

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, March 11, 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 February 11, 2025

B. PUBLIC HEARING

1. Recommendation to consider approval of a Preliminary Subdivision Plat for the American Dreams Subdivision located at 256 East 600 South, Vernal, UT 84078 (Parcel #05:051:0037) 2025-008-SUB_– Braeden Christofferson

C. ACTION ITEMS

1. Review and consider approval of a Sidewalk Exemption associated with the Coca-Cola Master Site Plan (2024-015-MSP) for property located at 760 N Vernal Ave, Vernal, Utah, 84078 (Parcel #04:075:0028) – Braeden Christofferson

D. DISCUSSION ITEMS

1. Discussion in regards to amending the Vernal City Municipal Planning and Zoning Code §16.60 Master Site Plan_– Braeden Christofferson

E. ADJOURN

MINUTES of the Vernal City PLANNING COMMISSION

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

February 11, 2025

5:30 pm

Members Present: Stephen Lytle, Nick Porter, Samantha Chapoose, Ryan Balch & Brittany Young

Members Excused: Troy Allred

Alternates Present: Click here to enter text.

Alternates Excused:

Staff Present: Braeden Christofferson, Assistant City Manager; Matthew Tate, Building Official, Tracie Smith, Administrative Clerk.

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

APPROVAL OF MINUTES FROM, January 14, 2025: Stephen Lytle Chair asked if there were any changes to the minutes from, January 14, 2025. The minutes were approved with there being no corrections, *Ryan Balch moved to approve the minutes of, January 14, 2025 as presented. Nick Porter seconded the motion. The motion passed with Stephen Lytle, Nick Porter, Samantha Chapoose, Ryan Balch and Brittany Young voting in favor.*

RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – SECTION 16.48.030 - C-2 AND CC-1 PLANNED COMMERCIAL ZONES (USES) AND SECTION 16.50.020 CP-2 AND CCP-1 PLANNED COMMERCIAL ZONES (USES) TO INCLUDE THE FOLLOWING: DAY CARE, SHORT TERM RENTALS, BARBER/BEAUTY SHOP – ORDINANCE 2025-05

Braeden Christofferson introduced a proposed amendment to Vernal City's municipal planning and zoning code, regarding permitted uses in Planned Commercial zones. The City staff had been evaluating the use tables for various businesses and identified that daycare facilities, short-term rentals, and barber/beauty shops were not explicitly listed as permitted or conditional uses within commercial zones. After researching zoning codes from other cities, staff recommended that these uses be formally included in Vernal City's Code to provide clarity for business owners and residents.

It was noted that daycare facilities currently require State licensure and oversight, which ensures compliance with safety and operational regulations. A question was raised as to whether a Conditional Use permit was necessary at the local level, as State regulations already impose stringent requirements. Mr. Christofferson clarified that short-term rentals were not previously

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defined in the Code, and while the City had used bed and breakfast regulations as a temporary classification, this amendment would officially establish short-term rentals as a recognized use. Barber and beauty shops, while already present in commercial areas, were operating under the general classification of retail services, and this amendment would formally list them as a permitted use.

There was discussion about whether these businesses should be permitted outright or require conditional use permits. It was suggested that child care facilities might warrant a Conditional Use permit to allow for case-by-case review, particularly concerning location suitability. However, it was pointed out that State oversight already ensures compliance, making local Conditional Use permits unnecessary. It was generally agreed that businesses should be able to see explicitly in the zoning code whether their operations are permitted.

Chair, Stephen Lytle opened the public hearing. There being no public comments. Chair Stephen Lytle closed the public hearing.

Nick Porter moved to forward a positive recommendation to the City Council, to consider amending the Vernal City Municipal Planning and Zoning Code – Section 16.48.030 - C-2 and CC-1 Planned Commercial Zones (Uses) and Section 16.50.020 CP-2 and CCP-1 Planned Commercial Zones (Uses) to include the following: Day Care, Short Term Rentals, Barber/Beauty Shop – Ordinance 2025-05. Ryan Balch seconded the motion. The motion passed with Stephen Lytle, Nick Porter, Samantha Chapoose, Ryan Balch and Brittany Young voting in favor.

RECOMMENDATION TO CONSIDER A REZONE REQUEST FROM JONES LEASING FOR PROPERTY LOCATED 567 NORTH VERNAL AVE, VERNAL, UTAH (PARCEL # 04:073:0055) - 2025-001-REZ – ORDINANCE #2025-06

Braeden Christofferson presented a request from Jones Painting to rezone a parcel adjacent to their current building from residential (R-4) to commercial (C-2) to facilitate expansion. The map presented showed the existing zoning in the area, with the subject property currently zoned residential while being surrounded by a mix of agricultural, residential, and commercial zones. The Vernal City's general plan designates this area for commercial use, aligning with the proposed rezoning.

