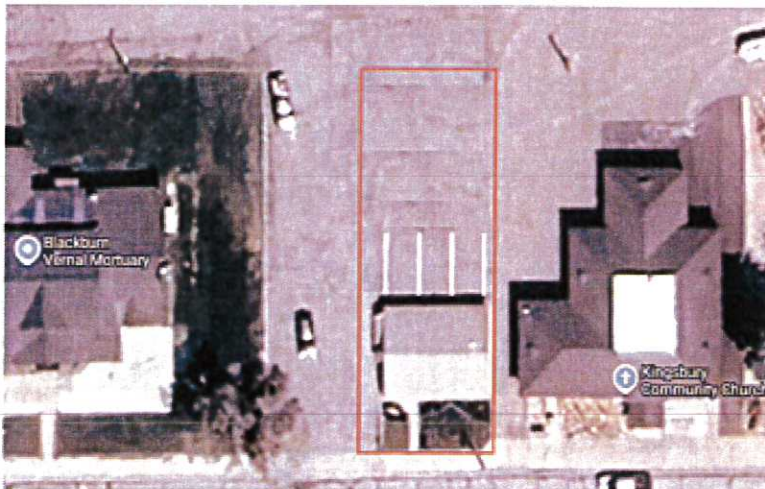
Kevin Lance & Michelle Morton
1186 S 2500 W
Vernal, UT 84078

Vernal City Building Department
374 E Main
Vernal, UT 84078

To the Vernal City Planning and Zoning Commission,

We have purchased the building located at 41 E 100 N, Vernal, Utah.
Our plan is to change the use of the building to a short term rental property.
We plan to make it into a two bedroom, one bath rental property.

Below is a snapshot of the building, with estimated property line.



