

NOTICE OF PUBLIC MEETING

TO THE PUBLIC AND RESIDENTS OF VERNAL CITY: Notice is hereby given that the **VERNAL CITY COUNCIL** will hold a regular meeting on *May 6, 2026 at 6:00 p.m.* in the Vernal City Council Chambers at 374 East Main St, Vernal, Utah.

A G E N D A

OPENING CEREMONY

1. Invocation or uplifting thought
2. Pledge of Allegiance

STANDING BUSINESS

3. Approval of the Minutes of the Regular City Council Meeting held April 15, 2026
4. Approval of the Minutes of the Special City Council Meeting held April 29, 2026

PUBLIC BUSINESS

5. Presentation on the Vernal Rock Rally - Ranch Pratt
6. Proclamation of Adventure Safe Day - Quinn Bennion

PUBLIC HEARING

7. Consider the approval of the Francisco Rezone (Rebecca Francisco) for property located at 356 East 100 North, Parcel #050200075 – Ordinance 2026-11 - Braeden Christofferson
8. Consider the approval of the Civil Solutions Group Rezone (Jake Black) for property located at 350 North 500 West, Parcel #050220054 – Ordinance 2026-12 - Braeden Christofferson
9. Consider the approval of the Everbuilt Rezone (Jacob Speirs) for property located at 1315 West 500 North, 1189 West 500 North, and 381 North 1250 West, Parcel #'s 050060012, 050060013, 050050029 – Ordinance 2026-13 - Braeden Christofferson
10. Consider the approval to amend the Vernal City Municipal Planning and Zoning Code Sections 16.04 – Definitions, 16.26 – Off-Street Parking and Vehicle Access Standards, 16.27 – Landscaping Requirements, 16.42 – R-3 Residential Zone, 16.44 – R-4 Residential Zone – Ordinance 2026-09 - Braeden Christofferson
11. Consider the approval of Ordinance No 2026-10, an Ordinance of the Vernal City Council Approving the Annexation of Properties in the "Vernal City — Briar Creek Subdivision, N & E Properties LLC Etal Parcel, and Joseph Parcel Annexation" Petition into the Boundaries of Vernal City - Michael Harrington

STAFF REPORTS

CLOSED SESSION

By motion of the Vernal City Council, pursuant to Utah State Code Title 52, Chapter 4, sections 204 and 205, the City Council may vote to hold a closed session for any of the purposes identified in that chapter.

ADJOURN

NOTE: Supporting documentation for this meeting can be found by visiting the Vernal City website at www.vernal.gov and in the Utah Public Notice Website www.utah.gov/pmn

MEMORANDUM

TO: Mayor & City Council

From: Quinn Bennion, City Manager

RE: Agenda Items for May 6, 2026 Council Meeting

5. **Presentation on the Vernal Rock Rally** - Ranch Pratt
6. **Proclamation of Adventure Safe Day** - Quinn Bennion. The proclamation was encouraged by the Utah Tourism office. The proposed proclamation recognizes the community's abundant outdoor recreation opportunities and emphasizes the importance of safety and preparedness while enjoying outdoor resources by declaring Saturday, May 16 Adventure Safe Day.

PUBLIC HEARINGS

7. **Consider the approval of the Francisco Rezone (Rebecca Francisco) for property located at 356 East 100 North, Parcel #050200075 – Ordinance 2026-11** - Braeden Christofferson - This item is a rezone request for the Francisco property located at 356 E 100 N to align the zoning designation with an existing commercial use that is not permitted under the current R-4 zoning. The property is located within a transitional area and is adjacent to commercially zoned land. The Planning Commission reviewed the request and forwarded a unanimous recommendation for approval following public hearing and deliberation. The full staff report and supporting materials are included in the packet for Council consideration.
8. **Consider the approval of the Civil Solutions Group Rezone (Jake Black) for property located at 350 North 500 West, Parcel #050220054 – Ordinance 2026-12** - Braeden Christofferson - This item is a rezone request for the Civil Solutions Group property located at 350 N 500 W to allow for higher density residential development under the R-4 zoning designation. The property is located along a UDOT corridor and in proximity to institutional uses, which introduces considerations related to transition, access, and overall development intensity. The Planning Commission reviewed the request and forwarded a recommendation for approval with a split vote following public hearing and deliberation. The full staff report and supporting materials are included in the packet for Council consideration. Concerns expressed include view shed obstructions, traffic, sewer and water.

9. **Consider the approval of the Everbuilt Rezone (Jacob Speirs) for property located at 1315 West 500 North, 1189 West 500 North, and 381 North 1250 West, Parcel #'s 050060012, 050060013, 050050029 – Ordinance 2026-13** - Braeden Christofferson - This item is a rezone request for the Everbuilt properties located along 500 North to allow for a transition from low-density to moderate-density residential development. The subject properties are located near schools, parks, and institutional uses along a major corridor (Hwy 121), and the request introduces considerations related to compatibility with surrounding neighborhoods and long-term development patterns. The Planning Commission reviewed the request and forwarded a negative recommendation following public hearing and deliberation (2-3 vote). The full staff report and supporting materials are included in the packet for Council consideration. The Planning Commission meeting was well attended with neighbors to the property. Concerns expressed include view shed obstructions, traffic, sewer and water.

10. **Consider the approval to amend the Vernal City Municipal Planning and Zoning Code Sections 16.04 – Definitions, 16.26 – Off-Street Parking and Vehicle Access Standards, 16.27 – Landscaping Requirements, 16.42 – R-3 Residential Zone, 16.44 – R-4 Residential Zone – Ordinance 2026-09** - Braeden Christofferson - This item is a proposed amendment to multiple sections of Vernal City Code Chapter 16 to update residential development standards, including definitions, parking, landscaping, and the R-3 and R-4 zoning districts. The amendments include changes to density calculations, parking and frontage standards, landscaping requirements, and the incorporation of xeriscaping and updated definitions to improve clarity and functionality in site design. The Planning Commission reviewed the proposed changes and forwarded a unanimous recommendation for approval following public hearing and deliberation. The full ordinance and supporting materials are included in the packet for Council consideration.

11. **Consider the approval of Ordinance No 2026-10, an Ordinance of the Vernal City Council Approving the Annexation of Properties in the "Vernal City — Briar Creek Subdivision, N & E Properties LLC Etal Parcel, and Joseph Parcel Annexation" Petition into the Boundaries of Vernal City** - Michael Harrington. The City received a petition from the developer of the new Briar Creek Subdivision at 1500 S and 500 W in January. The City received two protests against the Briar Creek Subdivision Annexation. The Boundary Commission met March 27 to review and hold a hearing. The commission approved the annexation with conditions related to transition of water services. The appeal window for the Boundary Commission's decision has expired. The developer is currently constructing the water line extension. Council will consider final approval of the annexation.

CLOSED SESSION

1 **M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
2 **APRIL 15, 2026** at 6:00 p.m. in the Vernal City Council Room, 374 East Main,
3 Vernal, Utah 84078.

4
5 **PRESENT:** Councilmembers Ted Munford, Robin O’Driscoll, Ed Long, Nick Porter, and Mayor
6 Corey Foley. Councilmember Randel Mills was excused from the meeting.

7
8 **WELCOME:** Mayor Corey Foley welcomed everyone to the meeting.

9
10 **INVOCATION OR UPLIFTING THOUGHT:** The invocation was given by Councilmember
11 Robin O’Driscoll.

12
13 **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Councilmember Nick
14 Porter.

15
16 **APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD**
17 **APRIL 1, 2026**

18 *Councilmember Robin O’Driscoll moved to approve the minutes of the Regular City Council*
19 *Meeting held April 1, 2026. Councilmember Ed Long seconded the motion. The motion passed*
20 *with Councilmembers Munford, O’Driscoll, Long, and Porter voting in favor.*

21
22 **CONSIDER THE APPROVAL OF THE REQUEST FOR SPONSORSHIP, DINOSAUR**
23 **ROUNDUP RODEO - CARSON YOUNG**

24 Carson Young, President of the Dinosaur Roundup Rodeo, addressed the Council and expressed
25 appreciation for the opportunity to present. He provided a summary of the previous year’s event,
26 noting that the rodeo hosted 626 professional contestants representing multiple states and
27 welcomed spectators from 35 states as well as international attendees from Europe. Mr. Young
28 reported that the event sold out on both Friday and Saturday evenings and stated that organizers
29 are working toward achieving sellout attendance for all three nights in the upcoming year.

30
31 Mr. Young highlighted that the Dinosaur Roundup Rodeo continues to draw participation and
32 attendance from across the western United States, with representation from every state west of the
33 Mississippi River. He outlined planned entertainment for the upcoming event, including the
34 presentation of colors by the Westernaires and specialty acts, and noted that Dustin Meyers, who
35 served as barrelman the previous year, would be returning. He further stated that the rodeo will be
36 part of the Professional Rodeo Cowboys Association series and is anticipated to be recognized as
37 a premier rodeo. Mr. Young explained that Utah has become a significant location for playoff
38 series rodeos and expressed enthusiasm that Vernal’s event will serve as the first rodeo in the
39 Durango rodeo season.

40
41 Mr. Young informed the Council that advanced in-person ticket sales had commenced in order to
42 discourage unauthorized resale and provide local residents with the first opportunity to purchase

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43 tickets. He advised that official online ticket sales would begin on May 1 and cautioned that any
44 current online advertisements for tickets are not legitimate. He also discussed the 11th Annual
45 “Dinah” Decorating Contest, noting that “Dinah” figures are available through the Chamber of
46 Commerce and that the sponsorship prize has been increased. He stated that organizers are aiming
47 to display 90 “Dinahs” this year in recognition of the founding of the PRCA. Mr. Young concluded
48 by noting that the rodeo will be held over Father’s Day weekend.
49

50 Councilmember Ted Munford expressed appreciation for the event, stating that it has become a
51 valued staple within the community and commended the organizers for their continued efforts.
52 Mayor Corey Foley remarked on the consistent growth of the rodeo year over year, noting the
53 increasing national interest and expressing support for providing local residents with early access
54 to tickets. He further commented that continued growth may necessitate additional seating in the
55 future.
56

57 Councilmember Robin O’Driscoll inquired whether the sponsorship request had been included as
58 a budgeted item. City Manager Quinn Bennion confirmed that the event is included in the budget,
59 with \$17,000 allocated for sponsorship and an additional \$1,000 designated in support of the
60 Special Needs Rodeo.
61

62 *Councilmember Robin O’Driscoll made a motion to approve the sponsorship of \$18,000 for the*
63 *Dinosaur Roundup Rodeo, with \$1,000 going towards the Special Needs Rodeo. Councilmember*
64 *Ted Munford seconded the motion. The motion passed unanimously with the following roll call*
65 *vote:*
66

- 67 *Councilmember Munford..... aye;*
- 68 *Councilmember Mills..... absent;*
- 69 *Councilmember O’Driscoll..... aye;*
- 70 *Councilmember Long..... aye;*
- 71 *Councilmember Porter..... aye;*

72
73 **CONSIDER THE APPROVAL OF THE REQUEST FOR SPONSORSHIP – UINTAH**
74 **HIGH SCHOOL GRAD NIGHT – JANA ZUFELT**

75 Jana Zufelt addressed the Council and stated that this is her third year assisting with the
76 organization of Uintah High School Grad Night. She described the event as a collaborative effort
77 designed to include all graduating seniors of the Class of 2026 within the community from Uintah
78 High School, Terra Academy, Ashley Valley Education Center (AVEC), online programs, and
79 homeschooled students. Ms. Zufelt explained that the event is organized and operated by parent
80 volunteers, with a committee that has been actively meeting to coordinate planning efforts.
81

82 Ms. Zufelt outlined planned activities for the evening, noting that the event will include
83 entertainment such as a comedian, as well as food and various activities for attendees. She reported
84 that over 100 students have registered to participate thus far, with an anticipated attendance of
85 approximately 300 students, and expressed hope that participation will exceed that number. Ms.

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86 Zufelt emphasized that the purpose of the event is to provide a safe and enjoyable environment for
87 graduating seniors to celebrate together.
88

89 Councilmember Robin O’Driscoll inquired whether the event maintains a controlled environment
90 throughout the evening. Ms. Zufelt confirmed that while participants are permitted to leave, they
91 are not allowed to return once they exit the event.
92

93 Mayor Corey Foley expressed strong support for the program, noting that the event provides a safe
94 alternative for youth in the community compared to past practices. He commended the inclusion
95 of students from a variety of educational settings and stated that this approach strengthens the
96 overall community.
97

98 City Manager Quinn Bennion explained that during the prior budget process, it was determined
99 that support for this event would be more appropriately allocated through the Police Department
100 budget rather than Transient Room Tax (TRT) funds, as the event does not directly align with
101 tourism-related purposes. He confirmed that funding for the event has been included within the
102 Police Department budget.
103

104 Police Chief Mike Gledhill stated that the event contributes to a safe and uneventful evening for
105 law enforcement and expressed full support for the program.
106

107 *Councilmember Nick Porter made a motion to approve the \$2,000 sponsorship for Grad Night.*
108 *Councilmember Ed Long seconded the motion. The motion passed unanimously with the following*
109 *roll call vote:*
110

- 111 *Councilmember Munford..... aye;*
 - 112 *Councilmember Mills..... absent;*
 - 113 *Councilmember O’Driscoll..... aye;*
 - 114 *Councilmember Long..... aye;*
 - 115 *Councilmember Porter..... aye;*
- 116

117 **PRESENTATION FROM THE VERNAL AREA CHAMBER OF COMMERCE - MARTY**
118 **PARTRIDGE**

119 Marty Partridge, Director of the Vernal Area Chamber of Commerce, provided an update to the
120 Council regarding Chamber activities and accomplishments. She stated that the report was
121 originally presented at the Chamber Gala held on February 26, with additional updates provided
122 for the Council.
123

124 Ms. Partridge reported that Chamber membership has increased from 279 members in February to
125 292 members within a seven-week period, noting continued growth and business engagement. She
126 stated that the Chamber is working toward maintaining two full-time and two part-time positions
127 and is currently seeking to fill an Event and Marketing Coordinator position.
128

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129 Ms. Partridge noted that the Chamber received two awards at the Utah Association of Chambers
130 meeting in Park City, including recognition for Best Weekly Communication Newsletter for the
131 “Chamber Chat” and Best Marketing Program for the “Hello Neighbor” resource bags.
132

133 Ms. Partridge reviewed Chamber programs and outreach efforts, including weekly “Chamber
134 Chat” communications, business development workshops, and Chamber luncheons averaging
135 approximately 50 attendees. She further reported on community events, including Santa’s
136 Workshop and the Shop Local Season Giveaway, which generated over \$29,000 in local spending.
137

138 Ms. Partridge discussed Chamber-sponsored travel programs and noted continued participation in
139 organized international trips. She also reported that the Fourth of July Parade included 59 entries
140 and approximately 9,000 spectators, and stated that the upcoming theme will be “America 250.”
141

142 Ms. Partridge highlighted volunteer contributions from the Chamber’s Dynamites, noting an
143 estimated total of nearly 7,000 volunteer hours. She also referenced ongoing committee efforts and
144 new initiatives, including the “Chamber Connections” business referral program.
145

146 Ms. Partridge expressed appreciation for the opportunity to serve the community and support local
147 businesses.
148

149 Mayor Corey Foley commended Ms. Partridge and the Chamber for their continued efforts and
150 contributions to the Vernal community.
151

PRESENTATION FROM THE Uintah Fire District - JEREMY RAYMOND

152 Mayor Corey Foley requested an update regarding an injured firefighter prior to the presentation.
153 Jeremy Raymond, Director of the Uintah Fire District, reported that the firefighter is doing well
154 and recently returned home from the burn center. He stated that the firefighter underwent two skin
155 graft procedures and is recovering ahead of schedule. Mr. Raymond noted that the firefighter has
156 been weaned off pain medication, is able to drive, and is anticipated to return to work on a limited
157 basis.
158
159

160 Mr. Raymond began his presentation on the Uintah Fire District and provided an update regarding
161 District operations, staffing, and annual activity. He reported that the District currently has 102
162 paid on-call volunteers and three full-time employees, including himself, an administrative
163 assistant, and a Wildland Engine Captain. He noted that the Wildland program is self-funded and
164 emphasized the significant contributions of volunteer personnel.
165

166 Mr. Raymond presented year-end statistics for 2025, reporting a total of 654 fire calls, 2,360 public
167 relations hours, and 8,107 training hours. He explained that firefighters are required to complete
168 ongoing training to maintain certification and that initial certification requires approximately 200
169 hours.
170

171 Councilmember Ed Long inquired whether the reported 654 calls represented legitimate fire calls.

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172 Mr. Raymond clarified that the total includes all types of responses, including fire alarms, brush
173 fires, hazardous material incidents, structure fires, and medical assist calls.

174
175 Mr. Raymond reviewed call trends, noting a steady increase in volume over the past ten years, and
176 stated that fire alarms and carbon monoxide calls represent the largest portion of responses,
177 followed by brush fires. He outlined service areas within the District and noted that Vernal City
178 experiences the highest call volume.

179
180 Mr. Raymond reported that the Fire District assists Vernal City with fire inspections, plan reviews,
181 and Wildland-Urban Interface inspections, including 153 inspections conducted for existing
182 businesses in the past year.

183
184 Mr. Raymond discussed dry conditions contributing to increased fire risk and expressed
185 appreciation to the Mayor and City Council for implementing open burn restrictions.

186
187 Mr. Raymond outlined goals for the upcoming year, including installation of shower facilities at
188 fire stations to improve firefighter safety and continued focus on training and safety initiatives.

189
190 Councilmember Ed Long expressed appreciation for the data and metrics presented.

191
192 Mayor Corey Foley expressed appreciation to Mr. Raymond, the Fire District Board, and
193 Councilmember Robin O’Driscoll for their service and dedication to the community.

194
195 **DISCUSSION OF PROPOSED NEW WATER RATES, INCLUDING A NEW**
196 **CONSERVATION RATE - KEITH DESPAIN**

197 Public Works Director Keith Despain presented a proposed comprehensive revision to the City’s
198 water rate structure, noting that the current system has historically operated under a flat-rate model
199 that includes a base charge with 8,000 gallons of usage and a single overage rate. He explained
200 that the proposed structure transitions to a tiered rate system intended to promote conservation
201 while also addressing financial needs associated with maintaining and replacing aging
202 infrastructure. Mr. Despain stated that the proposal is driven by both conservation goals and the
203 need to generate revenue to support long-term system sustainability.

204
205 Mr. Despain reviewed data from 2025 indicating a disparity in residential water usage and billing,
206 explaining that single-family residences account for approximately 67 percent of residential water
207 use while contributing 78 percent of the associated revenue, whereas multi-family units account
208 for 33 percent of usage but only 22 percent of revenue. He stated that one objective of the proposed
209 rate structure is to more equitably distribute costs across user types. He further explained that the
210 City’s water infrastructure is significantly aged, with an estimated replacement need of
211 approximately \$80 million, and noted that historically, rates have not included a component
212 dedicated to system replacement. He stated that the proposed structure is intended to generate
213 approximately \$1 million annually to establish a replacement fund that could be leveraged with
214 outside funding sources.

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Mr. Despain outlined the proposed tiered rate structure under “Stage 1” or normal operations, which includes a reduced base rate and a lower base allotment of 4,000 gallons, followed by increasing tiered rates as usage increases. He explained that similar tiered structures are proposed for residential, transient, and commercial users, with adjustments to how multi-family and transient properties are billed, including per-door base rates rather than per-meter charges. He also presented multiple usage scenarios demonstrating the anticipated impact of the proposed rates across various user types, noting that lower-use residential customers would see minimal change, while higher-use customers would experience more significant increases.

Councilmember Ted Munford inquired about average household water usage and requested additional information regarding typical residential impacts, including seasonal comparisons. He also requested further detail on projected revenue generation under the proposed structure and expressed concern regarding the magnitude of the proposed increases. He suggested that the rate of revenue generation for infrastructure replacement may be higher than necessary. Mr. Despain indicated that the goal is to generate approximately \$1 million annually, which could be leveraged with additional funding sources.

Discussion continued regarding the treatment of different user types, including businesses that rely heavily on water for operations. Councilmember Ted Munford expressed concern that the rate structure may disproportionately impact certain businesses compared to residential users and suggested exploring whether other municipalities differentiate between discretionary and essential water use. Mr. Despain stated that some jurisdictions allow limited exceptions, such as for food production, and noted that the proposal includes an appeals process for unique circumstances.

Councilmember Nick Porter stated that the proposed rates more accurately reflect the true cost of providing water service and noted that the City has historically operated with comparatively low water rates. Mayor Corey Foley acknowledged the need to address infrastructure, drought conditions, and increasing costs, but expressed concern regarding the cumulative financial impact on residents and businesses, including potential pass-through costs such as rent increases and higher service prices. He emphasized the importance of considering real-world impacts while recognizing the significant effort that staff has put into developing the proposal.

Mr. Despain presented proposed conservation stages, including Stage 2 and Stage 3 rates, which would be implemented based on defined water supply conditions. He explained that these stages are designed to encourage reduced usage rather than increase revenue, noting that base rates would decrease under conservation stages while higher usage tiers would increase significantly. He outlined specific trigger conditions, including snowpack levels, stream flows, system demand, and available supply, and stated that decisions to implement conservation stages would be made by the Public Works Committee based on these criteria.

City Manager Quinn Bennion clarified that Stage 1 represents normal operations, while Stage 2 would likely apply in drier years, and Stage 3 would be reserved for rare and severe water

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258 shortages. He emphasized that Stage 3 conditions would represent a critical situation requiring
259 significant reductions in water use. Discussion also included communication strategies, with Mr.
260 Despain noting that the City would utilize multiple channels, including mailers, the City website,
261 social media, and the Genasys notification systems, to inform the public.
262

263 Additional discussion addressed system deficiencies and water loss. Water Superintendent Ivan
264 Merrell stated that the City's infrastructure is significantly outdated, noting that many components,
265 including fire hydrants and cast iron lines, exceed their useful life and contribute to water loss. He
266 stated that the system is substantially behind on replacement efforts and emphasized the need to
267 increase the pace of improvements. Councilmember Ted Munford acknowledged the need for
268 system replacement but requested additional clarity regarding the extent and sources of water loss
269 within the system.
270

271 Mr. Despain concluded by stating that the purpose of the discussion was to present the proposed
272 rate structure and receive feedback. He requested that the Council consider scheduling a public
273 hearing at a special meeting to be held two weeks from the date of the discussion to allow for
274 public input, after which the Council could consider formal adoption of the proposed rates.
275

**276 PUBLIC COMMENT ON THE PROPOSED WATER RATE STRUCTURE AND
277 CONSERVATION RATES**

278 Mayor Corey Foley invited public comment regarding the proposed water rate structure and
279 recognized Mr. Zach Galloway, local business owner of Mort's Car Wash, to address the Council.
280

281 Mr. Zach Galloway expressed appreciation for the opportunity to speak and provided comments
282 regarding the proposed rate increases and their impact on his business. He stated that, based on his
283 analysis, the proposed Stage 1 rates would result in an approximate 77 percent annual increase in
284 water costs, equating to an estimated \$36,000 increase per year. He further noted that higher
285 conservation stages could result in substantially greater monthly increases. Mr. Galloway
286 explained that such increases would significantly affect his operations and the approximately 17
287 employees who rely on the business for income.
288

289 Mr. Galloway stated that commercial car washes provide water conservation benefits when
290 compared to residential vehicle washing. He explained that commercial equipment uses
291 significantly less water per minute than a standard residential hose and cited industry data
292 indicating that commercial car washes may reduce water usage by approximately 60 percent. He
293 expressed concern that increased costs may lead customers to wash vehicles at home, resulting in
294 greater overall water usage rather than conservation.
295

296 Mr. Galloway further discussed consumer behavior, stating that customers are unlikely to stop
297 washing their vehicles and may instead shift to less efficient methods if commercial services
298 become cost prohibitive. He encouraged the Council to consider rate structures or exceptions that
299 recognize businesses that provide net water-saving benefits.
300

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301 Mr. Galloway also addressed broader water usage in the basin, noting that the majority of water is
302 allocated to agricultural use, with a smaller percentage attributed to municipal, commercial, and
303 residential use. He suggested that conservation efforts should be considered in a broader regional
304 context and expressed concern that the proposed rate increases may not result in meaningful overall
305 water savings.

306
307 Councilmember Ted Munford expressed appreciation for the presentation and stated that he found
308 the comments and perspective valuable.

309
310 Mayor Corey Foley thanked Mr. Galloway for his comments and acknowledged the perspective
311 provided, noting the importance of considering both conservation goals and the impact on local
312 businesses.

313
314 **FURTHER COUNCIL DISCUSSION ON THE PROPOSED WATER RATES**

315 Following public comment, City Manager Quinn Bennion asked the Council whether they were
316 comfortable publishing the proposed rates for the required public hearing or whether they wanted
317 adjustments made before publication. Councilmember Nick Porter stated that he preferred
318 publishing the proposed rates as presented and considering any adjustments after public input.
319 Councilmember Ted Munford stated that he would consider increasing the gallon thresholds, such
320 as moving the residential base from 4,000 gallons to 6,000 gallons, but noted that this would not
321 fully address his concern that different types of water use may need to be evaluated differently.

322
323 Councilmember Ed Long stated that he generally supported the direction of the proposed structure
324 but wanted to hear additional public input before making a decision. He noted that the public
325 comment received raised some concerns, particularly regarding commercial rates, and stated that
326 the purpose of the next meeting should be to receive public input and take that information under
327 advisement. Water Superintendent Ivan Merrell emphasized the urgency of adopting conservation
328 rates, stating that the City is facing a water shortage for the upcoming summer and does not
329 currently have conservation rates in place.

330
331 Mayor Corey Foley stated that the issue is difficult because the City is facing multiple challenges
332 at once, including drought conditions, needed infrastructure replacement, and rising costs. He
333 expressed concern that the public hearing may be challenging for residents to understand when
334 comparing Stage 1 and Stage 2 rates, but stated that the matter is serious and must be carefully
335 considered. Mayor Foley stated for the record that Community Impact Board (CIB) funding is
336 derived from mineral lease revenues generated within the local area and expressed concern that
337 the community does not receive a proportionate share of those funds. He noted that while the City
338 is appreciative of the funding it has received, he believes the allocation is insufficient given the
339 impacts experienced locally and stated that communities should have greater access to those
340 resources.

341
342 Mr. Bennion stated that recent City water projects have often received approximately 70 percent
343 grant funding and 30 percent loan funding, but noted that the most recent project was funded at a

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344 50/50 grant and loan ratio. He stated that while the City has needed to address conservation rates
345 and infrastructure funding, the current difficult water year has created an opportunity to have the
346 discussion while water is at the forefront of public concern.

347
348 Mr. Merrell stated that the proposed conservation rates are not being considered lightly and would
349 only be used when the City is facing an actual physical shortage of water. He emphasized that the
350 purpose of the conservation rates is not to generate revenue, but to reduce water usage.
351 Councilmember Robin O’Driscoll expressed concern for both residents and businesses, noting that
352 while residents may be able to reduce some usage, certain businesses and institutions, such as
353 hospitals and car washes, may have limited ability to conserve without affecting operations.
354 Councilmember Porter suggested that if the City can distinguish between landscaping use and
355 necessary operational water use, that distinction may be worth exploring.

356
357 **STAFF REPORTS**

358 Mayor Corey Foley reported on the recent Ashley Valley Sewer Management Board meeting,
359 stating that the lift station project is progressing well. He noted that bypass pumping has been
360 successfully completed, requiring continuous operation for 21 days, 24 hours per day, which was
361 completed ahead of the anticipated 30-day schedule. Mayor Foley stated that completion of this
362 phase is a significant milestone and provides relief to those managing operations at the facility.

363
364 Councilmember Ed Long reported on the Recreation District Board meeting, providing an update
365 on the Vernal construction project. He stated that the project is currently anticipated to be
366 completed in December or January and is progressing smoothly. Councilmember Long noted that
367 approximately 40 percent of subcontractors involved in the project are local, with an estimated
368 \$2.1 million being spent with local subcontractors, reflecting an effort to keep project funds within
369 the community.

370
371 City Manager Quinn Bennion reported that a part-time Code Enforcement Officer began
372 employment earlier in the week. He also noted that upcoming conferences include the Utah City
373 Managers Conference and the Utah League of Cities and Towns Conference, which some staff
374 members will be attending.

375
376 Mr. Bennion further reported on the recent Planning Commission meeting, which included
377 significant public participation and extended over approximately four and a half hours. He stated
378 that two major rezoning requests were considered. The request to rezone property on 500 West
379 from R-3 to R-4 received a recommendation of approval to the City Council by a vote of 4-1. A
380 separate request to rezone property on 500 North from RA-1 to R-3 failed to receive a
381 recommendation, with a vote of 2-3. He noted that both items are scheduled to be considered by
382 the City Council at the May 6 meeting.

383
384 Mayor Corey Foley stated that he has already received public inquiries regarding the rezoning
385 matters and noted that residents have expressed concern. Mr. Bennion advised the Council to be
386 mindful of ex parte communications related to zoning matters, emphasizing the importance of

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387 transparency and encouraging residents to provide comments during public meetings or through
388 formal written submissions to ensure all information is available to the full Council.

389
390 Assistant City Manager and Planning Director Braeden Christofferson stated that the Council will
391 be provided with the Planning Commission packet materials, including public comments and
392 meeting minutes, in advance of the upcoming meeting.

393
394 **CLOSED SESSION**

395 Mayor Corey Foley announced the closed session portion of the meeting would be held in the Jury
396 Room following the exit of the present members of the public. *Councilmember Robin O’Driscoll*
397 *moved to go into closed session for the following items:*

- 398
399 *1. Strategy session to discuss pending or reasonably imminent litigation*

400
401 *Councilmember Nick Porter seconded the motion. The motion passed unanimously with all in*
402 *favor.*

403
404 **RECONVENE INTO OPEN SESSION AND ADJOURN:** The meeting reconvened into an
405 open session. There being no further business; *Councilmember Robin O’Driscoll moved to*
406 *adjourn. Councilmember Ted Munford seconded the motion. The motion passed with a*
407 *unanimous vote and the meeting was declared adjourned.*

408
409
410
411
412 _____
413 Mayor Corey Foley

413 ATTEST:
414
415 _____
416 Sara Bell, City Recorder

(S E A L)

1 **M**INUTES OF THE VERNAL CITY COUNCIL SPECIAL MEETING HELD
2 **APRIL 29, 2026** at 6:00 p.m. in the Vernal City Council Room, 374 East Main,
3 Vernal, Utah 84078.

4
5 **PRESENT:** Councilmembers Ted Munford, Randel Mills, Robin O’Driscoll, Ed Long, Nick
6 Porter, and Mayor Corey Foley.

7
8 **WELCOME:** Mayor Corey Foley welcomed everyone to the special meeting.

9
10 **INVOCATION OR UPLIFTING THOUGHT:** The invocation was given by Mayor Corey
11 Foley.

12
13 **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Water Superintendent Ivan
14 Merrell.

15
16 **ACKNOWLEDGEMENT AND APPROVAL OF SPECIAL CITY COUNCIL MEETING**

17 *Councilmember Robin O’Driscoll moved to acknowledge and approve the Special City Council*
18 *Meeting. Councilmember Ted Munford seconded the motion. The motion passed with*
19 *Councilmembers Munford, Mills, O’Driscoll, Long, and Porter voting in favor.*

20
21 **PRESENTATION AND PUBLIC HEARING FOR THE PROPOSED TIERED WATER**
22 **RATES - KEITH DESPAIN**

23 Mayor Corey Foley stated that the purpose of the meeting was to discuss proposed improvements
24 to the Vernal City water system, associated rate increases, and water conservation efforts. Mayor
25 Foley explained that the public hearing would include two primary components addressing both
26 water system needs and proposed rate structures.

27
28 Mayor Foley then turned the time over to Public Works Director Keith Despain for a presentation.
29 Keith Despain provided an overview of the Vernal City water system, including its sources,
30 treatment, and distribution. He explained that the City’s culinary water supply is derived primarily
31 from Ashley Springs, supplemented by water pumped from Red Fleet Reservoir during periods
32 when spring runoff introduces higher sediment levels.

33
34 Mr. Despain stated that Vernal City possesses sufficient water rights to meet projected needs under
35 average conditions for several decades; however, annual supply varies depending on natural
36 conditions. He emphasized that water is a valuable and limited resource, noting that approximately
37 7% of water in the valley is used for municipal and industrial purposes, while the remaining 93%
38 is utilized for agricultural uses.

39
40 Mr. Despain further explained that much of the City’s water infrastructure is aging, resulting in

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41 ongoing maintenance challenges, water loss, and inefficiencies. He stated that improvements to
42 the system are necessary and that current water rates are insufficient to support the level of
43 investment required. He indicated that the proposed rate adjustments are intended to address these
44 deficiencies and invited public input on the proposal.

45
46 Water Superintendent Ivan Merrell explained that the City's water and wastewater utilities operate
47 as an enterprise fund, meaning they must be financially self-sustaining and are not supported by
48 tax revenues. He stated that the City began evaluating water rates in Fall 2024 and has spent
49 approximately eighteen months developing the proposed structure.

50
51 Mr. Merrell outlined six guiding principles used in developing the proposed rates, including
52 supporting infrastructure improvements, addressing cost disparities among user groups, funding
53 meter replacement, promoting water conservation, minimizing impacts on low-use and fixed-
54 income residents, and complying with increasing state mandates.

55
56 He explained that the City's system requires an estimated \$80 to \$100 million in infrastructure
57 upgrades to meet current standards. He noted that establishing an infrastructure replacement fund
58 through rate increases would allow the City to leverage outside funding sources, potentially
59 multiplying local dollars through grants and financing programs.

60
61 Mr. Merrell further stated that the current rate structure places a disproportionate financial burden
62 on single-family residential users, who account for approximately 66% of usage but contribute
63 roughly 80% of system revenue. The proposed structure aims to more equitably distribute costs
64 among all users.

65
66 He also emphasized the importance of water conservation, noting that the proposed tiered rate
67 structure is designed to encourage reduced usage while protecting low-volume users. Households
68 using 4,000 gallons per month or less would see little to no increase, and in some cases a slight
69 decrease, in their monthly bill.

70
71 Keith Despain continued the presentation, outlining the proposed tiered rate structure for
72 residential, transient, and commercial users.

73
74 For residential users, the proposed base rate would include 4,000 gallons of water, with increasing
75 per-thousand-gallon rates applied in successive tiers as usage increases. Mr. Despain explained
76 that this differs from the current structure, which includes 8,000 gallons in the base rate and applies
77 a uniform rate thereafter.

78
79 Mr. Despain stated that under the proposed structure, lower water users would experience minimal
80 impact, while higher usage would result in progressively higher costs, consistent with conservation
81 goals.

82
83 He further outlined proposed rates for transient users, including hotels, motels, and RV parks,

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84 which would be based on a per-door or per-unit model with a base allocation of water per unit.
85 Additional usage beyond the base allocation would be billed according to tiered rates.

86
87 For commercial, industrial, and institutional users, Mr. Despain described a separate tiered
88 structure with a base rate and increasing rates based on monthly consumption levels. He noted that
89 the proposal also addresses meter accuracy and replacement needs for larger users.

90
91 Mr. Despain emphasized that the proposed rates were developed after extensive analysis and are
92 driven by system needs rather than short-term environmental conditions. He reiterated that the goal
93 is to ensure long-term reliability and sustainability of the City's water system.

94
95 *Mayor Corey Foley opened the public hearing and provided instructions for public comment. He*
96 *stated that comments would be accepted regarding water system improvements, proposed rate*
97 *structures, and alternative approaches that meet the City's identified goals. Mayor Foley*
98 *requested that individuals limit their comments to three-minutes and state their name for the*
99 *record. He noted that all comments would be entered into the official public record.*

100
101 Jesse Smith addressed the Council and stated that in preparation for the meeting he reviewed past
102 water bills for comparison. He noted that based on his review, water rates have not increased to a
103 level he would consider unreasonable. Mr. Smith then inquired about the City's current method
104 for reading water meters, referencing prior practices in which personnel manually accessed meters
105 in the field.

106
107 Councilmember Ted Munford responded that the City has transitioned to a radio-read system,
108 which transmits meter data electronically and eliminates the need for manual readings.

