MINUTES OF THE VERNAL CITY PLANNING COMMISSION

Vernal City Council Chambers - 374 East Main Street, Vernal, Utah
March 11, 2025
5:30 pm

Members Present:	Stephen Lytle, Nick Porter, Samantha Chapoose, Ryan Balch, Troy Allred, Brooke Hamilton, Brittany Young
Members Excused:	
Alternates Present:	
Alternates Excused:	Rebecca Wilkey
Staff Present:	Braeden Christofferson, Assistant City Manager; Matthew Tate, Building Official; Taylor Munguia, Planning Technician; Gabby Hawkes Blackburn, Planning Consultant with Sunrise Engineering

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

APPROVAL OF MINUTES FROM, February 11, 2025: Chair Stephen Lytle asked if there were any changes to the minutes from, February 11, 2025. The minutes were approved with there being no corrections. ***Nick Porter moved to approve the minutes of, February 11, 2025 as presented. 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 APPROVAL OF A PRELIMINARY SUBDIVISION PLAT FOR THE AMERCIAN DREAMS SUBDIVISION LOCATED AT 256 EAST 600 SOUTH, VERNAL, UT 84078 (PARCEL #05:051l:0037) 2025-008-SUB

Braeden Christofferson introduced the proposal for the American Dream Subdivision, located at 256 East 600 South, Vernal, Utah (Parcel 05:051:0037). Mr. Christofferson explained that it was a collaborative effort between Vernal City and the Uintah Basin Association of Governments (UBAOG) to address affordable housing needs. He then turned the time over to Keith Despain, Vernal City Engineer, who provided further details on the project.

Mr. Despain elaborated that the city had secured grant funding through the Community Development Block Grant (CDBG) program over two years to finance infrastructure construction. The first phase of the project consists of four (4) lots with direct access to 600 South, where infrastructure such as roads, utilities, and stormwater facilities are already in place. The second phase will involve additional development, including a public road and eleven (11) more homes, seven (7) of which will be designated as tiny homes.

Planning Commission member Ryan Balch asked why the City had purchased the land rather than partnering with private developers and inquired whether the project would be deficit-neutral.

Mr. Despain explained that private development typically focuses on higher-end housing, leaving a gap for first-time and lower-income homebuyers. He emphasized that the goal of the project was to support affordable homeownership with the goal to break even. Additionally, he clarified that multiple sites were considered and evaluated before selecting this location as the best option.

Planning Commission member Brooke Hamilton asked if all of the houses in Phase 1 would be built simultaneously.

Mr. Despain confirmed that the four homes along 600 South would be constructed together and explained that UBAOG typically requires all homes in a development to be completed before occupancy.

Mr. Balch expressed concerns about the development of tiny homes, questioning whether they would be desirable and whether this factor had been considered.

Mr. Christofferson responded that these considerations had been carefully evaluated. He explained that the development is designed for moderate- to low-income households that may not qualify for traditional-sized homes. Additionally, tiny homes provide a viable housing option for university students who need affordable accommodations while attending nearby colleges.

Planning Commission member Nick Porter inquired whether UBAOG would be overseeing the entire project.

Mr. Despain confirmed that UBAOG would manage the project from start to finish, utilizing the self-help program to ensure the development fulfills its intended purpose of providing affordable housing to moderate- and low-income households.

Chair Stephen Lytle opened the public hearing for comment, noting that each speaker would be limited to two (2) minutes.

Darlene Burns, residing at 457 East 700 South, inquired about the depth of the property purchase. Mr. Despain clarified that the City did not purchase the entire lot extending to 700 South; rather, only the portion north of 600 South is being developed.

Thomas Schlosser of 514 South 285 East expressed concerns regarding the loss of open space that neighborhood children currently use for recreation. He suggested the City consider alternative uses for the land.

Lisa Nielsen of 394 East 600 South raised traffic safety concerns, stating that vehicles often ignore the posted 15 mph speed limit, making the street feel like a high-speed thoroughfare. She requested that speed bumps or other traffic control measures be considered to enhance pedestrian safety, particularly given the expected increase in neighborhood density.