Thank you for your consideration,

Sincerely,
K. Lance & Michelle Morton
Property Owners

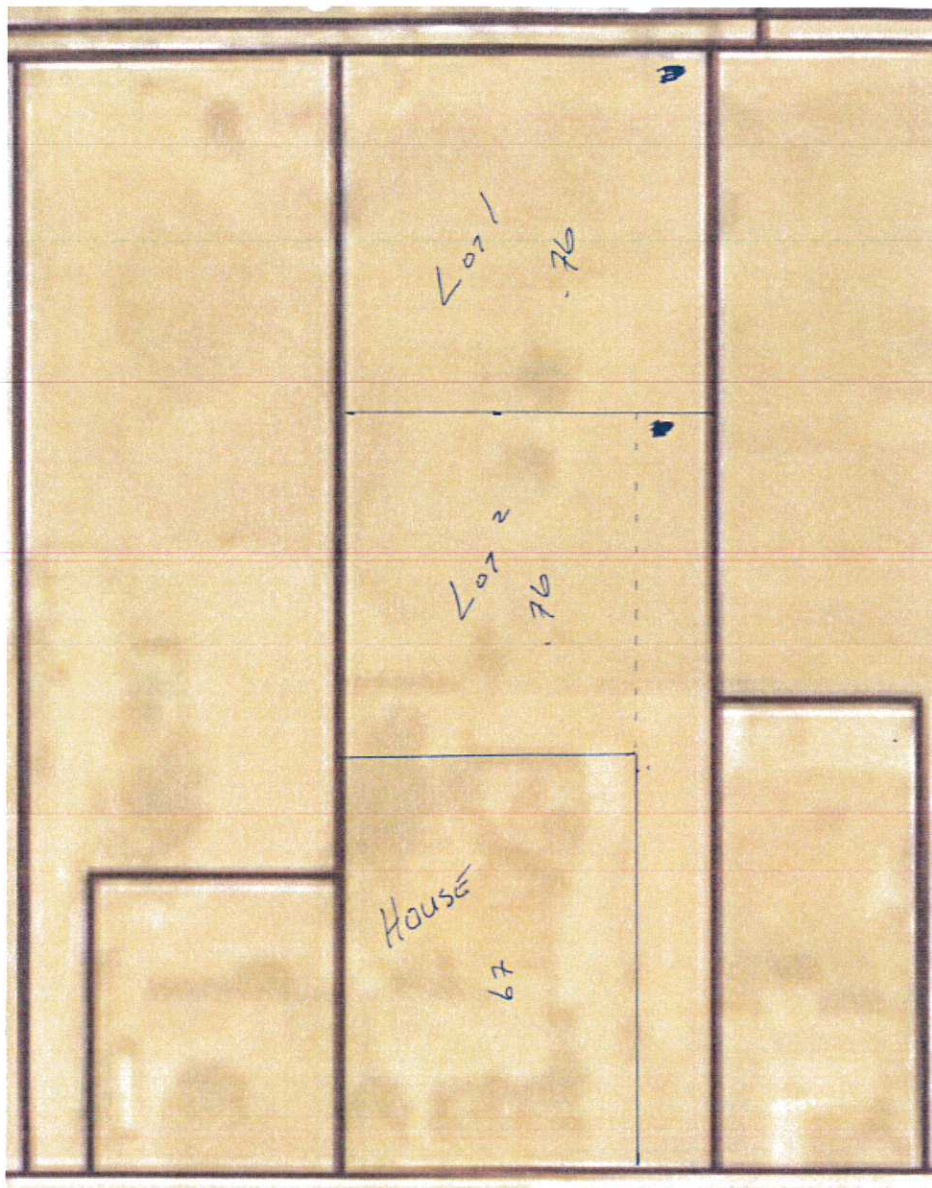
2. Preece Flag Lot

Type of PC Decision: Administrative
Applicant: Kevin Lance Morton
Address: 740 West 1100 South, Vernal
Utah
Parcel Number: 050650001
Applicant: Michael Eskelson
Owner: Peggy J Preece
Project Title: Preece Flag Lot / Minor
subdivision
Zone: RA-1



Background:

- The property owner would like to create a flag lot at address 740 W 1100 S, the lot to be subdivided into additional lots (lot 1 and lot 2) in the image provided.



Vernal City Code:

Section 16.24.060 Flag Lots Permitted:

It must be demonstrated that "The development or use of the parcel that aligns with zoning regulations which conforms to the types of uses that the zoning classification permits. This could include residential, commercial, industrial, agricultural or mixed uses depending on the zone's specifications." and "The property to be used at a similar intensity and scale of use consistent with the criteria established by zoning laws or planning policies. This could involve considerations of building size, the number of units, the extent of land development, or the level of activity associated with the use. "

B. The lot has the required width for two way access onto a dedicated public street as required in Section 16.26.230. Required setbacks shall not be counted as part of the access strip. The access strip shall be an all-weather driving surface with adequate drainage and properly maintained. "All weather surface" means asphalt, concrete, gravel, or road base. A shared access strip for up to three (3) lots may be allowed with a recorded easement for all property owners.

C. The flag lot plat shall show the access from dedicated public street to the property is not a Vernal City roadway and will not be maintained by Vernal City or, the owner of such property shall sign and record an affidavit stating the same.

D. The body of the interior portion of the lot meets all of the required dimensions, to include width and area, for the zone in which it is located. The access strip shall not count as part of the land area needed to meet the lot area requirement.

E. The building envelope shall be shown on the plat and found to be compliant with fire code regulations and as required in the currently adopted International Fire Code plat .

F. The address of the dwelling located on the panhandle lot shall be clearly visible from a public street which the panhandle lot accesses.

G. Setback requirements shall be shown on the plat by the building envelope. Setbacks will be determined based on the requirements for the zone in which property is located and orientation of the structure on the property. In addition, front setback requirements for the zone may be required for any side of the lot adjacent to the access strip if future transportation corridors are reasonably anticipated. Additional setbacks may be required if deemed necessary by the Planning Commission in order to accommodate reasonably anticipated future transportation corridors, access opportunities, privacy concerns, grading constraints, drainage and stormwater management, neighborhood character and

aesthetics, etc.

H. When any part of a proposed flag lot or parent parcel is crossed by a trail, or trail extension identified in the trails master plan the subdivider shall preserve a right-of-way for the trail dedicated to Vernal City or other public entity as approved by the land use authority. The trail right-of-way shall be noted on the plat as a public trail easement granted to Vernal City or other public entity as approved by the Planning Commission.

1. The trail right-of-way shall be designed in a manner that avoids placing undue burden on the land or restricting the property's significant use as outlined in this chapter. It is essential to ensure that the layout of the trail respects the property's existing uses and potential, minimizing any negative impact on the properties functionality.

