

TO THE PUBLIC AND RESIDENTS OF VERNAL CITY:

Notice is hereby given that the **VERNAL CITY PLANNING COMMISSION** will hold a Regular Meeting on **Tuesday, July 14, 2026 at 5:30 P.M.** in the Vernal City Council Chambers at 374 East Main Street, Vernal, Utah.

AGENDA

A. STANDING BUSINESS

1. Welcome and Designation of Chair and Members
2. Approval of Meeting Minutes for June 9, 2026

B. PUBLIC HEARING

3. Recommendation to consider amending the Vernal City Planning and Zoning Code, Section 16.06.010 Administration and Procedures – Ordinance #2026-19 – Braeden Christofferson
4. Recommendation to consider amending the Vernal City Planning and Zoning Code, Adding Chapter 16.07 – Amendment to Zoning Map – Sections 16.07.010, 16.07.020, 16.07.030, 16.07.040, 16.07.050, 16.07.060, 16.07.070, 16.07.080 and 16.07.090 – Ordinance #2026-20 – Braeden Christofferson
5. Recommendation to consider amending the Vernal City Planning and Zoning Code, Section 16.42.080 – R-3 and Section 16.44.080 – R-4 – Special Provisions – Ordinance #2026-21 – Braeden Christofferson
6. Recommendation to consider amending the Vernal City Planning and Zoning Code by amending Section 16.58.110 – Amended Plats, and adding Sections 16.58.112, 16.58.114, 16.58.116, and 16.58.118 – Ordinance #2026-22 – Braeden Christofferson
7. Recommendation to consider amending the Vernal City Planning and Zoning Code, Section 16.16.050 – Propose Development – Submission of Plans and Documents – Ordinance #2026-23 – Braeden Christofferson
8. Recommendation to consider amending the Vernal City Planning and Zoning Code, Section 16.24.160 – Off-Site Improvements – Ordinance #2026-24 – Braeden Christofferson

C. ACTION ITEMS

9. Consideration to approve the Crown Estates Amended 8, 9, and 11 Subdivision Amendment for property located at 1460 West 210 South, Parcel #'s 05:010:0108 – 2026-020-SUB – Braeden Christofferson

ADJOURN

1 **MINUTES of the VERNAL CITY PLANNING COMMISSION**
2 **ECONOMIC OPPORTUNITY ADVISORY BOARD**

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

4 June 9, 2026

5 5:30 pm

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

9
10 **Members Excused:**

11
12 **Alternates Present:** Click here to enter text.

13
14 **Alternates Excused:**

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

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

21
22 **APPROVAL OF MINUTES FROM MAY 12, 2026:** Stephen Lytle Chair asked if there were any
23 changes to the minutes from May 12, 2026. The minutes were approved with there being no corrections,
24 *Samantha Chapoose moved to approve the minutes of May 12, 2026 as presented. Troy Allred*
25 *seconded the motion. The motion passed with Stephen Lytle, Samantha Chapoose, Ryan Balch, Troy*
26 *Allred, Brittany Young, Aaron Bancroft and Hailee Todich voting in favor.*

27
28 **DISCUSSION TO AMEND THE VERNAL CITY PLANNING AND ZONING CODE,**
29 **AMENDING SECTION 16.06.010 ADMINISTRATION AND PROCEDURES – AMENDMENTS**
30 Braeden Christofferson explained that the intent of the proposed amendment is to retain Section 16.06.010
31 as the general amendment section for Title 16 while modernizing the language and providing greater
32 clarity regarding amendment procedures and responsibilities. Under the current Code, amendments to land
33 use regulations are generally permitted through a specified process. However, the section does not clearly
34 identify the respective roles of the Planning Commission and City Council, nor does it provide a well-
35 structured framework for processing amendments. The proposed revisions would clarify City Council
36 authority regarding amendments, establish distinct amendment categories, and relocate rezoning
37 procedures to a separate section of the Municipal Code. Mr. Christofferson noted that the rezoning
38 procedures would be discussed under a subsequent agenda item. The purpose of separating rezoning
39 procedures from the general amendment section is to create a more organized and understandable code
40 structure while ensuring that different types of amendments are clearly identified and processed
41 appropriately.

42 Commission members expressed support for the proposed revisions. Commissioner Samantha Chapoose
43 stated that the amendment appeared well organized and indicated support for the changes.
44 Commissioner Brittany Young agreed that placing rezoning procedures in a separate category was

beneficial. Mr. Christofferson noted that additional discussion related to rezoning procedures would occur during the next agenda item and reiterated that formal action on the proposed amendments would be considered at a future Planning Commission meeting.

DISCUSSION TO AMEND THE VERNAL CITY PLANNING AND ZONING CODE, ADD CHAPTER 16.07 AMENDMENT TO ZONING MAP SECTIONS 16.07.010, 16.07.020, 16.07.030, 16.07.040, 16.07.050, 16.07.060, 16.07.070, 16.07.080 AND 16.07.090

Braeden Christofferson presented proposed amendments to Chapter 16.07 of the Vernal City Planning and Zoning Code relating to zoning map amendments and rezoning procedures. Mr. Christofferson explained that the previous agenda item addressed general amendments to land use regulations and removed rezoning procedures from that section. The purpose of the proposed Chapter 16.07 amendments is to create a dedicated section specifically addressing rezoning applications and zoning map amendments. Mr. Christofferson stated that the proposed chapter establishes a comprehensive framework for rezoning applications, including application requirements, review procedures, public noticing requirements, review considerations, Planning Commission recommendations, City Council actions, effects of rezoning decisions, and development agreements. The revisions are intended to provide greater transparency for applicants, City officials, and the public regarding the rezoning process and expectations. Mr. Christofferson emphasized that a rezoning approval does not authorize a specific development project, subdivision, site plan, building permit, or other development approval. Rather, the proposed chapter focuses solely on the process and considerations for changing zoning classifications.