109
110 Mr. Smith expressed appreciation for the updated system and continued his comments by
111 addressing water conservation. He stated that water bills reflect past usage and suggested that real-
112 time or near real-time access to water usage information could assist residents in managing and
113 reducing consumption. He asked whether it would be possible for residents to monitor their usage
114 more actively.

115
116 Ivan Merrell responded that the City is actively exploring that capability. He stated that he is
117 scheduled to meet with a vendor to discuss implementing a customer portal system, which would
118 allow residents to access water usage data in intervals as frequent as every fifteen minutes through
119 a digital device. He noted that the estimated cost for implementing such a system is approximately
120 \$10,000.

121
122 Jason Blakenagel addressed the Council and inquired what the proposed rate structure would result
123 in for an average residential water bill.

124
125 Councilmember Ted Munford responded that the total cost would vary depending on seasonal
126 usage and individual consumption. He noted that residents could utilize the rate calculator

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127 provided via the QR code to determine the estimated impact based on their specific usage.

128

129 Mr. Blakenagel stated that his question was related to how average water rates impact eligibility
130 for state and other funding sources and asked whether that factor had been considered.

131

132 Keith Despain responded that the average single-family residential water usage during the summer
133 months is approximately 17,000 gallons. He stated that under the proposed rate structure, the water
134 portion of the bill for that level of usage would be approximately \$82.55 per month.

135

136 Mayor Corey Foley added that a resident's total utility bill includes additional charges beyond
137 water usage, such as sewer services, applicable state taxes, and garbage collection fees, which may
138 affect the total monthly amount.

139

140 Councilmember Ed Long further clarified that, based on the proposed structure, the average
141 residential water bill during the summer would increase from approximately \$69.27 to \$82.55,
142 representing an increase of approximately \$13.00. He noted that during the winter months, the
143 average increase would be approximately \$0.28.

144

145 Councilmember Ted Munford noted that these figures are based on the proposal as currently
146 presented.

147

148 City Manager Quinn Bennion stated that state funding agencies, including those associated with
149 drinking water and Community Impact Board grants, do consider local water rates when evaluating
150 funding applications.

151

152 Keith Despain further explained that the Utah Division of Drinking Water has historically used a
153 benchmark for affordability based on 1.75% of the community's Median Adjusted Gross Income
154 (MAGI). He stated that Vernal City's current MAGI is approximately \$60,000, and that meeting
155 or exceeding this benchmark can improve eligibility for grant funding and reduce reliance on loans.
156 He noted that while these factors are considered, the proposed rate structure is primarily driven by
157 the needs of the City's water system rather than external funding benchmarks.

158

159 Paul Perry, representative of Stealth Management, stated that his company operates two Marriott
160 hotels in Vernal, totaling approximately 182 rooms. He expressed concern regarding the proposed
161 transient rate structure, particularly the per-room base rate, and its impact during the winter months
162 when occupancy rates are significantly lower.

163

164 Mr. Perry explained that hotel occupancy typically ranges between 25% and 40%, with winter
165 months representing a slower season. He stated that applying a fixed per-room rate regardless of
166 occupancy places a financial strain on hotel operations during those months. He noted that while
167 his organization understands and accepts the need for rate increases, the magnitude of the proposed
168 adjustment presents a significant financial impact when implemented all at once.

169

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170 Mr. Perry further stated that hotel operations typically plan for gradual annual rate increases of
171 approximately three to five percent and suggested that a more phased or incremental approach to
172 the proposed increases would be more manageable. He indicated that his organization would prefer
173 a structure more closely aligned with actual water usage rather than a fixed per-room base,
174 particularly during periods of lower occupancy.
175

176 Mayor Corey Foley asked whether Mr. Perry had a specific recommendation for an alternative rate
177 structure or adjustment. Mr. Perry responded that while Vernal's current rates are comparatively
178 lower than those in other regions, the proposed increase represents a substantial jump. He reiterated
179 that a more gradual implementation or softened increase would be preferable.
180

181 Councilmember Ted Munford acknowledged the concern and stated that similar considerations
182 have been discussed. He expressed appreciation for the feedback and noted that such input would
183 be helpful as the Council continues to evaluate the proposal.
184

185 Mr. Perry concluded his remarks by stating that his organization has plans for continued
186 investment and development within Vernal, including potential hotel and housing projects, and
187 reiterated his request for a more gradual adjustment to the proposed rate structure.
188

189 Cody Bullock addressed the Council and stated that he understands the need for water conservation
190 and the importance of addressing aging infrastructure. He expressed concern that the proposed rate
191 structure does not adequately account for the varying water needs among different types of
192 businesses.
193

194 Mr. Bullock stated that businesses such as hotels, restaurants, car washes, and hospitals rely
195 heavily on water as an essential component of their operations and cannot reduce usage in the same
196 manner as residential users. He emphasized that asking such businesses to conserve water is, in
197 effect, asking them to reduce or limit the services they provide, which would negatively impact
198 their viability. He explained that his business has already implemented several conservation
199 measures, including encouraging guests to reuse towels, limiting housekeeping services unless
200 requested, utilizing high-efficiency laundry equipment, and minimizing outdoor water usage. He
201 noted that additional reductions are not practical without compromising service quality or guest
202 experience. He further stated that amenities such as a swimming pool are essential to attracting
203 customers and cannot be eliminated without negatively affecting business operations.
204

205 Mr. Bullock expressed concern that the proposed rate increase would significantly impact his
206 business financially, stating that his annual water costs could increase substantially. He indicated
207 that raising room rates to offset increased costs may not be feasible due to market competition and
208 could result in decreased tourism, thereby affecting not only his business but other local businesses
209 as well. Mr. Bullock requested that the Council consider the differing needs of various business
210 types and explore alternative solutions rather than applying a uniform rate structure across all
211 commercial users. He concluded by thanking the Council for their time and consideration.
212

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213 Councilmember Ted Munford thanked Mr. Bullock for his comments and acknowledged the
214 concerns presented.

215
216 Quinn Bennion stated that staff recognizes the unique circumstances of larger water users,
217 including hotel operators. He explained that while it is not feasible to perform individualized
218 analyses for all utility accounts, the City is willing to work with larger users to provide detailed
219 usage comparisons and projections based on the proposed rate structure. He noted that such
220 analyses have been completed for other hotel properties and offered to provide similar information
221 to Mr. Bullock for further review.

222
223 Zack Galloway addressed the Council and referenced his previous comments made at an earlier
224 meeting regarding the proposed water rates. He expressed appreciation to the Councilmembers
225 and staff for their responsiveness and willingness to engage in discussion over the past two weeks.

226
227 Mr. Galloway stated that he supports the need to generate funding to address aging infrastructure
228 and emphasized the importance of maintaining reliable public systems. He expressed concern that
229 the proposed rate increases are intended to compensate for decades of deferred maintenance and
230 are therefore significantly higher than typical adjustments.

231
232 Mr. Galloway noted that, based on his research, most water rate increases across the State of Utah
233 fall within a range of approximately three to five percent, with higher increases reaching up to ten
234 percent, and conservation-related adjustments typically ranging between twenty-five and thirty
235 percent. He stated that the proposed increases for certain business categories appear to be
236 substantially higher, in some cases exceeding fifty to seventy-five percent or more, and indicated
237 that such increases may be unsustainable for affected businesses.

238
239 Mr. Galloway suggested that a more gradual approach, consisting of smaller incremental increases
240 over multiple years, would allow businesses and residents to better prepare and adjust. He
241 expressed concern that the proposed rate structure, as presented, may negatively impact economic
242 growth and place a burden on local businesses.

243
244 Mr. Galloway also inquired about conservation rates, noting that he did not observe a detailed
245 presentation on that component during the meeting. Councilmember Ted Munford responded that
246 conservation rates would be addressed separately in the meeting in order to maintain clarity and
247 avoid confusion during the current discussion. Mayor Corey Foley thanked Mr. Galloway for his
248 comments.

249
250 Allen Hacking addressed the Council and referenced materials presented during a prior meeting,
251 noting that he had observed multiple rate stages being discussed. He inquired whether the current
252 presentation reflected only the base rate structure and whether additional conservation rate stages
253 would be addressed separately.

254
255 Councilmember Ted Munford confirmed that the current discussion pertained to standard

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256 operating rates and explained that the City has identified multiple stages of water rate
257 implementation. He stated that Stage One represents normal operating conditions, Stage Two
258 would be implemented during drought conditions, and Stage Three would apply in more severe or
259 emergency situations.

260
261 Mr. Hacking expressed concern regarding current water conditions and questioned whether
262 existing circumstances may already warrant higher-level restrictions. Councilmember Ted
263 Munford responded that Stage Two was designed to address anticipated drought conditions, while
264 Stage Three would be reserved for significantly more severe scenarios, such as mandated
265 restrictions or critical shortages. Mr. Hacking reiterated concerns regarding the potential for future
266 water shortages and the implications of such conditions.

267
268 Mark Foley addressed the Council and inquired as to the amount of revenue the City intends to
269 generate through the proposed rate increases. Councilmember Ted Munford indicated that prior
270 discussions have identified a target of approximately one million dollars annually to support
271 infrastructure improvements. Keith Despain clarified that this amount is intended to establish a
272 replacement fund that can be leveraged with outside funding sources to assist in addressing system
273 deficiencies.

274
275 Mr. Foley expressed concern that the tiered rate structure may disproportionately impact high-
276 volume users and questioned whether it could be perceived as punitive to businesses.
277 Councilmember Ted Munford responded that the intent of the proposal is not punitive, but rather
278 to support both infrastructure funding and water conservation goals.

279
280 Mr. Foley further inquired about coordination with the Ashley Valley Water and Sewer
281 Improvement District and their approach to rate structures. Councilmember Ted Munford stated
282 that the City maintains communication with Ashley Valley, noting that the two entities operate
283 independently with different systems and resources. Mayor Corey Foley added that Ashley Valley
284 implemented conservation rates in the prior year with moderate success and that Vernal City has
285 worked cooperatively with the district to address water supply needs. He noted that conservation-
286 based rate structures are new for Vernal City and will require evaluation over time.

287
288 Mr. Foley concluded by acknowledging the difficulty of the decisions before the Council and
289 encouraged the City to clearly communicate the financial objectives of the proposed increases,
290 including a breakdown of anticipated costs and how the additional revenue would be utilized.

291
292 Hailee Todich addressed the Council and raised questions regarding the relationship between water
293 conservation efforts and ongoing growth and development within the City. She referenced
294 projected population growth and inquired whether the City has considered adjusting development
295 patterns or slowing growth in response to current drought conditions.

296
297 Quinn Bennion clarified that the projected annual growth rate used in planning studies is
298 approximately 1.6 percent. Ms. Todich expressed concern that continued development, including

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299 new residential construction, would increase overall water demand at a time when residents are
300 being asked to conserve usage. She asked whether the City has considered implementing
301 temporary measures to limit or slow development until water conditions improve.
302

303 Mayor Corey Foley responded that under typical conditions, Vernal City has sufficient water rights
304 to support projected growth over the long term. He noted that the current situation is influenced
305 by drought conditions, which are separate from long-term water availability, and stated that the
306 City is addressing both growth and conservation as distinct but related issues.
307

308 Councilmember Ted Munford stated that the City has not historically implemented restrictions on
309 private development based on water use and expressed concern about limiting private property
310 rights. He acknowledged that the topic could be discussed further but emphasized the need to
311 balance regulation with individual property rights.
312

313 Ms. Todich clarified that she was not suggesting a permanent restriction on development, but
314 rather questioning whether temporary limitations or phased growth might be appropriate during
315 periods of drought. Councilmember Ted Munford responded that the City does possess water
316 rights to support development, though actual water availability may vary based on environmental
317 conditions, and noted that the issue warrants further consideration.
318

319 Councilmember Nick Porter provided additional perspective, stating that while new residential
320 development does increase demand, the overall impact is relatively small in comparison to larger
321 individual water users. He noted that, in some cases, the water usage of a single large user may
322 exceed that of several hundred residential homes, indicating that growth alone is not the primary
323 driver of system demand.
324

325 Mike Reynolds addressed the Council on behalf of Ashley Regional Medical Center and stated
326 that, as a healthcare facility, the hospital has a consistent and necessary level of water usage that
327 cannot be reduced without impacting essential services to the community. He noted that due to
328 this constant demand, the hospital would likely fall within the highest usage tier under the proposed
329 rate structure, which raises concerns regarding the financial impact of the increases.
330

331 Mr. Reynolds stated that while the hospital supports efforts to improve aging infrastructure,
332 particularly in relation to system reliability and fire protection, the proposed conservation-based
333 rate increases present challenges for facilities that are unable to significantly reduce water usage.
334 He explained that the hospital is required by code to maintain multiple water sources for fire
335 suppression and system redundancy, and noted that portions of the existing infrastructure are
336 significantly outdated.
337

338 Mr. Reynolds further inquired about the role of Red Fleet Reservoir in the City's long-term water
339 supply, stating his understanding that it was developed as a culinary water source. He asked
340 whether current or future improvements, including past construction-related limitations on storage
341 capacity, would result in increased available supply and whether such factors have been considered

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342 in the City's conservation planning efforts.

343

344 Mr. Reynolds concluded by expressing appreciation for the Council's consideration and interest
345 in the discussion. Councilmember Ted Munford thanked Mr. Reynolds for his comments.

346

347 Quinn Bennion asked Keith Despain to provide additional information regarding Vernal City's use
348 of water from Red Fleet Reservoir.

349

350 Mr. Despain explained that multiple entities hold water rights in Red Fleet Reservoir and that
351 Vernal City's allocation is 1,800 acre-feet annually. He clarified that this allocation does not carry
352 over year to year and must be used within the designated timeframe. He stated that reservoir water
353 is an important secondary source, particularly during spring runoff when water from Ashley
354 Springs becomes more difficult to treat due to increased sediment.

355

356 Mr. Despain noted that Red Fleet water is among the most expensive sources in the City's system,
357 with costs exceeding \$5,000 per acre-foot, in addition to pumping expenses required to deliver the
358 water into the system. Despite the higher cost, he explained that reservoir water provides a more
359 reliable supply compared to spring sources, which are more dependent on variable natural
360 conditions.

361

362 Mr. Despain further stated that historical usage varies annually depending on water conditions. In
363 many years, the City does not utilize its full allocation, citing 2021 as an example in which a
364 significant portion of the City's Red Fleet allocation remained unused due to sufficient supply
365 from Ashley Springs. However, he indicated that current conditions suggest the City may utilize
366 its full allocation in the present year.

367

368 Mayor Corey Foley requested clarification on other entities with water rights in the reservoir. Mr.
369 Despain stated that, in addition to Vernal City, entities including Maeser Water Improvement
370 District, Ashley Valley Water and Sewer Improvement District, Uintah County, Simplot, and
371 various agricultural users along Brush Creek hold water rights in Red Fleet Reservoir, with a
372 significant portion of the overall supply allocated to agricultural use.

373

374 Carol Kendall addressed the Council and asked whether Vernal City has historically maintained
375 lower water rates compared to neighboring communities.

376

377 Keith Despain responded that, while he could not speak comprehensively to all surrounding
378 entities, Vernal City has historically maintained relatively low water rates. He noted that in
379 approximately 2018, the City Council adopted a five-year plan for incremental rate increases. That
380 plan was suspended during the COVID-19 pandemic. He further stated that only minimal
381 adjustments have been made since that time, consisting of modest increases.

382

383 Mike Reynolds asked a follow-up question regarding the City's water sources, specifically
384 inquiring whether water rights associated with Ashley Creek could be exchanged or utilized in

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385 place of Red Fleet Reservoir water.

386

387 Keith Despain clarified that water from Ashley Creek, accessed through Ashley Springs, is the
388 City's preferred and most readily usable source. He explained that, when available, spring water
389 is utilized as the primary supply due to its accessibility and lower treatment and delivery costs
390 compared to reservoir water.

391

392 Obern Mayes addressed the Council and provided additional observations based on his experience
393 from working for Vernal City in utility billing. He noted that while single-family residential users
394 may see minimal impact at lower usage tiers, the proposed rate structure would introduce a per-
395 door base rate for multi-family units, including duplexes and apartments, which are not currently
396 billed in that manner. He indicated that this change could result in a noticeable increase for those
397 types of properties.

398

399 Mr. Mayes further commented on average residential water usage, noting that while the presented
400 summer average is approximately 17,000 gallons, many users exceed that amount significantly.
401 He provided an example of a residential account with usage exceeding 90,000 gallons in a single
402 month and stated that higher-volume users should expect more substantial increases under the
403 proposed tiered structure.

404

405 Mr. Mayes also referenced concerns regarding required green space and suggested that
406 landscaping requirements could be reviewed to reduce water demand. He further noted that
407 occupancy-based considerations for hotels and multi-family units during slower seasons may be
408 worth exploring, though he acknowledged the difficulty in administering such an approach.
409 Additionally, he suggested that certain types of businesses, such as hospitals, which have minimum
410 operational water requirements, could potentially be evaluated differently than other commercial
411 users, given the essential nature of their services.

412

413 Mayor Corey Foley added clarification for the public, noting that neighboring water districts,
414 including Maeser Water Improvement District and Ashley Valley Water and Sewer Improvement
415 District, currently utilize per-door rate structures for multi-family units and hotels, whereas Vernal
416 City has historically not applied that approach.

417

418 April Perry addressed the Council, also on behalf of Stealth Management, and followed up on prior
419 comments regarding impacts to multi-family and transient lodging properties. She inquired
420 whether considerations related to household income, particularly for residents in apartment
421 complexes with subsidized housing, would be factored into the proposed rate structure.

422

423 Councilmember Ted Munford responded that income-based rate adjustments had not been
424 discussed, noting that the intent of the proposal is to more equitably distribute costs among user
425 groups. Quinn Bennion clarified that references to household income were related to how state
426 agencies evaluate grant eligibility using citywide median adjusted gross income, and stated that
427 implementing income-based utility rates would be administratively complex.

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428
429 Ms. Perry further asked whether increased costs associated with per-door rates could be offset
430 through adjustments to transient room taxes to shift some burden to consumers. Mr. Bennion
431 explained that such taxes are capped by the State of Utah, limiting the City's ability to increase
432 those rates beyond established thresholds.

433
434 Ms. Perry also raised concerns regarding periodic maintenance requirements for hotel facilities,
435 including the need to drain and refill swimming pools during resurfacing or seasonal operations.
436 Mr. Perry indicated that such maintenance may occur at intervals of approximately five to ten
437 years, depending on usage and facility conditions. Ms. Perry noted that some properties may also
438 require seasonal draining. She asked whether these types of one-time or infrequent high-water-use
439 events would be considered under the proposed rate structure.

440
441 Councilmember Ted Munford expressed appreciation for the insight, noting that such operational
442 considerations had not previously been discussed and would be helpful in evaluating the proposal.

443
444 Ms. Perry additionally suggested that the City explore opportunities to partner with local
445 businesses in pursuing water conservation efforts, including participation in state-sponsored
446 programs that support conversion to low-water landscaping. Mayor Corey Foley acknowledged
447 that such programs exist and noted that incentives may be available for qualifying projects. City
448 Recorder Sara Bell identified the program as "Utah Water Savers" and noted its availability to the
449 public.

450
451 Ms. Perry further described concerns related to shared water infrastructure within multi-tenant
452 commercial developments, stating that some properties have interconnected systems that make it
453 difficult to accurately determine individual usage. Ivan Merrell responded that staff would be
454 willing to meet following the meeting to review the specific situation and provide additional
455 clarification.

456
457 *There being no further comment, Mayor Corey Foley paused the public hearing and stated that*
458 *the hearing would remain open as the meeting progressed into a second portion focused on water*
459 *conservation.*

460
461 Mayor Corey Foley read into the record a letter dated April 29, 2026, from Andy Holmes and
462 Regional Engineer Andrew Dotson, addressed to local water entities within the Uintah Basin. The
463 letter advised that the region is experiencing drought conditions, with low stream flows and
464 reservoir levels, and warned that water supplies may be insufficient to meet historical demand.
465 The letter recommended that culinary water providers reduce diversions and implement
466 conservation measures, and noted the possibility of state intervention to restrict or shut down
467 diversions if necessary.

468
469 Mayor Corey Foley stated that the correspondence underscores the importance of discussing
470 conservation measures in addition to infrastructure funding. He noted that while conservation rate

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471 concepts had previously been presented, no final decisions have been made, and a variety of
472 approaches are being considered. He referenced other communities that have implemented
473 conservation measures, including rate adjustments and usage restrictions, and discussed examples
474 such as assigned watering schedules and enforcement mechanisms.
475

476 Mayor Foley expressed concern regarding the potential financial impact of conservation-based
477 rate structures, particularly when tied directly to increased revenue. He emphasized that the intent
478 is not to generate additional income through conservation measures, but rather to reduce overall
479 water usage. He acknowledged that proposed conservation rates may appear significant and stated
480 that he has received feedback from residents and business owners regarding potential impacts.
481

482 Mayor Foley further noted that individual water usage varies widely among residents and that
483 conservation measures may affect households differently. He stated that the City does not have a
484 single definitive solution and is seeking input from both staff and the public to determine the most
485 appropriate course of action moving forward. Mayor Foley then turned the time over to Ivan
486 Merrell to present conservation rate concepts for further discussion.
487

488 Ivan Merrell presented information regarding current water conditions and the need for
489 conservation measures. He explained that the City is experiencing significantly reduced water
490 supply due to below-average snowpack, approximately 53% of normal, combined with an early
491 runoff caused by unseasonably warm temperatures. He stated that runoff has already occurred and
492 that flows are declining approximately six weeks earlier than average, creating a strong likelihood
493 that water supply may not meet demand later in the summer.
494

495 Mr. Merrell noted that, in addition to regular culinary demand, the City must maintain sufficient
496 reserves for emergency fire flow, which cannot be compromised. He stated that previous efforts
497 to encourage voluntary conservation have been largely ineffective, often resulting in increased
498 usage rather than reductions. He referenced similar challenges experienced by neighboring water
499 districts and expressed appreciation for lessons learned from those efforts.
500

501 Mr. Merrell emphasized that current conditions differ significantly from prior years, noting that
502 while the City previously had sufficient supply to avoid implementing conservation rates, the
503 present year poses a real risk of shortage. He explained that Vernal City receives a fixed percentage
504 of Ashley Creek flows, which are variable and dependent on natural conditions, and that Red Fleet
505 Reservoir represents the City's only reliable supplemental source. He stated that the City has
506 sufficient reservoir allocation to meet indoor usage needs for the remainder of the year, but that
507 outdoor use may need to be significantly restricted if conditions worsen.
508

509 Mr. Merrell further explained that proposed conservation rates are intended to discourage
510 excessive use rather than generate revenue. He stated that the goal is to make high-volume usage
511 costly enough to encourage reduction, particularly for outdoor uses, while maintaining access for
512 essential needs. He noted that decisions regarding implementation of conservation stages would
513 be made by City leadership based on current conditions, and would involve both data and human

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514 judgment rather than automatic triggers.

515

516 Keith Despain then presented the proposed conservation rate structures, identified as Stage Two
517 and Stage Three. He explained that Stage Two would apply during periods of anticipated shortage,
518 while Stage Three would be reserved for critical conditions where water supply is insufficient for
519 typical use. Mr. Despain stated that under both conservation stages, the base rate would be reduced
520 to incentivize lower usage, while rates for higher consumption tiers would increase significantly.
521 He explained that residents using minimal water could see a reduction in their monthly bill, while
522 higher usage would become progressively more expensive in order to discourage non-essential
523 use.

524

525 Mr. Despain emphasized that the purpose of the conservation rates is not to raise revenue, but to
526 reduce demand and ensure equitable distribution of a limited resource. He stated that outdoor water
527 use would be the primary target for reduction and noted that, under Stage Three conditions, outdoor
528 use may be prohibited entirely in order to preserve water for essential indoor needs.

529

530 Mr. Despain acknowledged that conservation measures will impact users differently and
531 encouraged public input on alternative approaches. He stated that the proposed measures are
532 intended to be temporary and would be lifted once water supply conditions improve.

533

534 Ivan Merrell stated that the City intends to implement flexibility within the proposed conservation
535 rate structure to avoid placing undue hardship on residents and businesses. He explained that an
536 appeal process has been developed to allow customers to request consideration in cases of
537 unusually high bills, particularly when circumstances are outside of their control, such as leaks or
538 other unforeseen events.

539

540 Mr. Merrell noted that customers who can demonstrate that they have taken reasonable steps to
541 conserve water and address issues contributing to increased usage will be eligible for review. He
542 emphasized that the rates are not intended to be punitive and that the City's goal is to work with
543 individuals in good faith to ensure fairness while still promoting conservation. He reiterated that
544 the objective is not to generate additional revenue, but to reduce water usage and support
545 responsible management of limited resources.

546

547 *Mayor Corey Foley then resumed the public hearing, and invited additional public comment and*
548 *reopened the floor for input specific to the proposed conservation rate structures. He requested*
549 *that individuals state their name for the record, reminded speakers of the three-minute time limit*
550 *for comments, and asked that comments be focused on conservation rates, noting that prior*
551 *comments had addressed the standard rate structure.*

552

553 Colleen Reeves addressed the Council and asked for clarification regarding the sources of water
554 supply, specifically inquiring about the relationship between Steinaker Reservoir, Red Fleet
555 Reservoir, and their respective drainage systems. She stated that she had attempted to research the
556 topic independently and wanted to better understand how the systems are connected.

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557
558 City staff clarified that the reservoirs are part of separate drainage systems and do not both
559 originate from the Green River, but rather drain into it.

560
561 Allen Hacking addressed the Council and, speaking from his experience working with Ashley
562 Valley Water, expressed appreciation for the collaborative relationship between Vernal City and
563 neighboring water entities. He stated that coordination between agencies, including water leasing
564 and shared planning efforts, has been positive and beneficial to the region. He noted that Ashley
565 Valley Water has historically operated with fewer water rights than Vernal City and emphasized
566 the importance of continued cooperation in addressing current water challenges.

567
568 Mr. Hacking also discussed the age of existing infrastructure, noting that much of the system dates
569 back to the 1950s and 1960s, requiring ongoing replacement and upgrades. He commended Vernal
570 City staff for their efforts in improving the system and acknowledged that recent conservation
571 measures implemented by neighboring districts have provided valuable lessons.

572
573 Mr. Hacking further described a recent project in which regional entities coordinated to maintain
574 water service while completing pipeline improvements, highlighting the benefit of multiple
575 treatment plants serving the valley. He stated that such cooperation ensures continued service even
576 during maintenance or emergency situations.

577
578 Mr. Hacking concluded by offering examples of individual conservation practices and suggested
579 that residents consider alternative water sources, such as private wells for outdoor irrigation, as
580 well as small-scale conservation efforts to reduce overall demand.

581
582 Mayor Corey Foley added that Vernal City also utilizes alternative water sources where possible,
583 including a well located at City Hall that produces approximately six million gallons annually. He
584 noted that the City plans to use non-culinary water from this well to water downtown flowers,
585 which are a valued feature of the community. He stated that efforts have been made to minimize
586 the use of treated culinary water for such purposes, particularly during drought conditions.

587
588 Paul Perry asked whether it is possible for individuals or businesses to drill private wells within
589 Vernal City. Keith Despain responded that the process is regulated at the state level through the
590 Utah Division of Water Rights and Division of Drinking Water, and not by the City. He explained
591 that shallow well permits may be available for residential use under certain conditions, but that
592 requirements for commercial applications would likely be more complex.

593
594 Mr. Perry further reiterated concerns regarding the ability of hotels to reduce water usage, stating
595 that guest behavior cannot be controlled in the same manner as residential consumption. He
596 emphasized that conservation expectations are difficult to implement in a hospitality setting and
597 expressed continued concern regarding the proposed per-door rate structure, particularly during
598 periods of low occupancy. He stated that charging for unoccupied rooms places a financial burden
599 on hotel operators and requested that the Council consider adjustments that more closely align

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600 costs with actual usage.

601
602 April Perry added that transient room taxes are not applied to unoccupied rooms and questioned
603 whether a similar principle could be considered in relation to water billing for vacant units.

604
605 Mr. Kirk Robbins addressed the Council and inquired whether Vernal City has been selling water
606 to Ramsey Hill during the current year. Mayor Corey Foley explained that the arrangement
607 involving Ramsey Hill is a contract between that entity and Ashley Valley Water and Sewer
608 Improvement District. He stated that, in prior situations where Ashley Valley experienced
609 shortages, Vernal City had agreed to supplement water as needed; however, Ramsey Hill has not
610 utilized Vernal City water this year and has instead relied on Ashley Valley's supply.

611
612 Mr. Robbins expressed concern regarding the practice of providing water for industrial use outside
613 of the City during a potential shortage, stating that if residents are asked to conserve, the City
614 should be cautious about supplying water externally. Mayor Corey Foley responded that the
615 original intent of the agreement was to assist Ashley Valley Water in freeing up culinary
616 connections, allowing for additional residential development within the community, rather than to
617 generate revenue or expand external supply.

618
619 Mr. Robbins reiterated his concern regarding prioritization, noting that local businesses and
620 residents may also face hardship if water becomes limited. Councilmember Randel Mills clarified
621 that the agreement includes provisions allowing the City to withdraw from supplying water if
622 shortages occur, ensuring flexibility to prioritize local needs.

623
624 Ivan Merrell added clarification that water previously supplied under such agreements has
625 generally been excess flow from Ashley Creek allocations that would otherwise go unused, rather
626 than water from Red Fleet Reservoir. He emphasized that Red Fleet water is reserved for municipal
627 use and is not distributed under those arrangements.

628
629 Mr. Robbins concluded by stating that implementing both infrastructure-related rate increases and
630 conservation measures at the same time may be difficult for the public and could generate concern
631 within the community.

632
633 Zack Galloway addressed the Council and stated that while he could absorb the proposed Stage
634 One rates, his primary concern lies with the conservation rate structures. He explained that, as a
635 car wash owner, water is essential to his business operations and that the proposed conservation
636 rates could be unsustainable for businesses where water use is a core function. He suggested that
637 consideration be given to establishing predefined exceptions or alternative structures for such
638 businesses, rather than requiring them to seek relief after receiving significantly increased bills.
639 Mr. Galloway expressed concern that, without such considerations, the conservation rates could
640 have the unintended consequence of forcing certain businesses to close.

641
642 Mr. Galloway also provided broader context regarding water usage, noting that a small percentage

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643 of water in the basin is used for culinary purposes, while the majority is allocated to agricultural
644 use. He stated that increased allocation of water toward culinary use could potentially alleviate
645 some of the current concerns and asked what efforts, if any, are being made to convert agricultural
646 water to culinary use.

647
648 Councilmember Ted Munford responded that the allocation and conversion of agricultural water
649 rights are outside the City's authority and are determined by individual water right holders and
650 state regulations. He acknowledged the concern and noted that while the issue has been discussed,
651 it is not something the City can directly control.

652
653 Carol Kendall noted the distinction between winter and summer water usage, stating that
654 conservation rates appear to primarily impact summer use while potentially carrying financial
655 effects throughout the year. She asked how the City would determine when to discontinue
656 conservation rates and what indicators would be used to return to standard rates.

657
658 Keith Despain responded that the process for removing conservation rates would mirror the
659 process for implementing them. He explained that the Public Works Committee would evaluate
660 the same indicators related to water supply conditions and, when those indicators demonstrate
661 sufficient improvement, the City could return to standard rates. He noted that spring flow levels
662 are a primary variable in this decision and would be a significant factor in determining when
663 conservation measures are no longer necessary.

664
665 Ivan Merrell added that recent years have shown declining spring flows, with notable reductions
666 occurring earlier in the season. He stated that current projections suggest conditions may worsen
667 earlier in the summer compared to prior years, though outcomes remain highly dependent on
668 weather patterns. He noted that regular precipitation, particularly summer storms, could improve
669 conditions, but emphasized that uncertainty remains and that planning must account for potential
670 shortages.

671
672 Jason Blakenagel asked how residents and water users would be notified if conservation rates are
673 implemented and how much advance notice would be provided prior to those rates taking effect.

674
675 City Recorder Sara Bell responded that the City would utilize multiple communication methods,
676 including notices included with utility billing statements, social media, and the City's Genasys
677 notification system, which allows for mass text and email alerts to customers. She stated that
678 customers who have provided contact information through their utility accounts are already
679 enrolled to receive such notifications.

680
681 Mr. Blakenagel further asked how much time would typically be provided between notification
682 and implementation of the rates.

683
684 Keith Despain explained that, as the City does not currently have conservation rates in place, the
685 process is still being developed and may vary depending on the urgency of the situation. He stated

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686 that in more critical scenarios, such as a Stage Three condition, implementation could occur
687 quickly following notice. In less urgent circumstances, the City would aim to provide notice as
688 early as possible, with implementation likely aligned with the next billing cycle for administrative
689 consistency.

690
691 Mike Reynolds addressed the Council and reiterated concerns regarding the impact of conservation
692 rates on essential service providers. He stated that the hospital has already reduced outdoor water
693 usage by approximately 60 percent and is planning to transition much of its landscaping to low-
694 water alternatives over the next several years.

695
696 Mr. Reynolds explained that, despite these efforts, the hospital would continue to fall within the
697 highest usage tier due to the nature of its operations, including staffing levels and required services.
698 He stated that further reductions in water use would be difficult without affecting patient care and
699 essential functions. While acknowledging the limited water supply and the need for conservation,
700 he expressed continued concern regarding the sustainability of the proposed conservation rates for
701 facilities such as the hospital and requested that the Council consider those impacts.

702
703 Councilmember Ed Long addressed the concerns raised by several water users regarding limited
704 ability to reduce consumption. He stated that conservation rate structures are most effective for
705 discretionary water use, particularly outdoor irrigation, and acknowledged that for users with
706 minimal ability to conserve, such rates can be burdensome.

707
708 Councilmember Long emphasized that there is no intent to generate revenue through conservation
709 rates or to negatively impact businesses. He stated that the Council recognizes the challenges faced
710 by essential service providers and other high-use entities and expressed that there is a strong
711 interest in working with those who may be disproportionately affected. He indicated that, if
712 conservation rates are implemented, the City anticipates continued dialogue and collaboration with
713 impacted users to identify reasonable solutions.

714
715 Allen Hacking noted that advanced metering technology is being implemented, allowing
716 customers to monitor water usage in near real-time through a mobile application. He suggested
717 that the City continue to promote awareness of these tools so residents can better track and manage
718 their water consumption.

719
720 Mr. Hacking also referenced his own relatively low water usage and asked whether it would be
721 possible for individuals who use less than their typical allotment to effectively redirect that unused
722 portion to essential service providers, such as the hospital, during periods of conservation.

723
724 Councilmember Randel Mills responded that such concepts are complex but appreciated the
725 suggestion and noted that the suggestion was something staff could look into. He encouraged
726 continued public input as the City evaluates options moving forward.

727
728 Obern Mayes provided additional input regarding notification and implementation of rate changes.