2. When a subdivider is required to preserve a right-of-way the area of the trail right-of-way shall not affect the calculation of lot requirements. Setbacks as shown by the building envelope may be affected by the trail right-of-way, however, the subdivider shall be entitled to the same number of lots, lot sizes, and building coverage had the trail right-of-way not been a part of the subdivision.

Code Analysis:

Owner wishes to subdivide the plat into 3 lots. No additional information was provided to detail the type of surface to be used to follow Section 16.24.060.

☐ **ZONING COMPLIANCE:** It has been demonstrated to the City Planner, Planning & Zoning Commission and City Council that because of topographical features or unique situations associated with the parcel proposed to be subdivided, that substantial use of the subject parcel can not occur unless a panhandle shape lot is allowed to be created.

Compatibility with zone:

- This parcel is 2.19 acres. Minimum parcel size for the RA-1 zone is 20,000sqft for lots with animal rights/ 16,000 sqft for lots with septic/ 8,000sqft for properties connected to public sewer.
 - The property is approximately 11 times larger than the minimum lot size allowed. This means that for this property to be used to the maximum allowed by the zone there could be 11 homes there.
- This parcel has approximately 180 feet of frontage. RA-1 frontage requirements are 65' for single family dwellings (the existing building on property)
 - There is not enough frontage for a second lot on this property despite having ample square footage for more lots.
 - Without the flag lot there is no other way the back half of the property can be utilized for more housing.
- Neighboring properties within the RA-1 from .37 acres to 2.09 acres
- There is another flag lot directly to the west and east of this property

- ★ Due to the above facts staff recommend the flag lot necessary to use the property in a similar manner to the intended zone and neighboring properties.
- ★ Planning Commission will need to make their own determination on if it is necessary.

☐ Access Strip Requirements: The lot has the required width for access onto a dedicated public street as required in Section 16.26.230 (24' all weather access strip). Required setbacks shall not be counted as part of the access strip, and the access strip shall be a hard surface with adequate drainage and properly maintained. Hard surface means asphalt or concrete. A shared access strip for more than one lot may be allowed with a recorded easement for all property owners.

- There is ample space for the 24' required flag lot access to the back portion of the property while keeping the required 65' of frontage with the existing single family house.
- Plat does not specify hard surface but applicant will need to comply with this regardless of the Planning Commission's decision to approve.

☐ The body of the interior portion of the lot meets all of the required dimensions, to include width and area, for the zone in which it is located. The access strip shall not count as part of the land area needed to meet the lot area requirement.

- Body of the interior width : 70' required : Flag lot proposed width not noted on plan but sufficient width on original parcel to divide into two regular lots or a regular lot and two flag lots
- Body of the interior area : 16,000/8,000 depending on sewer connection : Flag lot proposed .67-.76 (29,000-33,000)sq ft respectively for each lot, approximately - plans do not specify if area noted is without access strip.

☐ A fire hydrant will be located within 250 feet of where the dwelling is located or proposed to be located and access to the hydrant must be hard surfaced.

- No fire hydrants shown on plan. Applicants must show where the current hydrant is located (or work with the fire marshal to install the hydrant) regardless of the planning commission decision to approve.

☐ The address of the dwelling located on the panhandle lot shall be clearly visible from a public street which the panhandle lot accesses.

- Conditionally applies. Applicant will need to comply with this at the time of building regardless of the Planning Commission decision to approve.
- This will be checked and enforced through the building permit process by the Vernal City Building Department.

☐ Enforcement of setback requirements as per this code will be determined based on the orientation of the structure on the property.

- Front Setback: 30' Required

- Side Setback: 8/12 split to equal 20
- Rear Setback: 30'

- Additional setbacks required by the Planning Commission for:
 - Future transportation corridors.
 - Access opportunities.
 - Privacy concerns.
 - Grading constraints.
 - Drainage and stormwater management.
 - Neighborhood character and aesthetics.

☐ The property is not crossed by known trail or trail extension plans currently identified in the trails master plan.

3. Cochran Conditional Use Permit

Type of PC Decision: Administrative

Applicant: Steve Cochran

Address: 92 West Main

Parcel Number: 050240050

Owner: Cedar Bear Naturales Inc. Steve Cochran, under contract pending approval of Conditional Use Permit.