The property is currently an isolated residential lot in an area transitioning toward commercial development. Rezoning would create continuity between existing commercial properties and provide a buffer between residential and agricultural zones. The Commission noted that notifications had been sent to nearby residents to inform them of the proposed change.

Consideration was given to potential impacts on neighboring residential properties, including fencing requirements, light pollution, and increased traffic. Since the property is adjacent to an apartment complex in a commercial district, concerns about increased noise or lighting were deemed minimal. It was also noted that the city's Master Site Plan standards include requirements to mitigate light pollution and maintain compatibility with surrounding areas.

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Chair, Stephen Lytle opened the public hearing. A representative for Jones Painting and Glass, Rex Hall of Timberline Engineering, 209 North 300 West, Vernal, UT 84078, provided further clarification on the project. The company plans to extend its current building and relocate its showroom from the upper level of the existing structure to the new addition. The facade will be designed to match the current building, and the company intends to communicate with the owner of the adjacent apartment complex to address any concerns.

Jerry Allred with Jones Paint and Glass, 1250 West 100 North, Provo, UT 84601, noted that the lot had been used for business purposes in the past, and that they had removed the home on the property. Mr. Allred stated that Ashley Creek Physical Therapy supported the rezoning effort to commercial use in the area. The Commission agreed that the request was reasonable and aligned with the City's zoning objectives.

Chair, Stephen Lytle, closed the public hearing.

Nick Porter moved to forward a positive recommendation to the City Council to consider a rezone request from Jones Leasing for property located 567 North Vernal Ave, Vernal, Utah (parcel # 04:073:0055) - 2025-001-REZ – Ordinance #2025-06. Brittany Young seconded the motion. The motion passed with Stephen Lytle, Nick Porter, Samantha Chapoose, Ryan Balch and Brittany Young voting in favor.

RECOMMENDATION TO CONSIDER APPROVAL FOR CARL FOLEY (BASIN APPLIANCE) - CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 1378 WEST 500 SOUTH VERNAL UTAH (PARCEL # 05:011:0209) 2025-003-CUP

Braeden Christofferson, presented a Conditional Use request for Carl Foley representing Basin Appliance, located at 1378 West 500 South, for the development of a commercial building intended for cabinet sales and construction. This type of business falls within the approved uses of the Commercial Planned (CP) zone but requires a Conditional Use permit due to specific operational factors, such as sawdust production and potential impacts on nearby residential properties. The Conditional Use process ensures that any potential nuisances are mitigated appropriately.

Key considerations included the impact on City infrastructure, such as water, sewer, and stormwater retention, which may require coordination with public works. While there could be effects on nearby property values, these could be both positive and negative. Increased traffic was acknowledged, but given the property's proximity to Highway 40, no significant negative impact was anticipated. The project aligns with the Vernal City's General Plan, which designates the area for commercial use.

Brittany Young questioned whether the property was located on Ute Tribal land. After reviewing the ownership history, it was confirmed that the land is privately owned by Carl Foley. Mr. Foley stated that the property has been in his family for years and the previous ownership traced back to Russ Vernon and the Ross family before that. There was no indication that the land had ever been under tribal ownership.

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The Commission emphasized the importance of ensuring that nearby residential properties are adequately protected from any potential nuisances. The Conditional Use permit process would address these concerns through fencing and landscaping requirements to create a buffer. Vernal City's Master Site Plan already mandates a six-foot privacy fence between commercial and residential properties, ensuring that privacy concerns would be addressed as part of the project's approval.

After reviewing the proposed development plans, the commission found them well-detailed and compliant with zoning and development regulations. Since all conditions were already addressed in the City Code, no additional conditions were deemed necessary.

Nick Porter moved to approve a Conditional Use permit for property located at 1378 West 500 South, Vernal, Utah (parcel # 05:011:0209) 2025-003-CUP for Carl Foley with Basin Appliance. Samantha Chapoose seconded the motion. The motion passed with Stephen Lytle, Nick Porter, Samantha Chapoose, Ryan Balch and Brittany Young voting in favor.