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729 He recommended that, in addition to standard billing notices, the City consider sending a separate
730 mailing to ensure customers are adequately informed of any changes to rate structures, particularly
731 conservation rates, noting that bill inserts or postcards may not always be noticed.
732

733 Mr. Mayes explained that the City's billing system operates on a monthly cycle tied to meter
734 readings, and that implementation of new rates would likely align with a designated read date, with
735 updated rates applying in the subsequent billing cycle. He also noted that there are devices
736 currently available for customers to independently monitor their water usage prior to broader
737 system upgrades.
738

739 Mr. Mayes further advised that a significant portion of high water usage is often attributable to
740 continuous flows, such as running toilets, leaking faucets, or underground leaks between the meter
741 and the structure, which remain the responsibility of the property owner. He encouraged increased
742 public education efforts related to water conservation practices and emphasized the importance of
743 regularly inspecting plumbing systems in both residential and commercial properties to identify
744 and address potential leaks.
745

746 *There being no further public comments, Mayor Corey Foley closed the public hearing.*
747

748 Councilmember Ted Munford expressed appreciation to those in attendance for their participation
749 and respectful dialogue. He commended the community for engaging in thoughtful and
750 constructive discussion and stated that the input provided would assist the Council in evaluating
751 options and determining direction moving forward.
752

753 Quinn Bennion discussed anticipated next steps for the rate and conservation discussions. He
754 stated that staff and Council will review the public comments and identify key concerns and areas
755 requiring further evaluation. He indicated that the Public Works Committee is expected to meet to
756 continue refining the proposal before bringing it back to the full City Council.
757

758 Mr. Bennion noted that, due to scheduling and the existing agenda, it is unlikely the matter will
759 return for consideration at the next regular meeting and anticipated that it would be brought back
760 for further review at the May 20 City Council meeting, unless a special meeting is scheduled.
761

762 **ADJOURN:** *There being no further business; Councilmember Nick Porter moved to adjourn.*
763 *Councilmember Ted Munford seconded the motion. The motion passed with a unanimous vote and*
764 *the meeting was declared adjourned.*
765

766
767 _____
768 Mayor Corey Foley

768 ATTEST:

769
770 _____
771 Sara Bell, City Recorder

(S E A L)



PROCLAMATION

Adventure Safe Day

WHEREAS, Vernal City is a community shaped by access to parks, trails, public lands, waterways, and outdoor spaces that provide opportunities for recreation, exploration and adventure; and

WHEREAS, the unique landscapes surrounding Vernal can surprise even experienced Utah residents and visitors, making preparation an important part of any outdoor adventure; and

WHEREAS, planning ahead and preparing thoughtfully helps individuals stay safe, make informed decisions and create the best experience possible while enjoying the outdoors; and

WHEREAS, practical Adventure Safe behaviors include bringing enough water, dressing appropriately, checking weather and trail conditions, knowing personal limits, staying on designated trails, wearing a life jacket on the water and informing someone of your plans before beginning an outdoor activity; and

WHEREAS, practicing these safe behaviors supports personal wellbeing and demonstrates respect for fellow Utahns, visitors, first responders, natural spaces, and our shared love of the outdoors; and

WHEREAS, Adventure Safe principles support broader stewardship and outdoor safety efforts across the state of Utah, including responsible recreation, water safety, and care for Utah's lands and communities; and

WHEREAS, Vernal City joins the Utah Office of Tourism, the Division of Outdoor Recreation, Utah State Parks, the Department of Natural Resources and partners across the state in promoting Adventure Safe messaging and encouraging safe, responsible recreation; and

WHEREAS, Adventure Safe Day brings together state agencies, community partners, outdoor leaders and communities across Utah to celebrate preparedness, stewardship, and the joy of adventuring safely; and

NOW, THEREFORE, I, Corey Foley, Mayor of Vernal City, Utah, do hereby proclaim Saturday, May 16, 2026, as "Adventure Safe Day" in Vernal, Utah.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Vernal City to be affixed this 6th day of May, 2026.

SIGNED:

ATTEST:

Corey Foley,
Mayor of Vernal City

Sara Bell,
Vernal City Recorder

1 **MINUTES of the Vernal City PLANNING COMMISSION**

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

3 April 14, 2026

4 5:30 pm

5
6 **Members Present:** Stephen Lytle, Samantha Chapoose, Troy Allred, Ryan Balch,
7 Brittany Young, Hailee Todich and Aaron Bancroft

8
9 **Members Excused:**

10
11 **Alternates Present:** [Click here to enter text.](#)

12
13 **Alternates Excused:**

14
15 **Staff Present:** Braeden Christofferson, Assistant City Manager; Matthew Tate,
16 Building Official, Gay Lee Jeffs, Administrative Secretary.

17
18 **WELCOME AND DESIGNATION OF CHAIR AND MEMBERS:** Chair Stephen Lytle
19 welcomed everyone present to the meeting.

20 Before moving into standing business, Chairman Lytle emphasized that everyone present shares a
21 common interest in and passion for Vernal City, with the goal of supporting what is best for the
22 community, even when opinions differ. Members of the public will have one opportunity to speak
23 on each topic during the public hearing, with a limit of five minutes per person that cannot be
24 transferred or extended. If clarification is needed from staff or applicants, time may be paused to
25 allow for responses. Participants are expected to remain on topic, follow meeting rules, and avoid
26 disruptions to ensure all voices can be heard during the public hearing portion of the meeting. To
27 help manage time and avoid repetition, individuals are encouraged to simply state their name,
28 address, and agreement if a previous speaker has already expressed the same concerns. While
29 public input and opinions are welcomed, any statements presented as fact should be supported by
30 evidence. The commission is required to base its decisions on the evidence provided, the Vernal
31 City General Plan, applicable land use codes, and the overall welfare of the community, and cannot
32 deny an application solely based on its popularity, but rather must determine its consistency with
33 the City's long-term planning goals.

34
35 **APPROVAL OF MINUTES FROM March 10, 2026:** Stephen Lytle Chair asked if there were
36 any changes to the minutes from March 10, 2026. The minutes were approved with there being
37 no corrections, *Samantha Scott moved to approve the minutes of March 10, 2026 as presented.*
38 *Hailee Todich seconded the motion. The motion passed with Samantha Chapoose, Troy Allred,*
39 *Ryan Balch, Brittany Young, Hailee Todich and Aaron Bancroft voting in favor.*

40
41 **RECOMMENDATION TO CONSIDER APPROVAL OF THE FRANCISCO REZONE**
42 **(REBECCA FRANCISCO) FOR PROPERTY LOCATED AT 356 EAST 100 NORTH,**
43 **PARCEL #050200075 – 2026-010-REZ**

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44 Chair Stephen Lytle noted for the record that written correspondence regarding the rezone
45 request had been received from members of the public.

46 Braeden Christofferson presented a request from Rebecca Francisco to rezone the property
47 located at 356 East 100 North, Vernal, Utah, from R-4 Residential to Commercial. The request
48 was made to bring the existing business use into compliance, as operating this particular business
49 is not a permitted use within the R-4 zone. Mr. Christofferson noted the property is adjacent to
50 commercially zoned land and that the proposed rezone is consistent with the City's General Plan,
51 which designates the area as appropriate for commercial use. Mr. Christofferson also indicated
52 that parking and site-related concerns could be addressed at a later stage through a site plan
53 review, though written public comment had been received expressing concerns regarding
54 parking, water use, and neighborhood impacts.

55 Chair Stephen Lytle opened the public hearing to receive public comment.

56 Aigul Kaufman, 366 East 100 North, Vernal, Utah, expressed concerns regarding ongoing
57 parking issues associated with the existing business. She stated that customers frequently park in
58 front of her residence, limiting her ability to park her own vehicles, place garbage cans, and
59 maintain her property. She also noted concerns related to winter snow removal, irrigation
60 conflicts, and disturbances caused by unfamiliar vehicles affecting her household and pet. Ms.
61 Kaufman requested that parking and related impacts be resolved prior to approval of any rezone.

62 Rebecca Francisco, 3784 South 1500 West, Vernal, Utah, responded as the business owner. She
63 explained that the business is a low-impact massage therapy practice with limited client traffic,
64 typically involving no more than four vehicles at a time. She stated that parking is managed
65 through use of the driveway, limited street parking, and alternative parking arrangements when
66 necessary. Ms. Francisco indicated efforts have been made to avoid impacting neighboring
67 properties and emphasized that the business generates less utility demand than a typical
68 residential use. She also noted that the surrounding area along 100 North functions as a
69 transitional corridor with a mix of residential and commercial uses.

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

71 The Commission discussed the rezone request, including questions regarding parking
72 requirements and timing of addressing potential impacts. Mr. Christofferson clarified that
73 parking considerations would be evaluated at a later stage and that the current decision focused
74 solely on the appropriateness of the zone change. The Commission acknowledged receipt of
75 written public comment from Aigul Kaufman.

76 After discussion, the Commission found the request to be consistent with the General Plan and
77 appropriate given the surrounding land uses. ***Samantha Chapoose moved to forward a positive***
78 ***recommendation to the City Council for approval of the Francisco rezone (Rebecca Francisco)***
79 ***for property located at 356 East 100 North, parcel #050200075 – 2026-010-REZ. Troy Allred***
80 ***seconded the motion. The motion passed with Samantha Chapoose, Troy Allred, Ryan Balch,***
81 ***Brittany Young, Hailee Todich and Aaron Bancroft voting in favor.***

82

83 **RECOMMENDATION TO CONSIDER APPROVAL OF THE CIVIL SOLUTIONS**
84 **GROUP REZONE (JAKE BLACK) FOR PROPERTY LOCATED AT 350 NORTH 500**
85 **WEST, PARCEL #050220054 – 2026-007-REZ**

86 Chair Stephen Lytle noted for the record that written correspondence regarding the rezone
87 request had been received from members of the public.

88 Braeden Christofferson presented the rezone request for Civil Solutions Group, located at 350
89 North 500 West, to rezone approximately 8.66 acres. Mr. Christofferson explained that the
90 property is currently zoned R-3 (Moderate Density Residential), which allows for a variety of
91 residential development types, including single-family homes, duplexes, townhomes, and other
92 multi-unit configurations at a moderate density level. He stated that the applicant is requesting a
93 rezone to R-4 (High Density Residential), which would allow for increased residential density
94 and a broader range of housing types, including larger multi-family developments such as
95 apartment-style units, as well as the potential for assisted living or senior housing.

96 Mr. Christofferson clarified that the conceptual plans submitted by the applicant were provided
97 strictly for illustrative purposes and are not binding. He emphasized that the Planning
98 Commission's decision on the rezone should not be based on a specific site layout, as any future
99 development would be subject to additional review processes, including preliminary and final
100 plat approval, site plan review, and compliance with all applicable development standards.

101 Mr. Christofferson explained that the surrounding area is predominantly residential, with a mix
102 of zoning designations, and includes nearby institutional and commercial uses. He specifically
103 referenced the Uintah Basin Medical Center located directly west of the property along 500 West
104 (Highway 121), as well as churches and other non-residential uses in the vicinity. He stated that
105 this mix of uses contributes to the area functioning as a transitional zone within the City.

106 Mr. Christofferson also referenced the City's General Plan, noting that amendments made in
107 approximately 2014 and 2018/2019 designated portions of the area for a combination of
108 commercial, medium-density residential, and high-density residential uses. He explained that this
109 reflects an overall vision for a mixed-use area, with higher intensity uses generally located closer
110 to major roadways and lower density transitioning toward established neighborhoods.

111 Mr. Christofferson further explained that, regardless of zoning designation, any development on
112 the property would be required to meet access requirements established by City Code and State
113 regulations. He stated that developments exceeding a certain number of units would require
114 multiple access points and that access could be provided either directly from 500 West (subject
115 to UDOT approval) or through connections to existing streets within the surrounding
116 neighborhood. He acknowledged that several dead-end streets currently exist adjacent to the
117 property and could potentially be extended, depending on the design of the development.

118 Mr. Christofferson emphasized that the decision before the Planning Commission is limited to
119 whether the proposed zoning change is appropriate based on City Code, the General Plan, and
120 surrounding land uses, and that detailed design, infrastructure improvements, and mitigation
121 measures would be addressed in subsequent phases of the development process.

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122 Commissioner Hailee Todich provided detailed comments regarding the proposal. She reiterated
123 that a similar rezone request had been considered in approximately 2013 and was ultimately
124 denied by the City Council due to concerns about traffic impacts and neighborhood
125 compatibility. She expressed that many of those same concerns remain relevant.

126 Ms. Todich stated that the current R-3 zoning already allows for a substantial level of
127 development, estimating approximately one hundred three (103) units could be constructed under
128 existing code, with the potential for additional units depending on future code amendments. She
129 emphasized that R-3 zoning already provides flexibility for a mix of housing types, including
130 duplexes, fourplexes, and townhomes, which she believes are more consistent with the
131 surrounding neighborhood.

132 Commissioner Todich discussed the existing character of the area, noting that surrounding
133 properties are predominantly single-family homes, with some smaller-scale multi-family units.
134 She expressed concern that allowing R-4 zoning would introduce a higher level of density that is
135 not compatible with the existing development pattern.

136 Commissioner Todich further stated that the General Plan designates the area primarily for
137 medium-density residential use, and she expressed concern that approving R-4 zoning, which
138 allows higher density and taller buildings, would be inconsistent with that designation. She
139 emphasized the importance of adhering to the General Plan as a guiding document for land use
140 decisions.

141 Commissioner Todich additionally addressed traffic concerns, noting that traffic volumes along
142 500 West have increased since the prior proposal and that the area already experiences
143 congestion. She expressed hesitation in supporting a rezone without first understanding the
144 results of a traffic study and how potential impacts would be mitigated.

145 Commissioner Todich concluded by stating that she did not see a demonstrated need to increase
146 density beyond what is already allowed under R-3 zoning and expressed concern that the
147 proposal represents a significant departure from both the General Plan and the established
148 character of the neighborhood.

149 Commissioner Ryan Balch questioned whether traffic concerns identified in the past had been
150 addressed, noting that traffic conditions on 500 West have likely worsened since the earlier
151 proposal.

152 Commissioner Todich also raised concerns regarding building height, noting that R-4 zoning
153 allows for structures up to four (4) stories. She expressed concern that taller buildings would
154 impact surrounding properties, including privacy and neighborhood character.

155 Commissioner Brittany Young stated that, while the developer indicated flexibility, it is
156 reasonable to assume that the increased allowances would be utilized if granted.

157 In response to questions regarding traffic, Braeden Christofferson explained that 500 West is a
158 Utah Department of Transportation (UDOT)-controlled highway, and that the City does not have

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159 direct authority over traffic capacity or roadway modifications on that corridor. He stated that
160 any proposed development would be required to complete a traffic impact study, which would be
161 reviewed by UDOT to determine whether roadway improvements are necessary. He provided
162 examples of potential mitigation measures, such as acceleration or deceleration lanes, that could
163 be required depending on the findings of such a study. He emphasized that these requirements
164 would be determined through the development review process and are not part of the rezone
165 decision itself.

166 Mr. Christofferson acknowledged concerns about existing traffic conditions and stated that while
167 the roadway experiences higher traffic volumes at certain times of day, it is designed and
168 intended to function as a major transportation corridor. He reiterated that UDOT continuously
169 evaluates and manages traffic conditions on the highway and would play a key role in
170 determining what improvements, if any, are required to accommodate additional development.

171 In response to questions regarding building height and zoning standards, Mr. Christofferson
172 confirmed that R-4 zoning allows for taller structures than R-3, including buildings up to four
173 stories. However, he clarified that approval of the rezone does not guarantee that the maximum
174 height or density will be utilized, as the final design would be subject to additional review and
175 compliance with other development standards, including parking, landscaping, and site layout
176 requirements.

177 Mr. Christofferson also explained differences between R-3 and R-4 zoning in terms of
178 development standards. He stated that R-4 allows for increased flexibility, including reduced
179 landscaping requirements and adjustments to parking and site design standards, which can allow
180 for a higher number of units depending on how the project is designed. He emphasized that while
181 a theoretical maximum number of units could be calculated based on zoning, the actual number
182 of units achievable on the site would be constrained by requirements such as parking, roadway
183 access, landscaping, and other infrastructure considerations.

184 Jake Black, Applicant/Developer, 286 West 590 North, Vineyard, Utah, responded to questions
185 from the Commission. Mr. Black stated that the project is still in early stages and that the rezone
186 request is intended to allow flexibility in development. He explained that the goal is to provide a
187 mix of housing types, including one-, two-, and three-bedroom units, as well as potential senior
188 or assisted living components. He stated that this mix would better meet community needs and
189 allow for more effective absorption in a smaller market.

190 Mr. Black stated that while development could occur under R-3 zoning, the flexibility provided
191 by R-4 would better support a mixed-product approach and allow for adjustments in unit types,
192 landscaping, and site design. He acknowledged that the project may not proceed if the rezone is
193 denied, depending on feasibility and contractual considerations.

194 Mr. Black further stated that the property is a key infill site within Vernal City, with existing
195 infrastructure including roads, water, sewer, and utilities on or near the property. He emphasized
196 that the site has direct access to a major arterial roadway (Highway 121), which makes it more
197 suitable for higher-density development compared to interior neighborhood locations. He also

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198 stated that higher density could be concentrated near the highway, with lower density
199 transitioning toward surrounding residential areas.

200 Mr. Black emphasized that the project would still be subject to multiple levels of review,
201 including traffic studies, geotechnical reports, infrastructure analysis, and City approvals, and
202 that the rezone is only the first step in a longer process.

203 Chair Stephen Lytle opened the public hearing to receive public comment.

204 Leon Hoyt, 336 North 300 West, Vernal, provided detailed concerns regarding site conditions,
205 specifically the historically high groundwater table in the area. He explained that past
206 developments, including nearby institutional properties such as the medical center and adjacent
207 church, required the importation of several feet of fill material to make construction feasible. He
208 stated that many homes in the surrounding neighborhood rely on sump pump systems due to
209 persistent groundwater intrusion and noted that basements are generally not constructed in the
210 area for that reason. Mr. Hoyt also referenced historical irrigation practices, indicating that while
211 flood irrigation has decreased, runoff from properties north of the site continues to impact the
212 area. He expressed concern that these conditions could create complications for higher-density
213 development and suggested that these issues be thoroughly evaluated during project planning.

214 Sherry Gross, 405 West 400 North, Vernal, reiterated concerns previously raised during a similar
215 rezone request approximately 13 years prior. She emphasized that the proposed development
216 would directly border her property and expressed significant concern regarding loss of privacy
217 due to the potential for three- and four-story structures overlooking her backyard. She also
218 discussed traffic concerns in detail, stating that access to 500 West is limited and controlled by
219 UDOT, and that previous discussions indicated additional access points may not be feasible. She
220 expressed concern that traffic would instead be diverted through surrounding residential streets,
221 increasing congestion and safety risks. Ms. Gross further noted that children in the area are not
222 bused and must either walk or be transported, and she expressed concern that increased traffic
223 would create unsafe conditions. She also stated that there are already multiple apartment
224 complexes in the vicinity and questioned whether additional high-density housing is necessary or
225 appropriate for the area.

226 Tyler Shurtliff, 251 North 500 West, Vernal, described ongoing traffic challenges along
227 Highway 121, stating that congestion is already significant and continues to worsen. He
228 indicated that it can take multiple vehicles passing before he is able to safely exit his driveway
229 and noted that traffic conditions are particularly difficult during peak hours and events such as
230 the Fourth of July. He expressed concern that additional development would exacerbate these
231 issues. Mr. Shurtliff also raised concerns about infrastructure capacity, including water pressure
232 and aging sewer systems, stating that current conditions are already strained. He added that when
233 he purchased his home, he did not anticipate adjacent high-density development and had
234 expected a lower-impact use for the property. He urged denial of the rezone request.

235 Harold Garcia, 320 West 300 North, Vernal, explained that his property is located on a dead-end
236 street that could potentially be extended to provide access to the development. He stated that
237 several nearby roads, including 300 North and 350 North, are narrow and were not designed to

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238 accommodate through traffic or higher volumes. He expressed concern that opening these roads
239 would significantly increase traffic and create safety concerns for residents. Mr. Garcia also
240 discussed the scale and intensity of potential development, noting that multi-story apartment-
241 style housing would introduce a level of density inconsistent with the existing neighborhood. He
242 expressed concern about increased vehicle ownership associated with higher-density housing and
243 the resulting impacts on parking and congestion. He also noted that taller buildings would impact
244 views and alter the overall character of the area.

245 Dan Dilsaver, 201 North 1500 West, Vernal, questioned the feasibility and safety of access to the
246 proposed development. He stated that, based on the conceptual information provided, access
247 appears limited and could result in significant congestion, particularly during peak traffic
248 periods. He expressed concern that left-hand turns onto 500 West would be difficult or unsafe,
249 potentially forcing drivers to travel north to find safer turning opportunities. He encouraged the
250 Commission to carefully evaluate traffic patterns and access design before approving the rezone.

251 Rex Howe, 675 North 500 West, Vernal, expressed concerns regarding infrastructure capacity
252 and long-term planning. He compared the potential impacts of the proposed development to
253 experiences in other Utah communities, such as Vineyard and Spanish Fork, where rapid growth
254 has led to congestion and infrastructure challenges. He stated that he does not want to see similar
255 conditions develop in Vernal and emphasized the importance of ensuring infrastructure keeps
256 pace with growth. Mr. Howe also expressed concern about the visual impact of higher-density,
257 multi-story buildings, stating that such development could alter the character of the area and
258 diminish the views currently enjoyed by residents.

259 Aigul Kaufman, 166 East 100 North, Vernal, asked questions related to livability and design
260 considerations for higher-density housing. She inquired whether the development would include
261 designated safe play areas for children and whether there would be adequate accommodations for
262 pets, such as dog-walking areas. Ms. Kaufman's comments reflected concern about how quality-
263 of-life elements would be incorporated into a higher-density residential project.

264 In response to public questions regarding amenities and site design, Mr. Christofferson stated
265 that specific elements such as open space, play areas, and pet accommodations would be
266 addressed during the site plan review process and are not determined at the rezone stage. He
267 emphasized that all developments, regardless of zoning, are required to comply with City
268 standards related to safety, infrastructure, and livability.

269 Michael Spackman, 342 North 300 West, Vernal, stated that his property is located near a
270 potential access point and that increased traffic would likely pass directly by his residence. He
271 acknowledged that the property will likely be developed but expressed concern about the
272 intensity of development under R-4 zoning compared to R-3. He stated that existing streets are
273 not designed to accommodate significant increases in traffic and that congestion would likely
274 result. Mr. Spackman also sought clarification regarding the differences between R-3 and R-4
275 zoning, specifically asking what additional allowances R-4 would provide. He summarized that
276 R-4 would allow higher density, reduced landscaping requirements, and increased flexibility, and
277 questioned whether those changes justify the potential impacts.

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278 Scott Gross, 405 West 400 North, Vernal, raised concerns regarding water availability and long-
279 term sustainability, particularly in relation to agricultural water rights and current drought
280 conditions. He stated that, based on his understanding and conversations with local farmers and
281 canal companies, there are concerns that the City may already be utilizing more culinary water
282 than originally allocated, potentially drawing from water sources traditionally designated for
283 agricultural use.

284 Mr. Gross emphasized that much of the water in the Uintah Basin is historically deeded to
285 farmers rather than municipalities, and he suggested that agricultural users have been working to
286 conserve water through improvements such as piping canals to reduce loss. He expressed
287 concern that, despite these efforts, there may be increasing pressure on those agricultural water
288 resources to support municipal growth.

289 He questioned the accuracy of projections indicating a 30-year water supply, stating that current
290 conditions—particularly low snowpack and reduced reservoir storage—suggest a more
291 immediate concern. He described the current year as not only drought-impacted but indicative of
292 a potential ongoing shortfall in water availability. He urged the Commission to further verify
293 water supply data and to consult directly with water companies and agricultural stakeholders to
294 better understand the full scope of available water and existing obligations.

295 In addition to water supply concerns, Mr. Gross expressed opposition to the scale of potential
296 development under R-4 zoning. He specifically referenced existing multi-story developments in
297 Vernal, noting that taller buildings can overlook neighboring properties and diminish privacy. He
298 stated that allowing up to four-story buildings in this location would be incompatible with the
299 surrounding single-family neighborhood and would negatively impact residents who purchased
300 their homes based on the existing character of the area.

301 Mr. Gross concluded by urging the Commission to consider the broader, long-term impacts of
302 the rezone, including both water resource limitations and neighborhood compatibility, before
303 making a recommendation.

304 Regarding water availability, Mr. Christofferson clarified that Vernal City has conducted long-
305 term planning for water resources and has identified sufficient capacity to support approximately
306 30 years based on 1.6% growth. He explained that this projection is based on engineering studies
307 and water resource planning conducted by qualified professionals. He acknowledged that current
308 drought conditions have resulted in lower-than-normal water availability in recent years but
309 stated that such conditions are considered anomalies when compared to long-term averages. He
310 reiterated that the City's planning efforts are based on long-term data and projections rather than
311 short-term fluctuations.

312 In response to additional questions, Mr. Christofferson clarified that the water projections
313 referenced apply specifically to Vernal City's municipal water system and service area. He also
314 noted that issues related to agricultural water rights and private water companies are separate
315 from the City's culinary water system, although he acknowledged that water is a shared and
316 important resource within the region.

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

318 *Samantha Chapoose moved to forward a positive recommendation to the City Council for*
319 *approval of the Civil Solutions Group rezone (Jake Black) for property located at 350 North 500*
320 *West, parcel #050220054 – 2026-007-REZ. Ryan Balch seconded the motion. The motion passed*
321 *with the following roll call vote:*

322 *Commissioner Chapooseaye;*

323 *Commissioner Allredaye;*

324 *Commissioner Youngnay;*

325 *Commissioner Balchaye;*

326 *Commissioner Todichnay;*

327 *Commissioner Bancroftaye;*

328

329 **RECOMMENDATION TO CONSIDER APPROVAL OF THE EVERBUILT REZONE**
330 **(JACOB SPEIRS) FOR PROPERTY LOCATED AT 1315 WEST 500 NORTH, 1189 WEST**
331 **400 NORTH, AND 381 NORTH 1250 WEST, PARCEL #'S 050060012, 050060013,**
332 **050050029 – 2026-012-REZ**

333 Chair Stephen Lytle noted for the record that written correspondence regarding the rezone
334 request had been received from members of the public.

335 Braeden Christofferson presented a request to rezone approximately nine acres located at 1315
336 West 500 North in Vernal, Utah, from R-1 Residential to R-3 Residential. The applicant
337 indicated a potential intent to develop townhome-style housing on the property; however, no
338 formal site plan or development layout was submitted with the application, as such plans are not
339 required for a zoning amendment. Mr. Christofferson clarified that the request is limited solely to
340 a change in zoning designation and does not constitute approval of any specific development
341 proposal.

342 Mr. Christofferson explained that the R-1 zone is intended to accommodate low-density
343 residential development, while the R-3 zone allows for moderate-density residential uses. The
344 subject property is located along 500 North, which functions as a UDOT corridor providing
345 regional connectivity. Surrounding land uses include a mix of single-family residential
346 properties, agricultural land, institutional and open space areas, and low-intensity commercial
347 uses located across 500 North within Uintah County jurisdiction.

348 Commission Hailee Todich disclosed that she resides within the broader neighborhood of the
349 subject property but not on the immediate street. She stated she would not recuse herself but
350 wanted to acknowledge her proximity to the area.

351 Commissioner Todich then presented a detailed analysis referencing Vernal City Code Section
352 16.58.120(A), which requires subdivision layouts to conform to the Vernal City General Plan.
353 She directed attention to specific sections of the General Plan, including results from a public
354 visual preference survey indicating that residents favor non-urban environments, preserved open
355 space, and lower-density development patterns, while expressing dislike for high-density
356 housing, traffic congestion, and large-scale urban features.

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357 She further referenced the Future Land Use section of the General Plan, which emphasizes
358 growth within city limits while maintaining compatibility with existing development patterns and
359 preserving the open and rural character of areas on the outskirts of the community.

360 Commissioner Todich noted that the subject property is located on the outer edge of Vernal City,
361 where the plan encourages lower-density or cluster-style development rather than higher-density
362 residential forms.

363 Commissioner Todich discussed definitions within the General Plan, noting that medium-density
364 residential development is generally defined as two (2) to four (4) units per acre, while moderate
365 density ranges from four (4) to eight (8) units per acre. High-density residential development is
366 identified as ranging from eight (8) to sixteen (16) or more units per acre. She pointed out that
367 the current R-1 zoning allows approximately four (4) units per acre, which aligns with the
368 medium-density classification described in the General Plan. In contrast, the proposed R-3
369 zoning allows up to twelve (12) units per acre, which more closely aligns with high-density
370 development rather than moderate density.

371 Based on this analysis, Commissioner Todich expressed concern that the proposed zoning
372 change is inconsistent with the General Plan and represents a significant increase in density
373 beyond what is envisioned for the area. She further stated that the proposal could be considered
374 spot zoning and raised concerns regarding potential impacts to surrounding properties, including
375 increased traffic, reduced privacy, additional noise, possible decreases in property values, and
376 strain on existing infrastructure systems such as water and sewer.

377 Commissioner Todich further stated that the subject property is one of the few remaining parcels
378 in Vernal City currently zoned R-1 and expressed concern that rezoning the property would
379 reduce opportunities for low-density, single-family housing within the community. She indicated
380 that there are only a small number of remaining R-1 areas within the City and that preserving
381 those areas is important for maintaining housing diversity.

382 Commissioner Todich also provided historical context, explaining that similar proposals for the
383 same general area had been brought before the Planning Commission and City Council multiple
384 times between 2007 and 2008. According to the records reviewed, those proposals were
385 repeatedly denied due to concerns regarding density, incompatibility with the General Plan, and
386 traffic impacts. It was noted that approval was only granted in the past when a development
387 proposal was revised to maintain low-density residential use and limit connectivity to
388 surrounding neighborhoods in order to reduce traffic impacts. She emphasized that many of the
389 concerns identified in those earlier discussions remain relevant today and that the primary
390 difference in the current application is the presence of a new developer rather than a change in
391 surrounding conditions.

392 Chair Stephen Lytle acknowledged community concerns while highlighting broader housing
393 challenges in Vernal. He noted that a frequent concern expressed by residents is the lack of
394 available and affordable housing, particularly for single-family homes in R-1 zones, which are
395 increasingly out of reach for many families. As a result, many residents are compelled to live in
396 higher-density housing, such as apartments, despite a preference for single-family living.

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397 Chair Lytle stated he understands concerns related to increased traffic, privacy, and
398 neighborhood impacts, and acknowledged he would share similar concerns if directly affected.
399 However, he emphasized the need to consider the issue from a community-wide perspective. He
400 explained that opportunities for new development within City limits are limited, and that
401 directing growth away from areas like the subject property would likely push development into
402 surrounding County lands, potentially resulting in the loss of agricultural land and long-standing
403 homesteads.

404 Drawing from personal experience living near a multi-story apartment building, Chair Lytle
405 noted that impacts can be mitigated through measures such as landscaping and buffering. He
406 expressed that the City faces a difficult balance between preserving its current character and
407 accommodating future growth. Chair Lytle concluded that the decision presents challenges on
408 both sides, as maintaining the status quo limits housing availability, while approving higher-
409 density development may alter existing neighborhood conditions. Ultimately, he indicated that
410 given the City's limited space and continued growth projections, such developments may be
411 necessary, though the decision is not clear-cut.

412 Commissioner Brittany Young drawing on prior experience in real estate, expressed agreement
413 with earlier comments regarding the challenges of housing affordability and availability in
414 Vernal. She explained that many individuals and families desire traditional single-family homes,
415 such as three-bedroom, two-bath residences on larger lots within city limits; however, such
416 housing options are no longer attainable at lower price points. Commissioner Young noted that
417 homes meeting those expectations are not realistically available in the current market for under
418 \$200,000, highlighting a significant gap between housing demand and affordability.

419 Based on this experience, Commissioner Young acknowledged that there is a clear and growing
420 demand for higher-density housing options, as these tend to be more financially accessible. She
421 stated that while she had not conducted as extensive a historical review as others, she had given
422 considerable thought to the issue and recognized that the subject property has remained
423 undeveloped despite multiple past opportunities. She suggested that the continued R-1 zoning
424 may be a contributing factor, as it limits the type of development that can occur and may make
425 projects financially unfeasible, resulting in the property remaining vacant. Commissioner Young
426 also noted the possibility that maintaining the property as open space may align with community
427 preferences, but questioned whether that outcome supports the City's broader growth needs.

428 Commissioner Young expressed general support for development and community growth,
429 emphasizing the benefits of increasing population, expanding the tax base, and supporting
430 additional commercial activity. However, she also acknowledged broader economic trends, both
431 statewide and nationally, which have made traditional R-1 single-family housing increasingly
432 unattainable for many residents. As a result, she indicated that accommodating growth may
433 require the inclusion of higher-density housing options.

434 At the same time, Commissioner Young recognized that higher-density development is not
435 universally supported within the community, as some residents prefer to maintain the existing
436 small-town character and limit population growth. She personally expressed a preference for
437 preserving that character and stated she is not in favor of large-scale or high-rise developments.

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438 However, she reiterated that without incorporating some level of higher-density housing, many
439 individuals and families may be unable to afford to live in Vernal.

440 Commissioner Young further observed that many existing R-1 neighborhoods are occupied by
441 long-term residents or individuals with greater financial resources, reinforcing the idea that such
442 housing is not broadly accessible. While she expressed some hesitation regarding the proposed
443 R-3 zoning, particularly given the absence of a conceptual development plan, she suggested that
444 the lack of development on the property to date may be directly tied to the limitations imposed
445 by its current R-1 designation.

446 Commissioner Todich responded to earlier comments regarding the lack of development on the
447 subject property, providing additional context based on personal knowledge and past efforts to
448 acquire portions of the land. She explained that the property had only recently been subdivided
449 and was previously held as a large parcel by an out-of-state investor who was unwilling to divide
450 or rezone the land. As a result, potential buyers were unable to purchase smaller portions for
451 development. She noted that the size and configuration of the parcel, combined with its
452 ownership and pricing, made it financially unattainable for most local buyers, which contributed
453 to the lack of development rather than a lack of interest in R-1 projects.

454 Commissioner Todich further stated that the timing of prior development efforts coincided with
455 the 2008 economic downturn, which significantly impacted the housing market and likely
456 prevented planned R-1 development from moving forward. She suggested that under different
457 market conditions, such as those present several years ago, development of the property as
458 single-family housing may have been more feasible.

459 Commissioner Todich also expressed concern about the broader trend toward predominantly
460 higher-density housing, including townhomes and apartments. While acknowledging the need for
461 additional housing, she questioned whether focusing primarily on higher-density development
462 could limit future opportunities for single-family homeownership. Commissioner Todich
463 emphasized that developers may favor higher-density projects due to greater financial returns,
464 but cautioned against allowing market pressures to eliminate options for traditional housing
465 types.

466 Commissioner Todich raised the concern that an overreliance on higher-density development
467 could result in a lack of housing diversity, potentially leaving future residents with limited
468 choices. She also noted uncertainty regarding long-term market conditions, questioning whether
469 current demand for higher-density housing would remain stable or whether a future economic
470 downturn could lead to an oversupply of such units. She concluded by expressing concern that
471 continued shifts toward higher-density zoning could eventually reduce the availability of land for
472 single-family homes, limiting housing options for future residents.

473 Braeden Christofferson provided additional information obtained from a local real estate
474 professional, indicating that the median income in Vernal is approximately \$70,000 per year.
475 Based on current market conditions, homes priced around \$250,000 would result in monthly
476 mortgage payments near \$1,750, though homes at that price point are largely unavailable. Rental
477 rates for apartments average approximately \$1,600 per month, while affordable housing is

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478 generally considered to be closer to \$1,100 per month. It was also noted that housing inventory
479 within lower and mid-range price points is extremely limited and tends to sell quickly when
480 available.

481 Quentin Daniel, co-owner of Everbuilt, addressed the Planning Commission and introduced
482 himself as a lifelong resident of Vernal. He provided his business address as 2727 West 1500
483 North, Vernal, Utah. Mr. Daniel emphasized his personal connection to the community, noting
484 that both he and his business partner returned to Vernal after living elsewhere in order to raise
485 their families locally.

486 Mr. Daniel explained that through both personal experience and professional work, he has
487 observed that many individuals in Vernal, including those with stable employment, are unable to
488 afford homeownership, particularly following market changes after the COVID-19 pandemic. He
489 stated that this challenge motivated Everbuilt to pursue attainable housing projects.

490 Mr. Daniel referenced a recently completed subdivision project consisting of thirty-two (32)
491 townhomes, which had been approved by the Planning Commission in 2023. He reported that the
492 project was successfully completed and described it as one of the most rewarding experiences of
493 his career. He highlighted that the homes were purchased by a range of local residents, including
494 teachers, retirees, young families, and first-time homebuyers. Mr. Daniel emphasized that these
495 homes provided opportunities for individuals who otherwise may not have been able to enter the
496 housing market.

497 Mr. Daniel urged the Commission to consider not only the concerns of developers or
498 neighboring property owners, but also the needs of individuals and families seeking affordable
499 housing opportunities. He stated that the decision would significantly impact those who may or
500 may not have the opportunity to purchase a home in Vernal.

501 Jacob Spears, co-owner of Everbuilt, then presented additional details regarding the rezone
502 request. Mr. Spears provided his address as 493 East 2900 South, Vernal, Utah, and clarified that
503 he resides in Uintah County. He acknowledged the value of public input and expressed
504 appreciation for the opportunity to participate in a public process where differing opinions can be
505 shared.