Project Title: Cochran CUP - 2025-001-CUP

Zone: CC-1



Background

- The building is currently used for manufacturing and warehousing for Cedar Bear Naturales. There is office space above that is currently not utilized. Potential owner would like to turn the bottom into commercial space to suit potential tenants and the top space to be utilized for residential.
- Mixed Use

Applicable Vernal City Code:

Section 16.48 C2 Zone Purpose

Section 16.48.020 Permitted And Conditional Uses -- Conditions -- Compliance Required

Section 16.48.030 Uses

Uses	C-2	CC-1
Apartment, Multi Family	C	C
Dwelling, Mixed Use Accessory	C	P

Section 16.23.020 Definitions

"Multi Family Dwelling" A residential building or structure designed to accommodate more than one family or household. It consists of multiple dwelling units within the same building or complex, with each unit typically having its own entrance and living space.

Section 16.04.005 Planning And Zoning Definitions

Dwelling, Mixed use accessory" is a dwelling that is incorporated into a structure that is subsidiary and subordinate to the primary use of the structure.

Section 16.26.180 Parking Space Requirements -- Mixed Occupancies

In the case of mixed uses in the building or on a lot, the total requirement for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one (1) use shall not be considered as providing required parking facilities for any other uses, except as hereinafter specified for joint use.

Code Analysis:

Section 16.14.040 - Determination for Approval of Conditional Use

A conditional use permit shall be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. In authorizing any conditional use, the Planning Commission shall impose such requirements and conditions necessary for the protection of adjacent properties and public welfare.

The Planning Commission shall consider the following when reviewing all conditional use permits:

Sale of property to Steve Cochran

- Conditional use approval is contingent on the sale of the property.
- Written notice/approval must be provided by the current property owner (Cedar Bear Naturales Inc.).

Impact of the use on adjoining uses and public infrastructure

- Infrastructure upgrades may be necessary to accommodate added residential units. The applicant must work with the Vernal City Public Works Department to identify and coordinate potential infrastructure improvements. This will be coordinated through the Master Site Plan approval process required before building permits.

Impact of the use on health, safety, and welfare of the community

- With proper permits and required licensing throughout the project, the health, safety, and welfare of the community will not be negatively impacted.
- Residences should be made aware of potential noise from downtown events and activities during evening hours. Events are not required to implement noise mitigation measures for these residents.

Compliance with Vernal City Code

- The proposed use aligns with Vernal City Code and the Vernal City Downtown Plan's intended uses.

- This project fulfills the code's intent to increase residential and mixed-use spaces, which are currently limited and negatively impact evening economic activity.

How the use relates to the Vernal City General Plan

- The proposal aligns with the Vernal City General Plan's goal of promoting residential and mixed-use development downtown (Vernal City General Plan Update 2023-2029, Page 2-3).

Section 16.26.180 - Parking Space Requirements for Mixed Occupancies

The total parking requirements for the project must be the sum of the requirements for the individual uses, computed separately. Off-street parking facilities for one use cannot be used to satisfy requirements for another use unless specified for joint use. Ensure the following:

- *Parking availability supports the mixed-use nature of the project.*
- *Residential and commercial uses must have clearly designated parking areas.*

In accordance with Section 16.48.020 and 16.06.050 Planning Commission is the Land Use authority for Conditional use permits, the Planning Director (in conjunction with other applicable city staff and the DRC) is the land use authority for master site plans.

Should this application CUP be approved by the planning commission, the project will then be required to submit a Master Site Plan in conjunction with building plans. Master site plan requirements are reviewed by city staff and include:

- ☐ *A completed and signed site plan application form obtained from the Planning Department.*
- ☐ *Required application fees.*
- ☐ *A copy of the current deed showing ownership of the property or properties addressed in the application.*
- ☐ *One (1) copy of drawings in each of the following formats:*
 - *24-inch by 36-inch*
 - *11-inch by 17-inch*
 - *Digital format readable by computer as specified by Vernal City.*
- ☐ *Drawings Must Include:*
 - *Dimensions and orientation of the parcel.*
 - *Location of existing and proposed buildings/structures.*
 - *Proposed uses of buildings (must align with zoning requirements).*
 - *Layout of off-street parking and loading facilities.*
- ☐ *Parking Requirements:*
 - *Use 1: [Insert parking calculation]*
 - *Use 2: [Insert parking calculation]*
 - *Parking provided: [Insert total]*
- ☐ *Location and design of walls and fences, including height and materials.*
- ☐ *Setbacks:*

