

# **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, February 10, 2026 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 January 13, 2026

## **B. PUBLIC HEARING**

3. Recommendation to consider approval of the Jacob Fleming Minor Subdivision Vacation for properties located at 70 East 500 South, 76 East 500 South, 80 East 500 South, Parcel #s: 050520125, 050520126, and 050520127 – Braeden Christofferson

## **C. ACTION ITEMS**

4. Recommendation to consider approval of the Uintah Heights Preliminary Plat for properties located at 70 East 500 South, 76 East 500 South, 80 East 500 South, Parcel #s: 050520125, 050520126, and 050520127 – Braeden Christofferson
5. Recommendation to consider approval to repeal the Vernal City Municipal Planning and Zoning Code Section 16.20.308 – Dwelling, Internal Additional Unit (IADU) and add Section 16.20.100 - Accessory Dwelling Units (ADUs)- Internal Accessory Dwelling Unit (IADU) – Ordinance Number 2025-031 – Braeden Christofferson
6. Recommendation to consider approval of Blackburn Storage Conditional Use Permit for property located at 280 West Main, Vernal, Utah (parcel #05 023 0067) – 2026-005-CUP – Braeden Christofferson

## **D. DISCUSSION ITEMS**

## **E. ADJOURN**

## MINUTES of the Vernal City PLANNING COMMISSION

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

January 13, 2026

5:30 pm

**Members Present:** Stephen Lytle, Samantha Chapoose, Ryan Balch, Aaron Bancroft, Hailee Todich, Brittney Young

**Members Excused:** Troy Allred

### Alternates Present:

### Alternates Excused:

**Staff Present:** Braeden Christofferson, Assistant City Manager; Taylor Munguia, Planning Technician.

**APPROVAL OF MINUTES FROM, November 18, 2025:** Stephen Lytle Chair asked if there were any changes to the minutes from November 18, 2025. The minutes were approved with there being no corrections, *Samantha Chapoose moved to approve the minutes of November 18, 2025 as presented. Ryan Balch seconded the motion. The motion passed with Stephen Lytle, Samantha Chapoose, Ryan Balch, Aaron Bancroft, Hailee Todich, and Brittney Young voting in favor.*

**PUBLIC HEARING AND CONSIDERATION OF THE AMERICAN DREAMS  
PRELIMINARY PLAT FOR PROPERTY LOCATED AT 256 E 600 S, PARCEL #:  
050510045**

Braeden Christofferson began the discussion pertaining to a preliminary plat for property located at 256 East 600 South. The project represented the second phase of a previously approved development, known as the American Dream subdivision. This project is a Vernal City partnership with the Uintah Basin Association of Governments to provide self-help housing. The proposed development includes an inverted U-shaped road layout with four (4) standard single-family homes and seven (7) additional tiny homes. The homes would be constructed with assistance from the Uintah Basin Association of Governments, and the four (4) homes from phase one were noted as nearly complete. Mr. Christofferson explained that the preliminary plat for phase two illustrated lot configuration, access, internal circulation, utilities, and easements, all of which had been submitted for review and were found to be in compliance with Utah State Code, Vernal City's General Plan, and Vernal City Code. It was confirmed that the project was a continuation of an approved development, with all engineering, surveying, and architectural work completed, and that the plat was nearly ready for final approval pending preliminary approval by the Planning

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45 Commission.

46

47 Chair, Stephen Lytle, opened the hearing for public comment. There being no public comment the  
48 hearing was closed.

49

50 ***Ryan Balch moved to approve the American Dreams Preliminary Plat. Samantha Chapoose***  
51 ***seconded the motion. The motion passed with Stephen Lytle, Samantha Chapoose, Ryan Balch,***  
52 ***Aaron Bancroft, Hailee Todich, and Brittney Young voting in favor.***

53

54 **PUBLIC HEARING AND CONSIDERATION OF THE PARKRIDGE PRELIMINARY**  
55 **PLAT FOR PROPERTIES LOCATED AT 979 W 300 S, 950 W 400 S, AND 998 W 500 S,**  
56 **PARCEL #S: 050150034, 050150037, AND 050150036**

57

58 Braeden Christofferson introduced the Parkridge preliminary plat for properties located at 979  
59 West 300 South, 950 West 400 South, and 998 West 500 South. Mr. Christofferson explained that  
60 this application was a continuation of a previous submission that had lapsed and that earlier  
61 approval had been denied due to insufficient secondary access. The current proposal included a  
62 total of fifty seven (57) units, consisting of twenty one (21) townhomes and thirty six (36)  
63 additional residential units, within a 5.85-acre site, which met the planned residential development  
64 density requirement. Discussion centered on concerns regarding ingress and egress, particularly  
65 the proposed access on the northeast corner, which involved a partial roadway connection to 300  
66 South that was not currently paved and would require further coordination with Public Works and  
67 parcel consolidation. It was noted that approval of the proposed number of units was contingent  
68 upon securing a compliant second access, and without it, the development would be limited to  
69 what is currently built since you cannot put more than twenty five (25) units on one access.

70

71 Chair, Stephen Lytle, opened the hearing for public comment. There being no public comment the  
72 hearing was closed.