506 Mr. Spears explained that the proposed rezone is intended to support development similar to the
507 previously completed townhome project. He stated that townhomes provide a more affordable
508 housing option due to their smaller size and construction efficiency, as well as their appeal to
509 individuals seeking lower-maintenance living.

510 Mr. Spears indicated that the proposal had been discussed with Vernal City staff and that R-3
511 zoning was determined to be more appropriate than higher-density alternatives such as R-4 or
512 mixed-use zoning. He expressed his belief that the proposal aligns with the City's long-term
513 goals and would contribute to increasing the housing supply.

514 Mr. Spears provided broader housing context, noting that the average age of first-time
515 homebuyers has increased significantly, indicating growing barriers to entry into the housing

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516 market. He stated that increasing housing supply within City limits would support affordability
517 and help prevent development from shifting into surrounding County areas, where agricultural
518 land may be impacted.

519 Mr. Spears also emphasized the importance of local development, stating that Everbuilt is a local
520 company invested in the long-term success of the community. He expressed a desire to
521 contribute positively to Vernal's growth and housing availability.

522 As part of his presentation, Mr. Spears shared data from their previous townhome development,
523 noting that approximately 78 percent of units were owner-occupied, with a majority being first-
524 time homebuyers. He stated that this demonstrates the effectiveness of townhome developments
525 in meeting local housing needs.

526 Mr. Spears further explained that the proposed location is well-suited for higher-density housing
527 due to its proximity to schools, including Uintah High School, Ashley Elementary, Uintah Basin
528 Technical College, and Utah State University campuses, as well as nearby parks and existing
529 infrastructure. He also noted that the property is located along a UDOT corridor, where higher-
530 density development is more typical than single-family housing.

531 In response to questions, Mr. Spears provided pricing details from the prior development, stating
532 that townhomes ranged from approximately \$245,000 to under \$300,000, with typical layouts
533 consisting of three bedrooms, two and a half bathrooms, and approximately 1,400 square feet.

534 Mr. Spears explained that construction of single-family homes at similar price points is not
535 financially feasible due to the cost of land, infrastructure, and development requirements. He
536 stated that higher density is necessary to distribute those fixed costs and make housing attainable.

537 Chair Stephen Lytle opened the public hearing to receive public comment.

538 Alan Hacking 306 North 1250 West expressed significant concern regarding the City's aging
539 sewer infrastructure. Drawing on decades of personal experience working on local sewer
540 systems, he stated that the existing lines—some installed in the 1950s—are already strained and
541 incapable of supporting additional high-density development. He noted that nearby systems are
542 currently experiencing surcharge issues and warned that adding more demand could result in
543 system failures, including potential sewage backups into streets or homes. He emphasized that
544 major infrastructure upgrades would be required, potentially costing hundreds of thousands of
545 dollars, and questioned whether those costs would fall on taxpayers. He urged the Commission to
546 prioritize infrastructure analysis before approving additional density.

547 Chris Cummings 474 North 1500 West opposed the rezone, emphasizing the importance of
548 preserving the existing R-1 zoning and neighborhood character. He highlighted that the
549 surrounding area is predominantly composed of single-level homes, which provide unobstructed
550 views of surrounding mountains. He expressed concern that higher-density or multi-level
551 developments would negatively impact these views and alter the established character of the
552 neighborhood. He recommended maintaining R-1 zoning and limiting development to single-
553 story residential homes.

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554 Mitch Phillips 1215 West 250 North raised concerns about the loss of agricultural land and
555 questioned the consistency of repeated rezoning attempts. He noted that the property has
556 historically been used for flood irrigation and agricultural purposes. He also expressed concerns
557 about traffic congestion along Highway 121, particularly during peak school hours, and pointed
558 out the proximity of industrial uses such as a propane facility, which could present safety risks
559 with increased population density. He suggested that single-family homes would still sell
560 successfully in the current market without requiring a zoning change.

561 Mike Robinson 288 North 1500 West stated that there are already multiple high-density housing
562 developments within close proximity and felt that the area has reached its capacity for such
563 projects. He supported maintaining the R-1 designation.

564 Tammy Brusto 348 North 1250 West emphasized the impact on privacy and property
565 expectations. She explained that when purchasing her home, she relied on assurances that the
566 surrounding zoning would remain R-1 and was told that a change would be highly unlikely. She
567 expressed concern that higher-density development would overlook her property and diminish
568 privacy and views. She also questioned the developer's plans if the rezone were denied,
569 highlighting uncertainty about future land use.

570 Julie Harris 379 North 1150 West provided detailed concerns about traffic and safety. Having
571 lived in the area for decades, she described a significant increase in traffic volumes, particularly
572 during school hours, with congestion, limited visibility, and frequent near-accidents. She
573 explained that turning onto major roads has become increasingly difficult and that drivers often
574 reroute through residential streets to avoid congestion. She also raised concerns about parking
575 overflow from higher-density housing and its impact on surrounding streets. Additionally, she
576 cited ongoing sewer maintenance issues in the area and expressed fear of potential backups
577 affecting homes with basements.

578 George Lambroff 1211 West 250 North reiterated that the proposed homes were expected to fall
579 within a price range of approximately \$200,000 to \$300,000 and noted that, based on prior
580 statements, a household would need to earn over \$70,000 annually to reasonably afford such
581 housing. The speaker used this point to question the true accessibility of the development,
582 suggesting that these homes may not be attainable for many residents despite being framed as
583 "affordable."

584 Mr. Lambroff continued by citing a recent personal review of housing listings on Zillow, stating
585 that a number of homes are already available on the market. This observation was used to
586 support the argument that the current housing situation is not solely defined by a lack of supply.
587 Expanding on this, he referenced broader economic cycles, describing housing trends as subject
588 to "ebbs and flows" and suggesting that the current conditions represent a temporary phase rather
589 than a permanent crisis. Mr. Lambroff also referenced a statistic, reportedly obtained through a
590 general online search, indicating that the average age of a homebuyer is currently 59 rather than
591 40, further emphasizing the belief that the housing market is in an atypical period.

592 Drawing from personal experience, he shared that he had relocated from Atlanta and described
593 his initial impression of Vernal as resembling a Norman Rockwell painting—highlighting its

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594 small-town charm, sense of community, and aesthetic appeal. This comparison underscored a
595 central concern: that increased growth and higher-density development could fundamentally alter
596 the character of the community. Mr. Lambroff posed rhetorical questions to the Commission
597 about the ultimate goals of growth, asking where expansion would end and cautioning against
598 allowing Vernal to evolve into a larger, more congested metropolitan area like Atlanta.

599 Mr. Lambroff acknowledged that some level of growth is both inevitable and beneficial,
600 particularly in supporting local businesses, noting that he personally owns three businesses
601 within the Vernal community. However, he stressed that growth must be measured and
602 intentional. He expressed concern that the proposed rezoning represents a step too far, potentially
603 initiating a level of development that could become difficult to control.

604 Addressing the concept of “affordable housing,” Mr. Lambroff challenged its effectiveness and
605 sustainability. He shared an anecdote involving an acquaintance who resides in a local housing
606 development referred to as Pheasant Glen, which was characterized as low-income or affordable
607 housing. The individual recently experienced a rent increase to approximately \$2,000 per month,
608 prompting Mr. Lambroff to question whether such developments truly remain affordable over
609 time. This example was used to argue that projects initially presented as affordable may not
610 continue to meet that objective in the long term.

611 Mr. Lambroff also raised concerns about density and its associated impacts, particularly traffic
612 and parking. Referring to an image presented during the meeting, he noted that a depiction of
613 two homes appeared to include approximately eight vehicles, suggesting a higher occupancy rate
614 than anticipated. He extrapolated this observation to the full scale of the proposed development,
615 which includes a significant number of units, and warned that such density could lead to
616 substantial increases in traffic congestion, overflow parking, and strain on surrounding
617 neighborhoods. He emphasized that existing residential streets, where children currently live and
618 play, could be adversely affected by increased traffic flow.

619 In discussing broader housing issues, Mr. Lambroff pushed back against the notion that rising
620 home prices are driven solely by a lack of available housing. He argued that multiple factors
621 contribute to housing costs and cautioned against oversimplifying the issue. Additionally, he
622 expressed frustration with the framing of the “American Dream,” interpreting some arguments in
623 favor of affordable housing as implying that current homeowners are unsympathetic or opposed
624 to others achieving homeownership. Mr. Lambroff countered this by sharing his own experience,
625 stating that it took him over four decades to purchase his home, and suggesting that delayed
626 homeownership is a reality many individuals face.

627 Mr. Lambroff further emphasized concerns about infrastructure, referencing comments made by
628 a previous speaker regarding the potential demands that the development would place on existing
629 systems. He argued that approving the rezoning without fully addressing infrastructure needs
630 would be akin to “putting the cart before the horse,” expressing concern that the community
631 would ultimately bear the consequences of insufficient planning after the fact.

632 While acknowledging the importance of allowing families to grow and individuals to pursue
633 homeownership, Mr. Lambroff maintained that the proposed development is not appropriately

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634 located and may not achieve its intended goals. He reiterated that there is a time and place for
635 such housing initiatives but expressed strong belief that this particular proposal does not align
636 with the best interests of the neighborhood.

637 Mr. Lambroff firmly stated his opposition to the rezoning request. He urged the Commission to
638 carefully weigh the long-term impacts of their decision, emphasizing the need to preserve the
639 character of the community, protect existing neighborhoods, and ensure that growth is
640 approached in a deliberate and sustainable manner.

641 Lisa McDonald 474 North 1500 West emphasized the importance of maintaining the existing
642 low-density character of the neighborhood. She expressed concern that increased density would
643 lead to congestion, safety issues, and a decline in quality of life. She noted that the area already
644 experiences frequent emergency vehicle activity and believed additional development would
645 exacerbate these issues.

646 Helen Stewart 57 North 1250 West highlighted roadway limitations, describing 1250 West as
647 extremely narrow and often reduced to a single lane due to on-street parking. She warned that
648 increased traffic from higher-density development would create unsafe conditions, particularly
649 for residents and children. She also noted that the road is likely to be used as a cut-through route,
650 further increasing traffic volumes in an already constrained area.

651 Scott Gross 405 West 400 North questioned whether adequate studies had been conducted to
652 assess the capacity of sewer, water, gas, and electrical systems. He expressed concern that
653 decisions were being made without sufficient data regarding infrastructure limitations and
654 impacts on downstream users.

655 Dan Dilsaver 201 North 1500 West reflected on historical housing challenges and emphasized
656 that affordability issues are not unique to the present. He expressed concern that increasing
657 density may compromise the community's character and stressed the importance of measured,
658 sustainable growth that aligns with infrastructure capabilities.

659 Robert Wilkins 401 North 1500 West described severe traffic congestion along nearby roadways,
660 particularly during school hours, noting long delays and difficulty navigating intersections. He
661 stated that additional density would worsen already problematic conditions.

662 Cindy Dilsaver 201 North 1500 West referenced past community planning efforts that
663 emphasized preserving Vernal's small-town character. She expressed concern that continued
664 high-density development could erode the qualities that make the community desirable,
665 including neighborhood identity and lower-density living.

666 Larry Anderson 1264 West 250 North raised safety concerns related to nearby schools, noting
667 heavy pedestrian traffic from students walking to and from school. He emphasized that increased
668 vehicle traffic in the area would heighten the risk of accidents and negatively impact student
669 safety.

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670 Richard Case 317 North 1250 West stated that he purchased property in the area based on its R-1
671 zoning and quiet residential character. He expressed concern that rezoning would introduce
672 traffic and disruption inconsistent with the expectations of existing homeowners.

673 Michael Spackman 292 North 300 West raised broader planning concerns, questioning whether
674 repeated up-zoning could undermine the City's long-term land use plan. He also asked about the
675 permanence of zoning changes and whether properties could revert back if development proved
676 infeasible.

677 Karen Hatch 1245 West 150 North opposed the rezone, expressing concern that approval could
678 lead to further increases in density over time. She emphasized the interests of existing
679 homeowners who invested in the area under current zoning expectations and noted the presence
680 of existing higher-density housing nearby, arguing that the neighborhood has already contributed
681 to housing diversity.

682 Jill Seitz 289 North 1250 West reiterated safety concerns, particularly for children walking to
683 nearby schools and recreational areas. She described existing traffic issues and near-accidents,
684 stating that additional density would significantly increase risks.

685 Overall, public comments reflected strong opposition to the proposed rezone, with recurring
686 themes including inadequate infrastructure, traffic congestion and safety concerns, preservation
687 of neighborhood character, protection of property values and views, and skepticism about the
688 long-term benefits of high-density housing in this location.

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

690 *Hailee Todich moved to forward a negative recommendation to the City Council for approval*
691 *of the Everbuilt rezone (Jacob Speirs) for property located at 1315 West 500 North, 1189 West*
692 *400 North, and 381 North 1250 West, parcel #'s 050060012, 050060013, 050050029 – 2026-*
693 *012-REZ Ryan Balch seconded the motion. The motion passed with the following roll call vote:*

694 *Commissioner Chapoosenay;*
695 *Commissioner Allrednay;*
696 *Commissioner Youngabstain;*
697 *Commissioner Balchaye;*
698 *Commissioner Todichaye;*
699 *Commissioner Bancroftaye;*

700
701

702 **RECOMMENDATION TO CONSIDER APPROVAL OF THE QUAIL RUN II**
703 **PRELIMINARY PLAT (JOSHUA FLAKE) FOR PROPERTIES LOCATED AT 1621**
704 **WEST 500 SOUTH, PARCEL #050670044 – 2026-011-SUB**

705 Braeden Christofferson presented a preliminary plat application submitted by JL Construction
706 Development, LLC for a multi-phase townhome-style subdivision located at 1621 West 500
707 South. The subject property consists of approximately 11.2 acres and is zoned R-3 Residential.
708 The proposal includes the development of approximately one hundred thirty-two (132)

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709 residential units (corrected from an earlier figure of one hundred thirty-six (136) units) within
710 approximately thirty-three (33) buildings, subject to final plat configuration.

711 Mr. Christofferson explained that the application is for a preliminary plat and not a rezone, as the
712 existing R-3 zoning is consistent with the proposed development. The project is being reviewed
713 under both the base R-3 zoning standards and the Planned Residential Unit Development
714 (PRUD) provisions, which allow for flexibility in design and increased density up to twelve (12)
715 units per acre. The proposed density aligns with PRUD allowances.

716 The preliminary plat was reviewed for compliance with Vernal City Municipal Code Section
717 16.58.080, including subdivision layout, lot configuration, site organization, and phasing. Mr.
718 Christofferson indicated the plat meets the general layout and design requirements of the Code. It
719 was clarified that the proposal complies with current code requirements, not any potential future
720 amendments.

721 Chair Stephen Lytle suggested a five (5) minute break. ***Samantha Chapoose moved to enter into***
722 ***a five (5) minute recess. Brittany Young seconded the motion. The motion passed with Samantha***
723 ***Chapoose, Troy Allred, Ryan Balch, Brittany Young, Hailee Todich and Aaron Bancroft voting***
724 ***in favor.*** After a five (5) minute recess, the Commission reconvened.

725 Braeden Christofferson explained the flexibility provided under PRUD standards, particularly
726 regarding setbacks, street design, and infrastructure. He noted that the development is proposed
727 with private roads rather than public streets. Public streets would require thirty-eight (38) feet of
728 asphalt width, whereas private roads may be reduced to approximately thirty-two (32) feet of
729 asphalt, subject to applicable standards.

730 A question was raised by Commissioner Todich regarding road widths and compliance with fire
731 safety standards. Mr. Christofferson referenced applicable Code provisions and indicated that
732 private roads must meet State standards, including right-of-way widths between forty-five (45)
733 and fifty-five (52) feet, with a minimum asphalt width of thirty-two (32) feet.

734 The applicant, Joshua Flake, 95 North 500 West, Gunnison, Utah, representing JL Construction
735 Development, LLC, addressed the Commission and provided additional details. He confirmed
736 the development will include a fifty (50) foot right-of-way with thirty-two (32) feet of asphalt,
737 mountable curb and gutter, sidewalks, and utility easements. He stated the road design exceeds
738 minimum International Fire Code (IFC) access requirements, which typically require twenty (20)
739 feet for one-way and twenty-four (24) feet for two-way traffic. The City Building Official, Matt
740 Tate, has reviewed the proposal and indicated compliance with fire access standards.

741 Mr. Flake described the project layout as simple and efficient, with no cul-de-sacs and a
742 continuation of the existing Quail Run Phase 1 development. He also presented conceptual
743 building designs, describing two-story townhome units consisting of three (3) bedrooms, two-
744 and-a-half (2 ½) bathrooms, and approximately one thousand six hundred (1,600) square feet per
745 unit. Each unit includes a private entrance, garage, and covered porch.

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746 Additionally, Mr. Flake indicated plans to include community amenities such as two (2)
747 pickleball courts, a half (1/2) basketball court, and a clubhouse to serve residents, while
748 maintaining overall affordability.

749 Chair Stephen Lytle discussed the nature of the application, noting that approval is based on
750 compliance with established Code requirements. Mr. Christofferson confirmed that the
751 preliminary plat meets applicable standards, and that further review of utilities, infrastructure,
752 and detailed design will occur during the final plat stage.

753 Chair Stephen Lytle opened the public hearing to receive public comment. There being no public
754 comments, Chair, Stephen Lytle closed the public hearing.

755 *Ryan Balch moved to approve the Quail Run II Preliminary Plat (Joshua Flake) for properties*
756 *located at 1621 West 500 South, parcel #050670044 – 2026-011-SUB. Brittany Young seconded*
757 *the motion. The motion passed with Samantha Champoose, Troy Allred, Ryan Balch, Brittany*
758 *Young, Hailee Todich and Aaron Bancroft voting in favor.*

759 **RECOMMENDATION TO CONSIDER APPROVAL TO AMEND THE VERNAL CITY**
760 **MUNICIPAL PLANNING AND ZONING CODE SECTIONS 16.04 – DEFINITIONS, 16.26**
761 **– OFF-STREET PARKING AND VEHICLE ACCESS STANDARDS, 16.27 –**
762 **LANDSCAPING REQUIREMENTS, 16.42 – R-3 RESIDENTIAL ZONE, 16.44 – R-4**
763 **RESIDENTIAL ZONE – ORDINANCE #2026-09**

765 Braeden Christofferson began the presentation by clearly stating that the proposed changes were
766 not initiated in response to any specific developer or recent project. Instead, the amendments are
767 the result of ongoing internal discussions among the City Manager, the Building Official, and
768 planning staff regarding how to improve the effectiveness and clarity of the City's development
769 standards.

770 Mr. Christofferson explained that the existing R-3 and R-4 zones are very similar, with only
771 minor differences in density and permitted uses. This similarity has created confusion for both
772 applicants and staff. Over time, staff has encountered repeated challenges when applying the
773 current code, particularly in calculating density. He described the existing process as overly
774 complicated, noting that developers must convert acreage into square footage and apply layered
775 formulas that include base square footage requirements plus additional square footage per unit.
776 This method has led to frequent questions and inconsistencies.

777 As part of the proposed amendments, staff has worked to simplify density calculations by
778 transitioning to a straightforward units-per-acre standard. Mr. Christofferson noted that this
779 change would provide greater clarity and consistency, making it easier for both developers and
780 staff to understand and apply the Code. He also discussed the removal of ambiguous
781 terminology, specifically the term "row house," which has been interpreted in multiple ways.
782 That term is being replaced with "townhome," which is more clearly defined. Additionally,
783 outdated terms such as "bachelor unit" are being replaced with "studio apartment" to modernize
784 the Code.

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785 Mr. Christofferson further explained that inconsistencies in the current Code have made it
786 difficult for staff to apply standards uniformly across different projects. The proposed revisions
787 are intended to create a more predictable framework for development review. He also addressed
788 updates to landscaping standards, noting that drought conditions and water conservation
789 concerns have played a significant role in shaping these changes. The amendments allow for
790 xeriscaping as an acceptable option, reduce overall landscaping requirements, and lessen the
791 expectation for traditional front-yard lawn areas. These changes are intended to reduce water
792 usage and maintenance burdens for property owners while still maintaining an acceptable
793 aesthetic standard.

794 Parking requirements were also discussed as a key factor influencing development. Mr.
795 Christofferson emphasized that parking is often the primary limiting factor in determining how
796 many units can realistically be constructed on a site. While density numbers may appear higher
797 on paper, developers must still meet parking, setback, and landscaping requirements, which
798 naturally restrict the number of units that can be achieved. Updated parking standards include
799 maintaining requirements for multi-family housing while allowing reduced parking for fifty-five
800 (55)-and-older communities, reflecting the lower likelihood of multiple vehicles per household in
801 those developments.

802 Mr. Christofferson then outlined the proposed density changes, explaining that the R-3 zone
803 would increase from twelve (12) to fourteen (14) units per acre, while the R-4 zone would be set
804 at twenty-five (25) units per acre. He reiterated that these figures represent maximum allowable
805 density and that real-world constraints typically prevent developments from reaching those
806 limits. He emphasized that the goal of increasing the density cap is to provide flexibility while
807 still relying on other Code requirements to regulate actual development outcomes.

808 Chair Stephen Lytle asked for clarification regarding how the proposed changes would apply to
809 projects currently in progress. Mr. Christofferson explained that projects with an approved or
810 submitted preliminary plat prior to a tentative cutoff date of May 6 could be considered vested
811 and may have the option to proceed under either the old or new code, depending on timing and
812 approval status. He clarified that rezones alone do not establish vested rights, whereas projects
813 that have advanced further in the process may retain the ability to proceed under previously
814 approved standards. He also referenced previously approved developments, noting that they
815 would continue under the old Code unless substantial changes require resubmittal.

816 Commissioner Todich expressed support for simplifying the density calculations and
817 acknowledged that the previous method was difficult to follow. However, she raised concerns
818 about increasing the R-3 density from twelve (12) to fourteen (14) units per acre. She noted that
819 while a two-unit increase may seem minor on a per-acre basis, it becomes significant when
820 applied to larger parcels, potentially resulting in a notable increase in total units, traffic, and
821 parking demand. Commissioner Todich suggested that maintaining the current twelve (12)-unit
822 standard might reduce pressure on both developers and the Commission during project review.

823 Mr. Christofferson responded by explaining that the proposed increase is largely theoretical, as
824 developments are still constrained by parking, setbacks, and other requirements. He stated that
825 even under the current code, developers rarely achieve the maximum allowable density.

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826 Commissioner Todich questioned why the increase was necessary if it is difficult to reach in
827 practice. Mr. Christofferson clarified that the change is intended to improve clarity and provide
828 flexibility, and that the specific number is somewhat subjective because real-world limitations
829 ultimately control development intensity.

830 Commissioner Todich expressed concern that increasing the base density could encourage
831 proposals that push closer to maximum limits, potentially increasing the burden on the
832 Commission when reviewing projects. Mr. Christofferson responded that the overall burden
833 would not significantly change, as all developments must still comply with infrastructure
834 requirements, safety standards, and code regulations. He emphasized that the preliminary plat
835 process and administrative review ensure that projects meet all applicable requirements,
836 regardless of the maximum density allowed.

837 Chair Stephen Lytle opened the public hearing to receive public comment.

838 Joshua Flake, of 95 North 500 West in Gunnison, Utah, spoke in favor of the proposed changes.
839 Drawing on his recent experience developing a subdivision, he explained that increasing density
840 to fourteen (14) units per acre provides practical benefits without significantly altering the
841 appearance of a development. He stated that slightly higher density allows for narrower
842 townhome designs, which can reduce the overall cost of housing. He provided examples from his
843 own project, explaining that while twenty-two (22)-foot-wide townhomes fit within a twelve
844 (12)-unit-per-acre standard, achieving smaller and more affordable twenty (20)-foot-wide units
845 becomes more feasible at fourteen (14) units per acre. He emphasized that this difference can
846 reduce home prices by approximately \$15,000 to \$25,000, which is significant for buyers. He
847 also noted that other development constraints, such as setbacks and parking requirements, remain
848 unchanged, meaning that the overall layout and appearance of a subdivision would not be
849 drastically different.

850 Quentin Daniel, of 2727 West 1500 North in Vernal, also spoke in support of the amendments.
851 He stated that he has previous experience working through development processes and found the
852 existing density calculations to be frustrating and unnecessarily complex. He expressed
853 appreciation for the effort to simplify the Code. Mr. Daniel also shared a broader perspective on
854 property rights, emphasizing that property owners should have greater freedom to determine how
855 their land is used. He recounted a personal story involving his father, who supported a
856 neighboring development despite potential impacts, based on the principle that property owners
857 should be allowed to make decisions about their own land. He argued that excessive regulation
858 can be burdensome and that reducing restrictions, even slightly, is a positive step. He concluded
859 by supporting the increase to fourteen (14) units per acre as a move toward greater flexibility and
860 reduced regulation.

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

862 ***Samantha Chapoose moved to forward a positive recommendation to the City Council to amend***
863 ***the Vernal City Municipal Planning and Zoning Code Sections 16.04 – Definitions, 16.26 – Off-***
864 ***Street Parking and Vehicle Access Standards, 16.27 – Landscaping Requirements, 16.42 – R-3***
865 ***Residential Zone, 16.44 – R-4 Residential Zone – Ordinance #2026-09. Brittany Young***

866 *seconded the motion. The motion passed with Samantha Chappoose, Troy Allred, Ryan Balch,*
867 *Brittany Young, Hailee Todich and Aaron Bancroft voting in favor.*
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869 **RECOMMENDATION TO CONSIDER APPROVAL OF THE MARCELLA MEADOWS**
870 **SUBDIVISION AMENDMENT (TYLER & MARILEE SHINER) FOR PROPERTY**
871 **LOCATED AT 715 SOUTH 300 WEST, PARCEL #'S 050540038, 050540332, 050540329 –**
872 **2026-013-SUB**

873 The Planning Commission considered a request to amend an existing subdivision by
874 incorporating previously vacated land into the Marcella Meadows subdivision. Braeden
875 Christofferson explained that the subject property currently consists of three (3) lots, with a
876 portion having been vacated from the prior Tyler and Marilee Shiner Subdivision. The purpose
877 of the vacation was to allow this land to be reconfigured and absorbed into Marcella Meadows
878 through a formal subdivision amendment.

879 Mr. Christofferson clarified that under current City Code, even though a plat has already been
880 prepared, the amendment requires Planning Commission approval before it can be finalized,
881 recorded, and filed with the County Recorder's Office. It was emphasized that this item was not
882 associated with any new development proposal beyond making the parcels legally usable and
883 properly configured.

884 Chair Stephen Lytle sought clarification regarding the necessity of the subdivision. Mr.
885 Christofferson explained that in order for the land to be considered buildable and usable, it must
886 be subdivided into legally recognized parcels. Without this process, the land would not meet
887 requirements for development. The proposal would result in three (3) parcels: two (2) rear lots
888 would be integrated with an existing parcel to create a larger, functional lot, while the southern
889 lot would be separated and sold for the construction of a single-family home. Chair Lytle
890 acknowledged that the proposal was logical and aligned with standard land use practices.

891 Commissioner Brittany Young requested clarification directly from the property owner, Marilee
892 Shiner of 595 South 300 West. Ms. Shiner confirmed that she currently owns the property and is
893 initiating the subdivision. She further explained that the adjoining property owners are in
894 agreement with the proposal. Specifically, the Morrisises would incorporate the middle portion
895 into their existing property, and John Sterner is in the process of purchasing the southern lot for
896 future residential development. This confirmation addressed any remaining questions from the
897 Commission.

898 Mr. Christofferson noted that although this type of application could require a public hearing if
899 there were opposition or multiple ownership complications, it was processed as a standard action
900 item because all affected property owners were in agreement. Notifications were still sent to
901 adjacent property owners and relevant entities as a courtesy, but no public comments were
902 solicited or received.

903 *Hailee Todich moved to approve the Marcella Meadows Subdivision Amendment (Tyler &*
904 *Marilee Shiner) for property located at 715 South 300 West, parcel #'s 050540038, 050540332,*
905 *050540329 – 2026-013-SUB Ryan Balch seconded the motion. The motion passed with*

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906 *Samantha Chapoose, Troy Allred, Ryan Balch, Brittany Young, Hailee Todich and Aaron*
907 *Bancroft voting in favor.*

908 Commissioner Todich briefly addressed administrative matters, expressing appreciation to staff
909 for distributing meeting packets earlier than usual, noting that it significantly improved her
910 ability to prepare. She asked whether a more consistent deadline—ideally about a week in
911 advance—could be established for packet distribution to allow for better time management and
912 avoid having to review materials all at once over a short period.

913 Braeden Christofferson responded that he generally aims to provide packets about a week prior
914 to meetings, often targeting the Tuesday before, though timing can vary depending on the
915 complexity of agenda items. He indicated a willingness to coordinate with the Chair to establish
916 a more defined timeline, provided it does not place undue strain on staff resources. Chair
917 Stephen Lytle clarified that a formal motion was not necessary and that an informal
918 understanding would be sufficient, acknowledging that occasional delays may still occur.

919 Commissioner Todich also raised a concern regarding the readability of plats included in the
920 digital packets, noting that their small size makes them difficult to review. Mr. Christofferson
921 explained that while the documents are typically provided as PDFs, they could look into options
922 for improving accessibility and visibility, such as providing larger or full-page versions. He
923 agreed to work on addressing this issue moving forward.

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

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Stephen Lytle , Planning Commission Chair

1. Recommendation to consider approval of the Francisco Rezone (Rebecca Francisco) for property located at 356 E 100 N, Parcel #050200075 - 2026 - 010

REZ – Braeden Christofferson

- A. Type of Decision:** Legislative
- B. Application:** Zoning Map Amendment (Rezone)
- C. Applicant:** Issac and Rebecca Francisco
- D. Location:** 356 E 100 N, Vernal, Utah
- E. Parcel:** 05:020:0075
- F. Current Zoning:** R-4 Residential
- G. Proposed Zoning:** CC-1 Commercial Corridor
- H. Project Description and Background**



The applicant has submitted a request to rezone the subject property from R-4 Residential to Commercial in order to bring an existing business use into compliance with Vernal City Code.

The property is currently operating as a small-scale massage therapy business, which is not permitted within the R-4 zone. The requested rezone provides a zoning designation that more appropriately aligns with the nature of the use.

The Planning Commission held a duly noticed public hearing on April 14, 2026, and forwarded a unanimous recommendation for approval to the City Council.

I. Applicable Code and Law:

- i. Local Code VCMC 16.06 - Amendments
- ii. State code 10-20-101 & 10-20-205

J. Analysis

i. Existing Zoning vs Proposed Use

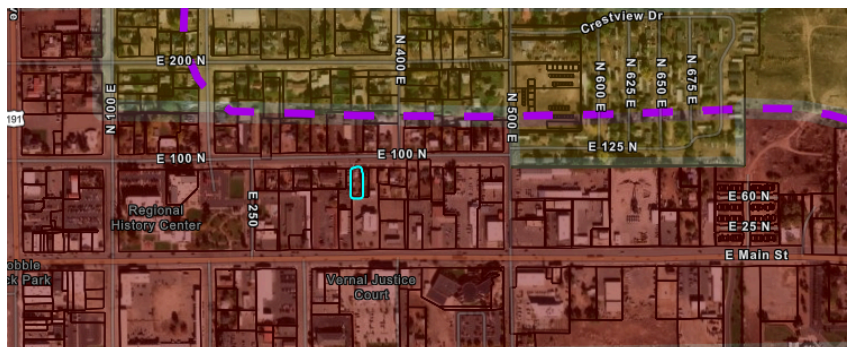
- 1. The R-4 zoning district does not permit standalone commercial uses. A massage therapy business is generally classified as a personal service use, which is more appropriately located within a commercial zoning district such as CC-1.

ii. Surrounding Land Use and Zoning

- 1. The surrounding area includes a mix of residential and commercial zoning and land uses. The subject property is located in an area where differing land use intensities are present, and the relationship between these uses may reflect either a continuation of an existing pattern or the introduction of a new zoning condition.

iii. General Plan Considerations

- 1. The subject property is designated Central Commercial on the Vernal City General Plan Future Land Use Map and is located within the Mixed Use boundary.



Surrounding properties include a mix of residential and commercial designations, indicating a transition area between differing land use intensities.

2. The Central Commercial designation supports commercial uses along established corridors, while the Mixed Use boundary reflects an area where a range of land uses may occur in proximity to one another, including transitions between residential and commercial development patterns.

iv. Public Comment and Site Specific Considerations:

1. Public comment received during the Planning Commission hearing did not oppose the rezone itself but raised concerns related to parking availability, on-street congestion, irrigation conflicts, and general neighborhood impacts associated with the existing use.
2. These concerns were acknowledged during the hearing. It was clarified that parking layout, site access, and operational impacts are addressed through site plan review and compliance with applicable development standards and are not determined at the rezone stage.

v. Notice and Compliance

1. Public notice for the proposed Zoning Map Amendment has been provided through publication on the City's website and in designated public locations. Written notice has been mailed to the subject property owner(s), and on-site signage has been posted to notify surrounding residents of the request. In addition, courtesy notices have been mailed to surrounding property owners within the vicinity of the subject property.
2. All noticing and procedural requirements have been completed in accordance with applicable provisions of Vernal City Code and Utah Code §10-20-205.

vi. Policy Considerations

1. Considerations related to the proposed amendment include:
 - a. Logical and orderly development patterns
 - b. Compatibility with surrounding properties
 - c. Whether the request represents a transition or extension of existing zoning
 - d. Potential impacts to nearby residential uses

vii. Code Base Evaluation Considerations

1. This report does not establish decision criteria but is intended to assist the City Council in applying the requirements of Vernal City Code §16.06 and applicable provisions of Utah Code Title 10-20.
 - a. Procedural Compliance
The application has been processed in accordance with VCMC §16.06.
 - b. Notice Compliance
Notice has been provided consistent with Utah Code §10-20-205.
 - c. General Plan Alignment
The proposed amendment aligns with, or does not materially conflict with, the General Plan.
 - d. Consistency with Surrounding Zoning and Uses
The proposed zoning is compatible with existing and anticipated land uses in the area.
 - e. Orderly Development
The amendment promotes logical and consistent development patterns.
 - f. Public Welfare
The amendment is consistent with the purposes outlined in Utah Code §10-20-101.
 - g. Spot Zoning Consideration
The amendment does not represent an isolated or inconsistent zoning designation

solely benefiting a single property, as the subject property is located adjacent to commercially zoned land and within an area identified for commercial and mixed-use development.

viii. Planning Commission Action

1. Held a Public Hearing
2. Considered Public comment and applicable code
3. Forwarded unanimous recommendation for approval to the City Council

**ORDINANCE NO. 2026-11
FRANCISCO REZONE
PAGE 1**

AN ORDINANCE AMENDING THE OFFICIAL VERNAL CITY ZONING MAP BY THE REZONING OF PROPERTY.

WHEREAS, the City Council finds that the regulation of zoning within the City is necessary for orderly growth within the community, and;

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the Vernal City Zoning Map, and;

WHEREAS, the City Council has received input from the public at large in duly noticed open meetings, and has considered and discussed the advantages and disadvantages of such zoning amendment;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF VERNAL CITY, UTAH AS FOLLOWS:

SECTION 1. Description. The following parcels of property in Vernal, Utah are rezoned from R-4 (Residential Zone) to CC-1 (Commercial Corridor Zone):

ADDRESS: 356 E 100 N, Vernal, Utah

PARCEL NUMBERS: 05:020:0075

LEGAL DESCRIPTION: BBEG 29 RDS E & 325 FT N OF SW COR SE 1/4 NE 1/4 SEC 23, T4S, R21E, SLM, TH E 52.83 FT, TH N 153.5 FT, TH W 52.83 FT, TH S 153.5 FT TO BEG.

SECTION 2. Repealer. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code are hereby repealed.

SECTION 3. Severability. The provisions of this ordinance shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid and

**ORDINANCE NO. 2026-11
FRANCISCO REZONE
PAGE 2**

it shall not affect the validity of any other provision of this ordinance or the application in a different circumstance.

SECTION 4. Effective Date. This ordinance shall take effect the day after publication the ____ day of _____, 2026.

PASSED, ADOPTED AND ORDERED published this ____ day of _____, 2026.