Andrew Bytendorp, a resident at 422 East 640 South, echoed concerns about past traffic accidents in the area. He asked for clarification on the total number of homes planned for the subdivision and was informed that the final count would be fifteen (15). He also inquired about fencing requirements, particularly between the new development and existing properties, including the nearby church, HOA-managed properties, and private residences. Sunrise Engineering Planning Consultant, Gabby Hawkes Blackburn, explained that fencing is only mandated between dissimilar land uses, such as residential and commercial properties, and fencing would not be required between residential lots and an HOA.

Eric Bowden of 276 East 600 South inquired about road infrastructure, asking if 600 South would receive lane markings, specifically where this parcel is located, to deter improperly parking on the street and excessive speeding. Mr. Despain responded that the road is currently private but will transition into a public city street upon City Council approval. Once the dedication is complete, the City will have jurisdiction over speed limits and road improvements.

Tammy Colter of 446 E 600 S asked about the eligibility requirements for homeownership within the subdivision, asking whether applicants must currently reside in Vernal. Mr. Despain stated that UBAOG is responsible for determining eligibility, which is based on income qualifications. While the program aims to assist current Vernal City residents, applicants from outside the City may also qualify. When asked if new homeowners would be required to live in the homes for a set period after purchase, no definitive answer was provided during the meeting as this would be managed by UBAOG.

Chair Stephen Lytle closed the public hearing and thanked everyone for their input. Mr. Lytle asked Planning Commission members if they had additional items they would like to discuss.

Brittany Young raised a concern about the speed limit on the road, asking if anything could be done to address speeding. Mr. Despain explained that the road in question was currently private, meaning the City had no jurisdiction over it. However, upon approval of the subdivision, the road would be dedicated to the City at the next City Council meeting, granting the City authority to manage it like any other public road. The standard residential speed limit in Vernal is 25 miles per hour, but the current posted limit was unknown.

Mr. Balch echoed Ms. Young’s concerns and asked whether these issues were on the City's radar. Mr. Despain explained that while the City recently acquired the land, the road remains private since it has not yet been officially dedicated. As a result, the City currently lacks jurisdiction. However, once the road is dedicated, the City will be able to conduct traffic studies to determine the appropriate speed limit.

Ms. Hamilton questioned how the subdivision would benefit current Vernal City residents, asking whether there were requirements regarding how long an individual must own their home. She expressed concerns that the development might attract outside buyers rather than serving the existing community. Mr. Despain stated that while he was unsure of the specific requirements set by UBAOG, similar programs in the past have included criteria based on income and length of ownership. Ms. Young, speaking from her experience as a realtor, agreed with Mr. Despain's assessment. Ms. Hamilton also raised concerns that the area could become dominated by rentals rather than owner-occupied homes. In response, Nick Porter noted that the surrounding neighborhood already consists of duplexes and apartments, meaning the subdivision would not significantly alter the area's existing character.

Chair Stephen Lytle reminded the commissioners that some of the topics being discussed were beyond the Planning Commission's scope. Gabby Hawkes Blackburn reinforced this point, clarifying that the Commission's role is strictly to determine whether the proposed subdivision meets Vernal City's Subdivision Code **§**16.58. Considerations such as affordable housing are outside their jurisdiction.

Nick Porter moved to approve the Preliminary Subdivision Plat for the American Dreams Subdivision located at 256 East 600 North. Ryan Balch seconded the motion. The motion passed with Stephen Lytle, Nick Porter, Samantha Chapoose, Ryan Balch, Troy Allred, Brooke Hamilton, and Brittany Young voting in favor.