73

74 ***Samantha Chapoose moved to approve the Parkridge Preliminary Plat, with the conditions that***  
75 ***the parcels be combined and that the applicant work with City staff to establish an acceptable***  
76 ***second access from 300 south that meets City standards. Brittney Young seconded the motion.***  
77 ***The motion passed, with Stephen Lytle, Samantha Chapoose, Ryan Balch, Aaron Bancroft,***  
78 ***Hailee Todich, and Brittney Young voting in favor.***

79

80 **PUBLIC HEARING AND CONSIDERATION OF THE HOFHEINS PRELIMINARY**  
81 **PLAT FOR PROPERTIES LOCATED AT 70 E 500 S, 76 E 500 S, AND 80 E 500 S,**  
82 **PARCEL #S: 050520125, 050520126, AND 050520127**

83

84 Braeden Christofferson initiated discussions pertaining to the Hofheins preliminary plat for  
85 properties located at 70 East 500 South, 76 East 500 South, and 80 East 500 South. Mr.  
86 Christofferson presented the proposal from Hofheins Builders LLC, which involved combining  
87 multiple parcels, vacating the existing Jacob Fleming Subdivision, and developing a single-phase  
88 project consisting of seventeen (17) townhome units accessed by a central private road or alley  
89 from 500 S. Mr. Christofferson also disclosed the existence of a private dispute between  
90 neighboring property owners regarding a negative easement affecting the site. It was clarified that

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91 the City was not a party to the agreement and that private easement issues were civil matters  
92 outside the City's authority or the Commission's review scope. Mr. Christofferson further  
93 explained that although the property was zoned R-4 high density, the proposed seventeen (17)  
94 units exceeded what was permitted under Vernal City Code. Based on the total site area of  
95 approximately 0.91 acres, the proposal did not meet the standards for either row housing or  
96 attached residential building configurations. Mr. Christofferson advised that a maximum of  
97 approximately thirteen (13) units could be supported under the current zoning and development  
98 configuration.

99

100 Chair, Stephen Lytle, opened the hearing for public comment.

101

102 Gordon Hofheins, 2279 N University Pkwy #133, Provo, UT, stated that he had previously  
103 believed a higher number of units would be allowed but acknowledged the density limitations as  
104 explained by staff and indicated a willingness to revise the project and work with the City to  
105 achieve compliance.

106

107 Gene Angus, 7291 S 1710 E, Cottonwood Heights, UT, addressed the Commission and expressed  
108 concern about increased traffic and potential impacts on quality of life and property values,  
109 particularly in light of the existing negative easement.

110

111 Chair, Stephen Lytle, closed the hearing for public comment.

112

113 Discussions continued among Commission members regarding the completeness of the plat and  
114 its noncompliance with the density standards of the R-4 zone in which the property is located. The  
115 Commission reached a consensus that the preliminary plat could not be approved at this time, as  
116 it does not meet the development standards required for the R-4 zone.

117

118 ***Samantha Chapoose moved to table the Hofheins Preliminary Plat to allow the applicant  
119 additional time to revise the plat to achieve compliance with Vernal City Code. Ryan Balch  
120 seconded the motion. The motion passed, with Stephen Lytle, Samantha Chapoose, Ryan Balch,  
121 Aaron Bancroft, Hailee Todich, and Brittney Young voting in favor.***

122

## **ELECTION OF CHAIR AND VICE CHAIR**

124

125 The Planning Commission conducted the annual election of the Chair and Vice Chair for the 2026  
126 membership. Commissioners discussed the nomination process and confirmed that members  
127 nominate candidates prior to voting. Ballots were distributed and collected, and the nominations  
128 for Chair were tallied, resulting in Steven Lytle receiving the majority of nominations. Other  
129 nominees for Chair included Samantha Chapoose and Ryan Bulk. Steven Lytle was elected as  
130 Chair. Nominations were then taken for Vice Chair, with Samantha Chapoose receiving the  
131 majority of nominations, and Ryan Bulk also receiving nominations. Samantha Chapoose was  
132 elected as the Vice Chair.

133

134 ***Ryan Balch moved to approve the Election of Chair and Vice Chair. Samantha Chapoose  
135 seconded the motion. The motion passed, with Stephen Lytle, Samantha Chapoose, Ryan Balch,  
136 Aaron Bancroft, Hailee Todich, and Brittney Young voting in favor.***

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137  
138 **REVIEW AND APPROVAL OF THE PLANNING COMMISSION MEETING**  
139 **SCHEDULE**

140  
141 Commissioners discussed the current meeting schedule for the Planning Commission and  
142 unanimously agreed that the schedule should remain the same.  
143

144 *Samantha Chapoose moved to approve the Planning Commission Meeting Schedule. Brittney*  
145 *Young seconded the motion. The motion passed, with Stephen Lytle, Samantha Chapoose, Ryan*  
146 *Balch, Aaron Bancroft, Hailee Todich, and Brittney Young voting in favor.*

147  
148 **DISCUSSION PERTAINING TO DIGITAL MEETING PACKETS FOR PLANNING**  
149 **COMMISSION RATHER THAN PAPER PACKETS.**

150  
151 Braeden Christofferson explained that recent Planning Commission packets had significantly  
152 exceeded the City's paper allotment resulting in hundreds of additional pages being printed.  
153 Moving to a digital format could reduce costs while still providing access to all necessary  
154 information. Commissioners expressed mixed preferences with some favoring paper copies for  
155 ease of review during meetings and others preferring digital formats that allowed for adjustable  
156 text and image resizing. Several members suggested a hybrid approach, requesting printed large  
157 format maps or plats while keeping detailed documents and reports in digital form. Mr.  
158 Christofferson proposed providing printed maps on larger paper upon request and offering printed  
159 packets or select documents to any commissioner who requested them in advance. The  
160 Commission generally agreed that a mixed approach would be acceptable and tasked staff with  
161 finding a resolution.  
162