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.***

Stephen Lytle , Planning Commission Chair

Vernal City Planning Commission Staff Report

Prepared by: Braeden Christofferson

Date: 02/25/2025

Public Hearing Items

1. Recommendation to consider approval of Vernal City - Subdivision Preliminary Plat - for the American Dreams Subdivision Located at - 256 East 600 South, Vernal, UT 84078 (Parcel #05:051:0037) 2025-008-SUB

Type of PC Decision: Legislative

Applicant: Vernal City

Address: 256 East 600 South, Vernal, UT 84078

Parcel Number: 050510037

Owner: Vernal City

Project Title: American Dreams Subdivision

Zone: R-4



➤ Context and Background

Vernal City, in partnership with the Uintah Basin Association of Governments (UBAOG), is proposing the development of the American Dreams Subdivision to address the city's need for affordable housing. The project aligns with the State of Utah's Moderate Income Housing Plan and aims to provide opportunities for low to moderate-income households through a self-help construction program. This program will allow families to build their own homes based on income-based qualifications, helping to mitigate the housing affordability crisis in Vernal.

The subdivision will consist of 15 single-family homes developed in two phases. Phase 1 will include four homes with access via 600 South. A critical component of this phase is the road dedication of 6th South, which is scheduled for March 19th, 2025. All utilities for Phase 1 will be located underground, eliminating the need for additional infrastructure beyond the road dedication. Construction for Phase 1 will commence upon approval of the Preliminary Plat.

Phase 2 of the subdivision is planned to begin approximately one year after the completion of Phase 1 and will involve the dedication of three new roads: 550 S, 300 E, and 350 E. This phase will also include the installation of curb, gutter, sidewalks, stormwater management systems, and utility connections to support the additional homes.

The city's involvement in this project is intended to facilitate affordable housing development without profit motives, ensuring that the housing needs of lower-income residents are met. By leveraging partnerships and phased infrastructure improvements, Vernal City aims to expand housing options while maintaining compliance with zoning and general plan requirements.

➤ **Analysis**

The American Dreams Subdivision is part of Vernal City's efforts to address the housing affordability crisis by providing low to moderate-income families with opportunities to build and own homes. The partnership with UBAOG ensures that the project aligns with the State of Utah's Moderate Income Housing Plan.

The proposed phasing plan is intended to make the infrastructure development manageable and cost-effective, allowing the city to dedicate 6th South in Phase 1 and address additional infrastructure needs in Phase 2. The phased approach is designed to minimize disruption to surrounding areas and ensure that each phase complies with the city's standards and regulations.

➤ **Compliance with Zoning Ordinance:**

The subdivision complies with the R-4 zoning requirements, which allow single-family homes as a permitted use. The proposed lot sizes and widths meet the minimum requirements, and the development plan aligns with the General Plan's housing goals.

Setback requirements for front, side, and rear yards, as well as height restrictions, are met by the proposed layout. Additionally, the subdivision's landscaping plans comply with the 28% minimum landscaping requirement for R-4 zones.

Phase 1's infrastructure plan includes underground utilities and the dedication of 6th South, aligning with city standards. Phase 2 will require further review for the dedication of 550 S, 300 E, and 350 E and for ensuring compliance with stormwater management and other infrastructure standards.

➤ **Staff Recommendations**

○ **Approval of Phase 1 with Conditions:**

- Approve Phase 1, contingent on the completion of the 6th South road dedication by March 19th, 2025.
- Require a final review of CC&Rs by Planning Staff.
- Obtain Fire Marshal approval for emergency access.

○ **Phased Compliance for Phase 2:**

- Require further review of road dedications for 550 S, 300 E, and 350 E.

○ **Public Input Integration:**

- Incorporate public comments received during this meeting into the final Staff Report

➤ **Next Steps**

○ **Incorporate Public Comments:**

- Summarize and include public feedback from this meeting in the final Staff Report.

○ **Development Review Committee (DRC) Review:**

- Schedule a DRC meeting to assess infrastructure and utility plans for Phase 2.

○ **Preparation of Final Staff Report:**

- Compile DRC feedback, public input, and updated analysis for the Planning Commission's review and decision.