Commissioner Hailee Todich raised concerns regarding the language in Section 16.07.010(B), which states: "The City may, from time to time, amend the number, shape, boundaries, or classification of any zoning district within the City." Commissioner Todich stated that the language appeared too broad and did not clearly identify who within the City has the authority to make zoning changes. She expressed concern that the wording could be interpreted as allowing City staff or a department to make zoning changes independently. Commissioner Todich suggested revising the language to specify that zoning amendments are made by the City Council following a recommendation from the Planning Commission. She stated that such clarification would eliminate any gray areas regarding authority and decision-making.

Mr. Christofferson acknowledged the concern and explained that the term "city" was intended to refer to the municipal entity as a whole rather than a specific department or individual. He noted that all rezoning requests would still be required to follow the formal review and approval process outlined in the Code. Mr. Christofferson agreed that additional clarification could improve the language and suggested revising the section to indicate that the City may entertain requests to amend zoning districts through the established process.

Commissioner Todich reiterated that the concern was not whether a process existed, but rather that the wording could be interpreted too broadly by someone reading the Code. She stated that language should clearly communicate that no individual or department can make zoning changes outside the established process. Commissioner Brittany Young agreed, stating that while the required process is understood by those familiar with zoning procedures, the current wording could create confusion because it appears to grant broad authority without identifying procedural safeguards. Mr. Christofferson agreed to revise the language to better clarify that rezoning requests must proceed through the formal public process.

Commissioner Todich questioned Section 16.07.050(12), which identifies the length of time a property has remained vacant or underutilized as a consideration during rezoning review. She expressed concern that the factor could unfairly benefit investors who intentionally hold property for long periods of time while waiting for market conditions to improve. She stated that landowners may choose not to develop

90 or sell property and questioned whether the amount of time property remains undeveloped should carry
91 significant weight during rezoning decisions.

92 Braeden Christofferson acknowledged the concern but explained that the factor is intended to provide
93 context rather than determine the outcome of a rezoning request. Mr. Christofferson provided an
94 example involving a property that had remained undeveloped for an extended period despite being
95 zoned for higher-density residential development. He explained that a property remaining vacant for a
96 long period may indicate that the existing zoning classification is not functioning as intended or is no
97 longer economically viable. Mr. Christofferson stated that in some situations, rezoning may allow a
98 property to be developed in a manner that better reflects current market conditions and community
99 needs.

100 Commissioner Todich responded that while such circumstances may exist, the factor still seemed to
101 favor investors who can afford to hold property indefinitely while waiting for an opportunity to seek
102 more favorable zoning.

103 Mr. Christofferson directed the commission to subsection (C), which states that no single factor is
104 controlling and that City Council may assign different weight to each factor based on the specific
105 circumstances of a case. He emphasized that one Commissioner may view a vacant property as evidence
106 of speculative investment, while another may view it as evidence that the current zoning classification is
107 not practical. The purpose of the factor is to allow consideration of both perspectives rather than
108 predetermine an outcome.

109 Commissioner Stephen Lytle noted that the factor could also be relevant when considering requests to
110 reduce density, not just requests to increase development potential. Mr. Christofferson agreed and stated
111 that rezoning requests can move in either direction, depending upon the circumstances and community
112 objectives.

113 Commissioner Young stated that Section 16.07.050 appeared to provide guidance regarding issues that
114 should be reviewed and discussed during rezoning deliberations rather than creating a checklist that
115 must be satisfied. Mr. Christofferson confirmed that interpretation and referenced subsection (B), which
116 specifically states that the factors are intended to guide legislative review and are not mandatory
117 findings required for approval or denial of a rezoning request. He provided an example involving a
118 recent rezoning application that converted residential property to commercial use. He explained that in
119 that case, the suitability of the property for the proposed use would likely carry significant weight
120 because the applicant sought to operate a business use that was not permitted under the existing zoning
121 classification. Mr. Christofferson reiterated that different factors will have different levels of importance
122 depending upon the circumstances of each application. Commissioner Samantha Chapoose stated that
123 the proposed review factors provide a useful framework for both Planning Commission and City
124 Council members by encouraging decisions to be based on land use considerations rather than personal
125 opinions.

126 Commissioner Ryan Balch asked how the review factor addressing consistency with the Vernal City
127 General Plan should be interpreted, specifically referencing a rezoning application discussed during a
128 previous meeting. He questioned how a rezoning request could be considered consistent with the
129 General Plan when both the Planning Commission and City Council had expressed concerns regarding
130 the proposal.

131 Mr. Christofferson explained that the General Plan serves as a long-range planning document developed
132 through public input, Planning Commission review, City Council participation, and consultant assistance

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133 He stated that the General Plan reflects community goals and visions regarding future development
134 patterns, land uses, and growth. He noted that the current General Plan was adopted in 2010 and is
135 approaching the end of its planning horizon in 2029. Because community needs and priorities evolve
136 over time, he explained that the General Plan serves as guidance rather than a rigid regulatory document.

137 Commissioner Balch stated that, while he understood the discussion regarding the proposed rezoning
138 criteria, he found the timing notable given the rezoning application discussed at the previous meeting.
139 He expressed concern that the proposed guidelines could be perceived as a response to the recent
140 applications and questioned whether the new criteria were being developed to influence how future
141 rezoning requests are evaluated.

142 Commissioner Todich challenged the characterization of the General Plan as merely a guideline, noting
143 that several sections of the Municipal Code use mandatory language requiring conformance with the
144 General Plan. She cited code provisions stating that subdivision layouts and development shall conform
145 to the General Plan and noted that the Code defines the term "shall" as mandatory. She expressed
146 concern that, despite repeated references to the General Plan as a flexible or advisory document, the
147 language within the Code appears to require compliance with its provisions. Commissioner Todich
148 questioned whether the General Plan should be treated as a suggestion when the Code indicates that
149 development is expected to conform to it.

150 Mr. Christofferson explained that the cited Code sections apply to specific development processes and
151 circumstances. He stated that while some aspects of development are required to conform to the General
152 Plan, zoning decisions involve broader legislative discretion. Mr. Christofferson further explained that
153 updating the General Plan is expensive and time-consuming, while zoning ordinances can be amended
154 more easily to respond to changing conditions. He questioned whether taxpayers would want the City to
155 spend substantial funds updating the General Plan every time a policy or land use issue changes.
156 Commissioner Todich stated that significant public resources and public input were invested in creating
157 the General Plan and expressed concern that it appears to be treated as mandatory when convenient and
158 advisory when inconvenient.