163 **DISCUSSION PERTAINING TO CHANGES PROPOSED BY CITY COUNCIL**  
164 **REGARDING ADUs**

165  
166 Braeden Christofferson discussed proposed changes from the City Council regarding accessory  
167 dwelling units (ADUs), focusing primarily on short-term rentals and aesthetic standards. Mr.  
168 Christofferson explained that City Council had reviewed the draft ordinance and requested further  
169 consideration of two main issues. The first involved whether short-term rentals should be permitted  
170 within ADUs, noting that public input at the council level reflected differing perspectives. Some  
171 community members supported allowing short-term rentals as a market-driven choice for property  
172 owners, while others expressed concern about potential impacts on housing availability and  
173 neighborhood stability. In response to this feedback, staff indicated that proposed restrictions on  
174 short-term rentals had been removed from the draft to allow further discussion and community  
175 input. The second issue involved aesthetics. Clarification was provided that the proposed code did  
176 not require new ADUs to exactly match the primary dwelling but rather to be similar in type and  
177 appearance, particularly for detached ADUs, to avoid visual incompatibility. It was stated that  
178 internal ADUs were not subject to aesthetic requirements. Mr. Christofferson noted that the City  
179 planned to hold a publicly advertised open house to gather broader community input before  
180 returning the ordinance to the Planning Commission and City Council for further public hearings  
181 and consideration. Staff also shared that approaches to ADU and short-term rental regulation  
182 varied widely among other communities, reinforcing the importance of tailoring the ordinance to

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183 local priorities. Commissioners agreed that additional public feedback would be beneficial and  
184 expressed interest in revisiting the discussion after community input was received.

185  
186 **ADJOURN:** There being no further business, *Samantha Chapoose moved to adjourn. Ryan*  
187 *Balch seconded the motion. The motion passed with a unanimous vote, and the meeting was*  
188 *adjourned.*

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Stephen Lytle, Planning Commission Chair

# Vernal City Planning Commission Staff Report

Prepared By: Braeden Christofferson

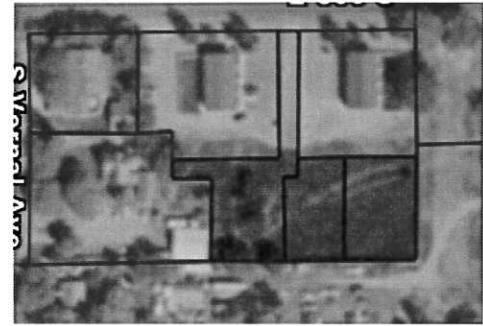
Date: 2/10/2026

## Public Hearing Items

### 1. Recommendation to consider the approval of the Jacob Fleming Subdivision Vacation for the properties located at 70 E 500 S, 76 E 500 South and 80 E 500 S, Parcel #s 050520125, 050520126 and 050520127

- A. Type of PC decision: Administrative Land Use Decision
- B. Review Trigger: Petition for Subdivision Amendment – Subdivision Vacation
- C. Location / Code Reference: (Utah Code §10-20-811)
- D. Discussion:

The applicant has submitted a petition to vacate the existing Jacob Fleming Subdivision, which consists of three lots totaling approximately 0.91 acres. All three lots are under common ownership by Hoffheins LLC.



The subdivision vacation is a procedural step required to allow the parcels to be combined and to proceed with a future subdivision application known as the Uintah Heights Subdivision. Vacating the existing subdivision removes an outdated plat configuration and allows the applicant to establish a new subdivision layout through the preliminary plat and final plat process.

The proposed action would vacate the existing three-lot subdivision, remove obsolete subdivision lines, and allow the parcels to be combined under common ownership. All existing utility easements and City interests will be preserved. No public streets, municipal utility easements, or City-owned property are proposed to be vacated.

This request is limited to the subdivision vacation only and does not constitute approval of development, density, or land use. Any future subdivision or development on the property will be reviewed separately in accordance with applicable zoning and subdivision regulations..

#### E. Analysis:

- i. Authority, Notice, and Waiting Period
  - 1. Utah Code §10-20-811 authorizes an owner of land within a recorded subdivision to petition the land use authority for a subdivision amendment, including a subdivision vacation.
  - 2. Hoffheins LLC is the sole owner of all lots within the subdivision. As a result, no notice to other subdivision property owners was required. Notice was provided to affected public entities in accordance with state law.
  - 3. Utah Code §10-20-811 requires a minimum ten-day waiting period following notice to allow for written objections from affected entities. That waiting period has been satisfied.

ii. Public Hearing Determination

1. Under Utah Code §10-20-811, a public hearing is required only if a written objection is received from an affected property owner or public entity, or if otherwise required by local ordinance.
2. The public hearing was scheduled in advance to preserve procedural efficiency and allow action immediately following the statutory notice period. If no objections are received from affected public entities, the subdivision vacation may be approved administratively without the need for a contested public hearing.

iii. Easements, Public Property, and Infrastructure

1. Approval of a subdivision amendment under Utah Code §10-20-811 requires that existing culinary water and sanitary sewer easements for existing facilities be identified and preserved.
2. Staff has reviewed the proposed subdivision vacation and finds that no City-owned property, public streets, or municipal utility easements are proposed to be vacated. All existing utility easements are preserved, and no impacts to access, utilities, or public infrastructure have been identified.

iv. Code Compliance and General Plan Consistency

1. The proposed subdivision vacation complies with the procedural and substantive requirements of Utah Code §10-20-811 and applicable provisions of Vernal City's subdivision regulations.
2. The request is administrative in nature and does not alter land use designation, density, or development intensity. The action is consistent with the Vernal City General Plan and supports orderly land use and subdivision administration.

**F. Staff Recommendation:**

- i. Based on the findings above, staff recommends administrative approval of the Jacob Fleming Subdivision Vacation, subject to the following conditions:
  1. Based on the findings above, staff recommends administrative approval of the Jacob Fleming Subdivision Vacation, subject to the following conditions:
  2. The amended plat is prepared, certified, and recorded in accordance with Utah Code §10-20-811 and §10-20-803.
  3. All existing public utility easements are identified and preserved on the amended plat.