Action Items

1. Recommendation to Consider approval For Coca-Cola Sidewalk Exemption - Property located at 760 N Vernal Ave, Vernal Utah, 84078 (Parcel #04:075:0028) 2024-015-MSP

Type of PC Decision: Administrative

Applicant: Justin Wallis

Address: 760 North Vernal Avenue & 806 North Vernal Ave

Parcel Number: 04:075:0028

Owner: Coca-Cola Bottling Company High Country - Joe Easton

Project Title: Coca-Cola - Master Site Plan Amendment

Zone: CC-1, C-2



➤ Context and Background:

Coca Cola bottling company is asking for a sidewalk exemption for their bottling plant located on 760 N Vernal Ave. The current and future fence line sits on the north right of way line of 750 North. An 8'-wide sidewalk, curb and gutter exists on the south side of 750 N. This sidewalk serves pedestrian traffic to and from Vernal Avenue to the residential lots to the east. Currently, panel trucks and 53-foot trucks access the south entrance into the parcel turning onto 750 N, and then north through a security gate onto the lot. This traffic pattern will reverse when the new building is complete. Our specific use of the property qualifies for an exemption from providing a sidewalk. The new facility will direct truck egress traffic south onto 750 N. A new sidewalk on the north side of 750 N will become a pedestrian safety hazard. Unknown,



infrequent and untimed pedestrians pose a safety risk. Depending on the day, between 6 and 20 panel trucks and other traffic will leave the building, exiting past an open fence south onto 750 N. Currently, all pedestrians avoid the parcel, using the existing sidewalk on the south side of 750 N. Our operations will not need (or encourage) employee use of a sidewalk to walk from their cars to the office. The existing right of way will remain. Within 750 North, we will install landscaping, curb and gutter on the north side of 750 N. We will continue the sidewalk along Vernal Avenue. The intermittent truck traffic through that gate will be slowed by the presence of a vertical pivot gate, resulting in higher driver visibility.

➤ **Applicable Vernal City Code:**

Section 16.24.180 Curb, Gutter, Sidewalk And Street Paving

It is the intent of Vernal City that all developed property have curb, gutter, sidewalk and street paving along the public road frontage, and that all streets abutting all developed property be paved.

- A. Curb, Gutter and Sidewalk. Prior to the issuance of a building permit for any new development within Vernal City, one (1) of the following requirements must be met:
 - a. Where curb, gutter and sidewalk can be installed, providing for the proper flow and discharge of storm water as determined by the Public Works Department, the applicant shall be required to install such curb, gutter and sidewalk prior to occupancy of the property being developed by the applicant. An extension of time may be granted by the Planning Director when inclement weather prevents the completion of the required curb, gutter and sidewalk improvements provided that a financial guarantee in the form of a duly executed escrow account filed with the City ensures completion of such improvements.
 - b. Where it is determined by the City that the proper flow and discharge of storm water can not be facilitated with the curb, gutter and sidewalk improvements, the applicant developing the property shall be required to sign an affidavit recorded with the County recorder's office indicating that the applicant will not oppose a Special Improvement District being created for the purpose of installing the street improvements. The affidavit shall be binding on the property owners and successors.
- B. Street Paving. Prior to occupancy of any developed property not required to comply with Sections 16.58.060 through 16.58.320, the property owner shall be required to pave all roadways abutting curb and gutter along the full length of his developed property. Minimum widths of paved roadway measured face-to-face of curb shall be as follows:
 - a. Where no present roadway exists:
 - i. Residential streets: thirty-eight (38) feet,
 - ii. Collector roads: forty-four (44) feet,
 - iii. Secondary arterial streets: sixty (60) feet, or conformance to master plan, whichever is greater;
 - b. Where present road exists, the property owner shall be required to pave from the existing roadway to his curb and gutter;

- c. All improvements, curb, gutter, sidewalk and street paving, shall comply with Vernal City Standard Specifications for Construction of Public Works.
- d. Variances to street width may be granted by the City Council upon review of the master street plan, safety issues and recommendation of the Planning Commission regarding the width of the street.
- C. The preceding requirements shall not apply to minor additions to existing developments, except for construction or addition of parking lots. For the purpose of this section "minor additions" means the addition (attached or detached) of less than forty (40) percent of the square footage of the existing structure or structures.

Section 16.24.160 Off-Site Improvements

- A. All development in Vernal City shall have sidewalk, curb and gutter along the public road frontage.
 - 1. In cases where unusual topographical, geographic location, or exceptional conditions or circumstances exist, variations or exceptions to the above requirement of this section may be approved in the Master Site Plan by the Planning Commission provided that:
 - a. The special circumstances attached to the property such as topographical, geographic location, or exceptional conditions do not generally apply to other properties.
 - b. The Variance or exemption will not substantially affect the general plan, be contrary to the public interest, or detrimentally affect safety, health or welfare of the public.
 - c. Substantial justice is done ensuring the spirit of the ordinance requiring sidewalk, curb and gutter is done and equivalent arrangements are made. Substantial justice could include but is not limited to;
 - i. Bonding or monetary payments.
 - ii. Easements for access through the property at another location.
 - iii. Installing necessary improvements to connect to existing improvements such as street crossings to existing sidewalks.
 - iv. Constructing alternate access through the site connecting to existing or planned alternate improvements such as trails.
 - d. The reasoning for the variations or exceptions are detailed in the final staff report and signed by both the Public Works Director and Planning Commission Chairman.
- B. In order to protect the safety and welfare of the public certain off-site improvements such as fences and other improvements may be required for any development proposal. The developer may be required to install such off-site improvements at their own cost.