159 City Attorney, Mike Harrington, informed the Commission that proposed code amendments are being
160 prepared to clarify the relationship between the General Plan and zoning decisions and to better align
161 City Code with applicable case law. He advised that the issue would be addressed in a future code
162 amendment and suggested that extensive debate on the topic was unnecessary at the current meeting.

163 Commissioner Hailee Todich asked about Section 16.07.090(B), which states that development
164 agreements are not required for every zoning map amendment. She noted that previous code language
165 appeared to assume development agreements would generally accompany rezoning requests unless
166 waived by City Council. She expressed the opinion that development agreements can provide useful
167 information to decision-makers and questioned whether they should be encouraged during the rezoning
168 process.

169 Mr. Christofferson explained that the revised language does not substantially change existing
170 requirements but instead clarifies them. He stated that development agreements may be submitted by
171 applicants but are not required. If submitted, City Council must review the agreement concurrently with
172 the rezoning application. If no development agreement is submitted, there is no requirement for review.
173 Mr. Christofferson explained that the revised language was intended to eliminate confusion created by
174 having multiple code sections addressing the same issue. Mr. Christofferson questioned whether a
175 development agreement should be expected during the rezoning stage when no specific development
176 proposal may yet exist. He reiterated that development agreements remain available as a tool but are not

177 necessary for every rezoning application. Mr. Christofferson indicated that revisions would be made
178 based on the discussion and that the item would return for future consideration.

179 **DISCUSSION TO AMEND THE VERNAL CITY PLANNING AND ZONING CODE,**
180 **AMENDING SECTIONS 16.42.080 R-3 AND 16.44.080 R-4 RESIDENTIAL ZONES – SPECIAL**
181 **PROVISIONS**

182 Braeden Christofferson explained that recent code changes allowed studio apartments and efficiency
183 dwellings to provide 1.5 parking stalls per unit. The proposed amendment would add a cap limiting studio
184 and efficiency units to no more than 25% of the units within a development. He stated the purpose of the
185 cap was to prevent large developments from consisting primarily of small units with reduced parking
186 requirements, which could result in excessive density and insufficient parking. Mr. Christofferson also
187 proposed clarifying that the 25% limitation would apply to the entire development rather than to each
188 individual building. This would prevent developers from distributing studio units across multiple buildings
189 in a way that could exceed the intended overall cap. Additional proposed standards included: Multifamily
190 developments with more than twenty (20) units would be required to provide usable common space or
191 recreation amenities designed for residents. Multifamily residential buildings longer than one-hundred
192 twenty (120) feet would be required to incorporate architectural offsets and articulation to avoid long,
193 uninterrupted building facades. Regarding recreation amenities, Mr. Christofferson explained that the
194 requirement was intended to create more attractive, livable developments consistent with Vernal's
195 community character. He noted that amenities such as parks, pickleball courts, or other open-space
196 features could count toward existing landscaping requirements, meaning developers would not necessarily
197 be required to provide additional land beyond what landscaping standards already require. Regarding
198 architectural offsets, Mr. Christofferson explained that the requirement was intended to avoid very long,
199 flat apartment buildings with little visual interest. He referenced older apartment buildings in the City that
200 extended for long distances with minimal variation and described them as visually unappealing. The
201 proposed standard would require building articulation at intervals not exceeding forty (40) feet for
202 buildings longer than one-hundred twenty (120) feet.

203 Commissioner Brittany Young asked how the proposed numerical thresholds of twenty (20) units and
204 one-hundred twenty (120) feet were determined and whether they were based on comparisons with other
205 cities or planning standards.

206 Mr. Christofferson responded that the numbers were largely arbitrary starting points intended to
207 establish reasonable triggers for additional design standards. He stated that one-hundred twenty (120)
208 feet was viewed as a substantial building length and that the twenty (20)-unit threshold was selected as a
209 point at which larger multifamily developments begin to have a greater visual and community impact.

210 Commissioner Young expressed mixed feelings regarding the proposed recreation amenity requirement.
211 Drawing on prior experience in real estate, she acknowledged that additional open space, recreation
212 areas, and amenities would likely make multifamily developments more attractive and desirable for
213 residents. However, she also expressed concern that increasing open space requirements could reduce
214 the number of units that can be constructed within a development, resulting in higher development costs
215 and ultimately increasing housing prices. Commissioner Young stated that the visual examples
216 presented illustrated both extremes, with some appearing overly dense and others containing what
217 appeared to be excessive open space. She suggested that a balance should be found between aesthetics
218 and affordability. She further noted that providing larger amounts of open space often results in more
219 end units and fewer overall units within a project. Because end units are typically more expensive to
220 construct and often command higher prices, Commissioner Young believed these design requirements
221 could increase costs for both developers and future residents. She emphasized that while the proposed
222 standards could improve the appearance and livability of multifamily developments, care should be

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223 taken to avoid creating requirements that unintentionally reduce housing affordability. She suggested
224 that a middle-ground approach may be more appropriate, providing adequate amenities and open space
225 while still allowing developments to remain economically feasible and attainable for renters and
226 property owners.

227 Mr. Christofferson responded that the proposed recreation amenity requirement was intended to work in
228 conjunction with existing landscaping requirements rather than create a significant additional burden. He
229 explained that current Code already requires landscaping areas within multifamily developments and
230 that amenities such as parks, pickleball courts, gathering areas, and other recreational features can be
231 counted toward those landscaping requirements. As a result, developers would not necessarily be
232 required to dedicate additional land solely for recreation purposes, but rather could utilize required
233 landscaping areas more effectively by incorporating usable amenities for residents. Mr. Christofferson
234 also noted that the proposed requirement would apply only to larger multifamily developments
235 containing more than twenty (20) units.