## Action Items

1. **Recommendations to consider approval of the *Uintah Heights Preliminary Plat* for Properties located at 70 E 500 S, 76 E 500 S and 80 E 500 S, Parcel #s: 050520125, 050520126, and 050520127**  
**Type of PC Decision:** Administrative Review **Trigger:** Review **Trigger:** General Application for Preliminary Plat **Location / Code Reference:** Section 16.58.080 Preliminary Platting Requirements

### A. Discussion:

The applicant, Hoffheins Builders LLC, is requesting administrative review of a Preliminary Plat for the Uintah Heights Subdivision, located at 70 E 500 S, 76 E 500 S, and 80 E 500 S. The subject properties consist of three contiguous parcels totaling approximately 0.91 acres.

The proposed subdivision is located within the R-4 High Density Residential Zone and includes three four-plex residential buildings, for a total of twelve dwelling units, proposed as a single-phase development.

The subject parcels are currently part of the Jacob Fleming Minor Subdivision. As part of the overall development process, the applicant has initiated a subdivision amendment to vacate the existing subdivision. Vacating the prior subdivision is a procedural requirement to allow parcel consolidation prior to final plat approval. The Preliminary Plat does not authorize construction and does not replace the requirement for final plat approval and recordation.

A prior preliminary subdivision proposal for this site was reviewed by the Planning Commission and did not receive approval due to concerns related to density and site configuration. The current proposal reflects a revised layout and reduced unit count intended to address those concerns.

### B. Analysis

- The subject property contains approximately 39,639.6 square feet (0.91 acres) and is located within the R-4 High Density Residential Zone.
- Under Title 16, multi-family or multiplex residential buildings are evaluated using a per-building minimum lot area calculation, rather than a per-unit or rowhouse standard.
  1. The applicable lot area formula requires:
    - a. 6,500 square feet per residential building, plus
    - b. 1,500 square feet for each dwelling unit in excess of one (1) within each building).
- The proposed development consists of three (3) four-plex buildings, resulting in:
  1. A minimum required lot area of 33,000 square feet under the R-4 multi-family standard.
- The site exceeds the minimum required lot area.
  1. Final compliance with dimensional standards, including but not limited to:
    2. Building placement
    3. Required front, side, and rear yard setbacks
    4. Parking layout
    5. Internal circulation

6. Emergency access and turnaround will be verified upon receipt and review of a complete Preliminary Plat.
- vi. Development may not proceed on uncombined parcels. Prior to Final Plat recordation and issuance of building permits, the applicant will be required to consolidate the following parcels into a single legal parcel:
  1. Parcel 050520125
  2. Parcel 050520126
  3. Parcel 050520127
- vii. The subject parcels are currently part of the Jacob Flemming Minor Subdivision, created in 2023, and are under common ownership. A subdivision amendment has been submitted to dissolve the existing subdivision. The existing subdivision must be properly vacated prior to Final Plat approval of the Uintah Heights Subdivision.
- viii. A negative easement affecting the subject property has been identified. The Preliminary Plat must acknowledge all recorded easements and demonstrate that building placement and site design comply with those restrictions. Subdivision approval does not modify or extinguish private easements.

#### **G. Compliance with State Code & General Plan**

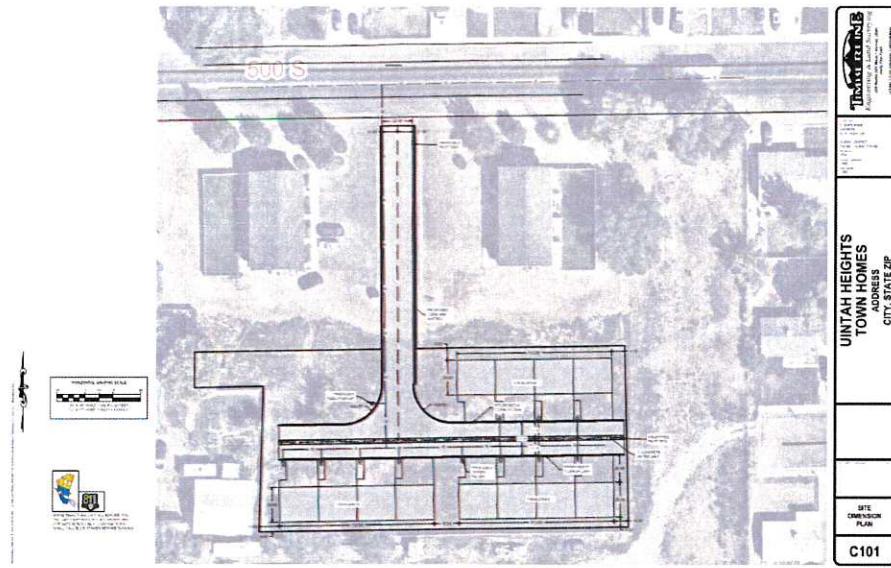
The proposed subdivision is consistent with the City's General Plan land use designation, which supports higher-density residential development in this area.

Review of the Preliminary Plat is conducted in accordance with Utah Code Title 10, Chapter 20, and the City's subdivision regulations. If the Preliminary Plat meets all applicable requirements, state law requires approval, subject to reasonable conditions

