

MINUTES of the VERNAL CITY PLANNING COMMISSION

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

July 8, 2025

5:30 pm

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

Members Excused: Brooke Hamilton, Stephen Lytle

Alternates Present:

Alternates Excused:

Staff Present: Braeden Christofferson, Assistant City Manager; Gay Lee Jeffs, Administrative Secretary.

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

APPROVAL OF MINUTES FROM, June 10, 2025: Nick Porter, Vice Chair, asked if there were any changes to the minutes from, June 10, 2025. The minutes were approved with there being no corrections, *Samantha Chapoose moved to approve the minutes of, June 10, 2025 as presented. Ryan Balch seconded the motion. The motion passed with Troy Allred, Ryan Balch, Nick Porter, Brittany Young and Samantha Chapoose voting in favor.*

RECOMMENDATION TO CONSIDER APPROVAL TO AMEND THE VERNAL CITY MUNICIPAL ANNEXATION POLICY UPDATE PLAN – ORDINANCE NUMBER 2025-015

Braeden Christoffersen introduced the proposed update to the Vernal City Annexation Policy Plan, which was last revised in 2008. Mr. Christoffersen detailed the proposed updates, which are necessary to comply with legislative changes and to improve policy clarity and efficiency.

The update aligns with Utah Code 10-2-403, as amended during the 2025 Utah State Legislative Session. Key revisions include clarified criteria for evaluating annexation petitions, updated policies related to water and sewer extensions, road connectivity, land use compatibility, and enhanced public notice and outreach procedures.

An updated annexation boundary map was included in the materials. Mr. Christoffersen clarified that while the map was refreshed for clarity, the annexation boundaries themselves remain unchanged. Only the City boundary has been updated to reflect changes that have occurred over the past 20 (twenty) years. In response to a prior Commission request, staff confirmed that some

overlap exists with Naples City's boundary area. However, any annexation requests in those areas would be evaluated on a case-by-case basis to ensure compliance with applicable jurisdictional boundaries and procedures.

Mr. Christoffersen confirmed that affected entities were notified at least 14 (fourteen) days prior to the hearing and that public notice was published in accordance with legal requirements.

Vice Chair, Nick Porter opened the public hearing to receive public comment. There being to public comment, Vice Chair, Nick Porter closed the public hearing

Ryan Balch moved to forward a positive recommendation to the Vernal City Council to amend the updated Annexation Policy Plan – Ordinance #2025-015. Commissioner Samantha Chapoose seconded the motion. The motion passed with Troy Allred, Ryan Balch, Nick Porter, Brittany Young and Samantha Chapoose voting in favor.

RECOMMENDATION TO CONSIDER APPROVAL TO AMEND THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE CHAPTER 16.60, MASTER SITE PLAN – ORDINANCE NUMBER 2025-019

Braeden Christoffersen stated that the proposed amendment is a revision to the noncomplying structure compliance period, reducing it from three (3) years to two (2) years. This change was proposed following City Council's direction and is intended to bring consistency across the Code and align timelines accordingly.

Mr. Christoffersen provided clarification, stating that the original recommendation by Planning Commission was for a two (2) year compliance period, which was altered to three (3) years during City Council's previous discussion. However, Council has since finalized the direction to revert the noncomplying structure compliance period to two (2) years. The proposed change to the Master Site Plan chapter will align it with Council's decision and ensure consistency throughout the Code, preventing conflicting interpretations across different sections.

Vice Chair, Nick Porter opened the public hearing to receive public comment.

William Barton, 81 West Main Street, identified himself as both a resident and business owner. Mr. Barton expressed concern that the proposed change appeared to penalize business property owners, potentially requiring expensive upgrades if a building remained unused for over two (2) years. He questioned the necessity of the change and suggested it could function as a financial burden on business owners rather than a benefit to the City.

Mr. Christoffersen responded by explaining that historically, the Code required compliance after one (1) year of vacancy. The three (3) year compliance window had only been in place for a short time—approximately two (2) months—and this proposed amendment represents a compromise between the original one (1) year timeframe and the recently adopted three (3) year period.

Mr. Christoffersen further emphasized the importance of maintaining public infrastructure standards and safety, noting that without a requirement for updates during extended vacancies, there is limited opportunity for the City to bring aging or nonconforming properties up to code. The two (2) year window is meant to allow flexibility while still promoting revitalization and safety.