ATTEST:

Mayor Corey Foley

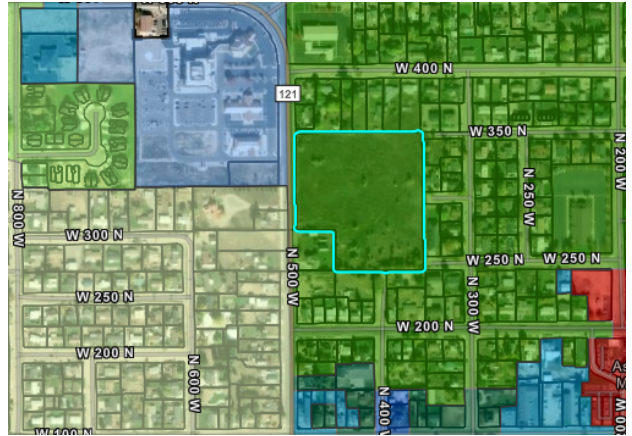
Sara Bell, City Recorder

(S E A L)

Date of Publication: _____

2. Recommendation to consider the approval of the Civil Solutions Group Rezone (Jake Black) for property located at 350 N 500 W, Parcel #050220054 - 2026-007-REZ _ Braeden Christofferson

- A. Type of Decision:** Legislative
- B. Application:** Zoning Map Amendment (Rezone)
- C. Applicant:** Civil Solutions Group
- D. Location:** 350 North 500 West, Vernal, Utah
- E. Parcel:** 05:022:0054
- F. Current Zoning:** R-3 Residential
- G. Proposed Zoning:** R-4 Residential
- H. Location / Code Reference**
 - i. Local Code 16.06. - Amendments
 - ii. State Code 10-20-101 & 10-20-205
- I. Project Description and Background**



The subject property is currently zoned R-3 Residential. The applicant is requesting a Zoning Map Amendment to R-4 Residential to allow for higher density residential development and a broader range of housing types.

The applicant has indicated a potential mixed residential development consisting of a combination of multi-family residential units, townhomes, and a possible assisted living or senior housing component. Conceptual plans have been provided for illustrative purposes only and are not binding.

The request is limited to a change in zoning designation and does not constitute approval of any specific site plan or development layout. Any future development of the property will be subject to additional review and approval processes, including preliminary and final plat approval, and must comply with all applicable development standards.

The Planning Commission held a duly noticed public hearing on April 14, 2026, and forwarded a recommendation for approval with a split vote to the City Council.

J. Analysis

i. Existing Zoning vs Proposed Use

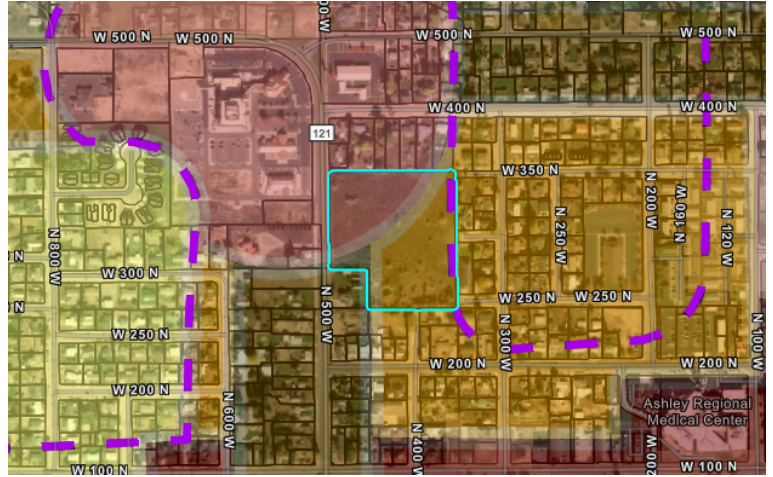
- 1. The R-3 zoning district allows for moderate density residential development, including single-family dwellings, duplexes, and multi-unit housing configurations.
- 2. The proposed R-4 zoning designation allows for higher density residential development and a broader range of housing types, including larger multi-family developments. It also provides increased flexibility in site design, parking, and landscaping standards.

ii. Surrounding Land Use and Zoning

- 1. The surrounding area is predominantly residential in nature, consisting of established neighborhoods with similar zoning designations.
- 2. The subject property is located adjacent to higher-intensity uses, including the Uintah Basin Medical Center located directly west across 500 West (Highway 121), as well as churches and other institutional uses in the vicinity.
- 3. The property is located along 500 West (Highway 121), a UDOT-controlled corridor that carries higher traffic volumes and provides regional connectivity. This corridor functions as a transition between higher-intensity uses and surrounding residential neighborhoods.

iii. General Plan Considerations

1. The subject property contains multiple designations on the Vernal City General Plan Future Land Use Map, including Central Commercial, Medium Density Residential, and High Density Residential, and is located within the Mixed Use boundary.
2. This combination of designations reflects a broader planning vision that supports a range of land uses and development intensities within a transitional area. Higher intensity uses are generally anticipated along major corridors such as 500 West, with transitions to lower-density residential development occurring toward interior neighborhood areas.
3. During Planning Commission deliberations, differing interpretations of the General Plan were presented, including whether the proposed R-4 zoning is consistent with or exceeds the intended character of the area.



iv. Public Comment and Site Specific Considerations

1. Public comment during the Planning Commission hearing included concerns related to:
 - a. Traffic congestion and roadway safety along 500 West
 - b. Neighborhood compatibility and character
 - c. Building height and privacy impacts
 - d. Infrastructure capacity, including water and sewer systems
 - e. Access limitations and potential impacts to local streets
2. These concerns were discussed during the public hearing and deliberation process. It was noted that many of these issues, including traffic analysis, infrastructure capacity, and site design, would be addressed during subsequent development review stages and are not determined as part of the rezone decision.

v. Notice and Compliance

1. Public notice for the proposed Zoning Map Amendment has been provided through publication on the City’s website and in designated public locations. Written notice has been mailed to the subject property owner(s), and on-site signage has been posted to notify surrounding residents of the request. In addition, courtesy notices have been mailed to surrounding property owners within the vicinity of the subject property.
2. All noticing and procedural requirements have been completed in accordance with applicable provisions of Vernal City Code and Utah Code §10-20-205.

vi. Policy Considerations

1. Considerations related to the proposed amendment include:
 - a. Logical and orderly development patterns
 - b. Compatibility with surrounding residential neighborhoods
 - c. Whether the proposed zoning represents an appropriate increase in density
 - d. Potential impacts related to traffic, parking, and infrastructure
 - e. The scale and intensity of development relative to surrounding properties

vii. Code Based Evaluations and Considerations

1. This report does not establish decision criteria but is intended to assist the Planning Commission in applying the requirements of Vernal City Code §16.06 and applicable provisions of Utah Code Title 10-20.
 - a. Procedural Compliance

The application has been processed in accordance with VCMC §16.06
 - b. Notice Compliance

Notice has been provided consistent with Utah Code §10-20-205
 - c. General Plan Alignment

The proposed amendment aligns with, or does not materially conflict with, the General Plan
 - d. Consistency with Surrounding Zoning and Uses

The proposed zoning is compatible with existing and anticipated land uses in the area
 - e. Orderly Development

The amendment promotes logical and consistent development patterns
 - f. Public Welfare

The amendment is consistent with the purposes outlined in Utah Code §10-20-101
 - g. Spot Zoning Consideration

The amendment applies to a single property; however, the subject property is located within a mixed-use and transitional area identified in the General Plan and adjacent to higher-intensity uses along a major corridor. Consideration should be given to whether the proposed zoning represents an appropriate extension of these patterns or an increase in intensity beyond surrounding residential uses.

viii. Planning Commission Action

1. Held a Public Hearing
2. Considered public comment and applicable code
3. Forwarded a recommendation for approval with a split vote to the City Council



**ORDINANCE NO. 2026-12
CIVIL SOLUTIONS GROUP REZONE
PAGE 1**

AN ORDINANCE AMENDING THE OFFICIAL VERNAL CITY ZONING MAP BY THE REZONING OF PROPERTY.

WHEREAS, the City Council finds that the regulation of zoning within the City is necessary for orderly growth within the community, and;

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the Vernal City Zoning Map, and;

WHEREAS, the City Council has received input from the public at large in duly noticed open meetings, and has considered and discussed the advantages and disadvantages of such zoning amendment;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF VERNAL CITY, UTAH AS FOLLOWS:

SECTION 1. Description. The following parcels of property in Vernal, Utah are rezoned from R-3 (Residential Zone) to R-4 (Residential Zone):

ADDRESS: 350 North 500 West, Vernal, Utah

PARCEL NUMBERS: 05:022:0054

LEGAL DESCRIPTION: BEG AT A PT THAT IS S 2*28'57"E PAR TO THE W SEC LN 40 RDS (660 FT) AND N 87*54'29"E PAR TO THE N SEC LN 41.25 FT FR THE NW COR OF SEC 23,T4S,R21E,SLM, AND RUN TH S 2*28'57"E 469.90 FT TO AN EXISTING FENCE LN; TH ALG SD FENCE LN N 87*36'24"E 191.12 FT AND S 2*07'05"E 199.52 FT TO THE S LN OF THE NW/4 NW/4 SD SEC 23; TH ALG SD S LN N 87*52'07"E 428.90 FT; TH N 2*28'57"W PAR TO THE W SEC LN 668.13 FT TO A PT LOC 660 FT S OF THE N SEC LN; TH S 87*54'29"W 618.75 FT TO POB. CONT 8.56 ACRES, M/L.

SECTION 2. Repealer. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code are hereby repealed.

ORDINANCE NO. 2026-12
CIVIL SOLUTIONS GROUP REZONE
PAGE 2

SECTION 3. Severability. The provisions of this ordinance shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid and it shall not affect the validity of any other provision of this ordinance or the application in a different circumstance.

SECTION 4. Effective Date. This ordinance shall take effect the day after publication the ____ day of _____, 2026.

PASSED, ADOPTED AND ORDERED published this ____ day of _____, 2026.

ATTEST:

Mayor Corey Foley

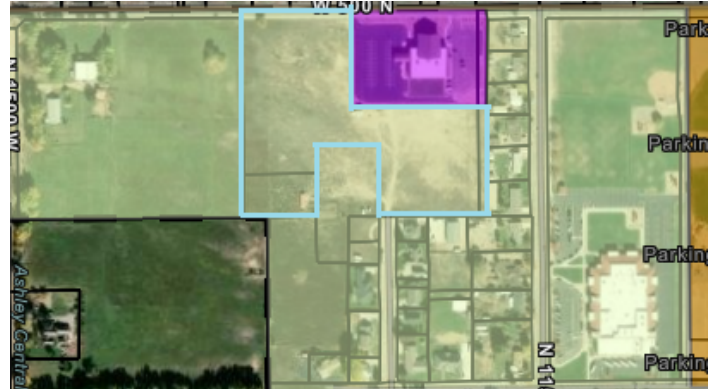
Sara Bell, City Recorder

(S E A L)

Date of Publication: _____

3. **Recommendation to consider the approval of the Everbuilt Reone (Jacob Speirs) for property located 1315 West 500 North, 1189 West 400 North, and 381 North and 1250 West, Parcel #'s 050060012, 050060013, 050050029 -2026-012-REZ - Braeden Christofferson**

- A. **Type of Decision:** Legislative
- B. **Application:** Zoning Map Amendment (Rezone)
- C. **Applicant:** Everbuilt
- D. **Location:** 1315 W 500 N, Vernal, Utah
- E. **Parcels:** 05:006:0012, 05:006:0013, 05:005:0029
- F. **Current Zoning:** R-1 Residential
- G. **Proposed Zoning:** R-3 Residential
- H. **Location / Code Reference**
 - i. VCMC 16.06 - Amendments
 - ii. State Code 10-20-101 & 10-20-205
- I. **Project Description and Background**



The subject properties are currently zoned R-1 Residential. The applicant is requesting a Zoning Map Amendment to R-3 Residential to allow for moderate density residential development.

The applicant has indicated a potential townhome-style development intended to provide additional housing options within the community. No formal site plan is required as part of the Zoning Map Amendment request, and no specific layout is being approved at this stage.

The request is limited to a change in zoning designation and does not constitute approval of any specific site plan or development layout. Any future development of the property will be subject to additional review and approval processes, including preliminary and final plat approval, and must comply with all applicable development standards.

The Planning Commission held a duly noticed public hearing on April 14, 2026, and forwarded a negative recommendation to the City Council.

J. Analysis

i. Existing Zoning vs Proposed Use

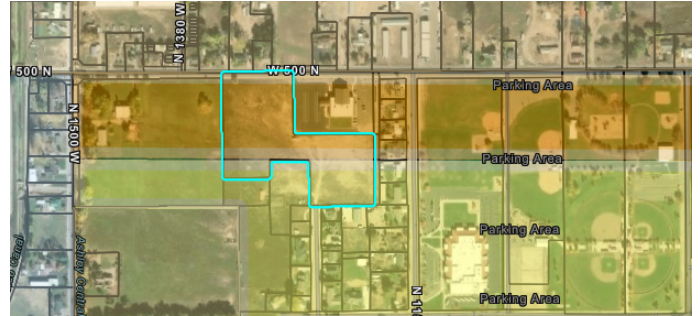
1. The R-1 zoning district is intended for low-density residential development. The proposed R-3 zoning designation allows for moderate density residential development, including housing types such as townhomes, which provide a transition between lower and higher density residential areas.

ii. Surrounding Land Use and Zoning

1. The surrounding area includes a mix of residential uses, institutional uses, and open space. The subject property is located adjacent to a religious facility (RA-1 zoning) and is in proximity to educational institutions, including Utah State University Uintah Basin and UBTech.
2. The property is located along 500 North (Highway 121), a UDOT corridor that provides regional access and connectivity. The location along a higher-capacity roadway, combined with proximity to schools, parks, and institutional uses, indicates the area may support a broader range of residential densities.

iii. General Plan Considerations

1. The Vernal City General Plan Future Land Use Map identifies this area with a transition in residential density, with medium density residential designations located along the 500 North corridor and lower density residential areas located further from the roadway.
2. The location of the subject property along a major corridor, in proximity to educational institutions, parks, and community facilities, reflects an area where increased residential density may be accommodated while transitioning to lower density neighborhoods beyond the corridor.



iv. Public Comment and Community Concerns

1. Public comment during the Planning Commission hearing reflected significant opposition to the proposed rezone. Key concerns included:
 - a. Traffic congestion and roadway safety, particularly near schools and along 500 North
 - b. Preservation of neighborhood character and existing low-density development patterns
 - c. Building height, privacy, and visual impacts
 - d. Infrastructure capacity, including sewer, water, and roadway systems
 - e. Historical groundwater conditions affecting development feasibility
 - f. Concerns regarding long-term growth and community character
2. These concerns were discussed extensively during the public hearing and deliberation process.

v. Notice and Compliance

1. Public notice for the proposed Zoning Map Amendment has been provided through publication on the City's website and in designated public locations. Written notice has been mailed to the subject property owner(s), and on-site signage has been posted to notify surrounding residents of the request. In addition, courtesy notices have been mailed to surrounding property owners within the vicinity of the subject property.
2. All noticing and procedural requirements have been completed in accordance with applicable provisions of Vernal City Code and Utah Code §10-20-205.

vi. Policy Considerations

1. The Planning Commission discussed the request in detail, including:
 - a. Consistency with the General Plan
 - b. Compatibility with surrounding development patterns
 - c. Infrastructure and traffic considerations
 - d. Housing needs and density considerations
2. Commissioners expressed differing viewpoints, including:
 - a. Support for increased housing availability and affordability

- b. Concern regarding compatibility with existing neighborhood character and long-term planning goals
3. Following deliberation, the Planning Commission forwarded a negative recommendation to the City Council.

vii. Code based Evaluation Considerations

1. This report does not establish decision criteria but is intended to assist the Planning Commission in applying the requirements of Vernal City Code §16.06 and applicable provisions of Utah Code Title 10-20.
 - a. Procedural Compliance
The application has been processed in accordance with VCMC §16.06
 - b. Notice Compliance
Notice has been provided consistent with Utah Code §10-20-205
 - c. General Plan Alignment
The proposed amendment aligns with, or does not materially conflict with, the General Plan
 - d. Consistency with Surrounding Zoning and Uses
The proposed zoning is compatible with existing and anticipated land uses in the area
 - e. Orderly Development
The amendment promotes logical and consistent development patterns
 - f. Public Welfare
The amendment is consistent with the purposes outlined in Utah Code §10-20-101
 - g. Spot Zoning Consideration
The amendment does not represent an isolated or inconsistent zoning designation solely benefiting a single property

viii. Planning Commission Action

1. Held a Public Hearing
2. Considered public comment and applicable code
3. Forwarded a negative recommendation to the City Council



Sara Bell <sbell@vernal.gov>

Proposed Rezone Request-Ordinance No. 2026-13 Jacob Speirs

2 messages

Julie Harris <hairyfam@yahoo.com>

Wed, Apr 29, 2026 at 7:35 AM

To: cfoley@vernalcity.com, rmills@vernal.gov, elong@vernal.gov, njpbs84@gmail.com, tedm@ubtanet.com, rodriscoll@vernalcity.org, sbell@vernal.gov

To Vernal City Mayor and Council Members,

My name is Julie Harris. My home is located at 379 N 1150 W. I have lived in that home and been a Vernal City resident for the past 32 years. When my husband and I purchased our home we knew the land behind us was zoned R-1 and that was part of the reason we purchased where we did not wanting apartments behind us with people moving in and out being more transient. We look forward to someone developing the field behind us into a subdivision of single family homes to complete the small community feel we have always desired.

Before purchasing our home we were renting a duplex in the air village area from Charlie Walker. For our loan he needed to verify we paid our rent on time etc. When he found out the property we were buying was the same one he was interested in, he offered us money to back out so he could make an offer and purchase it. He said he was interested in building homes in the field behind the property and wanted to level the house and have a road put there to access it from 1150 West. This was thirty two years ago, when there wasn't near as much traffic as there is now, he knew then that more traffic access on 500 North wasn't a good idea. It still isn't. Traffic has become substantially higher with the population growth, new ball fields, new schools, college growth, park, hospital, and general access to Maeser homes and to the Lapoint area.

While putting in single homes would impact the area greatly, taxing our overloaded sewers, power grids, parking issues, and potentially having to rezone school boundaries, I am confident it would work for a few dozen homes to be built in the field. However, we absolutely do not have the capacity for higher density housing in this area where people already are coming constantly for many different reasons.

During peak traffic times trying to turn left onto 500 North is impossible. I have to wait on traffic to even turn right onto 500 North, head East until closer to town and turn left onto another road to then turn right just so I end up going west on 500 N. Putting more people in an already congested area raises serious concerns of safety and security issues.

I have legitimate concerns about the sewer line as well. I can't count how many times Vernal city has cleaned out the sewer on 1150 West. They don't notify me in advance, but I always know when they are messing with it somewhere on my road because of the noise and odor generated that fills my basement. It doesn't sound good, and I have actually had the pressure blow up my toilet seat lid and water sputter out. The men working have told me if the sewer ever starts to come up in my basement to let them know and they will take care of it. This is not comforting at all. Another issue is the atrocious sewer gas smell that literally fills my house with toxic fumes taking quite awhile to clear out. That can't be healthy.

I am not opposed to single family homes going in behind me. It's literally my back yard that will be butted up against the new development. I ask that you please keep it zoned R-1 and wait for a developer that will honor the zoning as it is now. While Jacob Speir has good intentions of helping families, this is not the land to do it on. Small 1400 square foot starter homes can accomplish more affordable housing as well, would sell quickly, and continue to follow the City's long term plan for aesthetics close to the city/county line while maintaining zoning.

Thank you for your time and your consideration.

Sincerely,

Julie Harris

Sent from my iPhone



Sara Bell <sbell@vernal.gov>

proposed rezone request ordinance No.v2026-13

4 messages

dcrofts@juno.com <dcrofts@juno.com>
To: sbell@vernal.gov

Wed, Apr 29, 2026 at 7:43 PM

I am very OPPOSED to the rezoning ordinance for future building in the area of the request.
I live on 1150 west across from the ashley elementary school. This street (1150 west) is already seeing to much traffic and people using the area.
It could almost be called a public safety hazard. Access off of and on to 5th north has a above amount of traffic accidents and holdups.
There is also the water and infrastructure problems right now with getting to the area. Its too big of a proposal for vernal and the area right now.

Please reconsider this request.

Sara Bell <sbell@vernal.gov>
To: "dcrofts@juno.com" <dcrofts@juno.com>

Thu, Apr 30, 2026 at 8:32 AM

Thank you for your email. Can I get your name so I can include your comments in the official record of the public hearing?
[Quoted text hidden]

dcrofts@juno.com <dcrofts@juno.com>
To: sbell@vernal.gov

Thu, Apr 30, 2026 at 7:17 PM

Thank you for your email. Can I get your name so I can include your comments in the official record of the public hearing?
=====

Doug Crofts

On Wed, Apr 29, 2026 at 7:45â€PM dcrofts@juno.com <dcrofts@juno.com> wrote:
I am very OPPOSED to the rezoning ordinance for future building in the area of the request.
I live on 1150 west across from the ashley elementary school. This street (1150 west) is already seeing to much traffic and people using the area.
Access off of and on to 5th north has a above amount of traffic accidents and holdups.
There is also the water and infrastructure problems right now with getting to the area. Its too big of a proposal for vernal and the area right now.

Please reconsider this request.

From: Sara Bell <sbell@vernal.gov>
To: "dcrofts@juno.com" <dcrofts@juno.com>
Subject: Re: proposed rezone request ordinance No.v2026-13
Date: Thu, 30 Apr 2026 08:32:33 -0600

**ORDINANCE NO. 2026-13
EVERBUILT REZONE
PAGE 1**

AN ORDINANCE AMENDING THE OFFICIAL VERNAL CITY ZONING MAP BY THE REZONING OF PROPERTY.

WHEREAS, the City Council finds that the regulation of zoning within the City is necessary for orderly growth within the community, and;

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the Vernal City Zoning Map, and;

WHEREAS, the City Council has received input from the public at large in duly noticed open meetings, and has considered and discussed the advantages and disadvantages of such zoning amendment;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF VERNAL CITY, UTAH AS FOLLOWS:

SECTION 1. Description. The following parcels of property in Vernal, Utah are rezoned from R-1 (Residential Zone) to R-3 (Residential Zone):

ADDRESS: 1315 W 500 N, Vernal, Utah

PARCEL NUMBERS: 05:006:0012, 05:006:0013, 05:005:0029

LEGAL DESCRIPTION: BEG AT A PT LOC ON THE N LN NW/4 OF SEC 22, T4S, R21E, SLB&M. WHICH BEARS N 87*55'20"E 816.75 FT FROM THE NW COR OF SD SEC, TH S 87*55'20"E ALG THE SD N LN OF THE NW/4 378.25 FT; TH S 02*11'52"E PAR TO THE W LN OF THE SD NW/4 339.25 FT; TH N 87*55'20"E PAR TO THE SD N LN NW/4 438.50 FT; TH S 02*11'52"E PAR TO THE SD W LN OF THE NW/4 380.75 FT; TH S 87*55'20"W PAR TO THE SD N LN NW/4 345.95 FT; TH N 02*11'52"E PAR TO W LN OF THE NW/4 242.25 FT; TH S 87*55'20"W PAR TO THE SD N LN NW/4 219.00 FT; TH S 02*11'52"E PAR TO THE W LN OF THE NW/4 92.02 FT; TH S 87*55'20"W PAR TO SD LN NW/4 250.00 FT; TH N 02*11'52"W PAR TO THE W LN OF THE NW/4 570.00 FT TO THE POB. CONT 8.00 ACRES, M/L. BASIS OF BEARINGS IS A LN FROM THE W/4

ORDINANCE NO. 2026-13
EVERBUILT REZONE
PAGE 2

COR AND THE NE COR OF SD SEC WHICH IS CALCULATED FROM THE OFFICIAL PLAT OF VERNAL CITY, UTAH DATED 1966 TO BEAR N 61*24'07"E.

BEG AT A PT LOC ON THE N LN NW/4 NW/4 OF SEC 22, T4S, R21E, SLB&M, WHICH BEARS N 87*55'20"E PAR TO THE N LN OF THE NW/4 OF SEC SEC 816.75 FT AND S 02*11'52"E PAR TO THE W LN OF THE SD NW/4 570.00 FT FROM THE NW COR OF SD SEC; TH N 87*55'20"E PAR TO THE SD N LN OF THE NW/4 250.80 FT; TH S 02*11'52"E PAR TO THE W LN OF THE SD NW/4 150.00 FT; TH S 87*55'20"W PAR TO THE SD N LN OF THE NW/4 250.80 FT; TH N 02*11'52"W PAR TO THE SD W LN OF THE NW/4 150.00 FT TO POB. CONT .86 ACRE, M/L. BASIS OF BEARINGS IS A LN FROM THE W/4 COR AND THE NE COR OF SD SEC WHICH IS CALCULATED FROM THE OFFICIAL PLAT OF VERNAL CITY, UTAH DATED 1966 TO BEAR N 561*24'07"E

BEG AT A PT LOC IN THE NE/4 NW/4 OF SEC 22, T4S, R21E, SLB&M, WHICH BEARS N 87*55'20"E ALG THE N LN OF THE NW/4 OF SD SEC 1633.50 FT AND S 02*11'52"E PAR TO THE W LN OF THE SD NW/4 339.25 FT FROM THE NW COR OF SD SEC, TH N 87*55'20"E PAR TO THE SD N LN OF THE NW/4 31.26 FT; TH S 02*00'52"E PAR TO THE E LN OF THE SD NW/4 380.75 FT; TH S 87*55'20"W PAR TO THE SD N LN OF THE NW/4 30.05 FT; TH N 02*11'52"W PAR TO THE W LN OF THE SD NW/4 380.75 FT TO POB. CONT 0.27 ACRE, M/L.

SECTION 2. Repealer. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code are hereby repealed.

SECTION 3. Severability. The provisions of this ordinance shall be severable and if any provision thereof or the application of such provision under any circumstances is held invalid and it shall not affect the validity of any other provision of this ordinance or the application in a different circumstance.

SECTION 4. Effective Date. This ordinance shall take effect the day after publication the ____ day of _____, 2026.

**ORDINANCE NO. 2026-13
EVERBUILT REZONE
PAGE 3**

PASSED, ADOPTED AND ORDERED published this ____ day of _____, 2026.

ATTEST:

Mayor Corey Foley

Sara Bell, City Recorder

(S E A L)

Date of Publication: _____

4. Recommendation to consider approval to amend the Vernal City Municipal Planning and Zoning Code Sections 16.04 - Definitions, 16.26 - Off-Street Parking and Vehicle Access Standards, 16.27 - Landscaping Requirements, 16.45 - R-3 Residential Zone, 16.44 - R-4 Residential Zone - Ordinance # 2026-09 - Braeden Christofferson

- A. Type of PC Decision:** Legislative
- B. Application:** Text Amendment to Vernal City Municipal Code
- C. Applicant:** Vernal City
- D. Location / Code Reference:** VCMC Title 16; Utah Code §10-20-101
- E. Description and Background:**

Vernal City has initiated updates to the residential sections of Chapter 16 to modernize zoning standards, improve clarity in application, and ensure consistency with current state law. These amendments were developed in response to ongoing development activity, staff-level interpretation challenges, and recent statutory changes under LUDMA.

The Planning Commission held a public hearing and reviewed the proposed amendments, ultimately forwarding a unanimous recommendation for approval to the City Council.

F. At a Glance:

- i. Updates residential zoning standards within Chapter 16
- ii. Clarifies permitted uses and development expectations across residential zones
- iii. Refines density standards to better align with current growth patterns
- iv. Updates definitions and terminology to remove ambiguity (e.g., townhomes vs. rowhouses)
- v. Aligns subdivision and residential review processes with state law requirements
- vi. Reinforces administrative approval of compliant applications
- vii. Improves consistency and predictability for staff and applicants

G. Analysis:

- i. The proposed ordinance includes updates across multiple sections of Title 16, which collectively work to improve how residential development is evaluated and implemented.
- ii. Key changes include the transition from lot-based density calculations to a units-per-acre framework within the R-3 and R-4 zones, providing a more consistent and predictable method for evaluating residential density. Adjustments to setback standards and site design flexibility are also included to better accommodate a range of housing types while maintaining compatibility with surrounding development.
- iii. The transition to a units-per-acre framework does not inherently increase allowable density but instead establishes a uniform and measurable standard that eliminates inconsistencies created by prior lot-based calculations.
- iv. Parking standards are refined to allow for more administrative clarity in design and layout, including provisions for shared parking, dimensional adjustments under site constraints, and updated frontage limitations that better reflect observed and established development patterns in the region. These changes are intended to ensure that required parking can be accommodated without unnecessarily constraining site design or creating excessive hardscape.
- v. Landscaping standards are updated to ensure compliance while accommodating a more functional and water-conscious design, including the incorporation of drought-tolerant materials and the recognition of park-like amenities as part of overall landscaping requirements. These updates maintain minimum landscaping thresholds while allowing for more usable and integrated open space within developments.

- vi. These updates reflect regional water conservation considerations and promote efficient landscape design consistent with arid climate conditions.
- vii. Updates to definitions further support these changes by clarifying terminology related to residential uses, site design elements, and landscaping practices, reducing ambiguity in code interpretation and application.

H. Findings

- i. The proposed amendments are consistent with the intent of Vernal City Code Title 16 and support improved administration and application of development standards.
- ii. The amendments promote more predictable and consistent evaluation of residential density through the use of units-per-acre calculations.
- iii. The updates to parking and landscaping standards maintain minimum requirements while allowing for more practical and functional site design.
- iv. The amendments reflect ongoing City-led evaluation of code effectiveness and are not the result of any single development proposal.
- v. The proposed changes support orderly development patterns and are consistent with the purposes outlined in Utah Code §10-20-101.
- vi. The proposed amendments are the result of independent City-led evaluation and are not derived from or dependent upon any specific development application.

I. Staff Recommendation:

- i. Staff recommends that the City Council approve the proposed amendments to Vernal City Code Chapter 16 (Residential Standards) as presented. The amendments provide necessary clarification, improve administrative efficiency, and ensure compliance with current state law.

J. What this amendment does not do:

- i. Does not rezone any property or change existing zoning boundaries
- ii. Does not approve or entitle any specific development project
- iii. Does not remove minimum parking requirements for residential uses
- iv. Does not eliminate required landscaping or minimum landscaping standards
- v. Does not override infrastructure constraints, including water, sewer, or roadway capacity
- vi. Does not bypass required development review processes, including subdivision and site plan approval

**VERNAL
ORDINANCE 2026-09**

**AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING VERNAL
CITY MUNICIPAL CODE SECTIONS §16.04, §16.26, §16.27, §16.42, AND §16.44 TO
UPDATE RESIDENTIAL DEVELOPMENT STANDARDS**

WHEREAS, the Vernal City Council desires to improve clarity, consistency, and administration of residential development standards within Vernal City; and

WHEREAS, the City Council finds it necessary to update provisions related to residential density, parking, landscaping, and zoning definitions to better reflect current development practices and community needs; and

WHEREAS, the proposed amendments simplify density calculations and establish consistent standards for evaluating residential development within the R-3 and R-4 zoning districts; and

WHEREAS, the Planning Commission held a duly noticed public hearing on April 14, 2026, and forwarded a unanimous recommendation for approval to the City Council;

WHEREAS, the City Council finds that the proposed amendments promote orderly development, improve administrative efficiency, and are consistent with the purposes of land use regulation as set forth in Utah Code Title 10 Chapter 20;

NOW THEREFORE, be it ordained by the Council of the Vernal, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “Section 16.44.010 Objectives -- Characteristics” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.44.010 Objectives -- Characteristics

- ~~A. The R-4 residential zone has been established as a district in which the primary use of the land is for multi-family residential purposes but in which office buildings and certain other uses of a semi-commercial nature may be located. In general, this district serves as a transitional zone between the commercial zone. Since this zone is essentially residential in character, office buildings, rest homes, mortuaries, parking lots and other transitional uses must be developed and maintained in harmony with the residential uses. While a greater amount of automobile traffic and automobile parking is characteristic of this zone, attractive lawns, trees, shrubs, both on the street and around the building, is also characteristic of this zone. In order to accomplish the~~

~~objectives and purposes of this chapter and to stabilize and protect the essential characteristics of this zone, the following regulations shall apply in the R-4 residential zone.(PZSC § 03-22-001)~~

The R-4 Residential Zone is established to accommodate high-density residential development within the City. This zone is intended to provide opportunities for a range of housing types, including multi-family dwellings, apartments, townhomes, and other attached residential forms. The R-4 zone is designed to support increased residential density in appropriate locations while ensuring that development remains functional, efficient, and compatible through the application of site design, parking, landscaping, and access standards. In addition to residential development, the R-4 zone may accommodate certain institutional, civic, and limited non-residential uses, such as schools, churches, offices, and similar uses, where such uses are compatible with surrounding residential development and do not adversely impact the residential character of the area. In order to accomplish the objectives and purposes of this chapter, development within the R-4 Residential Zone shall be subject to the regulations set forth herein.

SECTION 2: **ADOPTION** “Section 16.44.030 Density Per Acre” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.44.030 Density Per Acre(*Added*)

Density calculations shall apply to all residential development types within the R-4 zone, including townhome developments.

The Residential R4 zone shall be limited to twenty-five (25) Units Per Acre

SECTION 3: **AMENDMENT** “Section 16.44.035 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.44.035 Uses

Uses are as set out in this section:

USES	R-4
Bed and breakfast	C

Boarding houses	C
Churches	P
Day care nursery	P
Dwelling, internal additional	P
Dwelling, two, three and four family	P
Dwelling, single family	P
Dwelling, multiple family, containing thirty (30) or less units	P
Dwelling, multiple family, containing more than thirty (30) units	E
<u>Dwelling, multi-family</u>	<u>P</u>
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Hospitals and clinics	P
Household pets not exceeding 4	P
Mortuary	P
Portable Storage Container	P
office buildings or group of office buildings	P
PRUD	P
Public parking lots	P
Public utility buildings and facilities	P
Rest home	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Retail establishments	N
Row House	P
Schools	P
Signs, monument	P
Signs - non-flashing, flat	P
Signs pertaining to sale or lease of property or professional offices	P
Temporary storage buildings for construction	P

Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
<u>Townhome</u>	<u>P</u>
Urban farm	P
Livestock	C
Uses ruled to be similar by the Planning Commission	P
Wedding chapel	P
Wholesale commercial establishment	N

(Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2012-04, Add, 05/02/2012)

SECTION 4: AMENDMENT “Section 16.44.040 Minimum Area Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.44.040 Minimum Area Requirements

In the R-4 residential zone, minimum area requirements are as follows:

~~A. For each residential building: six thousand five hundred (6,500) square feet, plus one thousand five hundred (1,500) square feet for each dwelling unit in excess of one (1) in each building; For other main buildings: seven thousand five hundred (7,500) square feet. Dwelling utilizing zero side yard: four thousand five hundred (4,500) square feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot. Row houses: three thousand (3000) square feet.~~

Residential density in the R4 Residential Zone shall be regulated by maximum units per acre as established in Section 16.44.030 (Density Per Acre). Lot size configuration and layout shall be governed by setback, landscaping, parking, and site design standards.

(PZSC § 03-22-004)(Ord. 2015-06, Amended, 04/15/2015; Ord. 2015-03, Amended, 02/20/2015)

SECTION 5: AMENDMENT “Section 16.44.050 Minimum Width Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.44.050 Minimum Width Requirements

- A. Width requirements shall be measured at a distance of thirty (30) feet back from the front lot line.
- B. The minimum width of any parcel for a one (1) family or other main building shall be sixty-five (65) feet, plus five (5) additional feet for each additional dwelling unit up to eighty (80) feet.
- C. Dwelling utilizing zero side yard: forty-five (45) feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot.