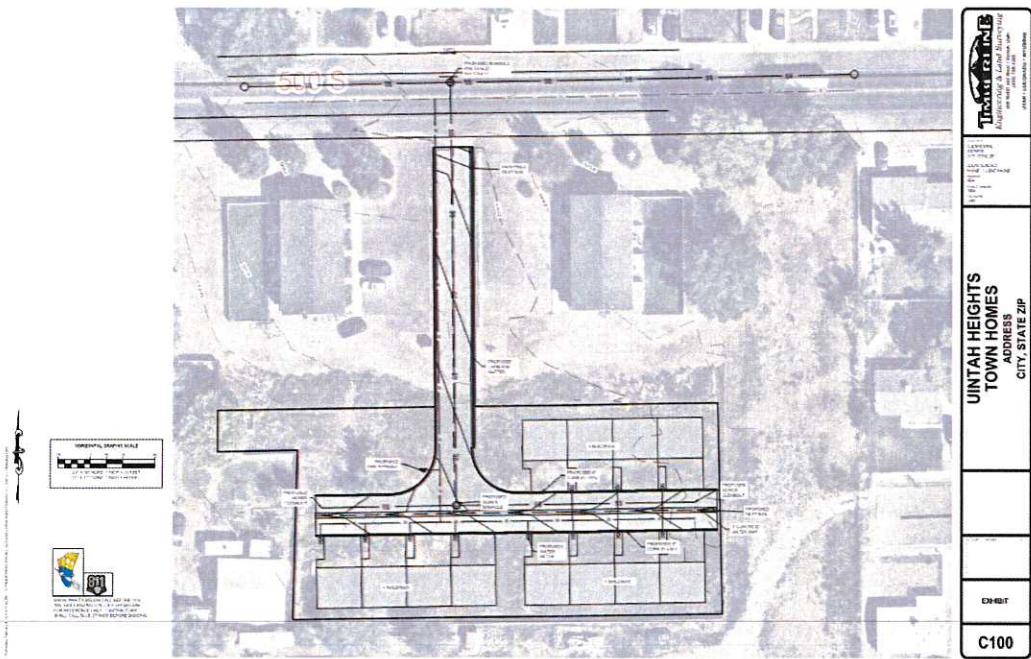
#### **H. Staff Recommendation**

- i. Staff recommends approval of the Uintah Heights Subdivision Preliminary Plat, subject to the following:
  1. Submission of a complete Preliminary Plat demonstrating compliance with Chapter 16 requirements.
  2. Completion of parcel consolidation into a single legal parcel.
  3. Successful vacating of the Jacob Flemming Minor Subdivision.
  4. Completion of final engineering, utility, and agency review prior to Final Plat approval.

#### **I. Exhibit A: Uintah Heights Preliminary Plat Map**



i.



ii.

**2. Recommendation to consider amending the Vernal City Municipal Planning and Zoning Code by adding Section §16.20.100 – Accessory Dwelling Units (ADUs), combining existing Internal Accessory Dwelling Unit (IADU) standards with new provisions for Attached and Detached ADUs.**

**A. Type of PC Decision:** Legislative

**B. Review Trigger:** Planning Commission and Staff Review

**C. Location / Code Reference:** Repeal §16.20.308; Enact §16.20.100 – Additional Dwelling Units (AADUs, DADU, IADU)

**D. Discussion**

- i. This amendment consolidates and modernizes Vernal City's standards for Additional Dwelling Units (ADUs) by combining existing Internal Accessory Dwelling Units (IADUs) with new standards for Attached (AADUs) and Detached (DADUs).
- ii. The proposed section creates a single, comprehensive regulation that supports affordable housing, encourages efficient use of existing infrastructure, and preserves neighborhood character. While staff reviewed several comparable ordinances from other Utah communities, the proposed language was developed specifically for Vernal City because its concepts best reflect the type of balanced growth and neighborhood integrity the City seeks to achieve.
- iii. The new regulations will complement the City's existing IADU allowances and expand opportunities for homeowners to create small, well-regulated additional dwellings—whether internal, attached, or detached—while maintaining shared ownership and unified utility service.
- iv. Based on additional research, City Council discussion, and enforcement considerations, staff is recommending that short-term rental regulations be addressed separately from this ADU ordinance. This amendment is focused on land use, ownership, utilities, and development standards applicable to Additional Dwelling Units. Short-term rental activity, if any, remains subject to the City's general business licensing and nuisance enforcement provisions.

**E. Context and Background**

- i. At its October 14, 2025 meeting, the Planning Commission directed staff to prepare a unified ordinance that:
  1. Combines IADU provisions with new AADU and DADU standards.
  2. Permits Additional Dwelling Units in residential zones where infrastructure meets City standards.
  3. Prohibits ADUs within mobile home parks but allows them on individually owned MH-zoned lots that meet City infrastructure requirements.
  4. Requires owner occupancy of either the main dwelling or the Additional Dwelling Unit.
  5. Prohibits subdivision or separate sale of any ADU from the principal dwelling or lot.
  6. Requires all ADUs to share the same utility connections as the primary dwelling.
  7. Retains manageable parking standards and affordability.

This approach aligns with the City's Moderate-Income Housing goals by increasing housing diversity, supporting multigenerational living, and improving housing affordability

without altering the single-family character of residential areas.

## **F. Analysis**

- i. The proposed ordinance will:

- 1. Create a unified Section (§16.20.100 – Additional Dwelling Units)**

Consolidates internal, attached, and detached units into a single framework that complements existing IADU provisions and establishes new rules for DADUs and AADUs.

- 2. Clarify Eligibility and Zoning**

- a. Permitted in RA-1, R-1, R-2, R-3, R-4, and MH zones (with compliant infrastructure).

- b. Prohibited within mobile home parks.

- 3. Strengthen Ownership and Utility Rules**

- a. Additional dwellings cannot be subdivided, conveyed, or sold separately.
    - b. All units must utilize the same utility connections as the primary dwelling; separate meters are prohibited.

- 4. Define Development Standards**

- a. Lot Size: IADU – 6,000 sf minimum; AADU/DADU – 10,000\* (subject to state changes) sf minimum.
    - b. Design Compatibility: Similar roof form, materials, and color to the primary dwelling.
    - c. Height: 25 ft maximum or equal to primary dwelling, whichever is less.
    - d. Setbacks: Per §16.24.160 or base zoning district.