➤ Vernal City Code Analysis:

- **General Plan:**

- The area surrounding the Coca-Cola bottling plant is designated for commercial use along Vernal Avenue, with medium-density residential

(Res-Med) zoning to the east along 750 N. Although the property is not within an industrial area, the future land use plan indicates that the area will remain free of residential developments directly adjacent to the plant, reinforcing its commercial focus.

To the south of 750 N lies the Willow Brook Subdivision, a residential area that may be affected by the sidewalk exemption request. The proximity of residential properties raises concerns about pedestrian safety if a designated walkway is not provided on the north side of 750 N. Ensuring safe pedestrian access remains a consideration in line with the General Plan's goals of balancing commercial development with public safety.



- **City's Concerns:**

- The exemption could set a precedent for other businesses requesting similar exemptions, potentially undermining the city's standard requirements for sidewalks.
- The original intent of Vernal City Code §16.24.180 regarding sidewalk exemptions was focused on industrial areas rather than commercial zones along arterial roads.
- The area south of the property is residential, and the absence of a designated walkway could lead to pedestrians using the road shoulder, increasing the risk of accidents.

- **Coca-Cola's Justification:**

- Safety concerns due to truck traffic and existing sidewalk infrastructure on the south side of 750 N.
- The operational nature of the bottling plant and traffic patterns.

- **Compliance with Zoning Ordinance**

- **Curb, Gutter, and Sidewalk Requirements (§16.24.180):**

- Requires curb, gutter, and sidewalk for developed properties.
- Allows exemptions in cases of unique topographical or safety concerns.

- **Off-Site Improvement Standards (§16.24.160):**

- Allows variations if unique conditions exist, provided they do not affect public safety or contradict the General Plan.

- **Staff Recommendations**

- **Request for Planning Commission Decision:**

- Recommend the Planning Commission review the exemption request considering:
 1. The safety concerns raised by Coca-Cola.

2. The potential precedent set for other commercial properties.
3. Compliance with existing city standards and the original intent of the sidewalk exemption code.

- **Conditions if Approved:**

- Require Coca-Cola to provide additional safety measures if the sidewalk exemption is granted, such as signage or barriers.

➤ **Next Steps**

- **Planning Commission Decision:**

- Review and decide on the exemption request based on the information presented.

- **Further Review:**

- If approved, schedule a follow-up to assess compliance with any conditions imposed.

Discussion Items:

1. Discussion in regards to amending Vernal City Municipal Planning and Zoning Code §16.60 Master Site Plan

Type of PC Decision: Discussion

Review Trigger: After receiving general input from city administration, city staff, landowners, developers, and other stakeholders, we recognize the need to reassess the Master Site Plan requirements. The goal is to balance regulatory compliance with economic feasibility, ensuring city standards are upheld while supporting adaptive reuse and small business growth. These discussions will be to address infrastructure deficiencies, zoning constraints and cost prohibitive site improvements.

Location: Vernal City Code 16.60

Discussion: First discussion

➤ Context and Background:

The current Master Site Plan requirements, as outlined in Vernal City Code §16.60, establish a comprehensive review process for new developments, expansions, and significant site modifications. However, feedback from stakeholders has indicated that these requirements, while effective in maintaining city standards, may present significant challenges for adaptive reuse and small business redevelopment projects.

A discussion is necessary to explore potential modifications that maintain compliance while allowing greater flexibility for projects that do not constitute full-scale new developments. This discussion will focus on balancing regulatory oversight with economic realities to encourage business growth while ensuring necessary improvements are made.

➤ Analysis

- Challenges Identified:
 - Stringent compliance requirements for minor modifications and small business redevelopments.
 - Infrastructure deficiencies that may be cost-prohibitive for new tenants or business owners.
 - Need for a streamlined process for projects that do not significantly alter the site footprint.
- Key Considerations:
 - Tiered approach to Master Site Plan compliance (large-scale vs. small-scale redevelopment).
 - Implementation of a Pre-Development Meeting and Development Review Committee to assess individual projects before full compliance is required.
 - By creating a development review committee it allows for streamlined reviews and reduced redundancy.