~~D. Row House: thirty (30) feet.~~

(PZSC § 03-22-005)

(Ord. 2015-06, Amended, 04/15/2015; Ord. 2015-03, Amended, 02/20/2015; Ord. 2009-12, Amended, 07/15/2009)

SECTION 6: AMENDMENT “Section 16.44.060 Setback Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.44.060 Setback Requirements

- A. Front Setback: All buildings and structures shall be set back at least ~~twenty (20)~~ fifteen (15) feet from the front lot line.
- B. Townhome developments shall comply with the following:
 - 1. Townhome developments with vehicular access provided from a rear alley or private drive may utilize the minimum fifteen (15) foot front setback.
 - 2. Townhome developments with vehicular access provided from the front of the lot shall provide a minimum front setback sufficient to accommodate required driveway parking spaces.
 - 3. Where driveway parking is utilized to satisfy required parking, the driveway shall have a minimum depth of twenty (20) feet.
- C. Side Setback:
 - 1. Except for dwellings utilizing zero side yards, all dwellings and other main buildings shall be set back from the side property line a distance of at least five

- (5) feet.
- 2. The minimum side setback for accessory buildings shall be the same as for main buildings except that no side setback shall be required for accessory buildings located twelve (12) feet or more in back of the dwelling.
- 3. On corner lots, the side setback from the street along the exterior lot line for any dwelling, accessory building or other main building shall not be less than ~~twenty (20)~~ fifteen (15) feet, unless:
 - a. The exterior lot line is directly adjacent to an unimproved, undeveloped section of public right-of-way. If this is the case, the side setback for accessory buildings shall be ten (10) feet.

D. Rear Setback:

- 1. For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ten (10) feet. Accessory buildings shall be set back at least one (1) foot from the rear property line.
- 2. For exterior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ten (10) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than five (5) feet.

(PZSC § 03-22-006)
 (Ord. 2015-03, Amended, 02/20/2015)

SECTION 7: AMENDMENT “Section 16.44.070 Height And Coverage Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.44.070 Height And Coverage Requirements

~~A. The maximum height requirement in the R-4 residential zone is as follows: The maximum height for residential housing developments containing four (4) or less units ie: single-family, duplex, triplex, or four-plex structure shall not exceed three (3) stories tall with a maximum of forty-five (45') feet. Multi-family projects containing five (5) or more dwelling units and all commercial projects shall not exceed four (4) stories with the overall height of structures not exceeding sixty (60') feet. All accessory buildings shall not exceed thirty-five (35') feet. Chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height. The maximum area of any lot that may be covered by structures is sixty-five (65) percent.~~

The maximum height requirement in the R-4 Residential Zone is as follows:

- a. Single-family dwellings, duplexes, triplexes, and fourplexes shall not exceed three (3) stories or forty-five (45) feet in height.
- b. Multi-family residential structures shall not exceed four (4) stories or sixty (60) feet in height.
- c. All accessory buildings shall not exceed thirty-five (35) feet in height.

Chimneys, flagpoles, television antennas, church towers, and similar structures not used for human occupancy are excluded in determining height.

(PZSC § 03-22-007)

(Ord. No. 96-07, Amended, 03/20/96)

SECTION 8:AMENDMENT “Section 16.42.010 Objectives -- Characteristics” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.42.010 Objectives -- Characteristics

- A. ~~The R-3 residential zone covers the portion of the City which is primarily suited for residential development represented by the commingling of one (1) family, two (2) family and multiple-family dwellings, plus parks, playgrounds, schools, churches and other community facilities designed to serve the residents of the zone. This zone is characterized by a more compact and somewhat denser residential development than in the R-1 and R-2 zones. Owners and developers of property within this zone should bear in mind that primacy is given to multiple unit housing development and maintain their properties in recognition thereof. In order to accomplish the objectives and purposes of this chapter and to stabilize and protect the essential characteristics of this zone, the following regulations shall apply in the R-3 residential zone.~~

The R-3 Residential Zone is established to accommodate medium-density residential development and to serve as a transition between lower-density residential areas and higher-density residential or mixed-use areas of the City. This zone is intended to provide for a variety of housing types, including single-family dwellings, duplexes, triplexes, fourplexes, townhomes, and other compatible residential forms. In addition to residential development, the R-3 zone may accommodate parks, schools, churches, and other community-oriented or institutional uses that serve the residents of the area and are compatible with surrounding residential development. Development within the R-3 zone is expected to be more compact than in the R-1 and R-2 zones while maintaining compatibility with surrounding neighborhoods through appropriate site design, landscaping, parking, and access standards. In order to accomplish the objectives and purposes of this chapter, development within the R-3 Residential Zone shall be subject to the regulations set forth herein.

(PZSC § 03-21-001)

SECTION 9: **ADOPTION** “Section 16.42.030 Density Per Acre” of the Vernal Municipal Code is hereby *added* as follows:

ADOPTION

Section 16.42.030 Density Per Acre(*Added*)

Density calculations shall apply to all residential development types within the R-3 zone, including townhome developments.

The Residential R3 zone shall be limited to fourteen (14) Units Per Acre

SECTION 10: **AMENDMENT** “Section 16.42.035 Uses” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.42.035 Uses

Uses are as set out in this section:

USES	R-3
Bed and breakfast	C
Boarding houses	C
Churches	P
Day care nursery	P
Dwelling, internal additional	P
Dwelling, two, three or four family	P
Dwelling, single family	P
Group dwellings in accordance with Chapter 16.20	P
Home occupations in accordance with 16.22	P
Hospitals and clinics	C

Household pets not exceeding 4	P
Livestock	C
Mortuary	C
Portable Storage Container	P
Professional office buildings	C
PRUD	P
Public parking lots	C
Public utility buildings and facilities	P
Rest home	P
Residential facilities for the elderly	P
Residential facilities for the handicapped	P
Schools	P
Signs, monument	P
Signs pertaining to sale or lease of property or professional offices	P
Temporary storage buildings for construction	P
Tower, amateur radio	P
Tower, low power radio	C
Tower, small cellular	P
<u>Townhome</u>	<u>P</u>
Urban farms	P
Wedding chapel	C

(Ord. 2017-11, Amended, 08/16/2017; Ord. 2017-01, Amended, 01/18/2017; Ord. 2012-04, Add, 05/02/2012)

SECTION 11: **AMENDMENT** “Section 16.42.040 Minimum Area Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.42.040 Minimum Area Requirements

A. One (1) family dwelling: six thousand five hundred (6,500) square feet;

~~B. Dwelling utilizing zero side yard: four thousand five hundred (4,500) square feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot; Two (2) family dwelling: nine thousand (9,000) square feet; Three (3) family dwelling: ten thousand (10,000) square feet; Four (4) family dwelling: twelve thousand (12,000) square feet.~~

Minimum lot area requirements based on dwelling count are hereby removed. Residential density in the R3 Residential Zone shall be regulated by maximum units per acre as established in Section 16.42.030 (Density Per Acre). Lot size configuration and layout shall be governed by setback, landscaping, parking, and site design standards.

(PZSC § 03-21-004)
(Ord. 2015-06, Amended, 04/15/2015)

SECTION 12: AMENDMENT “Section 16.42.060 Setback Requirements”
of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.42.060 Setback Requirements

A. Front Setback: All buildings and structures shall be set back at least ~~thirty (30)~~ **Twenty (20)** feet from the front lot line. B. Side Setback:

1. Except for dwellings utilizing zero side yards, all dwellings and other main buildings shall be set back from the side property line a distance of at least five (5) feet. 2. The minimum side setback for accessory buildings shall be the same as for main buildings except that no side setback shall be required for accessory buildings located twelve (12) feet or more in back of the dwelling. 3. On corner lots, the side setback from the street along the exterior lot line for any dwelling, accessory building or other main building shall not be less than twenty (20) feet, unless:

a. The exterior lot line is directly adjacent to an unimproved, undeveloped section of public right-of-way. If this is the case, the side setback for accessory buildings shall be ten (10) feet.

C. Rear Setback:

1. For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ~~twenty (20)~~ **fifteen (15)** feet. Accessory buildings shall be set back at least one (1) foot from the rear property line. 2. For exterior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least ~~twenty (20)~~ **fifteen (15)** feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than five

(5) feet.

PZSC § 03-21-006)

SECTION 13: AMENDMENT “Section 16.27.060 Minimum Number Of Trees Or Shrubbery” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.27.060 Minimum Number Of Trees Or Shrubbery

- A. CC-1, C-2, CP-2, CCP-1, HC-1, I-1 and F-1 zones.
 - 1. A minimum ratio of one (1) tree or shrubbery per every 500 square feet of landscaping shall be provided on the overall site plan. For example:
Commercial C-2 one (1) acre site shows 5% greenspace; $5\% = 2178$ sq. ft. divided by 500 = 4.356 rounded to 4 trees or shrubbery for the 1 acre site;
- B. R-3, R-4, MX and P-1 zones;
 - 1. A minimum ratio of one (1) tree or shrubbery per every 1500 square feet of landscaping shall be provided on the overall site plan. For example: A one (1) acre R-4 multi-family site shows 30% open green space: $30\% = 13068$ sq. ft. divided by 1500 = 8.712 rounded to 9 trees or shrubbery for the one (1) acre site.
- C. Coniferous trees (evergreens) shall be a minimum of six (6) feet high. Deciduous trees (leaf bearing) shall be a minimum of two (2) inches caliper. Shrubbery shall be a minimum of ten (10) gallons.

Locations of Trees.

- a. Trees shall be incorporated into site design, particularly along street frontages, within common areas, and as part of required buffering. Tree type, size, and spacing shall be appropriate to the scale and layout of the development and may include a mix of shade and ornamental species.
- b. Trees shall be located and maintained within the yards so as not to impact public sidewalks or rights-of-way with roots, branches, or other debris.

(Ord. No. 94-15, Enacted, 07/14/94; Ord. No. 96-27, Amended, 11/20/96)

SECTION 14: AMENDMENT “Section 16.27.070 Minimum Area Requirements” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.27.070 Minimum Area Requirements

Landscaping shall be provided for all land not covered by buildings or by off-street parking space in those zones requiring landscaping. In zones that require a building set back, the main landscaped area shall be distributed across the site with emphasis on street frontage, buffers, and open spaces. ~~(60% of the total landscaping requirement) shall be along the frontage, parallel to the public road right of way. No rock or gravel, except boulders, shall be allowed in the main landscaped area.~~ Landscaping shall be arranged to provide functional open space, site buffering, and visual enhancement of development.

Landscaping may include drought-tolerant plantings, native vegetation, decorative rock, and other water wise design elements, provided 50% of landscaped areas incorporate living plant material and are not composed solely of inorganic ground cover.

Landscaping plans shall be submitted with site plans according to site plan regulations. All zones shall require the following minimum landscaping regulations:

Park-like amenities such as sports courts, pavilions, and similar recreational or community-oriented features may be credited toward required landscaping areas, subject to approval and provided that a minimum amount of living plant material is maintained in accordance with this section.

A. Residential.

1. R-3 Residential: ~~Multi-family~~ Residential developments of three units or more shall have minimum landscaping of ~~30%~~ 20% of the lot area.
2. R-4 Residential: Multi-family developments of three units or more shall have minimum landscaping of 28% of the lot area.
3. R-4 Residential: ~~Row-house~~ Townhome developments shall have minimum landscaping of 15% of the lot area.
- ~~4. MX Mixed Use Residential: Developments having a residential component shall have minimum landscaping of 10% of the lot area.~~

B. Commercial.

1. CC-1 Central Commercial Zone: None, except for areas of the development not covered by buildings or parking.
2. C-2 Commercial Zone: Commercial developments shall have a minimum landscaping of 5% of the lot area. Multi-family dwellings shall meet the same requirement as the R-4 Residential zone.
3. CP-2 Planned Commercial Zone: Commercial developments shall have a minimum landscaping of 5% of the lot area. Multi-family dwellings shall meet

the same requirement as the R-4 Residential Zone.

4. CCP-1 Planned Commercial Zone: None, except as required by the Planning Commission.

~~5. MX Mixed Use Residential: Developments having no residential component shall have minimum landscaping of 5% of the lot area.~~

C. I-1 Industrial Zone shall have a minimum landscaping of 5% of the main building area.

D. P-1 Parks zone shall have a minimum landscaping of 40% of the lot area.

E. F-1 Fairgrounds zone shall have a minimum landscaping of 15% of the lot area.

F. HC-1 Health Care Zone shall have a minimum landscaping of 10% of the lot area.

G. MX Mixed use zone: Developments shall have minimum landscaping of 10% of the lot area.

~~H. Locations of Trees: Trees shall be located and maintained within the yards so as not to impact public sidewalks or rights-of-way with roots, branches, or other debris.~~

(Ord. No. 94-15, Enacted, 07/14/94; Ord. No. 97-01, Amended, 07/02/97)(Ord. 2005-01, Amended, 04/06/2005)

SECTION 15: AMENDMENT “Section 16.26.110 Parking Space Requirements -- Dwellings” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.26.110 Parking Space Requirements -- Dwellings

In all zones there shall be provided parking spaces in a private garage or in an area properly located for a future garage:

- A. Single-family dwelling, to include ~~row houses~~townhomes: two (2) spaces;
 - 1. Required parking for townhome developments may be satisfied through a combination of garage spaces, driveway spaces, and common parking areas, provided all applicable design and access standards of this Title are met.
 - 2. Up to fifty percent (50%) of the parking requirement for a row house development may be provided in a common parking lot provided the following conditions are met:
 - a. Easements upon the common parking lot for the benefit of all units in the development must be recorded with the Uintah County Recorder, and;
 - b. Common parking lots must be contiguous with the residential area of the ~~row house~~townhomes development and located within the same city block as the lots they serve. When the ~~row house~~townhomes

development is not located in an area platted with standard city blocks, the common parking lot, and; All other parking lot design standards specified within this title must be met.

- c. All other parking lot design standards specified within this title must be met.
- B. Two-family dwelling: four (4) spaces;
- C. Three-family dwelling: six (6) spaces;
- D. Four-family dwelling: eight (8) spaces;
- E. Other multiple-family dwellings:
 1. Standard multiple-family dwelling requires two (2) spaces per dwelling unit,
 2. ~~Multiple-family dwellings designed to accommodate exclusively bachelors and/or bachelorettes require one (1) space for each person in each unit. The building permit shall stipulate the maximum number of persons per unit and the number and type of unit.~~ Studio or efficiency dwelling units shall require one (1.5) parking space per dwelling unit.
 3. ~~Housing exclusively for the elderly and/or handicapped require one (1) space per unit.~~ Age-restricted residential developments, including housing for older persons as defined by applicable federal law, shall require one (1.5) parking space per dwelling unit.
 4. Multiple family developments containing more than four (4) dwelling units shall provide one (1) additional parking space for each two (2) dwelling units.
 5. The additional parking requirements set forth in sub-section E(d) shall not apply to townhomes or townhome developments.
- F. All dwelling units within the CC-1 or MX zones require one and one half (1.5) parking spaces per unit.
 1. Residential development in the MX Zone shall provide Off-Street Parking as follows:
 - a. Development shall provide a minimum of two (2) Parking spaces per dwelling unit.
 - b. Development shall provide a minimum of parking as listed in commercial use table 16.26.120 (parking spaces required non-dwelling).
 - c. Parking count can be modified if an adjacent special assessment area is established
 2. Parking spaces may include garage spaces, driveway spaces or designated surface parking spaces
- G. If any dwelling unit is increased by occupant use after the original building permit is issued, the parking requirements shall reflect that increase;
- H. In addition to the parking space requirements set out in this section, one (1) space shall be provided for every two (2) paying guests residing in such dwelling unit. "Paying guest" refers to the rental of sleeping rooms within the dwelling unit. (PZSC § 03-12-011)

(PZSC § 03-12-011)

(Ord. 2010-16, Amended, 08/04/2010; Ord. 2009-11, Amended, 07/15/2009)

SECTION 16:**AMENDMENT** “Section 16.26.160 Location” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.26.160 Location

Off-street parking facilities shall be located as hereinafter specified.

- A. For any type building, parking facilities shall be located on the same lot or building site as the buildings which they are required to serve.
- B. For uses other than those specified in subsection A of this section, parking spaces shall not be over five hundred (500) feet from the building they are required to serve.
- C. ~~In any residential zone, not more than twenty-five (25) percent of the required front yard or side yard adjacent to a street shall be devoted to driveways and off-street parking.~~
- D. In any residential zone, not more than thirty-five percent (35%) of the required front yard or side yard adjacent to a street shall be devoted to driveways and off-street parking for single-family detached dwellings.
- E. For attached residential dwellings, including duplexes, triplexes, fourplexes, townhomes, and multi-family structures, not more than fifty percent (50%) of the required front yard or side yard adjacent to a street shall be devoted to driveways and off-street parking.
- F. Driveway and parking areas shall be designed to support required off-street parking while maintaining visual quality, minimizing excessive hardscape, and avoiding domination of the streetscape.
- G. Where distance is specified, such distance shall be walking distance measured from the nearest point of the building that such facility is required to serve.

(PZSC § 03-12-015 (2))
(Ord. No. 96-07, Amended, 03/20/96)

SECTION 17:**AMENDMENT** “Section 16.04.005 Planning And Zoning Definitions” of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.04.005 Planning And Zoning Definitions

Definitions: The following is the definitions used for the land use Section of the City Code:
"Access Strip" shall be defined as a strip of land which is part of a lot and provides access to the part thereof used or to be used for buildings and structures.

"Affected Entity" in accordance with Section ~~10-9a-103~~10-20-102 of Utah Code Annotated.

"Age-Restricted Residential Development" means a residential development that is intended and operated for occupancy by older persons and complies with applicable federal and state laws governing housing for older persons.

"Agriculture" is the tilling of the soil, the raising of crops, horticulture and gardening, but not including keeping or raising of domestic animals or fowl except household pets and not including any agricultural industry or business such as fruit packing plants, fur farms, animal hospital or similar uses.

"Alley" is a public thoroughfare less than twenty-six (26) feet wide.

"Amusement Devices" is any machine which, upon the insertion of a coin, slug, token, plate, disc or upon the payment of a consideration, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It includes such devices as marble machine, pinball machine, skill ball, mechanical grab machines which yield a prize and all games, operations or transactions similar thereto under whatever name they may be indicated. The term does not include coin-operated phonographs, ride machines designed primarily for the amusement of children or vending machines in which are not incorporated features of gambling or skill.

"Animal Boarding" is a commercial facility that, in a completely enclosed facility, keeps household pets as defined herein.

"Architectural Projection" is any projection which is not intended for occupancy and which extends beyond the face of an exterior wall or a building but shall not include signs.

"Bakery" is a facility with the primary, but not the sole, function of producing baked food products. Bakeries may also include the on-site retail sales of baked goods.

"Barber / Beauty Shop" is a commercial establishment where licensed professionals provide personal grooming services including hair cutting, styling, coloring, shaving and related cosmetic treatments to the public.

"Basement" is a story partly underground and having at least one-half (1/2) its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement.

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

"Blanketing or Blanket" is when applied to signs or sign structures, means the partial or complete shutting off of the face of one (1) sign by another.

"Boardinghouse" is a building with not more than five (5) guest rooms where, for compensation, meals are provided for at least five (5) but not more than fifteen (15) persons.

"Building" is any structure used or intended for supporting or sheltering any use or occupancy.

"Building, Accessory" is a subordinate building or a portion of a main building on a lot, the use of which is customarily incidental to that of a main or principal building. All accessory structures and buildings over one hundred eighty (180) square feet shall be designed and constructed as to be compatible with the architectural components of the main dwelling or building. This shall include compatible roof pitch, compatible exterior material and design, landscaping, etc. Structures primarily and continually used as green houses, shall be exempt from the compatibility requirements. Further, no accessory building in any residential zone shall cover more than twenty-five (25%) percent of the rear yard.

"Building Agricultural" Is a structure designed and constructed to house farm implements, hay, grain, poultry, livestock and other horticultural products.

"Building, Detached" is a building surrounded by open space on the same lot.

"Building, Facade" is that portion of an exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.

"Building, Facade Facing" is a rebuilding of an existing facade with approved material illuminated or nonilluminated.

"Building, Height of" is the vertical distance above "grade" as defined herein to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The measurement may be taken from the highest adjoining sidewalk or ground surface within a five (5) foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten (10) feet above grade. The height of a steeped or terraced building is the maximum height of any segment of the building.

"Building, Main" is a building in which is conducted the principal use of the lot on which it is located.

"Building Official or Chief Building Official": is the official or other person charged with the administration and enforcement of Title 15 of the Vernal City Municipal Code and other ordinances as specifically noted to be enforced by the Building Official, or the duly authorized designee appointed by the City Manager or Mayor.

"Building, Public" is a building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the state of Utah, or any of its political subdivisions.

"Bus Shelter" is a structure associated with a designated bus stop designed to provide shelter to passengers awaiting transportation on a bus system.

"Business Complex" is a group of associated businesses, whether located on the same parcel of property or not, having cross connectivity between parking areas and sharing accesses to public roadways, which jointly identify themselves as part of said business group.

"Cannabis Cultivation Facility" means a person that:

- A. possesses cannabis; and
- B. grows or intends to grow cannabis; and
- C. sells or intends to sell cannabis to a cannabis cultivation facility or to a cannabis processing facility.

"Cannabis Processing Facility" means a person that:

- A. acquires or intends to acquire cannabis from a cannabis production establishment or a holder of an industrial hemp processor license under Title 4, Chapter 41, Hemp and Cannabidiol Act, Utah Code Annotated;
- B. possesses cannabis with the intent to manufacture a cannabis product;
- C. manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and
- D. sells or intends to sell a cannabis product to a medical cannabis pharmacy or the state central fill medical cannabis pharmacy.

"Cannabis Production Establishment" is a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory.

"Carwash, Laundry-Type" is a structure or portion thereof containing facilities for washing passenger automobiles, using production line methods such as, but not limited to, chain conveyor, movable or revolving cleaning brushes, blower, steam cleaning or similar mechanical device.

"Carwash, Manual spray" is a structure or portion thereof containing facilities for washing passenger automobiles, limited to using only hand-operated manual spray cleaning equipment and techniques.

"Cellar" is a story having more than one-half (1/2) its height below the average level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.

"Changeable Copy Panel" is a sign panel which is characterized by changeable copy, regardless of method of attachment.

"Chief Executive Officer" is the current, officially elected Mayor of Vernal City, Utah.

"City" is Vernal City, Utah.

"Clear Vision Triangle" is a triangular area formed by the curb lines, or edges of vehicular travel ways in areas where no curbs are present, and a line connecting them at points twenty (20) feet distant from the intersection of curb lines or travel ways.

"Cluster Subdivision" is a subdivision of land in which the areas and widths of residential lots are reduced below the minimum lot areas and lot width requirements of the zone in which the subdivision is located and where equivalent common open space areas are provided to compensate for such lot reduction.

"Common Open Space" is the land area in a planned residential unit development (PRUD) reserved and set aside for recreational uses, landscaping, open grass areas, parking and driveway areas for the common use and enjoyment of the residents of PRUD.

"Common Open Space Easement" is the required right-of-way granted to the City by the owner(s) of a PRUD, on and over land in a PRUD designated as open space, which easement guarantees to the City that the designated common open space and recreation land is permanently reserved for access, parking and recreation and open space purposes in accordance with the plans and specifications approved by the Planning Commission and the City Council at the time of approval of the PRUD or as such plans are amended from time to time.

"Conditional Uses" is a land use that, because of its unique characteristics or potential impact on the City, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

"Condominium Projects" is a real estate condominium; a plan or project whereby two or more units, whether contained in existing or proposed apartments, commercial or industrial buildings or structures, or otherwise, are separately offered or proposed to be offered for sale, together with an undivided interest in any common areas and facilities of the property. Condominium project shall also mean the property when the context so requires. 1 Such projects shall meet all requirements of the Condominium Ownership Act of the State of Utah.

"Corral" is a space other than a building less than ten thousand (10,000) square feet in area and less than one hundred (100) feet in width used for the confinement of animals.

"County" is the unincorporated areas of Uintah County, Utah.

"Court" is a space open and unobstructed to the sky, located at or above grade level on a lot and bounded on three (3) sides by walls of a building.

"Coverage, lot" is the percent of the lot area covered by the main and accessory buildings.

"Dairy" A commercial establishment for the manufacture, processing or sale of dairy products.

"Data Center" is a facility used to house and maintain electronic hardware whose primary function is the storage, management, and dissemination of electronic data.

"Day Care Center" is a building or structure where seven (7) or more children are regularly cared for during the day for compensation.

"Domestic Abuse Shelter" is a place of temporary residence and associated services for individuals who are victims of domestic abuse.

"Dry Cleaner" is an establishment which has, as its sole purpose, the cleansing of fabrics with substantially non-aqueous organic solvents. Laundry establishments with self-service, coin-operated cleaning machines shall not be classified as a dry cleaner.

"Dwelling" is a building or portion thereof designated or used as the living quarters for one (1) or more families. The portion of the building that is classified as dwelling shall have a minimum of fifty (50%) percent of its floor area used as "habitable space" as defined in the International Residential Code such as (IRC) garage.

"Dwelling, Caretaker" is a permanent structure used as a dwelling on the same site as a building, operation, plant or recreation facility that is occupied by an employee of those premises.

"Dwelling, Group" is two (2) or more dwellings placed upon a single lot.

"Dwelling, Internal Additional" is a habitable dwelling unit created within or attached to a primary dwelling unit and located entirely on the same lot as said primary dwelling unit.

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

"Dwelling, multi-family" is a building arranged or designed to be occupied by three (3) or more families.

"Dwelling, single family" is a building arranged or designated to be occupied by (1) family; the structure having only one (1) dwelling unit.

"Dwelling, single family row house" is a building built directly against an adjoining building without an open space between and containing one (1) family dwelling unit extending from basement to roof. Each such single-family attached dwelling unit shall have a front and rear entrance. Each group of single-family attached buildings shall be considered (1) structure for purposes of front, rear and side yard requirements.

"Dwelling, temporary" is a portable structure having provisions for living, sleeping, cooking and sanitation, to include travel trailers, campers and manufactured homes, but not to include tents or tent trailers.

"Dwelling, two-family" is a building arranged or designated to be occupied by two (2) families; the structure having only two (2) dwelling units.

"Dwelling unit" is one (1) or more rooms in a dwelling, apartment, motel, hotel or apartment

hotel designed for or occupied by one (1) family for living, sleeping, eating and sanitation purposes. A dwelling unit may contain more than one (1) set of kitchen facilities, whether temporary or permanent, provided they are used only by members of the family occupying the dwelling unit or their non-paying guests. A dwelling unit may include up to two (2) persons per unit to whom rooms are rented in addition to a family related by blood, marriage or operation of law, but if the number of such additional persons exceeds two (2) or if they use or are furnished separate cooking facilities, whether temporary or permanent, such additional persons shall be considered a separate dwelling unit.

~~"Dwelling unit, bachelor or bachelorette" is a dwelling unit designed or used to accommodate unrelated persons exclusively.~~

"Educational institution" is a public elementary or secondary school or a private educational institution having a curriculum similar to that ordinarily given in public schools.

"Elderly person" is a person who is sixty (60) years old or older, who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

"Explosive magazine" is any building, structure or device, other than an explosive manufacturing building, used for the storage of explosives.

"Family" A group of individuals, related or unrelated, living together as a domestic group.

"Urban Farm Stand" is a temporary structure used for the display and sale of unprocessed produce or honey only produced or grown on-site.

"Fence" is a tangible barrier or obstruction of any material with the purpose or intent, or having the effect of preventing passage or view across the fence line. It includes hedges and walls.

"Floor Area" is the sum of the gross horizontal area of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not devoted to residential use, but including the area of roofed terraces. All dimensions shall be measured from the exterior faces of the exterior walls.

"Floor-lot area ratio" is the total floor area of a building divided by the area of the lot on which it is located "Frontage" is a property line along either a public or private right-of-way.

"Pet Grooming Parlor" is any establishment that bathes, clips, pedicures or grooms any pet or captive animal for profit or compensation. Pet grooming parlors may not keep any animal on premises for more than twenty-four (24) hours.

"Garage, Carport" is a private garage not completely enclosed by walls or doors. For the purposes of this title, a carport shall be subject to all the regulations prescribed for a private garage.

"Garage, Private" is an enclosed space or accessory building for the storage of one (1) or more motor vehicles; provided, that no business, occupation or service is conducted for profit

therein, nor space therein for more than one (1) car is leased to a nonresident of the premises. A garage shall be considered part of a dwelling if the garage and dwelling have a roof or wall in common or are connected structurally by a physical connection such as a wall, trellis or solid fence.

"Garage, Public" is a building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling or storing motor vehicles.

"General or Master Plan" is a document that Vernal City adopts that sets forth general guidelines for proposed future development of the land within the City under the guidelines set forth by state of Utah statutes.

"Grade" is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

"Guest home" is a separate dwelling structure located on a lot with one (1) or more main dwelling structures and used for a housing of guests or servants and not rented, leased or sold separate from the rental, lease or sale of the main building.

"Handicapped Person" is a person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments that is likely to continue indefinitely and that results in a substantial functional limitation in three (3) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living and economic self-sufficiency; and requires a combination or sequence of special interdisciplinary or generic care, treatment or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.

"Home Occupation" is, unless defined more specifically elsewhere in this Code, any occupation, profession, trade or other commercial activity conducted on a regular basis within or from an approved residential dwelling by one or more occupant residing in the dwelling that is clearly incidental and subordinate to the primary or principal use of the dwelling and property.

"Hotel" is a building designed for or occupied as the more or less temporary abiding place of sixteen (16) or more individuals who are, for compensation, lodged with or without meals.

"Household Pets" are animals ordinarily permitted in residences and kept for the company or pleasure of residents, such as domesticated birds, domesticated cats and domesticated dogs. Household pets also include tropical fish, amphibians, reptiles, or invertebrates of a number that do not constitute a health hazard or nuisance and can safely and humanely be kept in aquariums, cages, or enclosures within a residence. Household pets shall not include the keeping of "vicious animals", "wild animals" or "livestock" as defined in Title 6 of the Vernal City code. Furthermore, household pets shall not include miniature horses, pygmy goats, and

Vietnamese pot-bellied pigs.

"Incombustible Material" Any material which will not ignite at or below a temperature of one thousand two hundred (1200) degrees during an exposure of five (5) minutes, and will not continue to burn or glow at that temperature. Tests shall be made as specified in the Uniform Building Code.

"Independent Cannabis Testing Laboratory" means a person that: conducts a chemical or other analysis of cannabis or a cannabis product; or acquires, possesses, and transports cannabis or a cannabis product with the intent to conduct a chemical or other analysis of the cannabis or cannabis product.

"Junkyard" is the use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof; provided, that this definition shall not be deemed to include such uses which are clearly incidental to and accessory to any agricultural use permitted in the zone.

"Kennel" is land or buildings used in the keeping of four (4) or more dogs or cats over four (4) months old.

"Kindergarten" is a school or class for children generally under six (6) years of age.

"Landscaping" is some combination of planted trees, shrubs, vines, groundcover, flowers or lawns. In addition, the combination or design may include rocks, boulders and screens, bark, walls, fences, or benches, but such objects shall not exceed 20% of the landscaping requirement. The selected combination of objects for landscaping purposes shall be arranged in a harmonious manner in conformance with this Title.

"Laundromat or Launderette" is a self-service laundry establishment where clothes are cleansed in a coin-operated machine. Laundromats and launderettes may include self-service coin-operated dry cleaning machines.

"Legislative Body" is the Vernal City Council.

"Livestock" shall have the definition set forth in Utah Code Ann. §76-9-301(f) and as set forth in 6.04.030, and shall refer to domesticated animals raised in an agricultural setting for the production of food, fiber and labor. This includes, but is not limited to, cows, horses, sheep, goats, and poultry. The term excludes domestic pets such as dogs and cats and wild or exotic animals kept for non-agricultural purposes.

"Lodging house" is a building where lodging only is provided for compensation to five (5) or more, but not exceeding fifteen (15) persons in contrast to hotels.

"Lot" is a parcel of land occupied or to be occupied by a main building or group of buildings (main and/ or accessory) together with such yards, open spaces, lot width and lot area as are required by this title, and having frontage upon a street.

"Lot, Corner" is a lot abutting on two (2) intersecting streets where the interior angle of intersection or interception does not exceed one hundred thirty-five (135) degrees.

"Flag Lots" is a lot shaped like a flag with the pole of the flag being the access to a dedicated public street. No more than three (3) lots can share access off a dedicated public street.

"Lot, Interior" is any lot other than a corner lot.

"Maintain" refers to, but is not limited to, the following: service, repair, alter, remodel, reletter, redecorate, repaint, move or remove. It does not include the removal of signs by a licensed wrecking contractor. Owners or lessees of signs may repaint, redecorate and/or change letters or panels on their own signs.

"Manufactured Home" is a transportable factory-built housing unit constructed, reconstructed or remodeled on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one (1) or more sections, which, in traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site, is four hundred (400) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems. All manufactured homes constructed, reconstructed, or remodeled on or after June 15, 1976, shall be identifiable by the manufacturer's data plate bearing the date the unit was manufactured, and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

"Manufacturing" includes activities involved in processing of materials that produce a material of higher value than that of the original material. All activities are usually in establishments and often times are called plants, factories or mills. Establishments involved in putting together parts of a manufactured project are considered manufacturing as long as the new product is neither a structure nor other fixed improvements such as highways.

"Marquee" is a permanent roofed structure attached to and supported by the building and projecting over public property.

"Medical Cannabis Pharmacy" is a person that: acquires or intends to acquire: cannabis in a medicinal dosage form or a cannabis product in a medicinal dosage form from a cannabis processing facility; or a medical cannabis device; or possesses cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device; and sells or intends to sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device to a medical cannabis cardholder.

"Mobile Home" See "Manufactured home." (HUD Code).

"Motor Vehicle and Machinery Repairs (Major)" refers to any or all of the following activities: Engine rebuilding; Major reconditioning of worn or damaged motor vehicles; Collision service, including body, frame, or fender straightening or repair; Overall painting of vehicles

within an enclosed structure.

"Motor Vehicle and Machinery Repairs (Minor)" refers to any activity not listed in Section 16.04.377, motor vehicle and machinery repairs (major) that involves the repair or maintenance of motor vehicles or machinery, such as oil changing business, and tire sales business.

"Manufactured Home Park" is a parcel of land which has been planned and improved for the placement of manufactured homes for residential use, with single control or ownership.

"Manufactured Home Subdivision" is a parcel of land which has been planned and improved for the placement of manufactured homes for residential use on single lots with private ownership of the lots.

"Motel" is any building or group of buildings containing sleeping rooms designed for temporary use by automobile tourists or transients, with garage attached or parking space conveniently located to each unit.

"Natural Waterways" are those areas, varying in width, along streams, creeks, gullies, springs or washes which are natural drainage channels as determined by Planning Director and in which areas no buildings shall be constructed.

"Nightclub" is a place of entertainment open at night, usually serving food and liquor, having a floor show and providing music and space for dancing.

"Noncomplying Building" is a building or structure or portion thereof that legally existed before its current land use designation; and because of subsequent land use ordinance changes does not comply with the land use regulations setback, height restrictions or other regulations that govern the building or structure.

"Nonconforming Use" is the use of land that legally existed before its current land use designation; has been maintained continuously since the time the land use regulation governing the land changed; and because of subsequent land use ordinance changes, does not conform with the land use regulations that now govern the land.

"Nursery For Children" is a building or structure where six (6) or more children are regularly cared for during the day for compensation.

"Open Green Space" is an open space suitable for relaxation or landscaping. It shall be unoccupied and unobstructed by buildings and/or hard surfaces such as asphalt, cement and packed gravel, except that such open green spaces may be traversed by necessary sidewalks.

"Ordinance Or Zoning Ordinance" is Title 16 of this code.

"Oversized Trailers" is any trailer over six (6) feet in height including cargo, (i.e. boat containers etc.) that obstructs visibility and impairs the view to the other side of the trailer or any trailer with a length, excluding the hitch, that is sixteen (16) feet in length or longer that is eight (8) feet in width or wider.

"Parcel Of Land" is a contiguous quantity of land, in the possession of or owned by or recorded as the property of the same claimant or person.

"Park Strip" is the area between the curb, or in the case where there is no curb, the edge of the roadway and the abutting property line not improved by surfacing that is not intended for the use of automobile operations. Any opening made in a surfaced area between the roadway and the abutting property line for the purpose of planting trees or other vegetation shall be considered part of the parking strip. Grates or other coverings of said areas shall not be considered as surfacing.

"Parking Lot" is an open area, other than a street, used for parking of more than (4) automobiles and available for public use, whether free, for compensation or as an accommodation for clients or customers.