- 5. Require Owner Occupancy and Parking**

- a. Owner occupancy required for one of the dwellings.
      - i. IADU: three (3) total off-street parking spaces.
      - ii. DADU/AADU: one (1) per bedroom, up to two (2).

- 6. Administrative Process and Enforcement**

- a. Reviewed and approved administratively by the Planning Department.
    - b. Notice of compliance recorded at the County Recorder's Office.
    - c. Violations subject to revocation and Title 1 enforcement.

- 7. Regional City Data**

Staff reviewed adopted accessory dwelling unit ordinances from multiple Utah municipalities, including rural, tourism-adjacent, and Wasatch Front communities. These ordinances demonstrate a range of approaches to internal, attached, and detached accessory dwelling units, as well as varying treatment of owner occupancy and short-term rental activity.

Based on this review, staff determined that there is no single uniform approach statewide. Communities experiencing higher tourism pressure or proximity to the Wasatch Front have generally adopted more restrictive short-term rental provisions within their ADU ordinances, while other communities regulate short-term rentals separately through business licensing or nuisance enforcement provisions.

Given Vernal City's zoning pattern, infrastructure capacity, and comparatively low short-term rental saturation, staff recommends limiting this ordinance to land use, ownership, utility, and development standards applicable to Additional Dwelling Units. Short-term rental activity, if any, remains subject to separate City regulations and enforcement mechanisms.

A summary comparison of Utah municipal ADU ordinances is included as **Exhibit C**.

## **G. Compliance with State Code & General Plan**

### **i. Utah Code Compliance:**

1. Implements §§10-9a-505.5 and 10-9a-530 by establishing owner-occupancy, shared utility, and subdivision prohibitions.

### **ii. General Plan Consistency:**

1. Advances housing and affordability objectives in Vernal's General Plan by providing regulated flexibility while maintaining neighborhood integrity.

### **iii. Infrastructure & Utility Coordination:**

1. Aligns with the Vernal City Engineering Standards (2016) to ensure all ADUs rely on existing service laterals without duplicating or oversizing municipal systems.

## **H. Staff Recommendation**

- i. Staff recommends that the Planning Commission forward a positive recommendation to the City Council for approval of Ordinance No. 2025-031, repealing §16.20.308 and adopting §16.20.100 *Accessory Dwelling Units (ADUs)* to establish unified, enforceable standards that:

1. prohibit separate subdivision or sale of ADUs,
2. require shared utility connections with the principal dwelling, and
3. provide affordable, well-regulated housing flexibility across Vernal's residential zones.

## **I. Exhibition B - Potential Code Changes**

**Red = Removed Code | Green = New Code**

### **Removal of Section 16.20.308 Dwelling, Internal Additional (IADU) Addition of Section 16.20.100 – Additional Dwelling Units (AADUs, DADU, IADU)**

*(Note: Only new code is shown since no prior section exists.)*

#### **Section 16.20.308 Dwelling, Internal Additional (IADU)**

A. ~~An IADU may only be created in relation to a primary single family dwelling.~~

B. ~~One (1) additional parking space must be created to support the IADU so that the minimum number of parking spaces for a single family dwelling with an IADU shall be three (3).~~

~~1. The parking space supporting the IADU must be surfaced in either asphalt, concrete, masonry pavers or gravel.~~

C. ~~The minimum lot size for an IADU shall be six thousand (6,000) square feet.~~

D. ~~Current fire egress requirements concerning bedroom window egress must be met at the time an IADU is created.~~

~~E. An IADU may not be created or maintained within a manufactured home as defined in this title.~~

## Section 16.20.100 - Additional Dwelling Units (AADUs, DADUs, IADUs)

### **A. Purpose.**

The purpose of this section is to establish uniform standards for internal, attached, and detached additional dwelling units within Vernal City. These provisions are intended to:

1. Encourage a range of attainable and flexible housing options that complement established neighborhoods and support intergenerational living;
2. Promote efficient use of existing infrastructure and public services;
3. Provide opportunities for residents to age in place and for homeowners to maintain long-term investment and stability in the community;
4. Preserve the single-family character and livability of residential zones; and
5. Comply with Utah Code §10-9a-530 and related housing provisions.

### **B. Applicability.**

1. Additional Dwelling Units are permitted in the RA-1, R-1, R-2, R-3, R-4, and MH zones, provided that:
  - a. The owner-occupancy requirements of subsection H are met; and
  - b. All public infrastructure and access meet Vernal City engineering standards.
2. Additional Dwelling Units are prohibited within mobile-home parks.
3. Each Additional Dwelling Unit shall remain accessory to a single-family dwelling located on the same lot.
4. An Additional Dwelling Unit shall not be approved on a lot that contains more than one principal dwelling.

### **C. Definitions.**

1. **Internal Additional Dwelling Unit (IADU):** A self-contained dwelling unit created wholly within the existing footprint of a single-family dwelling, including attached garages or basements.
2. **Attached Additional Dwelling Unit (AADU):** A self-contained dwelling unit constructed as a physical addition to the principal dwelling and sharing a common wall or roof.
3. **Detached Additional Dwelling Unit (DADU):** A self-contained dwelling unit that is structurally separate from the principal dwelling but located on the same lot.
4. **Owner Occupancy:** The property owner resides in either the principal or the additional dwelling as their primary residence.

### **D. Prohibited Subdivision and Sale.**

1. An Additional Dwelling Unit may not be subdivided, conveyed, or sold separately from the principal dwelling or lot, whether by condominium conversion, metes-and-bounds description, or other means.
2. All Additional Dwelling Units shall remain under common ownership with the principal dwelling.

### **E. Utilities.**

1. All Additional Dwelling Units shall utilize the same utility connections as the principal dwelling for culinary water, sanitary sewer, electric, and natural-gas service.
2. Separate meters, service laterals, or independent utility accounts are prohibited.
3. Any required upgrades to existing service lines shall be the responsibility of the property owner and installed in accordance with Vernal City Engineering Standards (2016).