- Establishing criteria for exemptions or phased compliance for projects meeting certain conditions.

Examples from Other Cities: To provide context, we have reviewed similar ordinances in other municipalities:

- **Ogden, UT** – Chapter 3 of their Development Plan Review Process outlines site plan procedures, including minor and major project classifications.
- **Lehi, UT** – Chapters 11, 14, and 09 of the Lehi City Development Code provide a robust framework for site plan approvals, minor modifications, and permitted use changes.
- **Morgan, UT** – §10.18 includes provisions for site plan revisions and project evaluations.

These examples offer valuable insights into how other cities balance regulatory compliance and economic feasibility through tiered approval processes and alternative review structures.

➤ **Proposed ordinance amendment:**

- Adjust Master Site Plan requirements to include a three-tiered approach:
 - **Tier 1: Full Master Site Plan Approval**
 - Required for all large-scale new developments.
 - Must meet all Public Works, Planning & Zoning, and other applicable city ordinances.
 - Subject to Development Review Committee
 - Includes detailed site layout, infrastructure compliance, and full permitting requirements.
 - **Tier 2: Minor Revisions or Changes to Existing Developments**
 - Applies to large-scale reuse of existing structures where no significant structural changes occur.
 - Requires a review by the Development Review Committee to determine necessary compliance updates.
 - Certain requirements may be waived or modified based on feasibility and impact assessment.
 - **Tier 3: Change in Permitted Use with Minimal Site Modifications**
 - Applies to minor changes in permitted use where structural changes are not needed.
 - Limited review to ensure zoning compliance, public safety, and essential infrastructure requirements.
 - Expedited approval process to encourage business growth and adaptive reuse.
- **Inspection and Approval of finished work**
 - Creation and clear Definition of the Development Review Committee
 - At this time there is a gap in ensuring that all master site plans are inspected and follow their construction plans given to us in the initial process
 - Discussion on responsibilities and rolls of each department in the process
- Define clear criteria for determining which projects fall under each tier.

- Establish an expedited review process for minor projects that meet predefined conditions.

➤ **Decision:**

The Planning Commission is requested to discuss and provide feedback on:

- Maintain a single-tiered Master Site Plan approval process with case-by-case waivers.
- Implement a hybrid review system where projects start at Tier 1 but can apply for exemptions.
- Introduce incentives for businesses to voluntarily comply with infrastructure improvements.
- Require phased compliance for infrastructure upgrades to ease financial burden on businesses.

Proposed Ordinance Language - Subject to Review -

Ordinance §16.60 Master Site Plan Requirements

16.60.010 Purpose

The purpose of this ordinance is to establish a clear and consistent process for reviewing and approving site development and redevelopment within Vernal City. This ordinance aims to ensure that all developments are compatible with the surrounding area, comply with city standards and codes, and contribute positively to the community's character, safety, and infrastructure.

16.60.020 Plan Approval Required

- A. Master Site Plan approval is required to:
1. Ensure compliance with Vernal City's zoning, infrastructure, and environmental regulations.
 2. Promote orderly development that aligns with the General Plan.
 3. Address potential impacts on public utilities, traffic, and surrounding properties.
 4. Facilitate a transparent review process for developers, city staff, and the public.

16.60.030 General Requirements

- A. **Applicability:** Master Site Plan approval is required for:
- a. New commercial, institutional, or industrial construction, expansion, or additions.
 - b. The relocation of a commercial, institutional, or industrial structure.
 - c. New commercial, institutional, or industrial parking lots.
 - d. New multifamily housing developments containing five (5) or more dwelling units.
 - e. Continuous vacancy of more than one (1) year.
- B. **Submission Requirements:**
- a. Site plans shall include existing and proposed structures, landscaping, utilities, and traffic patterns.
 - b. A complete application form and fees as established by the city.
 - c. A copy of the current deed showing ownership of the property or properties addressed on application.
 - d. The applicant shall provide the following

- i. One (1) copy in digital format readable by a computer as specified by Vernal City
- ii. One Approved copy:
 - 1. Sheets shall not be less than 36 x 24 inches.
 - 2. The site plan shall be prepared in permanent ink, and the sheets shall be numbered in sequence if more than one sheet is used.
- e. All engineering and surveying documents shall bear the seal of the professional engineer and professional land surveyor per Utah Code Ann. §58-22-602.