"Parking Space" is a space within a building or lot for parking or storage of one (1) automobile.

"Paying Guest" is any person hiring a room in a dwelling unit for living, eating or sleeping purposes.

"Person" is one (1) or more persons, an association, a co-partnership, a corporation or firm, either by themselves or by an agent, employee, guardian or trustee.

"Planned Residential Unit Development" is a development in which the regulations of the zone in which the development is situated are waived to allow flexibility and initiative in site and building design and location in accordance with an approved plan and imposed general requirements.

"Planning Commission" is the Planning Commission of Vernal City, Utah.

"Planning Director" is the Planning Director of Vernal City.

"Portable Food Sales Structure" is a portable structure for the merchandising or sale of food or foodstuffs from a nonpermanent location. The structure shall be less than two hundred (200) square feet in area.

"Portable Storage Containers" is any on-site storage container described as a steel portable container, dry van container, warehouse storage unit, semi-tractor cargo container, cargo trailer or any other similarly described unit.

"Private Drive" is a nondedicated thoroughfare or road used exclusively for private access to and from private land and/or development.

"Public Hearing" is any special meeting, either required by law or deemed necessary by the City Council, Planning & Zoning Commission or Board of Adjustment, for which public notice is required for soliciting public input on matters under discussion.

"Recreational Vehicle" is synonymous with "travel trailer" or "camper" and means all units, other than manufactured homes as herein defined, which are mobile and are primarily used or maintained as a temporary dwelling for travel, vacation or recreational purposes.

"Recreational Vehicle Park - Long Term (RV Park)" means any area or tract of land, other than manufactured home parks as herein defined, where lots are rented or held out for rent to one (1) or more owners or users of recreational vehicles for a monthly or yearly contract.

"Recreational Vehicle Park (RV Park), Short Term" means any area or tract of land, other than manufactured home parks as herein defined, where lots are rented or held out for rent to one (1) or more owners or users of recreational vehicles for a nightly or weekly contract.

"Recreational Facility For Elderly Persons" is a single or multifamily dwelling unit that meets the requirements of Section 10-9-501 et seq., Utah Annotated Code, 1953, and any ordinance adopted under authority of that part; and does not include a health care facility as defined by Section 26-21-2, Utah Annotated Code, 1953.

"Residential Facility For Handicapped Persons" is a single or multifamily dwelling unit that meets the requirements of Section 10-9-601, et seq., Utah Annotated Code, 1953, and any ordinance adopted under authority of that part.

~~"Row Houses" is a group of three (3) or more single family dwellings meeting the following criteria: Each dwelling is placed entirely on one (1) parcel, and: Each dwelling utilizes a zero side setback from the property line on both sides of said dwelling and share a common wall with another dwelling on both sides of said dwelling, except end dwellings, which utilize only one (1) common wall and one (1) zero side setback.~~

"Setbacks" is the shortest horizontal distance permitted in each zoning district, as set forth in the Vernal City zoning ordinance, between the boundary lines of a parcel or the edge of a public right-of-way and the building, structure or part thereof.

"Sexually Oriented Business" is all adult bookstores, adult video stores, adult media theaters, adult theater, escort services, out-call services, semi-nude entertainment businesses, semi-nude entertainment bars, and semi-nude dancing agencies as defined in Chapter 5.72.050.

"Sexually Oriented Business Employee" means those employees who work on the premises of the sexually oriented business in activities related to the sexually oriented portion of the business. This includes all managing employees, dancers, entertainers, escorts, models, and other similar employees whether or not hired as employees, agents, or as independent contractors. Employees does not include individuals whose work is unrelated to the sexually oriented portion of the business such as janitor, bookkeepers and similar employees. Sexually oriented business employees does not include cooks, serving person, bartenders, and similar employees; except where they are managers or supervisors of the business or where the employee will be required or chooses to appear in the sexually oriented business in a nude or semi-nude condition. All sexually oriented business employees making the "out-call" meetings under this Chapter, including escorts, models, entertainers, guard, escort runners, drivers,

chauffeurs, and other similar employees are sexually oriented business employees, regardless of the location of the premises of the licensed business employing the out-call employee.

"Shopping Center" is a multi-entity commercial complex under single ownership or control which leases space to various commercial establishments.

"Sign" is a presentation or presentation of words, letters, figures, designs, pictures or colors publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation or a request for air; also the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

"Sign, Abandoned" is a sign that is deemed abandoned if it meets any of the following conditions: Any sign which has not identified or advertised a current business, service, owner, product, or activity for a period of at least one hundred twenty (120) days, or; Any sign announcing an event or the date or dates of an event which has passed, except permanent signs announcing the opening of a new business or activity provided that the references to the dates of the opening are removed upon opening, or; Any dilapidated, deteriorated, unreadable, illegible, structurally unsound, or unsafe sign, to include any sign missing any portion of its facing, or; Any multi-tenant sign which advertises for a business, service, owner, product or activity that has not been present on the site for a period of at least one hundred twenty (120) days, or; Any sign remaining after the demolition of a principal structure. Signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one (1) year or more. A sign having a fully intact facing that is in good condition shall not be deemed abandoned if it meets one of the following conditions: Has a completely blank sign face, or; Advertises the property on which the sign is located as being for sale, lease or rent.

"Sign, Advertising" See sign, off-premises.

"Sign, Animated" is a sign which involves motion or rotation of any part created by artificial means or displays flashing or intermittent lights.

"Sign, Background Area" is the entire background area of a sign upon which copy is placed. In computing area of sign background, only the face or faces which can be seen from any one (1) direction at one (1) time shall be counted.

"Sign, Blade" is a sign which is suspended from an overhang, canopy, or awning or is supported from a mounting attached directly to a building and hangs perpendicular to the building wall having an area of three (3) square feet per side or less.

"Sign, Billboard" is a freestanding ground sign that is designed or intended to direct attention to a business, product or service that is not sold, offered or existing on the property where the sign is located.

"Sign, Business" is an on-premises sign which directs attention to a use conducted, a

commodity sold or service performed on the premises. A maximum of ten (10) percent of copy area may also advertise a product not manufactured on the premises.

"Sign, Cloth" is any sign executed upon or composed of any flexible fabric.

"Sign, Combination" is a sign incorporating any combination of the features of projecting, roof or freestanding signs.

"Sign, Copy Area" is the area of a sign that is used for display purposes excluding the minimum frame and supports. In relation to signs that do not have a frame or separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display.

"Sign, Development" is an on-premises sign identifying a construction project or subdivision development. The sign may contain the name of the project, name and address of the construction firm(s), architect and developer.

"Sign, Directional" is an on-premises incidental sign designed to guide or direct pedestrians or vehicular traffic.

"Sign, Flat" is any sign attached to a building or other structure that projects less than eighteen (18) inches beyond the building but extends parallel or substantially parallel thereto.

"Sign, Floodlighted" is any sign illuminated in the absence of daylight only by devices which reflect or project light upon it.

"Sign, Freestanding" is a sign which is supported by one (1) or more columns, uprights or braces in or upon the ground.

"Signs, Identification and Information" is an on-premises sign displayed to indicate the name or nature of a building or use, including all professional and business buildings, home occupations, apartment complexes and public and semipublic buildings. Temporary and development signs are classified in this category only.

"Sign, Illuminated" is a sign in which a source of light is used in order to make the message readable. This definition includes internally and externally lighted signs.

"Sign, Incombustible" is a sign which is constructed entirely of incombustible material.

"Sign Marquee" is any sign attached or made an integral part of a marquee.

"Sign, Multiple-Copy" is a sign which advertises other than the name of the business and the principle project or service.

"Sign, Nameplate" is a sign indicating the name of the person or persons residing on the premises.

"Sign, Off-Premises" is a sign which directs attention to a use, product, commodity or service not related to the premises on which it is located.

"Sign, On-Premises" See Sign, business.

"Sign, Projecting" is a sign attached to a building that projects eighteen (18) inches or more away from said building and has an area greater than three (3) square feet per side.

"Sign, Roof" I any sign erected upon or supported by the roof or parapet of a building.

"Sign, Structure" is any structure which supports any sign as defined in this code. A sign structure may be a single pole or poles or an integral part of a building.

"Sign, Temporary" is any sign, handbill or poster which is placed to advertise or announce a specific event or which pertains to a particular event or occurrence, or which is not designed or intended to be placed permanently. Temporary signs shall not be regulated as off-premises signs.

"Sign, Time And/or Temperature" is a display containing illuminated numbers to show the time and/or temperature.

"Sign, Wall" is a sign which is affixed to an exterior wall of a building or structure and which projects not more than eighteen (18) inches from the building or structure wall and which does not extend more than four (4) feet above the parapet, eaves or building facade on which it is located.

"Site Development Standards" are the established regulations concerning lot areas, yard setbacks, building height, lot coverage, open green space and any other special regulations deemed necessary to accomplish the purpose of this title.

"Stable, Private" is a detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

"Stable, Public" is a stable other than a private stable.

"Story" is the space within a building, other than a cellar, included between the surface of any floor and the surface of the ceiling next above.

"Story, Half" is a story with at least two (2) sides situated in a sloping roof, the floor area of which does not exceed two-thirds (2/3) of the floor immediately below it.

"Street" is a public rights-of-ways, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements and other ways.

"Structural Alterations" are any change in supporting members of a building, such as bearing walls, columns, beams or girders.

"Structure" is anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

"Studio" or "Efficiency Dwelling Unit" means a dwelling unit that contains a single habitable space for living, sleeping, and cooking, with no separate bedroom, and includes a separate bathroom.

"Subdivision" is any land that is divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions; and includes the division or development of land whether by deed, metes and bounds description, devices and testacy, lease, map, plat or other recorded instrument and divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

"Swimming Pool" is any artificial or semiartificial container, whether indoors or outdoors or whether above or below the surface of the ground or both, used or intended to be used to contain a body of water for swimming for any person or persons, together with all permanent structures, equipment, appliances and other facilities used or intended to be used in and about the operation, maintenance and use of such pool.

"Swimming Pool, Family" is a pool used and intended to be used solely by the owner, operator or lessee thereof and his family and by guests invited to use it without payment of any fee or consideration.

"Tavern" is any business establishment operating under a class C beer license. Such establishments shall be limited in number to two (2) per lineal block.

"Theater, Indoor Picture" is a building or part of a building devoted to the showing of moving pictures on a paid admission basis.

"Theater, Outdoor Drive-in" is an open lot, or part thereof, with its appurtenant facilities devoted primarily to the showing of motion pictures on a paid admission basis to patrons seated in automobiles.

"Tourist Home" is a dwelling, or any portion thereof, that in the regular course of business, is rented or leased for occupancy for a period of less than thirty (30) days.

"Tower, Amateur Radio" is a monopole with antenna and antenna support structures. A single pole with at least one (1) private radio service antenna array mounted on the pole. These antennas are for private use and must be erected and used in association with an amateur radio station licensed by the Federal Communications Commission (FCC) or is a lattice tower antenna, which has three (3) legs taller than twenty (20) feet either self-supporting or supported by guy wires with at least one (1) private radio service antenna array mounted on the tower. These antennas are for private use and must be erected and used in association with an amateur radio station licensed by the Federal Communications Commission (FCC).

"Tower, Low Power Radio" is a monopole with antenna and antenna support structures. A single pole with at least one (1) commercial low power radio service antenna array mounted on the pole. These antennas service the general public. Or, it is a lattice tower antenna, which has three (3) legs taller than twenty (20) feet either self-supporting or supported by guy wires with at least one (1) commercial low power radio service antenna array mounted on the tower. These antennas service the general public.

"Tower, Small Cellular" A monopole tower that: Supports one (1) or more low power radio service antennas and associated equipment, and; Provides service for cellular telecommunications networks, and; Is placed with a public easement or a public right-of-way. Such tower may also support other utilities and may be owned and maintained by entities other than the owner of the cellular telecommunications network antennas and equipment.

"Townhome" means a single-family attached dwelling unit constructed as part of a group of three (3) or more attached dwelling units, in which each unit extends from foundation to roof and is separated from adjoining units by one or more common walls. Each townhome is designed for individual ownership and may be located on its own lot or parcel, or within a development established under applicable condominium or common interest community laws.

"Travel Trailer Or Camper" is defined as all vehicles, other than manufactured homes as herein defined, which are mobile and are primarily used or intended to be used or maintained as a temporary dwelling or shelter for travel, camping, vacation, or recreational purposes including; motorhomes, caravans, pop up campers, truck campers, 5th wheel trailers, camper trailers. The term "recreational vehicle" is synonymous with travel trailer or camper.

"Trim, Nonstructural" is the molding, battens, caps, nailing strips, latticing, cutout or letters and walkways which are attached to a sign structure.

"Uniform Building Code (UBC)" is the current edition of the Uniform Building Code as adopted by the City.

"Urban Farms" is a lot or portion thereof used to grow and harvest produce, including the keeping and raising of honeybees, for commercial or group use further, allowing the sale of such produce on-site.

"Use" is the specific purposes for which land or a building is designed, arranged, intended or for which it is or may be occupied or maintained.

"Use, Accessory" is subordinate use customarily incidental to and located upon the same lot occupied by the main use and devoted exclusively to the main use of the premises.

"Use, Conditional" is any use lawfully occupying land or buildings as authorized in the zone regulations and for which no conditional use permit is required. is a use or occupancy of a building or use of land permitted only when authorized upon issuance of a conditional use permit and subject to the limitations and conditions specified therein as provided in Chapter 16.14 of this title. See also conditional use, Section 16.04.140.

"Use, Permitted" is any use lawfully occupying land or buildings as authorized in the zone regulations and for which no conditional use permit is required.

"Width Of Lot" is the distance between the side lot lines at the distance back from the front lot line required for the depth of the front yard.

"Xeriscape" or "Xeriscaping" means a method of landscaping that reduces or eliminates the need for supplemental water from irrigation by using drought-tolerant and native plant materials, efficient irrigation practices, and appropriate use of inorganic ground covers such as decorative rock, gravel, or mulch. Xeriscape landscaping shall include a combination of plant materials and ground cover and shall not consist solely of inorganic material.

"Yard" is an open unoccupied space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this title, on the lot on which a building is situated.

"Yard, Front" is an open space on the same lot with a building, between the front line of the building (exclusive of steps or architectural projections) and a lot line having frontage and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the lot line frontage and front line of the building.

"Yard, Rear" is an open, unoccupied space on the same lot with a building, between the rear line of the building (exclusive of steps or architectural projections) and the lot line directly opposite of the front lot line and extending the full width of the lot.

"Yard, Side" is an open, unoccupied space on the same lot with a building, (exclusive of steps or architectural projections) that is not considered part of the front or rear yard.

"Zone" is the geographical area of the City within which the zoning regulations are uniform.

(PZSC § 03-15-001(PZSC § 03-15-011))

SECTION 18: AMENDMENT "Section 16.26.232 Residential Parking Space Design And Access" of the Vernal Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 16.26.232 Residential Parking Space Design And Access

- A. In residential zones, access from the street for single family dwellings shall not exceed more than sixty (60) feet with not more than one (1) thirty-four (34) foot access.
- B. To count towards the minimum parking requirement, parking spaces including the inside dimensions of garages or carports shall:
 - 1. Be no less than ten (10) feet in width by twenty (20) feet in length per parking

- space.
- 2. Be paved with an asphalt or concrete surface.
- 3. Not include public sidewalks to be used as part of the required space.
- 4. Provide ample room so as to allow for the entirety of the vehicle, truck, trailer, ect (including hitches, bumpers, and additions) be completely out of the right-of-way.
- C. Tandem parking (front to rear) shall not be counted toward the parking stall requirement except for single-family or two-family dwellings when the front and back spaces are both designed to serve the same dwelling and may be accessed simultaneously.
- D. Adequate automobile access to a garage, carport or parking area shall be provided. The minimum size of the access strip shall be equal to the width of the parking stall.
- E. All storm water shall be collected and retained in accordance with Section 16.06.060.
- F. For residential uses excluding commercial multi-family with an approved Master Site Plan; parking spaces / parking shall not cover more than fifty (50) percent of the ~~the~~ street facing wall of the structure.

PASSED AND ADOPTED BY THE VERNAL COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Ted Munford	_____	_____	_____	_____
Councilmember Randel Mills	_____	_____	_____	_____
Councilmember Robin O'Driscoll	_____	_____	_____	_____
Councilmember Edward Long	_____	_____	_____	_____
Councilmember Nick Porter	_____	_____	_____	_____

Presiding Officer

Attest

Corey Foley, Mayor, Vernal

Sara Bell, City Recorder, Vernal

PETITION FOR ANNEXATION

NOTICE:

- THERE WILL BE NO PUBLIC ELECTION ON THE ANNEXATION PROPOSED BY THIS PETITION BECAUSE UTAH LAW DOES NOT PROVIDE FOR AN ANNEXATION TO BE APPROVED BY VOTERS AT A PUBLIC ELECTION.
- IF YOU SIGN THIS PETITION AND LATER DECIDE THAT YOU DO NOT SUPPORT THE PETITION, YOU MAY WITHDRAW YOUR SIGNATURE BY SUBMITTING A SIGNED, WRITTEN WITHDRAWAL WITH THE VERNAL CITY RECORDER. IF YOU CHOOSE TO WITHDRAW YOUR SIGNATURE, YOU SHALL DO SO NO LATER THAN 30 DAYS AFTER VERNAL CITY RECEIVES NOTICE THAT THE PETITION HAS BEEN CERTIFIED.

WE THE UNDERSIGNED owners of certain real property lying contiguous to the present municipal limits of the City of Vernal, Utah, hereby submit this PETITION FOR ANNEXATION and respectfully represent the following:

1. This petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated (UCA).
2. The property subject to this petition is an unincorporated area contiguous to the boundaries of the City of Vernal and the annexation there of will not leave or create an unincorporated island or peninsula.
3. This PETITION FOR ANNEXATION does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted.

WHEREFORE, the petitioners hereby request that this petition be considered by the Vernal City Council at its next regular meeting, or as soon thereafter as possible, and that the City take such steps as required by law to complete the annexation herein petitioned.

Dated this 9th day of Jan 9th 2026.

The petitioner(s) hereby sign(s) this PETITION FOR ANNEXATION and designate no more than five of the signers as "Sponsor," one of whom has been designated "Contact Sponsor/Petitioner," and has provided the mailing address and phone number of each sponsor.

	PETITIONER(S)	ADDRESS	PHONE
CONTACT SPONSOR/PETITIONER PRINT NAME:	Jake Selby	553 W 1500 S Vernal Utah	435-602-0030
SIGNATURE	DocuSigned by: <i>Jake Selby</i> D3FA41FF85E6401...		
SPONSOR/PETITIONER PRINT NAME:	MICHAEL ESKELSON	Subdivision Owner	790-2589
SIGNATURE	DocuSigned by: <i>MICHAEL ESKELSON</i> 04069BD78A5D410...		
SPONSOR/PETITIONER PRINT NAME:	Brian Nielson	1640 S 500 W Vernal Utah	790-8734
SIGNATURE	Signed by: <i>Brian Nielson</i>		
SPONSOR/PETITIONER PRINT NAME:	SHANNON KARREN	687 W 1684 S Vernal Utah	828-7805
SIGNATURE	DocuSigned by: <i>SHANNON KARREN</i> E5341AE151B544F...		
SPONSOR/PETITIONER PRINT NAME:	Eric Dilworth	529 W 1500 S Vernal UT	435-219- 8283
SIGNATURE	<i>Eric Dilworth</i>		

PETITION FOR ANNEXATION

NOTICE:

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- IF YOU SIGN THIS PETITION AND LATER DECIDE THAT YOU DO NOT SUPPORT THE PETITION, YOU MAY WITHDRAW YOUR SIGNATURE BY SUBMITTING A SIGNED, WRITTEN WITHDRAWAL WITH THE VERNAL CITY RECORDER. IF YOU CHOOSE TO WITHDRAW YOUR SIGNATURE, YOU SHALL DO SO NO LATER THAN 30 DAYS AFTER VERNAL CITY RECEIVES NOTICE THAT THE PETITION HAS BEEN CERTIFIED.

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1. This petition is made pursuant to the requirements of Section 10-2-403, Utah Code Annotated (UCA).
2. The property subject to this petition is an unincorporated area contiguous to the boundaries of the City of Vernal and the annexation there of will not leave or create an unincorporated island or peninsula.
3. This PETITION FOR ANNEXATION does not propose annexation of all or a part of an area proposed for annexation in a previously filed petition that has not been denied, rejected, or granted.

WHEREFORE, the petitioners hereby request that this petition be considered by the Vernal City Council at its next regular meeting, or as soon thereafter as possible, and that the City take such steps as required by law to complete the annexation herein petitioned.

Dated this 9th day of Jan. 9th 2026, 1/9/2026.

The petitioner(s) hereby sign(s) this PETITION FOR ANNEXATION and designate no more than five of the signers as "Sponsor," one of whom has been designated "Contact Sponsor/Petitioner," and has provided the mailing address and phone number of each sponsor.

	PETITIONER(S)	ADDRESS	PHONE
CONTACT SPONSOR/PETITIONER PRINT NAME:	Blake Nelson	543 W 1550 S Vernal Utah	214-232-2030
SIGNATURE	DocuSigned by: <i>Blake Nelson</i>		
SPONSOR/PETITIONER PRINT NAME:	Cory Judd	521 W 1550 S	435-770-6415
SIGNATURE	DocuSigned by: <i>Cory Judd</i>		
SPONSOR/PETITIONER PRINT NAME:	LACEY CLOWARD	591 W 1550 S vernal Utah	435-724-0033
SIGNATURE	Signed by: <i>LACEY CLOWARD</i>		
SPONSOR/PETITIONER PRINT NAME:	Mark Mason	541 W 1500 S vernal Utah	828-6436
SIGNATURE	DocuSigned by: <i>Mark Mason</i>		
SPONSOR/PETITIONER PRINT NAME:	RONALD D LONG	540 W 1550 S Vernal Utah	702-978-3407
SIGNATURE	Signed by: <i>RONALD D LONG</i>		

January 12, 2025

To: Affected Entities

Pursuant to UCA 10-2-403 (2)(a)(i)&(ii), a copy of this notice of intent to annex property into Vernal City is hereby being forwarded to you as an affected entity. The notice of intent is for the following parcels:

Parcel #	Address	Acreage	Owner
051020028	655 W 1500 S	1.03	Joseph Robert A and Spring
051020043	1640 S 500 W	5.72	N&E Properties LLC
051020044	1710 S 500 W	6.13	N&E Properties LLC
051020045	687 W 1684 S	10.17	N&E Properties LLC
051020046	811 W 1690 S	10.74	N&E Properties LLC
051020401	516 W 1550 S	0.73	Gomez Beatriz Etal Moran David Alejandro Etal
051020402	529 W 1500 S	0.37	Dilworth Eric and Jacklyn
051020403	541 W 1500 S	0.37	Mason Dylan R Etal Mason Mark W Etal
051020404	553 W 1500 S	0.37	Selby Jacob
051020405	565 W 1500 S	0.37	N&E Properties LLC
051020406	564 W 1550 S	0.36	N&E Properties LLC
051020407	552 W 1550 S	0.36	Erickson Colby W and Leah E
051020408	540 W 1550 S	0.36	Long Ronald D and Robin R
051020409	538 W 1550 S	0.36	N&E Properties LLC
051020410	521 W 1550 S	0.64	Judd Gentry and Cory Alexander
051020411	543 W 1550 S	0.64	Nelson Blake

051020412	567 W 1550 S	0.64	Bodily Brad D
051020413	591 W 1550 S	0.64	Cloward Russel and Lacey
051020414	613 W 1550 S	0.64	Leis Mistalyn and Hans
051020415	639 W 1550 S	1.46	N&E Properties LLC
051020416	671 W 1550 S	1.17	N&E Properties LLC
051020417	701 W 1550 S	0.93	N&E Properties LLC
051020418	696 W 1500 S	0.46	N&E Properties LLC
051020419	668 W 1150 S	0.46	N&E Properties LLC
051020420	669 W 1500 S	0.47	N&E Properties LLC
051020421	695 W 1500 S	0.46	N&E Properties LLC
051020422	Not Assigned	0.49	N&E Properties LLC
051020423	Not Assigned	0.49	N&E Properties LLC
051020424	Not Assigned	0.99	N&E Properties LLC
051020425	1588 S 750 W	1.09	N&E Properties LLC
051020426	1566 S 750 W	0.66	Volz Dylan and Carly
051020427	1542 S 750 W	0.66	N&E Properties LLC
051020428	Not Assigned	0.66	N&E Properties LLC

Sincerely,



Sara Bell
City Recorder



Uintah County Community Development
152 E. 100 N. Vernal, UT 84078
Phone- (435) 781-5336

January 13, 2026

Re: Annexation Request Petition by Michael Eskelson, N & E Properties LLC, for Briar Creek Subdivision and surrounding properties.

To whom it may concern,

Notice of the above referenced annexation has been mailed as required by Utah Code 10-2-403(2)(b)(i)(A). Enclosed is a copy of the notice that was sent, the map that was sent and a list of who the notice was sent to.

If you have any questions you can contact me at my office 435-781-5336.

Thank you,

X: 

Deanna Nyberg, Planner
Uintah County Community Development

Date: 1/13/26

**UINTAH COUNTY
COMMUNITY DEVELOPMENT**

152 East 100 North/ Vernal, Utah 84078

Phone: (435)781-5336

January 13, 2026

«OWNER»
«ADDRESS»
«CITY», «ST» «ZIP»

Attention: Your property may be affected by a proposed annexation.

Records show that you own property that is within 300 feet of a proposed annexation to Vernal City. (See attached map) If your property is within the area proposed for annexation, you may be asked to sign a petition supporting the annexation. You may choose whether to sign the petition. By signing the petition, you indicate your support of the proposed annexation. If you sign the petition but later change your mind about supporting the annexation, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of Vernal City within 30 days after Vernal City receives notice that the petition has been certified.

There will be no public election on the proposed annexation because Utah law does not provide for an annexation to be approved by voters at a public election. Signing or not signing the annexation petition is the method under Utah law for the owners of property within the area proposed for annexation to demonstrate their support of or opposition to the proposed annexation.

You may obtain more information on the proposed annexation by contacting one of the following:

Vernal City
Sara Bell
374 E Main
Vernal, UT 84078
435-789-2255
435-781-7109
sbell@vernal.gov

Uintah County
Deanna Nyberg
152 E 100 N
Vernal, UT 84078
435-781-5336
dnyberg@uintah.gov

Property Representative
Michael Eskelson
N & E Properties LLC
PO Box 1311
Vernal, UT 84078
435-790-2589
Mikethebuilder1@gmail.com

Once filed, the annexation petition will be available for inspection and copying at the office of Vernal City, located at 374 E Main, Vernal, Utah.

Sincerely,

Deanna Nyberg
Community Development, Planner
DN/gm

AFFIDAVIT OF PUBLICATION

Vernal City Records Office published the following notice:

Title: Notice of Acceptance of Annexation Petition

Type: _____

City Council Meeting Date: Accepted Feb 4, 2026

Planning Commission Meeting Date: _____

- Published on the Utah Public Notice Website on this 5 day of February 2026
- Posted on the Vernal City Website under Annexation Petition, News Flash
- Posted on Agenda Schedule Date: _____
- Notify Planning Department Mail to Property Owners
- Requirements: property owners within 1/2 mile radius

Posted at the following _____ public places:
(#)

1. City Hall
2. TriCounty Health Department
3. Vintan County PN Board
4. _____
5. _____

Sent to the newspaper on this _____ day of _____ 2023 to be published on _____

ATTEST:
Sara Bell City Recorder 2/5/26
Signature - Position/Title: _____

(SEE ATTACHED FOR COPY OF NOTICE AND PUBLICATIONS)



**NOTICE OF ACCEPTANCE OF ANNEXATION PETITION
IN VERNAL, UTAH**

NOTICE IS HEREBY GIVEN that a petition to annex the properties located at the following addresses in Uintah County, Utah has been filed with Vernal City:

051020028, 655 W 1500 S	051020407, 552 W 1550 S	051020418, 696 W 1500 S
051020043, 1640 S 500 W	051020408, 540 W 1550 S	051020419, 668 W 1150 S
051020044, 1710 S 500 W	051020409, 538 W 1550 S	051020420, 669 W 1500 S
051020045, 687 W 1684 S	051020410, 521 W 1550 S	051020421, 695 W 1500 S
051020046, 811 W 1690 S	051020411, 543 W 1550 S	051020422, Not Assigned
051020401, 516 W 1550 S	051020412, 567 W 1550 S	051020423, Not Assigned
051020402, 529 W 1500 S	051020413, 591 W 1550 S	051020424, Not Assigned
051020403, 541 W 1500 S	051020414, 613 W 1550 S	051020425, 1588 S 750 W
051020404, 553 W 1500 S	051020415, 639 W 1550 S	051020426, 1566 S 750 W
051020405, 565 W 1500 S	051020416, 671 W 1550 S	051020427, 1542 S 750 W
051020406, 564 W 1550 S	051020417, 701 W 1550 S	051020428, Not Assigned

The Vernal City Council has accepted the annexation petition for further consideration and received a notice of certification as required by Utah Code 10-2-808 (1)(a-c)(i) on February 5, 2026.

Utah Code 10-2-810 allows the following persons and entities who are not in favor of this annexation petition to file a written protest:

- a. The legislative body or governing board of an affected entity;
- b. An owner of rural real property located within the area proposed for annexation;
- c. An owner of private real property located in a mining protection area.

Protests must be filed by **March 9, 2026** and must state a reason for the protest of the annexation petition along with the name and address of a contact person filing the protest.

The protest must be sent to:

**Uintah County Boundary Commission
C/O Uintah County Clerk
152 East 100 North
Vernal, Utah 84078**

AND

**Vernal City Recorder
374 East Main
Vernal, Utah 84078**

The Vernal City Council may grant the request for annexation for the properties described in the Petition if no protests are received in writing within the specified time frame. All persons having interest in the complete annexation petition may contact the Vernal City Recorder, Sara Bell, at (435) 789-2255 or 374 East Main, Vernal, Utah 84078 to view or copy the petition.

Posted on the Utah Public Notice Website, the Vernal City Website, in conspicuous places within Vernal City: and sent to unincorporated property owners within a ½ mile resident of the property: and sent to affected entities on February 5, 2026.

CERTIFICATION OF PETITION FOR ANNEXATION

To:

Vernal City Council
Uintah County Commission
Michael Eskelson, Petition Sponsor

Re: Certification of a Petition for Annexation under Utah Code Section 10-2-405(2)(c)(i); Parcel Numbers:

051020028, 655 W 1500 S	051020407, 552 W 1550 S	051020418, 696 W 1500 S
051020043, 1640 S 500 W	051020408, 540 W 1550 S	051020419, 668 W 1150 S
051020044, 1710 S 500 W	051020409, 538 W 1550 S	051020420, 669 W 1500 S
051020045, 687 W 1684 S	051020410, 521 W 1550 S	051020421, 695 W 1500 S
051020046, 811 W 1690 S	051020411, 543 W 1550 S	051020422, Not Assigned
051020401, 516 W 1550 S	051020412, 567 W 1550 S	051020423, Not Assigned
051020402, 529 W 1500 S	051020413, 591 W 1550 S	051020424, Not Assigned
051020403, 541 W 1500 S	051020414, 613 W 1550 S	051020425, 1588 S 750 W
051020404, 553 W 1500 S	051020415, 639 W 1550 S	051020426, 1566 S 750 W
051020405, 565 W 1500 S	051020416, 671 W 1550 S	051020427, 1542 S 750 W
051020406, 564 W 1550 S	051020417, 701 W 1550 S	051020428, Not Assigned

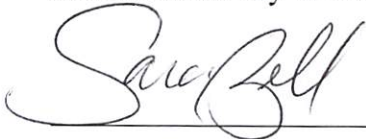
in Uintah County, Utah

I, Sara Bell, the Vernal City Recorder, hereby certify that the Petition for Annexation filed with Vernal City pursuant to Utah Code Section 10-2-403 regarding the unincorporated area described within the petition, parcel numbers 051020028, 051020043, 051020044, 051020045, 051020046, 051020401, 051020402, 051020403, 051020404, 051020405, 051020406, 051020407, 051020408, 051020409, 051020410, 051020411, 051020412, 051020413, 051020414, 051020415, 051020416, 051020417, 051020418, 051020419, 051020420, 051020421, 051020422, 051020423, 051020424, 051020425, 051020426, 051020427, and 051020428 in Uintah County, Utah, meets the requirements of Utah Code Subsections 10-2-403(3) and (4).

After obtaining the necessary records from Uintah County, and with the assistance of Michael D. Harrington, City Attorney, I confirm that the petition complies with the aforementioned statutory requirements.

In accordance with Utah Code Section 10-2-405(2)(c)(i), I am delivering this certification to inform the municipal legislative body (Vernal City Council), the contact sponsor (Michael Eskelson), and the county legislative body (Uintah County Commission) of the acceptance of the annexation petition.

Dated this 5th day of February, 2026



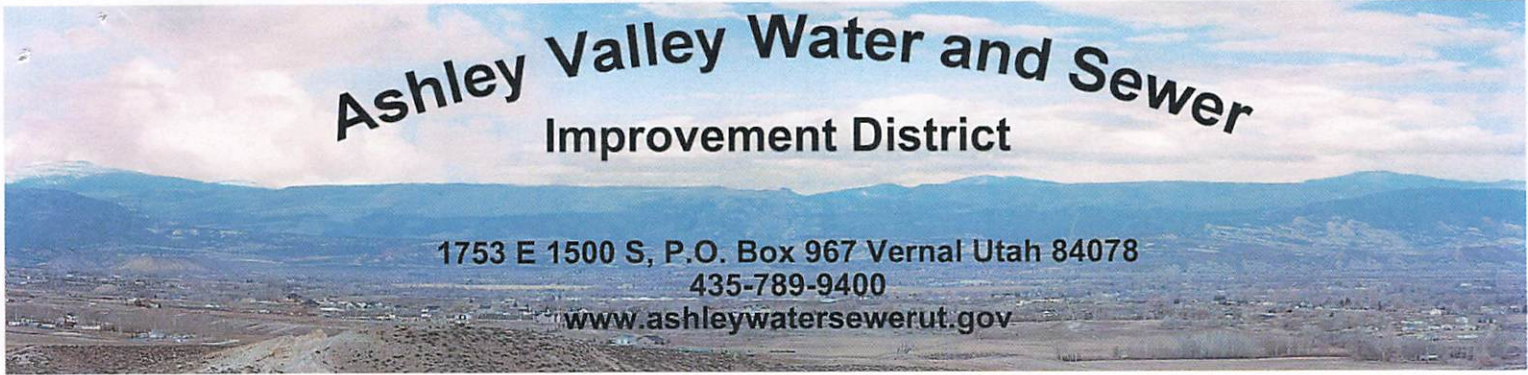
Sara Bell, Vernal City Recorder



ASHLEY VALLEY WATER & SEWER
PO BOX 967
~~609 WEST MAIN~~
VERNAL UTAH 84078

Vernal City Recorder
374 East Main
Vernal UT 84078

RECEIVED
MAR 06 2026
VERNAL CITY
PLANNING & DEVELOPMENT



Ashley Valley Water and Sewer Improvement District

1753 E 1500 S, P.O. Box 967 Vernal Utah 84078
435-789-9400
www.ashleywatersewerut.gov

Ryan Goodrich~rgoodrich@ashleywatersewerut.gov

March 5, 2026

Vernal City Recorder
374 East Main
Vernal, Utah 84078

Re: Proposed Annexation of Briar Creek Subdivision into Vernal City – Statement of AVWSID Concerns and Conditional Protest

To Whom It May Concern:

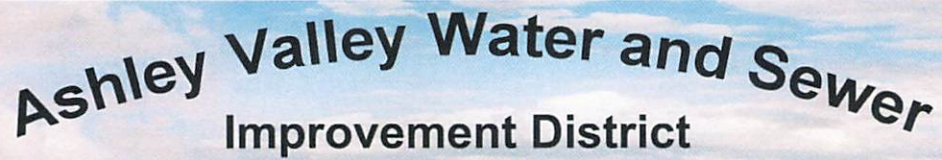
I'm writing this letter on behalf of the **Ashley Valley Water and Sewer Improvement District** regarding the petition to annex the Briar Creek Subdivision into Vernal City, Utah.