REVIEW AND CONSIDER APPROVAL OF A SIDEWALK EXEMPTION ASSOCIATED WITH THE COCA COLA MASTER SITE PLAN (2024-025-MSP) FOR PROPERTY LOCATED AT 760 N VERNAL AVE, VERNAL, UTAH, 84078 (PARCEL #04:075:0028)

Braeden Christofferson began the discussion, explaining that Coca-Cola is in the process of building a new facility, which will result in changes to the flow of traffic. Currently, traffic enters from Vernal Avenue and exits onto 750 north. The master site plan calls for a sidewalk on the north side of 750 North; however, due to the presence of sixteen (16) to twenty (20) large trucks moving through the area daily, Coca-Cola has requested an exemption to avoid potential pedestrian hazards. Instead of the sidewalk, Coca-Cola has proposed installing landscaping, curb, and gutter along the north side while maintaining a continuous sidewalk on Vernal Avenue. The current pedestrian traffic, as observed by Coca-Cola, indicates that the use of the sidewalk to the south of 750 North is frequented by pedestrians but the north side is rarely used. Mr. Christofferson emphasized that granting this exemption would conflict with Vernal City Code Sections 16.24.180, and 16.54.160, which mandates sidewalk, curb, and gutter installation along public road frontages for all development properties. He also raised concerns that allowing this exemption could set a precedent for other commercial properties to seek similar variances, potentially undermining the City's ability to enforce sidewalk requirements in the future. Additionally, he noted that while the absence of a sidewalk might discourage pedestrian traffic, it would not prevent it entirely, meaning that individuals may still walk along the roadway, creating a safety concern. Mr. Christofferson pointed out that past sidewalk exemptions were granted primarily in industrial zones or locations with topographical constraints, which did not apply in this case.

Mr. Porter expressed strong opposition to the exemption, stating that the justification for limiting pedestrian access did not align with the actual flow of foot traffic. He pointed out that the majority of residential housing is located on the south side of the road, and pedestrians moving toward the mobile home park or other areas to the east are already using the existing sidewalk on that side. He argued that the sidewalk on the north side would not be redundant and would still serve an important purpose. Ms. Chapoose and Mr. Lytle agreed with Mr. Porter's assessment, stating that the exemption did not meet the criteria of past approvals and could establish an unfavorable precedent.

Mr. Balch sought clarification on whether the city's position was to require Coca-Cola to install the sidewalk because they were improving their building and site. Mr. Christofferson explained that the City was considering the potential implications of granting the exemption, particularly the concern that it could set a precedent for other businesses with truck traffic to request similar exemptions in the future. He noted that many businesses in Vernal City with significant truck traffic have installed sidewalks as part of their developments. Given that the site is undergoing a complete redevelopment, including the construction of a new building, the relocation of existing structures, and changes to parking areas. Mr. Christofferson emphasized that it is standard practice to upgrade the entire site to meet current development standards.

Ms. Young asked about the zoning of the surrounding properties. Mr. Allred clarified that the property to the east is zoned commercial, with a shop currently in place, while the mobile home park further east is residential. The property to the west is residential and agricultural. Mr. Porter raised concerns that removing the sidewalk would create a situation where drivers might become complacent about the presence of pedestrians, making it more dangerous in the long term. He suggested that having a sidewalk in place forces drivers to remain aware of the possibility of pedestrian traffic, whereas removing it could create an unintended safety hazard.

Joe Easton, representing Coca-Cola High Country, addressed the Commission to present the company's perspective. He reiterated that the primary motivation for the exemption request was safety, explaining that truck drivers become accustomed to a predictable environment, and if a sidewalk were suddenly used by pedestrians in an area they do not typically expect, it could increase the risk of accidents. He described Coca-Cola's operational layout, where trucks enter from Vernal Avenue, proceed around the north side of the building, load at the truck docks, and then exit onto 750 North. He emphasized that the company is already committed to making improvements to the road, including widening it, installing curbs, gutters, and landscaping, and maintaining pedestrian access on the south side of 750 North.

Mr. Lytle asked whether there was any difference in perceived safety between the north entrance and the south exit. Mr. Easton responded that, while both entry and exit points required careful navigation, the primary concern was with trucks exiting onto 750 north. He explained that at the entrance, drivers approach a closed gate and must stop before proceeding, whereas exiting onto the road requires immediate attention to pedestrian traffic.

Ms. Young asked whether Coca-Cola had considered an alternative design that would allow trucks to enter and exit from Vernal Avenue instead of using 750 north. Mr. Easton explained that early design considerations ruled out this option due to multiple constraints, including a sewer line that runs through the property, the need to maintain employee parking, and the necessity of keeping the building within a certain footprint to allow for proper drainage and setback compliance. He emphasized that the current layout is the best possible configuration given the site's limitations.