C. Site Plan Details:

- a. All drawings shall contain the following:
 - i. Name of development
 - ii. Surveyed boundary of the site plan accurate in scale, dimension and bearing. Including all adjacent and contiguous property under the control of the owner, even if a portion is to be developed giving the nearest horizontal control monument and section corner benchmark or monument of survey if a survey is required
 - iii. Graphic and written scale at no more than one inch equals one hundred (100) feet
 - iv. North Arrow
 - v. Location, dimensions and square footage of all proposed buildings as part of the site plan
 - vi. Building setback lines and building envelopes
 - vii. Topographic contour intervals with maximum contour interval of two (2) feet, except where existing ground is on a slope of less than two percent (2%) than either one (1) foot contours or spot elevation shall be provided.
 - viii. Location and names of adjacent properties, property owners and platted subdivisions
 - ix. Location of zoning boundary lines within and adjacent to the proposed site plan
 - x. Location of proposed and existing easements for water, sewer and on site water retention and drainage facilities.
 - xi. Location and size of existing and proposed sewer mains including size, depth, and slope, including existing lines adjacent to or affected by the proposed site plan
 - xii. Existing and proposed storm water retention improvements including
 - 1. Retention Basins
 - a. Freeboard minimums
 - b. 3:1 slope or flatter?
 - xiii. Location of solid waste containers
 - xiv. The location, dimensions, materials and colors of any proposed signs, including the type and height of those signs.
 - xv. Location type and height of any fencing, berming, and other buffering to be installed as part of the development, including any fencing required to comply with Residential, commercial and industrial bufferings
 - xvi. Landscaping plan for all landscaped areas which includes
 - 1. Planting areas with a list of the name, number, and size of plants designated for each area
 - 2. Location name and size of all existing trees and shrubs to be incorporated as part of the landscaping plan
 - 3. Location of any proposed irrigation systems and facilities
 - xvii. The location of exterior existing and proposed lighting standards and devices, along with photometric analysis if the proposed development is adjacent to an existing residential zone or use
 - 1. Exterior lights
 - 2. Parking lot lighting

- xviii. Location of existing and proposed roads including their names, dimensions, and cross sections
- xix. The location and width of all existing and proposed entrances and exits into & onto adjacent roads;
- xx. The location, dimensions and surface type of all parking facilities, including ADA accessible stalls and loading areas, the location and dimensions of backup aisles, and any additional parking details
- xxi. If adjacent to a state road UDOT access size and location and UDOT approval
- xxii. Location of any necessary temporary turnaround easements for emergency access on dead end roads;
- xxiii. A traffic study is required unless a waiver is granted by the City Engineer;

D. **Compliance:** All site plans shall comply with Vernal City's codes and standards.

- a. The lack of information under any item specified in this section (§16.60.030) or improper information supplied by the applicant, may be cause to find the application incomplete or for disapproval of a site plan application

16.60.040 Tier 1: Full Large Scale Development/Redevelopment

- A. **Scope:** Applies to new developments and major redevelopments exceeding half (.50) an acre or those significantly impacting public infrastructure.
- B. **Applicability:** Applicable in almost all cases unless otherwise noted below
- C. **Requirements:**
 - a. Full Master Site Plan with detailed infrastructure, utility, and landscaping plans. as specified in General Requirements §16.60.030(C)
 - b. Traffic impact studies as required.
 - c. Compliance with all Vernal City zoning, infrastructure, and environmental standards.
- D. **Review Process:** Requires Development Review Committee (DRC) review

16.60.050 Tier 2: Minor Revision to Development and Construction Plans

- A. **Scope:** Applies to modifications that do not significantly alter the original site plan's scope but may impact adjacent properties or public infrastructure.
- B. **Applicability:** Master Site Plan approval is required for modifications that:
 - a. Increase vehicular traffic.
 - b. Increase demand for parking or expand parking areas.
 - c. Increase the development site area, number of lots, or building size.
 - d. Increase noise, odor levels, lighting, dust, or dirt.
 - e. Create unsightly conditions.
 - f. Decrease privacy for adjacent owners or reduce landscaping, screening, or buffering treatments.
 - g. Change the general layout of the development.
- C. **Requirements:**
 - a. Simplified site plan showing proposed changes.
 - b. Compliance with original approval conditions unless waived by the Planning Director.
- D. **Review Process:**
 - a. Subject to staff review and Development Review Committee (DRC) review if deemed necessary.