236 Commissioner Young stated that the twenty (20)-unit threshold for requiring recreation amenities
237 seemed too low and suggested that the requirement should apply only to larger developments.
238 Commissioner Troy Allred agreed and suggested that a threshold of thirty (30) to forty (40) units would
239 better balance the desire for amenities with the goal of keeping housing costs more affordable. Mr.
240 Christofferson agreed to take the feedback under consideration and stated that the proposed threshold
241 could be reevaluated before the item returns for formal consideration.

242 Commissioner Stephen Lytle stated that while the Commission did not have many comparable standards
243 within the current Code for evaluating the proposed requirements, they generally supported the concept
244 of building articulation and architectural variation. He noted that Vernal City has historically avoided
245 adopting extensive aesthetic design standards and expressed appreciation for that approach. However, he
246 indicated support for requiring some level of visual interest in larger multifamily buildings, stating that
247 developments should include architectural texture and variation rather than presenting long,
248 uninterrupted building walls with little character or design detail. Mr. Christofferson responded that the
249 concept that Commissioner Lytle was describing is commonly referred to as form-based coding and
250 acknowledged that Vernal City's Code currently contains very little in the way of form-based design
251 requirements. Commissioner Lytle agreed and stated that the proposed articulation standards appeared to
252 be a reasonable and limited approach to improving building design without imposing overly restrictive
253 aesthetic requirements. He contrasted the proposal with more prescriptive architectural regulations that
254 might require specific materials, colors, decorative features, or design elements such as wood beams,
255 neutral color palettes, or wainscoting. He noted that many of those types of requirements have been
256 intentionally removed from the City's Code over time. In comparison, the proposed building articulation
257 and offset standards were viewed as a practical way to improve the appearance of multifamily
258 developments while maintaining flexibility for developers.

259 Mr. Christofferson sought clarification from the commission regarding whether the primary concern
260 with the proposed amendments was the recreation amenity requirement contained in subsection D rather
261 than the building articulation standards. Commissioners confirmed that the recreation amenity threshold
262 was the only provision generating concern and that there was generally strong support for the
263 architectural offset and articulation requirements. Mr. Christofferson then asked whether Commissioners
264 would prefer to see the recreation amenity requirement apply at a higher threshold, such as
265 developments containing thirty (30), thirty-five (35), or forty (40) units rather than the proposed twenty
266 (20)-unit threshold. Commissioner Young agreed and stated that increasing the threshold would help
267 maintain housing affordability. She explained that while additional open space and amenities may make
268 developments more attractive, they also increase development costs and can ultimately raise housing

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269 prices. She stated that attractive developments are beneficial, but affordability remains equally
270 important. She stated that some apartment complexes with fewer amenities are more fully occupied
271 because they offer lower rents. Mr. Christofferson acknowledged the concern and stated that the goal
272 was to prevent large apartment complexes from becoming dominated by asphalt and concrete while still
273 allowing practical development standards.

274 Commissioner Lytle asked whether the proposed changes in Section 16.44.080 were the same as those
275 in Section 16.42.080. Mr. Christofferson confirmed that the proposed standards were essentially the
276 same in both sections, with the primary difference being that one section applies to the R-3 zone and the
277 other applies to the R-4 zone. Mr. Christofferson indicated that the feedback would be incorporated into
278 revisions before the item returns for future consideration and action.

279 **PLANNING COMMISSION TRAINING – MIKE HARRINGTON VERNAL CITY ATTORNEY**

280 City Attorney, Mike Harrington provided a Planning Commission training session covering Open and
281 Public Meetings Act (OPMA) requirements, conflicts of interest, public participation, free speech
282 considerations, meeting procedures, and best practices for conducting Planning Commission meetings.
283 Mr. Harrington noted that these topics are recurring issues encountered with public bodies and expressed
284 a desire to provide similar training annually.

285 Mr. Harrington began by discussing quorum requirements for the Planning Commission. He stated that
286 with the current seven (7)-member body, including alternates, a quorum consists of four (4) members.
287 Any action requires a majority vote of the members present. Therefore, if only four (4) members are
288 present, three (3) affirmative votes are required for approval.

289 Mr. Harrington introduced the concept of a "walking quorum" and explained how Open Meetings laws
290 can be violated even when members never gather together in one location. Mr. Harrington provided an
291 example where one Commissioner discusses a pending matter with another Commissioner. That
292 Commissioner then discusses the same matter with a third Commissioner, and the conversation
293 continues to expand among members. Although no official meeting occurred, the discussion effectively
294 involves a majority of the commission and constitutes deliberation outside a public meeting. He
295 explained that the Utah Attorney General's Office considers these types of sequential discussions
296 potential violations of OPMA because public business is being deliberated outside of a public meeting.
297 The Attorney General's Office has indicated an interest in pursuing a test case involving walking
298 quorums. Mr. Harrington advised Commissioners to avoid creating chains of communication regarding
299 Planning Commission business. One-on-one conversations are generally permissible, but discussions
300 that evolve into a majority of the commission deliberating outside a public meeting should be avoided.
301 He emphasized that the preferred practice is to conduct all substantive discussions concerning Planning
302 Commission matters during properly noticed public meetings.

303 Mr. Harrington discussed ex parte communications and the importance of maintaining impartiality when
304 discussing matters that may come before the Planning Commission. A hypothetical situation was
305 presented in which a Commissioner encounters a member of the public at a restaurant who wants to
306 discuss a zoning change application. Commissioners indicated that hearing feedback from the public can
307 be beneficial because it provides insight into public opinion and concerns. Commissioner Brittany
308 Young noted that while receiving information is appropriate, Commissioners should avoid indicating
309 how they intend to vote or making commitments regarding future decisions. Mr. Harrington agreed and
310 explained that Commissioners should treat these conversations as one-way communications.
311 Commissioners may listen to public concerns and gather information but should avoid deliberating,
312 debating the issue, making promises, or indicating how they might vote. Commissioner Stephen Lytle

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313 referenced a recent zoning application where a developer contacted him to discuss how individual
314 Commissioners might vote on the proposal. Mr. Harrington stated that commissioners should not
315 provide strategic advice, discuss how other Commissioners may view an application, or suggest
316 arguments that might influence future deliberations. Doing so could create an unfair advantage and raise
317 ethical concerns.