### **F. Development Standards.**

1. **Lot Size:** Minimum 6,000 square feet for IADUs; 10,000 square feet for AADUs and DADUs.
2. **Setbacks:** Shall comply with § 16.24.160 (Accessory Buildings and Structures) or the base-zone standards, whichever is more restrictive.
3. **Height:** Shall not exceed 25 feet or the height of the principal dwelling, whichever is less.
4. **Design Compatibility:**
  - a. AADUs and DADUs shall utilize exterior materials, colors, and roof forms that are consistent with or complementary to the principal dwelling.
  - b. Detached units shall include similar window and door proportions and roof pitch.
5. **Fire and Building Safety:** All Additional Dwelling Units must comply with adopted building, fire, and health codes, including egress requirements for sleeping rooms.
6. **Floodplain and Sensitive Lands:** Units within mapped flood or sensitive-land areas must meet applicable provisions of Titles 8 and 12.

#### **G. Parking Requirements.**

1. A single-family dwelling containing an IADU shall provide a total of three (3) off-street parking spaces.
2. AADUs and DADUs shall provide one (1) off-street parking space per bedroom, up to a maximum of two (2).
3. Parking surfaces shall consist of asphalt, concrete, masonry pavers, or gravel.
4. All parking shall be located outside required front-yard setback areas unless otherwise approved by the Planning Department.

#### **H. Occupancy and Use.**

1. Either the principal dwelling or the Additional Dwelling Unit must be owner-occupied at all times.
2. No more than one (1) family, as defined in § 16.04.030, may occupy an Additional Dwelling Unit at any time.

#### **I. Flag Lots.**

Detached Additional Dwelling Units are prohibited on flag lots unless otherwise approved through the subdivision process and compliant with all access and utility standards.

#### **J. Administrative Procedure.**

1. Applications shall be reviewed administratively by the Planning Department.
2. Submittal requirements include:
  - a. Completed application form;
  - b. Scaled site plan showing structures, driveways, and parking;
  - c. Floor plans demonstrating compliance with building and fire codes; and
  - d. Proof of owner occupancy.
3. Upon approval, the City shall record a **Notice of Compliance** with the Uintah County Recorder identifying the property as containing an approved Additional Dwelling Unit.

#### **K. Enforcement and Revocation.**

1. Failure to maintain owner occupancy, shared utilities, or compliance with the provisions of this section constitutes a violation of this Title.
2. Violations are subject to enforcement under Title 1, including revocation of approval and daily civil penalties.
3. Upon revocation, continued occupancy of the Additional Dwelling Unit is unlawful.

#### **L. Relationship to Other Uses.**

This section does not modify or supersede § 16.20.310 (Dwelling, Mixed Use Accessory). Mixed-use dwellings within commercial or mixed-use zones remain governed by that section.

#### **M. Re-evaluation Upon Transfer of Ownership.**

When a property containing an approved Additional Dwelling Unit is sold or otherwise transferred, the new owner shall submit verification of continued owner occupancy and compliance with this section within sixty (60) days of the transfer. Failure to do so shall render the prior approval void, and continued occupancy of the Additional Dwelling Unit shall be unlawful until a new administrative approval is granted.

### Exhibit C – Comparative Review of Utah Accessory Dwelling Unit Ordinances

- Exhibit C illustrates that Utah municipalities employ a range of approaches to ADU regulation, with no single statewide standard.

City	IADU Allowed	AADU Allowed	DADU Allowed	Owner Occupancy Required	STRs Addressed in ADU Code	Notes	Source
Vernal (Proposed)	Yes	Yes	Yes	Yes	No	Unified ADU section; STRs regulated separately	Proposed Vernal City Code §16.20.100 (Ordinance 2025-031 Draft); Vernal City Planning Staff Analysis
Morgan	Yes	Yes	Yes	Yes	Yes – Prohibited	ADUs intended primarily for family housing; STRs restricted due to tourism impacts	Morgan City Code, Title 16 – Accessory Dwelling Units
Heber City	Yes	Yes	Yes	Yes	Limited / Regulated	ADUs permitted with owner occupancy; STRs regulated through licensing	Heber City Code §18.68.611 – Accessory Dwelling Units
Roosevelt	Yes	No	Yes	Yes	Yes – Prohibited	DADUs allowed through conditional use; STRs prohibited within ADUs	Roosevelt City Code – Accessory Dwelling Units
Price	Yes	Limited	No	Yes	Yes – Prohibited	ADUs limited to internal or attached units; compensation prohibited	Price City Code §18.20.170 – Accessory Dwellings
Ogden	Yes	Yes	Yes	Yes	Addressed Separately	ADUs broadly permitted; STRs regulated outside the ADU ordinance	Ogden City Code §15-13-39 – Standards for Accessory Dwelling Units
Perry	Yes	Limited	Limited	Yes	Restricted	ADUs allowed with size, occupancy, and use limitations	Perry City Code – Accessory Apartments
Brigham City	Yes	Yes	Limited	Yes	Addressed Separately	ADUs permitted; STRs governed through business licensing	Brigham City Land Use Code
Mantua	Yes	Limited	No	Yes	Yes – Prohibited	Preservation-focused approach in a small rural community	Mantua City Code – Accessory Apartments

**Note: Ordinance provisions summarized above reflect adopted municipal code sections as of 2024–2025 and may be subject to amendment.**

### **3. Recommendation to consider Application #2026-005 CUP approval for the Blackburn Boat Storage Conditional Use Permit (CUP) – 1305 E 335 S**

**Application #:** Application #2026-005 CUP

**Address:** 280 W MAIN ST, VERNAL, UTAH

**Parcel Number:** 05:023:0067

**Zone:** CC-1

**Applicant:** Mitch Blackburn

**Property Owner:** BLACKBURN MITCHELL L ETAL

**Decision Type:** Administrative (Planning Commission is the Land Use Authority)

#### **Discussion**

The applicant is requesting Planning Commission consideration of a Conditional Use Permit (CUP) to allow boat storage within an existing commercial building located at 280 W Main Street. The property is located within the CC-1 Central Commercial Zone.