By way of background, AVWSID is a Special Service District under Utah Code title 17D, and the territory proposed for annexation lies entirely within the current boundaries of AVWSID. As a result, AVWSID is directly affected by the proposed annexation, and as such qualifies as an "affected entity."

AVWSID does not object in principle to the annexation of the Subdivision into Vernal City. The District recognizes that municipalities may expand their boundaries and provide municipal services to newly annexed areas.

However, the proposed annexation presents several substantial legal, financial, and operational issues that must be resolved before annexation should be approved. Until those issues are addressed through a written agreement, AVWSID must respectfully submit this **conditional protest** to the Boundary Commission.

The District requests that the following matters be formally addressed either by written agreement or by ruling of the boundary commission and resolved prior to any approval of the annexation petition:



Ashley Valley Water and Sewer Improvement District

1753 E 1500 S, P.O. Box 967 Vernal Utah 84078
435-789-9400
www.ashleywatersewerut.gov

Ryan Goodrich~rgoodrich@ashleywatersewerut.gov

A. Ownership and Control of Existing Infrastructure

Although the internal subdivision water and sewer lines were installed by the developer, all transmission lines and system infrastructure located outside the Subdivision are owned exclusively by AVWSID. These facilities are part of the District's regional water and sewer system and serve numerous other customers.

Annexation into Vernal City does not and cannot transfer ownership or control of these assets. AVWSID requires a written acknowledgement that:

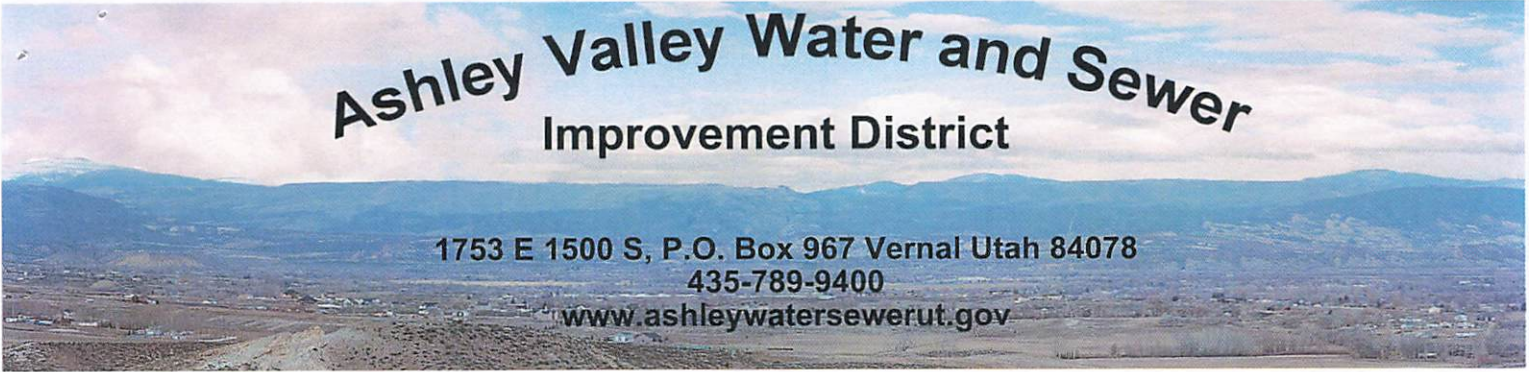
1. All District transmission lines and related infrastructure will remain the sole property of AVWSID;
2. Vernal City will acquire no ownership or operational rights to such facilities by virtue of annexation; and
3. Existing District easements and access rights will be fully preserved.
4. In order to provide service to the annexed subdivision, approximately 1700 feet of new water line will be required to be installed to be able to connect all the connections within the subdivision. (350 feet along 500 West and 1350 along 1500 South)

B. Withdrawal From AVWSID Requires Separate Statutory Process

Annexation into Vernal City does not automatically remove the Subdivision from AVWSID's boundaries. Under Utah Code Title 17D, Chapter 1, Part 6, withdrawal of territory from a special service district requires a formal statutory process separate from municipal annexation.

AVWSID requests confirmation that:

1. Any removal of the Subdivision from AVWSID will be completed in strict compliance with Title 17D withdrawal procedures; and
2. No annexation will be finalized until those procedures are properly completed.



Ashley Valley Water and Sewer Improvement District

1753 E 1500 S, P.O. Box 967 Vernal Utah 84078
435-789-9400
www.ashleywatersewerut.gov

Ryan Goodrich~rgoodrich@ashleywatersewerut.gov

C. Boundary Adjustment and Administrative Costs

If the Subdivision is to be withdrawn from AVWSID, the District will be required to update its legal descriptions, mapping, and service boundaries with the State of Utah and within its own engineering and GIS systems.

AVWSID requests that the developer, as the party initiating this change, be required to pay all costs associated with:

- Preparation of new legal descriptions;
- Surveying and engineering work;
- GIS and mapping revisions;
- State filings and notices; and
- Administrative staff time incurred by the District.

These costs arise solely as a result of the proposed annexation and should not be borne by the District's remaining ratepayers.

D. Water Rights

AVWSID has dedicated a certain amount of water for connections within this subdivision. The proposal would be to have AVWSID retain its water rights for future connections, and to have Vernal City dedicate water rights sufficient for the entirety of the subdivision it will serve.

E. Impact Fees

Numerous lots within the Subdivision have already paid water and sewer impact fees to AVWSID based on the District's lawful fee schedules.

Under the Utah Impact Fees Act (Title 11, Chapter 36a), impact fees are required to be spent or encumbered for system-wide capacity improvements. Many of the impact fees paid for the Subdivision have already been lawfully allocated or expended for such purposes.

Utah law does not require the automatic refund or transfer of impact fees merely because future service responsibility may shift to a municipality. AVWSID therefore requests that:

Ashley Valley Water and Sewer Improvement District

1753 E 1500 S, P.O. Box 967 Vernal Utah 84078
435-789-9400
www.ashleywatersewerut.gov

Ryan Goodrich~rgoodrich@ashleywatersewerut.gov

1. The treatment of previously paid impact fees be addressed by agreement between AVWSID and Vernal City; and
2. No annexation be approved until a clear and equitable resolution of this issue is reached.

F. Connection Fees, Meters, and Equipment

The developer has previously paid AVWSID for meters, electronics, installation, inspections, and related services. If the Subdivision is transferred to Vernal City service, AVWSID will be required to remove meters and equipment and will incur additional labor and administrative costs.

AVWSID requests that an agreement be reached providing for reimbursement to the District for:

1. Staff time already expended on installation and inspections.
2. Labor required to remove existing equipment; and
3. Depreciated value of physical assets purchased and installed.

In closing, AVWSID respectfully requests that the Boundary Commission acknowledge the District's status as an affected entity and recognize that the annexation should not proceed to final approval until the issues outlined in this letter have been resolved.

The District stands ready to meet with Vernal City officials and the developer at the earliest opportunity to work toward a mutually acceptable resolution.

Thank you for your consideration.

Ryan L. Goodrich



District Manager

March 9, 2026

Hans and Mistalyn Leis
613 W 1550 S
Vernal, Utah

RECEIVED

MAR 09 2026

VERNAL CITY
PLANNING & DEVELOPMENT

Uintah County Clerk
Uintah County Boundary Commission
Municipal Records Officer
City of Vernal

Re: Formal Protest of Proposed Annexation – Briar Creek Subdivision

To Whom It May Concern,

Pursuant to Utah Code §10-2-810, this letter constitutes a formal written protest to the proposed annexation of property within the Briar Creek Subdivision into the City of Vernal.

We, Mistalyn Leis and Hans Leis, are the legal property owners of the residence located at:

613 W 1550 S
Vernal, Utah

We hereby formally state that we oppose the proposed annexation and request that this protest be officially recorded and considered by the Uintah County Boundary Commission. Our protest is based on the following concerns and representations related to the annexation petition and the development of the Briar Creek Subdivision:

1. Misrepresentation of Property Owner Support

It has come to our attention that our names were represented to other residents and interested parties as being supportive of the proposed annexation. This representation is false and unauthorized. At no time did we provide consent for our names to be used in support of the annexation petition.

We request that the official record clearly reflect that we oppose the annexation and do not support the petition.

2. Violations of Development Covenants

When we purchased our property within Briar Creek Subdivision, we relied upon recorded covenants, declaration of building and use restrictions regarding the minimum home size and property value standards intended to maintain the character and value of the

subdivision. Our home was the first completed in the subdivision and we were assured that we would set the standard for the other homes that would follow.

New residential construction currently occurring within the subdivision appears to violate the established covenant requirements related to minimum home size and value. These apparent violations undermine the expectations under which property owners purchased their homes and raise serious concerns regarding the development process associated with the annexation proposal.

It is a concern that the declaration of building and use restrictions are not currently monitored or followed. It is of further concern that if the annexation occurs, there will be no oversight of the building conditions, restrictions and stipulations.

3. Lack of Direct Communication and Transparency

The property representative, Mike Eskelson, has not communicated directly with us regarding the annexation proposal despite representing to others that we were in support of it. This lack of communication and transparency has prevented affected property owners from receiving accurate information about the annexation and development plans.

Because of the concerns outlined above, we respectfully request that:

1. This protest be accepted and filed with the Uintah County Clerk.
2. This protest be forwarded to the Uintah County Boundary Commission pursuant to Utah Code §10-2-810.
3. The protest be included in the official record and considered in any proceedings related to the annexation petition.

We reserve all rights available to us under Utah law and may pursue additional legal remedies or representation if necessary to protect our property rights and the integrity of the Briar Creek Subdivision covenants.

Please contact the undersigned regarding any notices or communications related to these protest proceedings.

Sincerely,



Mistalyn Leis
Property Owner



Hans Leis
Property Owner

UINTAH COUNTY BOUNDARY COMMISSION
WRITTEN DECISION ON PROTESTS TO ANNEXATION PETITION
Briar Creek Subdivision into Vernal City
(Utah Code § 10-2-811)

Date: March 30, 2026 (following public hearing on March 27, 2026)

Re: Annexation Petition for the Briar Creek Subdivision; Protests filed by Ashley Valley Water and Sewer Improvement District (AVWSID) dated March 5, 2026, and by Hans and Mistalyn Leis dated March 9, 2026.

Pursuant to Utah Code § 10-2-809 and § 10-2-811, a quorum of the Uintah County Boundary Commission convened a public hearing on March 27, 2026, to consider the timely protests filed under § 10-2-810. Boundary Commission member Michael Eskelson, who serves as an alternative Board Member, recused himself. The Commission has reviewed the annexation petition, the written protests (including the AVWSID Statement of Concerns and Conditional Protest and the Leis Formal Protest), all evidence and testimony presented, applicable State and county statutes, and the pre-hearing negotiations and verbal agreement reached among Vernal City, AVWSID, and the developer of the Briar Creek Subdivision.

Findings of Fact and Conclusions of Law (per Utah Code § 10-2-811):

1. The proposed annexation complies with the requirements of Utah Code Title 10, Chapter 2, Part 8.
2. AVWSID qualifies as an affected entity. Its concerns regarding infrastructure ownership/control (Section A), separate statutory withdrawal process (Section B), boundary adjustment and administrative costs (Section C), water rights (Section D), impact fees (Section E), and connection fees/meters/equipment (Section F), are not concerns that would disqualify the proposed annexation. However, they are valid concerns as it regards the practicalities of the proposed annexation, which the Boundary Commission has discretion to consider prior to the approval of the annexation.
3. The Leis protest raises issues of alleged misrepresentation of property-owner support, potential violations of subdivision covenants, and lack of direct communication/transparency. These are also not disqualifying concerns, and not within the discretion of the Boundary Commission.
4. Prior to the hearing, AVWSID, Vernal City, and the developer negotiated and agreed to specific terms that fully resolve AVWSID's protest as it regards legal, financial, and operational concerns while ensuring compliance with all applicable

statutes, including withdrawal from AVWSID's water service area, and the effects of impact fees payment.

5. With the agreed conditions in place, the public interest is served by approval of the annexation subject to those conditions.

Decision:

The Uintah County Boundary Commission recommends APPROVAL of the annexation petition subject to the following conditions. The annexation shall not be finalized by the Vernal City legislative body until written verification is provided to the Commission, the County Clerk, and all protest contacts that these conditions have been (or will be) satisfied in full.

Conditions:

1. The developer shall install approximately 350 feet of waterline on 500 West to connect Vernal City's line at 1500 South to the new line serving the subdivision on 1550 South; and shall abandon both existing tie-ins to AVWSID's line (one at 750 West and 1500 South, and one at 1550 South and 500 West). AVWSID shall retain sole ownership and control of all its existing transmission lines and infrastructure outside the subdivision, with all easements and access rights fully preserved, and Vernal City shall acquire no ownership or operational rights thereto by virtue of annexation.
2. On behalf of the land owners within the subdivision, the developer shall establish a petition seeking to withdraw the subdivision from AVWSID's taxing district. The developer shall use their best efforts to collect signatures from all affected property owners in the subdivision indicating their support for the withdrawal. Once the developer has received confirmation on each land owner's decision regarding the proposed withdrawal, and collected signatures from those in support, this condition will have been met. Finalization of the withdrawal shall be completed as described in Utah Code. The developer shall be responsible to complete that process, beginning with presenting the signed petition to AVWSID.
3. Vernal City shall provide a new water meter to all annexed properties currently being serviced by AVWSID.
4. Vernal City shall not charge an impact fee or meter fee for those annexed properties currently being serviced by AVWSID.
5. Vernal City shall maintain water service to current and annexed customers within the parameters of the Division of Drinking Water (DDW) rules, including under fire-flow conditions, and shall acknowledge that Vernal City water will be used to service the annexed properties. AVWSID shall retain its dedicated water rights for

future connections outside the subdivision, with Vernal City dedicating sufficient water rights for the entirety of the subdivision it will serve.

6. AVWSID shall apply the previously collected impact fees and other fees paid by the subdivision to cover its boundary adjustment and administrative costs (Protest Section C) and connection-fees/meters/equipment costs (Protest Section F).

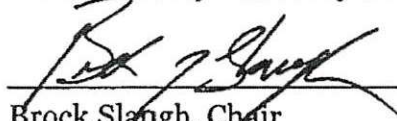
This written decision is issued in accordance with Utah Code § 10-2-811 and shall be transmitted within five days to:

- Uintah County Legislative Body
- Vernal City Legislative Body
- The Boundary Commission (through Brock Slaugh, Chair)
- Ryan L. Goodrich, AVWSID District Manager (contact for AVWSID protest)
- Hans and Mistalyn Leis (contacts for their protest)

Judicial review of this decision, if sought, must be filed in the state district court with jurisdiction over Uintah County within 20 days.

SO RECOMMENDED AND ORDERED this 30th day of March, 2026.

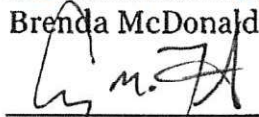
Uintah County Boundary Commission:




Brock Slaugh, Chair



Brenda McDonald



Corey Foley



Carl Morton

NOTICE OF PUBLIC HEARING

WEDNESDAY, MAY 6, 2026 AT 6:00PM
VERNAL CITY HALL - COUNCIL CHAMBERS
374 E MAIN ST, VERNAL UT

Notice is hereby given that the Vernal City Council will hold a public hearing on May 6, 2026, at 6:00 p.m. in the Vernal City Council Chambers, located at 374 East Main Street, Vernal, Utah, to consider the approval of Ordinance 2026-10, approving the annexation of the properties in the “Vernal City – Briar Creek Subdivision, N&E Properties LLC Etal Parcel, and Joseph Parcel Annexation” petition into the boundaries of Vernal City.

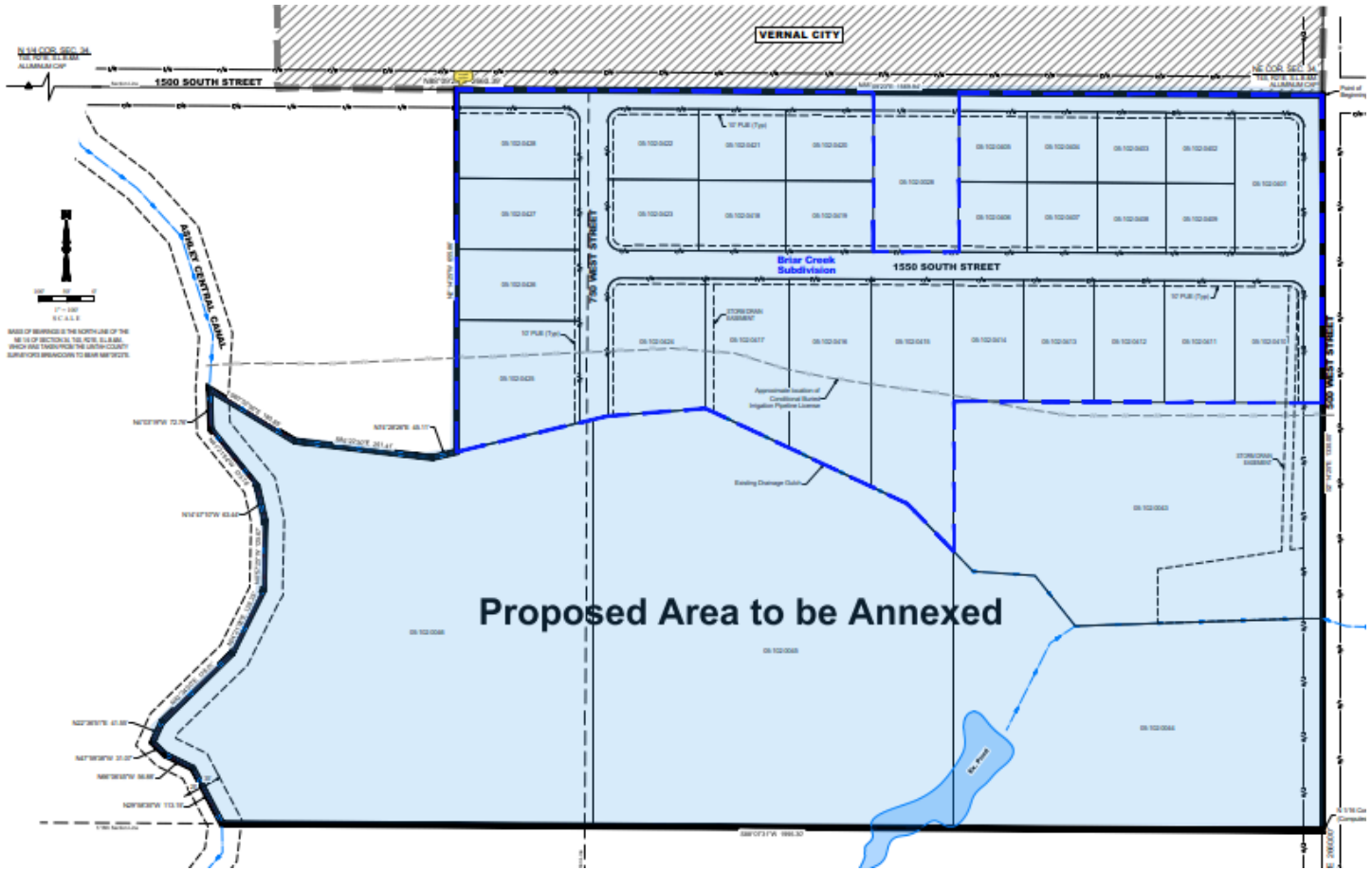
The petition was accepted by Vernal City as required by Utah Code 10-2-405 (1)(a)(i)(B) on February 5, 2026 and the time to protest the annexation has expired. The petition was reviewed by the Boundary Commission, and was recommended for approval with conditions on March 30, 2026.

All persons and public entities having interest in the request for annexation are encouraged to the public hearing and provide comment regarding this request. Written comments may also be submitted prior to the meeting to the Vernal City Recorder, 374 East Main, Vernal, UT 84078. To be included in the public record, written comments should be received no later than May 6, 2026, at 12:00 p.m. Each written objection filed with the municipality will be provided to the municipal legislative body for consideration.

Additional information regarding this application is available for review at the Vernal City offices during regular business hours. If you have any questions, please contact Sara Bell, Vernal City Recorder at (435) 789-2255. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations to participate in this meeting should contact Sara Bell (435) 789-2255 at least five (5) days prior to the hearing.

Posted on the Utah Public Notice Website; and
Posted on the Vernal City Website; and
Posted in conspicuous places within Vernal City on April 24, 2026.
Notice must remain in place through May 7, 2026

Vernal City – Briar Creek Subdivision, N&E Properties LLC Etal Parcel, and Joseph Parcel Annexation



Proposed Properties to be Annexed:

- | | | |
|-------------------------|-------------------------|-------------------------|
| 051020028, 655 W 1500 S | 051020407, 552 W 1550 S | 051020418, 696 W 1500 S |
| 051020043, 1640 S 500 W | 051020408, 540 W 1550 S | 051020419, 668 W 1150 S |
| 051020044, 1710 S 500 W | 051020409, 538 W 1550 S | 051020420, 669 W 1500 S |
| 051020045, 687 W 1684 S | 051020410, 521 W 1550 S | 051020421, 695 W 1500 S |
| 051020046, 811 W 1690 S | 051020411, 543 W 1550 S | 051020422, Not Assigned |
| 051020401, 516 W 1550 S | 051020412, 567 W 1550 S | 051020423, Not Assigned |
| 051020402, 529 W 1500 S | 051020413, 591 W 1550 S | 051020424, 727 W 1550 S |
| 051020403, 541 W 1500 S | 051020414, 613 W 1550 S | 051020425, 1588 S 750 W |
| 051020404, 553 W 1500 S | 051020415, 639 W 1550 S | 051020426, 1566 S 750 W |
| 051020405, 565 W 1500 S | 051020416, 671 W 1550 S | 051020427, 1542 S 750 W |
| 051020406, 564 W 1550 S | 051020417, 701 W 1550 S | 051020428, Not Assigned |

VERNAL CITY ORDINANCE NO. 2026-10

AN ORDINANCE OF THE VERNAL CITY COUNCIL APPROVING THE ANNEXATION OF PROPERTIES IN THE "VERNAL CITY — BRIAR CREEK SUBDIVISION, N & E PROPERTIES LLC ETAL PARCEL, AND JOSEPH PARCEL ANNEXATION" PETITION INTO THE BOUNDARIES OF VERNAL CITY AND AMENDING THE VERNAL CITY ZONING MAP TO DESIGNATE AND ZONE THE ANNEXED AREA AS "RA-1", RESIDENTIAL AGRICULTURAL ZONE 1, UPON ITS ANNEXATION IN THE THE CITY OF VERNAL.

WHEREAS, Vernal City (hereinafter the "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, Utah Code Ann. §10-2-403 authorizes the City to annex contiguous unincorporated property upon receiving a petition from the property owners; and

WHEREAS, the "Vernal City — Briar Creek Subdivision, N & E Properties LLC Etal Parcel, and Joseph Parcel Annexation" Annexation Petition ("Petition") was submitted to the City on January 12, 2026 by Michael Eskelson and includes 33 different parcels within the City's Future Annexation Area. The properties proposed for annexation ("Annexation Area") in the Petition are identified and attached hereto as Exhibit A; and,

WHEREAS, the Vernal City Recorder issued the Notice of Certification on February 5, 2026, after determining that the Petition met the statutory requirements outlined in Utah Code § 10-9a-403(3)&(4); and

WHEREAS, Notice of the Petition and protest information was provided in accordance with Utah Code § 10-2-406; and

WHEREAS, two valid protests to the Petition were filed within the protest period; and

WHEREAS, the Boundary Commission convened a public hearing on March 27, 2026 to consider the protests filed; and

WHEREAS, the Boundary Commission issued a written decision dated March 30, 2026 with the recommendation for approval with conditions; and

WHEREAS, Vernal City Council has thoroughly reviewed the petition and all relevant documents concerning the annexation; and

WHEREAS, the Vernal City Council finds that the Petition satisfies all the requirements of Utah Law.

WHEREAS, the Vernal City Council held a public hearing concerning the Petition on May 6, 2026; and

WHEREAS, all legal requirements for annexation as per Utah Code Ann. §§ 10-2-401 et seq., including proper filing, notice, and public hearings, have been duly met.

NOW, THEREFORE, BE IT ORDAINED by the Vernal City Council as follows:

SECTION 1. Acknowledgment of Petition: The City Council hereby acknowledges the receipt and sufficiency of the annexation petition filed by Michael Eskelson.

SECTION 2. Plat Accepted and Approved: The City Council hereby accepts and approves the copy of the local entity plat ("Plat Map") as prepared and certified by Paul Hawkes, a Licensed Professional Land Surveyor in the State of Utah, holding License No. 348473, and finds that it is an accurate and recordable map of said Annexation Area, as identified in Exhibit A.

SECTION 3. Compliance with Legal Requirements: The City Council confirms that the annexation process has complied with all legal requirements as described under Utah Code Ann. § 10-2-401.

SECTION 4. Finding of Best Interests: The Vernal City Council hereby finds and determines that the annexation of the Annexed Property as proposed in the Petition is in the best interests of the City and its residents.

SECTION 5. Description of the Annexed Properties: The properties subject to annexation is as described in Exhibit B attached hereto.

SECTION 6. Approval of Annexation: The City Council hereby approves the annexation of the properties as described in Exhibit A and Exhibit B, into Vernal City, upon completion of contingent events, and does hereby annex the Annexed Property into the City of Vernal upon execution of this document.

SECTION 7. Zoning: The Annexed Property is zoned "RA-1" (Residential Agricultural Zone 1), and the Vernal City zoning map is hereby amended to reflect such annexation and zoning.

SECTION 8. Annexation Date: The City confirms that, pursuant to Utah Code Ann. § 10-2-425, this Annexation is completed and takes effect upon the date of the Lieutenant Governor's issuance of a Certification of Annexation.

SECTION 9. Authorization to Execute: The Mayor and City Recorder are authorized to execute this Ordinance upon completion of contingent events as required by the City Council upon its approval on May 6, 2026.

SECTION 10. Effective Date: This Ordinance shall become effective immediately upon publication and/or posting as required by law.

SECTION 11. Instructions for City Recorder after Execution of Ordinance:

a) Following the annexation, the City Recorder is hereby directed to notify the office of the Lieutenant Governor of the State about the annexation of the properties described in Exhibit B.

b) The City Recorder shall submit all necessary documents as required by the office of the Lieutenant Governor within 60 days of the execution and enactment of this ordinance. This includes a certified copy of the ordinance, maps of the annexed area, and any other relevant documentation.

c) The City Recorder shall work with the City Attorney to ensure that all procedures are in compliance with state laws and regulations regarding the annexation process.

d) The City Recorder shall maintain a record of all communications and submissions made to the Lieutenant Governor's office in relation to this annexation.

e) The City Recorder shall finally provide a report to the City Council upon completion of all actions related to the office of the Lieutenant Governor, confirming the fulfillment of these duties.

EXECUTED and ENACTED this _____ day of _____, 2026.

Mayor Corey Foley

ATTEST:

Sara Bell, City Recorder

(S E A L)

EXHIBIT B - DESCRIPTION OF THE ANNEXED PROPERTIES

051020028, 655 W 1500 S: BEG AT A PT ON THE N LN OF THE NE/4 OF SEC 34, T4S, R21E, SLB&M WHICH BEARS S 88°09'26" W 148.50 FT FROM THE NE COR OF THE W/4NE/4NE/4 OF SD SEC; TH N 88°09'26" E ALG SD N LN OF THE NE/4 155.03 FT TO THE A PT IN LN WITH A S RUNNING FENCE; TH S 02°12'51" E ALG SD FENCE AND THE EXTENSION THEREOF 288.10 FT TO A CORNER FENCE POST; TH S 88°01'30" W ALG AN EXISTING FENCE AND EXTENSION THEREOF 155.66 FT TO A PT WHICH BEARS S 02°05'23" E PAR WITH THE E LN OF SD W/4NE/4NE/4 FROM THE POB; TH N 02°05'23" W 288.46 FT TO THE POB. CONT 1.03 AC M/L BASIS OF BEARINGS IS S N LN OF THE NE/4 WHICH IS CALCULATED FROM THE COUNTY SURVEYORS CONTROL MAP (TITLED ASHLEY VALLEY CONTROL SURVEY, DATED NOV. 3, 2004) TO BEAR N 88°09'26" E.

051020043, 1640 S 500 W: BEG AT A PT ON THE E LN OF SEC 34, T4S, R21E SLB&M, WHICH BEARS S 2°14'25"E 946.00 FT FROM THE NE COR OF SD SEC; TH S 87°45'35"W 33.00 FT TO THE CENTERLINE OF A DRAINAGE GULCH; TH ALG THE SD CENTERLINE OF THE DRAINAGE GULCH THE FOLLOWING 4 CALLS: S 85°50'00"W 415.07 FT, N 41°00'27"W 116.64 FT, N 88°11'43"W 112.56 FT, N 46°27'20"W 49.96 FT; N 2°14'25"W PAR WITH THE SD E LN OF THE NE/4 271.76 FT; TH N 88°01'30"E 668.00 FT TO THE SD E LN OF THE NE/4; TH S 2°14'25"E ALG THE SD E LN OF THE NE/4 389.41 FT TO THE POB. CONT 5.718 AC M/L. BASIS OF BEARINGS IS THE N LN OF THE SD NE/4 WHICH WAS TAKEN FROM THE UTAH COUNTY SURVEYORS BREAKDOWN TO BEAR N 88°09'23"E.

051020044, 1710 S 500 W: BEG AT A PT ON THE E LN OF SEC 34, T4S, R21E SLB&M, WHICH BEARS S 2°14'25"E 946.00 FT FROM THE NE COR OF SD SEC; TH S 2°14'25"E ALG THE SD E LN OF THE NE/4 384.00 FT TO THE N 1/16TH COR OF SD SEC; TH S 88°07'31"W ALG THE S LN OF THE N/2 NE/4 668.00 FT; TH N 2°14'25"W PAR WITH THE SD E LN OF THE NE/4 500.47 FT TO THE CENTERLINE OF A DRAINAGE GULCH; TH ALG THE SD CENTERLINE OF THE DRAINAGE GULCH THE FOLLOWING 4 CALLS: S 46°27'20"E 49.96 FT; S 88°11'43"E 112.56 FT; S 41°00'27"E 116.64 FT; N 85°50'00"E 415.07 FT; TH N 87°45'35" E 33.00 FT TO THE POB. CONT 6.133 AC M/L. BASIS OF BEARINGS IS THE N LN OF THE SD NE/4 WHICH WAS TAKEN FROM THE UTAH COUNTY SURVEYORS BREAKDOWN TO BEAR N 88°09'23"E.

051020045, 687 W 1684 S: BEG AT PT ON THE S LN OF THE N/2 NE/4 OF SEC 34, T4S, R21E SLB&M, WHICH BEARS S 2°14'25"E ALG THE E LN OF THE NE/4 OF SD SEC 1330.00 FT TO THE N 1/16TH COR OF SD SEC AND S 88°07'31"W ALG THE SD S LN OF THE N/2 NE/4 OF SEC 1320.93 FT; TH 2°14'25"W PAR WITH THE SD E LN OF THE NE/4 735.38 FT TO THE CENTERLINE OF A DRAINAGE GULCH; TH ALG THE SD CENTERLINE OF THE DRAINAGE GULCH THE FOLLOWING 4 CALLS: N 74°28'26"E 25.26 FT, N 83°17'30"E 178.46 FT, S 66°59'50"E 404.67 FT, S 46°27'20"E 120.40 FT; TH S 2°14'25"E PAR WITH THE SD E LN OF THE NE/4 500.47 FT TO THE SD S LN OF THE N/2 NE/4; TH S 88°07'31"W ALG THE SD S LN OF THE N/2 NE/4 652.93 FT TO THE POB. CONT 10.172 AC M/L. BASIS OF BEARINGS IS THE N LN OF THE SD N/4 WHICH WAS TAKEN FROM THE UTAH COUNTY SURVEYORS BREAKDOWN TO BEAR N 88°09'23"E.

051020046, 811 W 1690 S: BEG AT PT ON THE S LN OF THE N/2 NE/4 OF SEC 34, T4S, R21E SLB&M, WHICH BEARS S 2°14'25"E ALG THE E LN OF THE NE/4 OF SD SEC 1330.00 FT TO THE N 1/16TH COR OF SD SEC AND S 88°07'31"W ALG THE SD S LN OF THE N/2 NE/4 OF SEC 1320.93 FT; TH S 88°07'31"W ALG THE SD S LN OF THE N/2 NE/4 674.38 FT TO THE CENTERLINE OF THE ASHLEY CENTRAL CANAL; TH THE FOLLOWING 10 CALLS ALG THE SD CENTERLINE OF THE ASHLEY CENTRAL CANAL: N 29°58'35"W 113.15 FT, N 66°06'45"W 56.88 FT, N 47°59'38"W 31.07 FT, N 22°36'51"E 41.55 FT, N

43*34'00"E 176.01 FT, N 24*21'06"E 128.35 FT, N 0*57'25"W 125.67 FT, N 14*47'10"W 63.44 FT, N 41*21'54"W 133.78 FT, N 4*03'19"W 72.76 FT TO THE CENTERLINE OF A DRAINAGE GULCH; TH ALG THE SD CENTERLINE OF THE DRAINAGE GULCH THE FOLLOWING 3 CALLS: S 60*52'06"E 180.85 FT, S 85*22'30"E 251.41 FT, N 74*28'26"E 300.96 FT; TH S2*14'25"E PAR WITH THE SD E LN OF THE NE/4 735.38 FT TO THE POB. CONT 10.740 AC M/L. BASIS OF BEARINGS IS THE N LN OF THE SD NE/4 WHICH WAS TAKEN FROM THE UINTAH COUNTY SURVEYORS BREAKDOWN TO BEAR N 88*09'23"E.

051020401, 516 W 1550 S: LOT 1 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.728 AC M/L.

051020402, 529 W 1500 S: LOT 2 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.367 AC M/L.

051020403, 541 W 1500 S: LOT 3 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.367 AC M/L.

051020404, 553 W 1500 S: LOT 4 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.367 AC M/L.

051020405, 565 W 1500 S: LOT 5 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.366 AC M/L.

051020406, 564 W 1550 S: LOT 6 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.363 AC M/L.

051020407, 552 W 1550 S: LOT 7 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.363 AC M/L.

051020408, 540 W 1550 S: LOT 8 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.363 AC M/L.

051020409, 538 W 1550 S: LOT 9 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.362 AC M/L.

051020410, 521 W 1550 S: LOT 10 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.638 AC M/L.

051020411, 543 W 1550 S: LOT 11 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.641 AC M/L.

051020412, 567 W 1550 S: LOT 12 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.641 AC M/L.

051020413, 591 W 1550 S: LOT 13 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.641 AC M/L.

051020414, 613 W 1550 S: LOT 14 BRIAR CREEK SUBDIVISION PH 1 LOCATED IN THE NE/4 NE/4 OF SEC 34, T4S, R21E SLB&M. CONT 0.641 AC M/L.

051020415, 639 W 1550 S: LOT 15 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 1.457 ACRES, M/L.

051020416, 671 W 1550 S: LOT 16 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 1.171 ACRES, M/L.

051020417, 701 W 1550 S: LOT 17 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.930 ACRES, M/L.

051020418, 696 W 1500 S: LOT 18 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.464 ACRES, M/L.

051020419, 668 W 1150 S: LOT 19 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.462 ACRES, M/L.

051020420, 669 W 1500 S: LOT 20 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.465 ACRES, M/L.

051020421, 695 W 1500 S: LOT 21 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.464 ACRES, M/L.

051020422, Address Not Assigned: LOT 22 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.485 ACRES, M/L.

051020423, Address Not Assigned: LOT 23 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.486 ACRES, M/L.

051020424, 727 W 1550 S: LOT 24 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.987 ACRES, M/L.

051020425, 1588 S 750 W: LOT 25 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 1.088 ACRES, M/L.

051020426, 1566 S 750 W: LOT 26 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.658 ACRES, M/L.

051020427, 1542 S 750 W: LOT 27 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.658 ACRES, M/L.

051020428, Address Not Assigned: LOT 28 BRIAR CREEK SUBDIVISION PHASE 2, LOCATED IN SEC 34, T4S, R21E, SLB&M. CONT 0.655 ACRES, M/L.