318 Mr. Harrington strongly discouraged Commissioners from engaging in Planning Commission business
319 through social media. He explained that public discussions on social media can create expectations that
320 Commissioners will respond to public comments and engage in ongoing debates regarding pending
321 matters. Such interactions can create perceptions of bias, unfairness, and predetermined positions. Mr.
322 Harrington advised Commissioners to avoid online discussions regarding matters that may come before
323 the commission.

324 Mr. Harrington reviewed OPMA requirements regarding meeting agendas and public participation. He
325 explained that Planning Commission meetings are agenda-driven meetings and should remain focused
326 on items that have been properly noticed. While members of the public may raise issues during
327 meetings, the Chair has authority to redirect discussions that fall outside the published agenda. Mr.
328 Harrington noted that the Planning Commission has chosen not to operate as a general public forum. As
329 a result, members of the public do not have an unrestricted right to interrupt proceedings or introduce
330 unrelated topics for discussion. While the commission may choose to hear comments outside the agenda,
331 doing so is discretionary rather than mandatory.

332 Mr. Harrington reviewed conflict-of-interest requirements and presented two (2) hypothetical situations.
333 Scenario 1 – Friend Opposed to a Pickleball Court - Mr. Harrington described a situation where a
334 Commissioner's close friend lives near a proposed pickleball court and opposes the project. He
335 explained that simply knowing someone affected by a proposal does not automatically create a legal
336 conflict of interest. However, if the relationship is so significant that it materially affects the
337 Commissioner's ability to remain objective, the Commissioner should disclose the relationship at the
338 beginning of the discussion. Mr. Harrington explained that after a conflict is disclosed, the
339 Commissioner may state whether they believe they can remain objective. If another Commissioner
340 believes the conflict is significant, they may request a vote on whether the Commissioner should
341 participate. The commission may then vote to require the member to recuse themselves from the
342 discussion and decision. If recused by the commission, the member must step away from the dais and
343 refrain from participating in deliberations.

344 Scenario 2 – Financial Interest - Mr. Harrington then presented a scenario in which a Commissioner
345 owns property near a proposed pickleball court and believes the project may affect property values. He
346 explained that any decision that could materially increase or decrease a Commissioner's financial
347 interests, or those of a close family member, creates a conflict requiring disclosure. He stressed that
348 financial conflicts of interest are treated much more seriously than personal relationships. Failure to
349 disclose a financial conflict and participating in the decision-making process could result in legal
350 consequences. Mr. Harrington explained that if a financial conflict was later discovered, the matter
351 could be referred for investigation. He noted that intent would be considered in any evaluation, but
352 emphasized the importance of disclosing financial interests whenever they exist.

353 Mr. Harrington reviewed recent case law involving public comment periods and First Amendment
354 protections. He discussed a Utah case involving a public meeting where a speaker directed offensive,
355 profane, and highly insulting remarks toward public officials. Mr. Harrington explained that offensive
356 speech alone is generally protected by the First Amendment. Public officials cannot restrict speech
357 simply because it is rude, insulting, profane, or personally offensive. He emphasized that public bodies

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358 may regulate the time allotted for comments but generally cannot regulate content based solely on
359 offensiveness. He explained that threats of violence or criminal conduct are not protected and may be
360 stopped immediately. Mr. Harrington also discussed defamation, noting that knowingly false statements
361 can create legal concerns. However, because determining whether statements are true or false is often
362 difficult in real time, meeting officials should exercise caution before interrupting speakers. He advised
363 that public bodies may impose reasonable time limits on speakers, with three (3) minutes generally
364 recognized by courts as a reasonable standard. Once a time limit is established and applied consistently,
365 speakers may be stopped when their allotted time expires.

366 Commissioner Ryan Balch asked whether comments made during a recent zoning discussion regarding
367 water and sewer infrastructure were appropriate, even though water and sewer issues were not the
368 primary subject of the application. Mr. Harrington explained that because water and sewer concerns
369 were related to the development under consideration, the comments were sufficiently connected to the
370 agenda item and therefore appropriate. He noted that comments need only be reasonably related to the
371 subject being discussed to fall within the scope of public comment.

372 Mr. Harrington concluded the training by reviewing general meeting procedures and best practices,
373 including:

- 374 • Reviewing agenda materials before meetings.
- 375 • Arriving on time and prepared.
- 376 • Engaging in respectful discussion.
- 377 • Avoiding speaking over other commissioners.
- 378 • Waiting to be recognized by the chair before speaking.
- 379 • Speaking clearly into microphones to ensure an accurate record.

380 Mr. Harrington also discussed voting procedures. While roll call votes are not required for every motion,
381 Mr. Harrington recommended using roll call votes for controversial matters to create a clear public
382 record of each Commissioner's vote. He noted that state law requires roll call votes when adopting
383 internal rules, bylaws, or policies.

384 Commissioners thanked Mr. Harrington for the training.

385 **ADJOURN:** There being no further business, *Samantha Chapoose moved to adjourn. Troy Allred*
386 *seconded the motion. The motion passed with a unanimous vote, and the meeting was adjourned.*
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Stephen Lytle , Planning Commission Chair

Vernal City Planning Commission Staff Report

Prepared By: Braeden Christofferson

Date: 07/14/2026

Public Hearing Items

1. Recommendation to consider approval to amend the Vernal City Planning and Zoning Code, Amending Section 16.06.010 Administration and Procedures - Amendments - Ordinance #2026-19

A. Type of PC Decision: Legislative

B. Application: Text Amendment to Vernal City Municipal Code

C. Applicant: Vernal City

D. Location / Code Reference: 16.06.010

E. Description and Background:

The Planning Commission will review and discuss proposed amendments to Vernal City Municipal Code Section 16.06.010, Amendments. This item is being presented as a public hearing. The Planning Commission is being asked to review the proposed amendments, receive public comment, and forward a recommendation to the Vernal City Council.