The proposal involves reuse of an existing commercial structure formerly operated as a hardware store. Because boat storage is not a permitted use in the CC-1 zone, approval of a Conditional Use Permit is required.

#### **Context and Background**

The subject property is located at 280 W Main Street and consists of approximately 1.66 acres (72,309 square feet). The site contains an existing commercial building with an approximate building area of 15,504 square feet, with the remainder of the parcel historically utilized for paved parking and circulation.

The applicant proposes to utilize the existing building for boat storage. The use is intended to serve residents, visitors, and tourists and would operate as a storage use rather than a retail or service-oriented commercial activity.

The CUP process allows the Planning Commission to evaluate whether the proposed use is compatible with surrounding commercial development and whether reasonable conditions are necessary to ensure compliance with City standards.

#### **Compliance with Zoning Ordinance**

Review of this Conditional Use Permit is conducted in accordance with Utah Code Title 10, Chapter 20, which authorizes municipalities to regulate conditional uses through adopted land use ordinances.

The proposed use is consistent with the City's General Plan, which encourages continued utilization and adaptive reuse of existing commercial buildings and supports uses that serve residents and visitors while maintaining compatibility with surrounding development.

If the applicant complies with all applicable ordinance standards and imposed conditions, state law requires approval of the Conditional Use Permit.

#### **Analysis**

Staff has reviewed the site plan and operational proposal, and finds:

- The subject property is located within the CC-1 Central Commercial Zone, which supports a variety of commercial uses and reinvestment in existing commercial corridors.
- The proposed use involves boat storage within an existing enclosed commercial structure, limiting visual and operational impacts to surrounding properties.
- The existing building area is approximately 15,504 square feet, and the site includes substantial paved area for parking and vehicle circulation.
- Boat storage is considered a low-intensity use relative to many permitted commercial uses in the CC-1 zone and is anticipated to generate limited daily traffic.
- Access to the site is provided from W Main Street. Vehicles towing boats may result in slower turning movements when entering or exiting the site; however, such movements are anticipated to be intermittent and comparable to other commercial vehicle activity along Main Street.
- The size of the parcel and existing paved areas provide sufficient space to accommodate on-site maneuvering without requiring backing movements into the public right-of-way.
- If outdoor storage is proposed now or in the future, such storage must comply with applicable screening and fencing requirements of the Vernal City Code.
- Any interior or exterior building modifications made to accommodate boat storage shall require applicable building permits and compliance with adopted building and fire codes.
- Should proposed site or building modifications meet thresholds requiring review under the Master Site Plan ordinance, such modifications shall be subject to review and approval pursuant to VCMC §16.60, as determined administratively.
- A Development Review Committee (DRC) meeting may be required following CUP approval to coordinate site design, access, circulation, emergency access, and any required permits, and to address questions that may arise as the project moves forward.

## **Permit Basis for Issuance (VCMC §16.14.050)**

### **A. The impact of the use on adjoining uses and public infrastructure**

The subject property is located within the **CC-1 Central Commercial Zone**, where a variety of commercial uses are anticipated along established corridors. The proposed boat storage use is less intensive than many permitted commercial uses and will primarily occur within an existing enclosed structure.

Vehicle access is provided from W Main Street, which is designed to accommodate commercial traffic. While vehicles towing boats may result in occasional slower turning movements, these movements are anticipated to be intermittent and comparable to other commercial loading and unloading activities typical of the area.

Existing public infrastructure, including roadway capacity and utilities, is adequate to serve the proposed use.

**Finding:** The proposed use is compatible with adjoining commercial uses and will not create significant new burdens on public infrastructure.

### **B. The impact of the use on the health, safety, and welfare of the community**

Boat storage is a low-intensity use that does not involve continuous noise, emissions, or public congregation. The use will be subject to all applicable building, fire, and safety codes. Any building modifications required to accommodate storage must be permitted and reviewed accordingly.

Potential environmental considerations associated with stored vehicles, including drainage and fluid management, are regulated under existing building and fire codes and do not require additional land-use controls at the CUP level.

**Finding:** With compliance with applicable codes and conditions, the proposed use does not present adverse impacts to the health, safety, or welfare of the community.

#### **C. The ability of the use, as proposed, to operate in compliance with Vernal City Code**

The proposed use is subject to all applicable provisions of Vernal City Code Title 16, including Conditional Use Permit procedures (§16.14), parking and circulation (§16.24), landscaping and screening (§16.26), fencing requirements, and signage (§16.28).

Any future building or site alterations will require applicable permits and may trigger review under the Master Site Plan ordinance (§16.60), as determined administratively. Compliance with these provisions can be ensured through standard conditions of approval and administrative review.

**Finding:** The use, as proposed, can operate in compliance with Vernal City Code.

#### **D. How the use relates to the Vernal City General Plan**

The Vernal City General Plan encourages continued utilization and adaptive reuse of existing commercial properties, particularly within established commercial corridors. The proposed boat storage use allows for reinvestment in an existing commercial building and supports recreational and tourism-related activity while maintaining compatibility with surrounding development.

**Finding:** The proposed use is consistent with the goals and policies of the Vernal City General Plan.

#### **Exhibits**



**Exhibit A: Site Location and Aerial Imagery**



**Exhibit B: Approximate Building Footprint and Area Measurements**