- Front: [Insert setback requirements]
- Side: [Insert setback requirements]
- Rear: [Insert setback requirements]
- ☐ Density requirements and compliance with zone standards.
- ☐ Height of existing and proposed structures:
 - Maximum allowable height: [Insert maximum]
 - Proposed building height: [Insert proposed height]
- ☐ Location and size of proposed signs and outdoor advertising.
- ☐ Landscaping and open space plans, including details on shrubs, trees, plantings, and irrigation.
- ☐ Vernal City Public Works Review:

including but not limited to:

- The location and size of points of entry and exit in accordance with this title, and internal vehicle circulation patterns, type of barrier or curb and gutter used on front property lines;
- The location of exterior existing and proposed lighting standards and devices, along with a photometric analysis if the proposed development is adjacent to an existing residential zone or use;
- The location and height of any existing overhead power and communication and transmission lines and all utility easements that may affect the subject property;
- The location and size of existing and proposed water, sanitary and on-site water retention and drainage facilities;
- Existing topography with maximum contour interval of two (2) feet, except where existing ground is on a slope of less than two percent (2%) then either one (1) foot contours or spot elevation shall be provided;
- A Storm Water Pollution Prevention Plan (SWPPP);
- A traffic study is required unless a waiver is granted by the Vernal City;



Standard Application Form Land Use

374 East Main, Vernal, Utah 84078
www.vernalcity.org

Phone (435) 789-2271
FAX (435) 789-2256

COMPLETE APPLICATIONS MUST BE SUBMITTED 30 DAYS PRIOR TO THE PLANNING & ZONING
COMMISSION MEETING (2nd TUESDAY OF THE MONTH)

Fill out completely including signatures. Include the appropriate supplemental form(s).

TYPE OF REQUEST	
☐ Subdivision (minor)	☐ Ordinance Amendment
☐ Subdivision (concept plan)	☐ Annexation
☐ Subdivision (preliminary plat)	☐ Zoning Map Amendment
☐ Subdivision (final plat)	☐ Appeal to Board of Adjustment
☐ Subdivision (amendment)	☐ Variance
☒ Conditional Use Permit	☐ Master Site Plan
☐	☐

SITE INFORMATION		
Address: 92 W. Main St.		
County Parcel Number(s): 050240050		
Acreage: .4	Current Zone(s): CC1	New Zone (rezone only):

APPLICANT	
Name: Steve Cochran	
Address: 1897 S. 120 E.	Phone: 435-219-3244
Email: Steve.Cochran@gbsbenefits.com	
I certify that this information, including any attachments, is correct to the best of my knowledge.	
Signature:	Date: 1/2/25

Future Owner (for multiple owners, use Multiple Owner supplementary form 302b)	
Name: Steve Cochran	
Address: 1897 S. 120 E.	Phone: 435-219-3244
Email: Steve.Cochran@gbsbenefits.com	
I consent to this application and to allow Vernal City staff to enter the property for related site inspections.	
Signature:	Date: 1/2/25

FOR OFFICE USE ONLY

Application Number 2025-001-CUP Date 1-2-25 By

Required Fee 200.00 Paid ☒ Cross Reference

Vernal City Form 302 (9 May 2023) page ____ of ____

I am remodeling the old Post Office thanks to the R.I.S.S Grant and the Facade Grant.

I intend to keep the main level commercial and to convert the upstairs to short-term rentals. However, this is a huge investment and I do not plan on ever selling. Because of this and the uncertainties of the market, my ask is for the entire building to be approved for mixed-use, including up to 7 short-term and/or long-term rentals.

Let me know if you have any questions and thank you in advance for your consideration.

Steve

Cedar Bear Naturales, Inc

92 West Main Street
Vernal, UT 84078
(435)-724-8502
carl.robinson@cedarbear.com

January 7, 2025

Vernal City

Quin Binnion, City Planner
374 East Main Street
Vernal, UT 84078
(435)-781-7110
qbennion@vernalcity.org

To whom it may concern,

As the owners of the building located at 92 West Main Street Vernal, UT; we are aware that Steven Cochran is applying for a conditional use permit.

Sincerely,

L Carl Robinson, Chairman, CEO

01/07/2025

L Carl Robinson, Chairman CEO