The proposed amendment is intended to retain Section 16.06.010 as the general amendment section for Title 16 and the City's land use regulations. Rather than removing the section entirely, the revised language would clarify that Section 16.06.010 applies generally to amendments such as text amendments, land use regulation amendments, zoning district standards, permitted or conditional uses, definitions, development standards, review procedures, application requirements, General Plan amendments when applicable, and other planning or land use matters authorized by Utah Code or City ordinance.

The proposed amendment would also clarify the relationship between Section 16.06.010 and the proposed new Chapter 16.07. Section 16.06.010 would remain the general amendment section, while amendments to the Official Zoning Map, commonly referred to as rezones, would be processed under the more detailed procedures in Chapter 16.07.

F. Analysis:

The existing Section 16.06.010 combines general land use ordinance amendments and zoning map amendments into one broad section. While the current language provides general authority for amendments, it does not clearly distinguish between general amendments to Title 16 and specific amendments to the Official Zoning Map.

The proposed amendment would improve clarity by keeping Section 16.06.010 as the broad amendment authority section and directing rezones to Chapter 16.07. This helps avoid overloading Section 16.06.010 with the detailed rezone process, while still preserving its role in the overall structure of Title 16.

The revised language would also remove or update language that may no longer fit the intended process, including older procedural language that is better addressed through applicable Utah Code requirements and the more detailed rezone procedures proposed in Chapter 16.07. The proposed structure allows Section 16.06.010 to function as the umbrella amendment section, while Chapter 16.07 provides the specific application, review, public hearing, notice, recommendation, City Council action, and development agreement provisions for zoning map amendments.

G. Findings:

1. Section 16.06.010 should be retained as the general amendment section for Title 16 and the City's land use regulations.
2. The existing language would benefit from clarification because it currently addresses general amendments and zoning map amendments together in one broad section.
3. The proposed amendment would clarify that amendments to the Official Zoning Map are processed under Chapter 16.07.
4. The proposed amendment would help separate general land use regulation amendments from the more detailed zoning map amendment process.
5. The proposed amendment would improve consistency, readability, and administration of Title 16.
6. The proposed amendment is intended to support a clearer overall code structure by using Section 16.06.010 as the general amendment section and Chapter 16.07 as the specific rezone section.

H. Staff Recommendation:

Staff recommends that the Planning Commission conduct the public hearing, receive public comment, review the proposed amendments to Section 16.06.010, and forward a recommendation of approval to the Vernal City Council. The proposed amendment retains Section 16.06.010 as the general amendment section for Title 16 while clarifying that amendments to the Official Zoning Map shall be processed under Chapter 16.07. Staff finds that the proposed amendment improves the organization, readability, and administration of Title 16 by separating general land use regulation amendments from the more detailed zoning map amendment process.

I. All changes are as follows

J. Red - Proposed removals

Green - Proposed new language

Section 16.06.010 Amendments

~~A. All Vernal City land use ordinances, including this Title and the zoning map, may be amended to ensure Vernal City's land use regulations remain responsive to the communities needs and growth patterns. The City Council is authorized as the land use authority responsible for review, approval or denial of all land use ordinance amendment applications. City Council decisions shall be made after receiving a recommendation from the Planning Commission and following the required public engagement process as outlined in Utah State code. All public meetings and hearings required in the public~~

~~engagement process shall comply with the provisions for such meetings and be published and noticed in accordance with applicable Utah codes including Title 52 Chapter 4, Title 10 Chapter 9 and Title 63G Chapter 30 ensuring timely and accessible information is sent to affected entities and members of the public. Failure of the Planning Commission to take action on the proposed amendment within thirty (30) days of Vernal City's receipt of a complete amendment application shall be deemed a recommendation of approval for the proposed change or amendment. The City Council shall prescribe, by resolution, the fees required to amend this title or the accompanying map.~~

~~B. A development agreement may be entered into between any applicant for a zoning map amendment and the City.~~

- ~~1. The City Council shall review the development agreement concurrently with the application for a zoning map amendment.~~
- ~~2. The development agreement shall be perpetually attached to the property as described in the agreement and shall be recorded with the Uintah County Recorder within ten (10) calendar days of its execution.~~
- ~~3. In the event that State or federal laws or regulations, enacted after a development agreement has been entered into, prevents or precludes compliance with one or more regulations of the development agreement, such agreement may be amended or terminated as may be necessary to comply with the new State or federal laws or regulations.~~
- ~~4. The City Council may waive the requirement for a development agreement.~~
- ~~5. A final development agreement may be amended or terminated in whole or in part by either a request of the parties to the agreement, or their successors in interest, with approval by the Vernal City Council or by action initiated by the City Council.~~
 - ~~a. The termination or amendment shall be consistent with the process and provisions specified in the development agreement.~~

- A. The provisions of this title and the City's land use regulations may be amended from time to time in accordance with Utah Code, this title, and other applicable law. Amendments may include amendments to the text of this title, land use regulations, zoning district standards, permitted or conditional uses, definitions, development standards, review procedures, application requirements, the General Plan when applicable, the Official Zoning Map, and other planning or land use matters authorized by Utah Code or this title.
- B. Amendments to the Official Zoning Map, including changes to the number, shape, boundaries, or classification of any zoning district, shall be processed in accordance with Chapter 16.07 of this title.
- C. Except as otherwise provided in Chapter 16.07 for amendments to the Official Zoning Map, proposed amendments shall be reviewed by the Planning Commission and City Council in accordance with applicable Utah Code requirements.
- D. The City Council may approve, approve with modifications, deny, continue, or remand a proposed amendment in accordance with applicable law. Approval of an amendment shall be by ordinance unless another form of action is authorized or required by Utah Code.
- E. The City Council shall prescribe, by resolution, the fees required to process applications to amend this title, the Official Zoning Map, or other land use regulations administered by the City.