Nick Porter moved to deny the sidewalk exemption associated with the Coca Cola Master Site Plan (2024-025-MSP) for property located at 760 N Vernal Ave, Vernal, Utah, 84078 (Parcel #04:075:0028) Samantha Chapoose seconded the motion. The motion passed with Nick Porter, Samantha Chapoose, and Brooke Hamilton in favor; Troy Allred and Ryan Balch against; Brittany Young abstained.

DISCUSSION IN REGARDS TO AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE §16.60 MASTER SITE PLAN

Braeden Christofferson initiated the discussion centered on amending Vernal City's Municipal Planning and Zoning code, specifically Section **§**16.60: Master Site Plan, to create a more structured and flexible system for businesses. The current Master Site Plan requirements pose challenges for small businesses attempting to relocate or redevelop properties. The City has gathered input from developers, business owners, and City administrators and is exploring a tiered system to streamline the process while maintaining regulatory integrity.

Under the existing code, a Master Site Plan is required for new commercial, institutional, or industrial construction, expansions, relocations, new parking lots, and multiple housing developments with five or more units. Additionally, a change of use, such as converting a car dealership into a daycare, triggers the Master Site Plan process, often leading to costly improvements like curbs, gutters, and sidewalks that may be financially prohibitive for small businesses. To address this, the City proposes a three-tier system.

Tier One would apply to large-scale commercial, industrial, and institutional developments, requiring a full Master Site Plan review, including zoning compliance and a traffic impact study. Tier Two would cover minor redevelopments that do not significantly alter a site but may impact traffic or parking. Tier Three would accommodate small-scale businesses undergoing a minor change of use, ensuring safety compliance without excessive financial burden.

A key issue raised was determining what qualifies as a significant structural change and how that would impact a business's tier classification. Questions arose about cases like a daycare requiring an additional exit, would that necessitate a full Master Site Plan? The International Existing Building Code (IEBC) was referenced, which classifies alterations into three levels based on their impact. This tiered approach could be applied to site planning, ensuring that businesses undertaking minor modifications are not subjected to major financial burdens, while larger projects remain compliant with updated City infrastructure standards.

The Planning Commission's role in this process was debated, with concerns about subjectivity in determining when a Master Site Plan is required. Some cities allow Planning Commissions to decide on a case-by-case basis, but this can lead to inconsistencies and delays. A more prescriptive approach, like the proposed tiered system, would create clear, standardized guidelines, reducing government intervention while ensuring fairness.

Mr. Christofferson introduced a proposal to establish a Development Review Committee (DRC) that would meet regularly, either weekly or biweekly, to evaluate all submitted development plans in a single session. This committee would include representatives from Public Works, Planning, Building, and other relevant departments, such as streets and water. The goal is to streamline the review process, minimize confusion over multiple review rounds, and ensure all stakeholders are involved early in the process.

Currently, the DRC exists but primarily reviews construction documents at the final stage rather than being involved from the beginning. The proposed change would shift their role to the initial planning phase, allowing them to provide feedback and potentially make decisions on tier classifications for Master Site Plan requirements. This approach aims to reduce unnecessary delays and provide clearer expectations for developers.

Another key issue discussed was the lack of a defined process for final site inspections and approvals. While various departments currently sign off on different aspects of the project, there is no formalized system for ensuring full compliance with the Master Site Plan. The group considered clarifying who is responsible for final inspections and establishing a more structured process, possibly incorporating an appeals process for Master Site Plan amendments.

The discussion also touched on the role of the Planning Commission in appeals and variance decisions. While an appeals officer currently handles these matters, there was debate over whether the Planning Commission should be involved in the appeals process or if the current system should remain. Concerns were raised about balancing administrative oversight with the need to keep elected officials out of technical zoning decisions.

Ultimately, the conversation emphasized the importance of making the process more transparent and predictable for developers, residents, and city staff. The goal is to ensure that zoning and planning regulations are comprehensive, clearly codified, and easy to follow.

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

Stephen Lytle**,** Planning Commission Chair