16.60.060 Tier 3: Minor Change of Use or Application for a Change of Use

- A. **Applicability:** Master Site Plan approval is not required for changes in use that meet the following criteria:
- a. The permitted use already exists at the proposed location or occupies an existing building or structure.
 - b. The use is a permitted use in the zoning district.
 - i. If the proposed use is not a permitted use in the zoning district, it shall go through the Conditional Use Permit (CUP) process as outlined in Vernal City Code §16.14.
 - ii. Master Site Plan may be required in the case of a Conditional Use Permit
 - c. The proposed activity will be conducted within the existing building or structure or on the existing site.
 - d. No building additions or expansions will be executed on the existing structure.
 - e. No modifications will be done that would:
 - i. Increase the demand for parking.
 - ii. Substantially increase noise, odor, lighting, dust, or dirt.
 - iii. Create unsightly conditions.
 - iv. Decrease in privacy for surrounding lots.
- B. **Requirements:**
- a. Change of use application with supporting documentation.
 - b. Compliance with zoning and safety standards.
- C. **Review Process:**
- a. Subject to administrative approval by Planning Staff unless referred to the Planning Commission for a Conditional Use Permit.

16.60.070 Conditional Uses

The approval process for a Conditional Use Permit related to Master Site Plans shall follow the procedures outlined in Vernal City Code §16.14. For detailed information regarding the requirements and steps involved in the approval process, please refer to the specified section of the Vernal City Code.

16.60.080 Approval Process

- A. **Application Submission:**
- a. Applications shall be submitted to the Planning Department with all required documents and fees.
 - b. Incomplete applications will not be accepted.
- B. **Review Timeline:**
- a. The Planning Department will conduct an initial review within ten (10) business days.
 - b. Complete applications will proceed to the Development Review Committee (DRC) for further review.

16.60.090 Development Review Committee (Planning and Zoning)

- A. **Purpose:**
- a. To review site plans for compliance with zoning, infrastructure, and design standards.
- B. **Composition:**
- a. Includes representatives from Planning, Public Works, Building, and other relevant departments.
- C. **Utility Providers:**
- a. The following utility providers may be invited to DRC meetings based on project scope:

- i. Power Companies
- ii. Gas Providers
- iii. Strata Networks (Internet)

D. Stakeholders:

- a. The following stakeholders may be invited to DRC meetings based on project scope:
 - i. Ashley Valley Water and Sewer
 - ii. Fire Department
 - iii. TriCounty Health
 - iv. State Boiler and Elevator Inspectors
 - v. Special Inspection Agencies, including state agencies
- b. Invitations to these stakeholders shall be at the discretion of the Planning Director.

16.60.091 DRC Submittal and Review Process

A. Submittal Requirements:

- a. Applications shall be submitted by appointment with a Planning Staff member.
- b. Incomplete applications will not be accepted.

B. Initial Review:

- a. Planning Staff will conduct an initial review for completeness within ten (10) business days.
- b. If deemed incomplete, applicants shall correct deficiencies and reschedule.

C. Online Submittal (If Applicable):

- a. Complete applications may be submitted online if directed by Planning Staff.
- b. All required documents and fees shall be uploaded and paid electronically.

D. Resubmittal Procedures:

- a. Resubmittals for projects requiring additional DRC review shall be coordinated with the assigned Planner.
- b. All revisions shall address comments made during the initial review.

E. Scheduling and Deadlines:

- a. Submittals shall be received by 5:00 PM on Monday for DRC review on the following Wednesday.
- b. Items not complete by the deadline will be deferred to the next available DRC meeting.

F. Meeting Protocol:

- a. DRC meetings shall take place at a time specified by the Planning Director.
- b. DRC meetings are staff review meetings not open to the public.
- c. Applicants and project engineers are encouraged to attend to answer technical questions.

16.60.100 Pre-Construction Requirements

A. Pre-Construction Meeting

- a. Required before site work begins
- b. Meetings shall be attended by the applicant, contractor, and city representatives.

B. Permits and Approvals

- a. All necessary permits shall be obtained prior to construction

C. Utility Coordination

- a. Applicants shall coordinate with utility providers for service installations.

16.60.120 Effective Period of Site Plan Approval

A. Validity:

- a. Site Plan approval is valid for two (2) years unless an extension is granted.

- b. Conditional Use Permits (CUP) are valid for twelve (12) months unless an extension is granted by the Planning Commission.

B. Extensions:

- a. Extensions may be granted by the Planning Director if clear signs of progress are demonstrated.
- b. Extensions for Site Plans may be granted for up to one (1) year.
- c. Extensions for CUPs may be granted for up to six (6) months.
- d. A written request for extension shall be submitted at least Thirty (30) days prior to expiration.

C. Criteria for Extension:

- a. Demonstrated progress on the project, such as permit applications, site work, or construction.
- b. Compliance with all conditions of approval and applicable codes at the time of extension request.