2. Recommendation to consider approval to amend Vernal City Planning and Zoning Code, Add Chapter 16.07 Amendment to Zoning Map Sections 16.07.010, 16.07.020, 16.07.030, 16.07.040, 16.07.050, 16.07.060, 16.07.070, 16.07.080, and 16.07.090 - Ordinance #2026-20

A. Type of PC Decision: Legislative

B. Application: Text Amendment to Vernal City Municipal Code

C. Applicant: Vernal City

D. Location / Code Reference: New Code 16.07

E. Description and Background:

The Planning Commission will review and discuss proposed amendments to the Vernal City Municipal Code related to the creation of Chapter 16.07, Amendments to Zoning Map. This item is being presented as a public hearing. The Planning Commission is being asked to review the proposed amendments, receive public comment, and forward a recommendation to the Vernal City Council.

The proposed chapter is intended to provide a clearer and more complete process for reviewing amendments to the Official Zoning Map, commonly referred to as rezones. Section 16.06.010 would remain as the general amendment section for Title 16, while Chapter 16.07 would provide the specific process for zoning map amendments.

The proposed chapter clarifies that a rezone is a legislative action and that approval of a rezone does not, by itself, approve a subdivision, master site plan, conditional use permit, building permit, development agreement, or other required land use approval. The draft also provides review considerations to help focus rezone discussions on land use planning principles, including General Plan consistency, surrounding zoning and land uses, infrastructure, public services, access, traffic, public safety, orderly growth, and compatibility with the surrounding area.

The proposed chapter also preserves development agreements as an optional tool that may be used in connection with a zoning map amendment when appropriate. The proposed language clarifies that a development agreement is not required for every rezone and should not replace the City's review of whether the proposed zoning map amendment is appropriate under the review standards of Chapter 16.07.

F. Analysis:

The proposed amendments would create a more consistent and transparent process for applicants, staff, the Planning Commission, the City Council, and the public. The draft identifies the application materials, staff review for completeness, Planning Commission public hearing, City Council public hearing, public notice requirements, written objection procedures when applicable, and final City Council action by ordinance.

The proposed review considerations are intended to guide discussion and decision-making without creating mandatory findings for approval or denial. This allows each rezone request to be evaluated based on the specific property, surrounding area, General Plan, available infrastructure, public service impacts, and other planning-related factors.

The draft also helps separate the zoning decision from later development review. A concept plan may provide helpful background, but it would not constitute approval of a specific project. Future development would still need to comply with applicable City requirements and approval processes.

The proposed development agreement language is intended to retain the City's ability to use development agreements in connection with rezones when appropriate, while clarifying that they are not automatic or required for every zoning map amendment. If a development agreement is proposed or determined to be appropriate, it may be reviewed in connection with the rezone process. However, the rezone itself should still be reviewed based on whether the proposed zoning classification is appropriate under Chapter 16.07.

G. Findings

1. The existing code would benefit from additional clarity regarding the rezone process.
2. The proposed Chapter 16.07 establishes a more complete procedure for amendments to the Official Zoning Map.
3. The proposed amendments clarify that rezones are legislative actions and do not create automatic development approval.
4. The proposed amendments provide clearer roles for the Planning Commission and City Council.
5. The proposed amendments strengthen the public notice and public hearing process.
6. The proposed review considerations would help focus rezone discussions on relevant land use planning principles.
7. The proposed amendments clarify that concept plans may provide background information but do not constitute approval of a specific development project.
8. The proposed amendments preserve development agreements as an optional tool for zoning map amendments when appropriate, while clarifying that a development agreement does not replace the City's review of whether a proposed rezone is appropriate.

H. Staff Recommendation:

Staff recommends that the Planning Commission conduct the public hearing, receive public comment, review the proposed Chapter 16.07, Amendments to Zoning Map, and forward a recommendation of approval to the Vernal City Council. The proposed chapter establishes a clearer process for reviewing rezones, confirms that rezones are legislative actions, clarifies the respective roles of the Planning Commission and City Council, and explains that approval of a rezone does not approve a specific development project or replace later required land use approvals.

I. All changes are as follows

J. ~~Red~~ - Proposed removals

Green - Proposed new language

Green Underlined - Proposed updates/new language to be added to the new edition

Chapter 16.07 - Amendments to Zoning Map

Section 16.07.010 Purpose and Applicability

- A. The purpose of this chapter is to establish the procedures for amending the Official Zoning Map of Vernal City.
- B. Amendments to the Official Zoning Map, including changes to the number, shape, boundaries, or classification of any zoning district, may be considered through the procedures established in this chapter and may be adopted by the City Council only in accordance with Utah Code and this title.
- C. An amendment to the Official Zoning Map, commonly referred to as a rezone, is a legislative action and shall be adopted by ordinance.
- D. Nothing in this chapter shall be interpreted to require approval of a rezone application.
- E. The City Council retains legislative discretion to approve, approve with modifications, deny, remand, or continue consideration of a proposed rezone in accordance with applicable law.
- F. A rezone approval shall amend only the zoning classification of the subject property or properties and shall not, by itself, constitute approval of any subdivision, master site plan, conditional use permit, building permit, development agreement, or other land use approval required by this title.

Section 16.07.020 Rezone Application

- A. A property owner, authorized agent, or other person with written authorization from the property owner may request an amendment to the Official Zoning Map by submitting a rezone application to the Planning Department.
- B. A rezone application shall include the following:
 - 1. A completed application form provided by the City;
 - 2. Payment of all applicable fees;
 - 3. Documentation demonstrating ownership of the subject property or written authorization from the property owner;
 - 4. The address, parcel number, legal description, or other information sufficient to identify the property proposed for rezoning;
 - 5. Any additional information reasonably necessary for the Planning Department, Planning Commission, and City Council to evaluate the proposed rezone.
- C. An application for a change to the Official Zoning Map may be accompanied by a concept plan.
 - 1. A concept plan is not required for a rezone unless required by this title or requested by the City as part of its legislative review.
 - 2. A concept plan may be used to provide additional information to the Planning Commission and City Council regarding the applicant's general intent for the property.
 - 3. A concept plan submitted with a rezone application shall be informational only and shall not constitute approval of a site plan, master site plan, subdivision, conditional use permit, building permit, or other development approval.
- D. A development agreement may be submitted or considered in connection with a rezone application in accordance with Section 16.07.090. A development agreement is not required for every rezone application.

- E. Acceptance of a completed rezone application shall not create an entitlement to approval.