Mr. Christoffersen clarified that the two (2) year period begins from the lapse of a valid business license. For example, if a business owner renewed their license in January but ceased operation later that month, the compliance period would begin at the end of that license year—effectively providing nearly three (3) full years before action would be required.

Mr. Barton concluded his comments by reiterating that the change functions as a mandate that could be burdensome for owners and expressed his disagreement with the policy.

With no further public comments, Vice Chair, Nick Porter closed the public hearing.

Samantha Chapoose moved to forward a positive recommendation to City Council for the approval of Ordinance No. 2025-19, amending Chapter 16.60 – Master Site Plan of the Vernal City Municipal Planning and Zoning Code to revise the compliance period for noncomplying structures from three (3) years to two (2) years. Brittany Young seconded the motion. The motion passed with Troy Allred, Ryan Balch, Nick Porter, Brittany Young and Samantha Chapoose voting in favor.

DISCUSSION IN REGARDS TO AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE TO CONSIDER CHANGES TO SECTION 16.24.160 – OFF-SITE IMPROVEMENTS

Braeden Christoffersen expressed appreciation to the Commission members for their thoughtful email feedback and participation leading up to the meeting. He summarized key issues raised in those communications.

Commissioners shared concerns about the current exemption process for off-site improvements and emphasized the need for clearer standards and more consistent application. It was noted that the present process lacks predictability and that codifying clear criteria could promote fairness across projects.

Multiple members recommended enhancing the role of the Development Review Committee (DRC) by requiring its formal input on exemption requests before the item comes before the Planning Commission. Members felt that this could provide valuable technical insight and help identify appropriate measures for substantial justice in each case.

There was discussion about when exemptions are appropriate, with some earlier opinions suggesting exemptions might be limited to Industrial zones. However, Mr. Christoffersen clarified that the current Code contains no zoning restrictions related to exemptions. The phrase

“exceptional conditions” was cited as vague, and members expressed interest in clarifying or better defining it to avoid confusion.

Several members cautioned against making the process unnecessarily complex, advocating for the use of objective criteria while maintaining a level of flexibility.

A significant portion of the discussion focused on the concept of substantial justice. Concerns were raised that it is not currently being applied in a meaningful or standardized way. To improve this, several recommendations were made, such as providing a bonding requirement, allowing a monetary contribution to a sidewalk or trails fund, granting public access easements, connecting to existing infrastructure, or installing alternative improvements. Commissioners discussed the value of establishing several acceptable options for substantial justice that could be applied uniformly yet flexibly based on site-specific circumstances.

Legal and administrative considerations were also addressed. Members emphasized the importance of involving legal counsel in any revisions to ensure that the Code remains legally sound and administratively manageable.

Some Commissioners expressed support for keeping the Code as it is but providing additional clarity regarding how exemptions and substantial justice measures are defined and applied. There was strong agreement that the Planning Commission should remain the final authority on exemption approvals and that DRC input should be advisory, not binding.

Mr. Christoffersen referenced examples from other municipalities, including one with a three (3) option system involving delayed improvements, bonding, or mandatory installation. However, concerns were raised about the feasibility of enforcing delayed improvements, especially over extended timeframes. Liability was also discussed, particularly in cases where the absence of curb, gutter, or sidewalk could contribute to stormwater or flooding issues. Members agreed that such improvements are important to help mitigate these risks.

Regarding the zoning question, Commissioners confirmed their understanding that the current Code does not restrict exemptions by zone. While past exemptions have occurred primarily in Industrial areas, the consensus was to maintain flexibility across zones provided that a robust process and clear guidance for substantial justice are in place.

Mr. Christoffersen outlined the composition of the DRC, which includes the planning director, building official, and public works director, and noted that the DRC already conducts internal reviews of master site plans. He expressed support for formalizing the DRC’s role in reviewing exemption requests and providing written recommendations to the Commission, including suggested substantial justice options. This was well received by the Commission.

The Commission voiced general support for these ideas and affirmed the importance of maintaining transparency and public oversight of exemption decisions. Mr. Christoffersen

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indicated that staff would prepare revised language based on the discussion and present a draft for review at the August 12, 2025, Planning Commission meeting.

Commissioners reiterated the need for clear procedures, public accountability, and meaningful application of substantial justice in off-site improvement exemptions. As this was a discussion item only, no formal motion was made.

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