Section 16.07.030 Review Procedure

- A. Upon receipt of a rezone application, the Planning Department shall review the application for completeness.
- B. Once the Planning Department determines that the application is complete, the application may be scheduled for Planning Commission review in accordance with applicable notice and public hearing requirements.
- C. The Planning Department may prepare a staff report for consideration by the Planning Commission and City Council.
- D. The Planning Commission shall review the proposed rezone and hold a public hearing as required by Utah Code and this chapter.
- E. If written objections are filed in accordance with Utah Code, the Planning Commission shall consider such objections before making its recommendation and shall forward the objections to the City Council.
- F. Following the public hearing, the Planning Commission shall make a recommendation to the City Council.
- G. The Planning Commission may recommend approval, recommend approval with modifications, recommend denial, or continue the matter for further review.

Section 16.07.040 Public Notice

- A. The Planning Department shall provide public notice and the Planning Commission shall hold a public hearing as required by Utah Code and this chapter.
- B. The City Council shall also hold a public hearing prior to taking final action on a proposed rezone.
- C. Notice of the City Council public hearing shall be provided in the same manner as notice for the Planning Commission public hearing unless otherwise required by Utah Code.
- D. In addition to any notice required by Utah Code, the City shall provide the following notice for a proposed rezone:
 - 1. Mailed notice to real property owners within three hundred feet (300') of the property proposed for rezoning;
 - 2. Physical notice posted on or near the property proposed for rezoning;
 - a. The physical notice shall include:
 - i. The location of the meeting;
 - ii. The time and date of the meeting; and
 - iii. A general description of the proposed zoning change.
 - 3. Notice to affected entities as required by Utah Code; and
 - 4. Notice to the applicant and the owner or owners of the property proposed for rezoning.
- E. The City may provide additional notice when determined appropriate by the Planning Department.
- F. Failure of any person or entity to receive notice shall not invalidate the proceedings, provided that the City has complied with applicable statutory notice requirements.

Section 16.07.050 Review Considerations

- A. In reviewing a proposed rezone, the Planning Commission and City Council may consider the following factors:

1. Whether the proposed rezone is consistent with the Vernal City General Plan;
 2. Whether the proposed rezone furthers the purposes of this title;
 3. The character of the surrounding neighborhood and area;
 4. The zoning classifications and existing uses of nearby properties;
 5. The suitability of the property for uses allowed under the existing zoning classification;
 6. The suitability of the property for uses allowed under the proposed zoning classification;
 7. Whether the proposed rezone may create detrimental impacts on nearby properties or the surrounding area;
 8. Whether the proposed rezone supports orderly growth and development within the City;
 9. Whether the proposed rezone provides a reasonable transition between different land uses or zoning classifications;
 10. The length of time the property has remained vacant or underutilized under the existing zoning classification, if applicable;
 11. The relative public benefit of the proposed rezone compared to any potential private or public detriment;
 12. The recommendation of City staff;
 13. The recommendation of the Planning Commission; and
 14. Any other factor reasonably related to the public health, safety, welfare, orderly growth, and land use planning objectives of the City.
- B. The factors listed in this section are intended to guide legislative review and shall not be interpreted as mandatory findings required for approval or denial of a rezone.
- C. No single factor shall be controlling, and the City Council may assign such weight to each factor as it determines appropriate based on the record, the property, the surrounding area, and the legislative judgment of the City Council.
- D. Public comment may be considered as part of the record, but generalized opposition or support shall not require approval or denial of a rezone unless supported by facts reasonably related to the standards and considerations in this chapter.
- E. **Concerns related to infrastructure, utilities, traffic, access, parking, public safety, public services, environmental conditions, or similar matters may be identified during rezone review. However, specific improvements, studies, designs, capacity determinations, and mitigation measures related to those concerns shall be addressed through later applicable development review processes and are not required to be resolved as part of the rezone decision.**
- F. The existence, absence, or proposed use of a development agreement shall not replace the City's review of whether the proposed rezone is appropriate under this chapter.

Section 16.07.060 Planning Commission Recommendation

- A. The Planning Commission shall forward its recommendation to the City Council.
- B. The recommendation may include findings, comments, conditions of recommendation, or other information determined relevant by the Planning Commission.
- C. The Planning Commission's recommendation shall be advisory only and shall not bind the City Council.

Section 16.07.070 City Council Action

- A. After receiving the recommendation of the Planning Commission, the City Council may consider the proposed rezone.

- B. The City Council shall hold a public hearing on the proposed rezone after notice has been provided in accordance with Section 16.07.040.
- C. The City Council may:
 - 1. Approve the proposed rezone;
 - 2. Approve the proposed rezone with modifications;
 - 3. Deny the proposed rezone;
 - 4. Remand the proposed rezone to the Planning Commission for further review; or
 - 5. Continue consideration of the proposed rezone to a future meeting.
- D. Approval of a proposed rezone shall be by ordinance.
- E. The City Council is not bound by the recommendation of the Planning Commission.
- F. The City Council may approve, modify, or deny a proposed rezone based on legislative judgment, the record before it, the General Plan, the purposes of this title, public comment, staff analysis, Planning Commission recommendation, and any other factor reasonably related to the public health, safety, welfare, orderly growth, and land use planning objectives of the City.
- G. Upon adoption of an ordinance approving a rezone, the official zoning map of Vernal City shall be amended to reflect the new zoning classification.
- H. **If the Planning Commission fails to make a timely recommendation, the City Council may proceed with consideration of the proposed rezone without a Planning Commission recommendation when authorized by Utah Code.**

Section 16.07.080 Effect of Rezone Approval

- A. Approval of a rezone shall not authorize development of the property until all other applicable land use approvals, permits, licenses, and requirements have been satisfied.
- B. Future development of rezoned property shall comply with all applicable requirements of the zoning classification approved for the property, this title, and all other applicable City ordinances.
- C. If a development agreement is approved in connection with a rezone, the development agreement shall be processed in accordance with Section 16.07.090.
- D. Unless otherwise provided by ordinance, development agreement, or applicable law, approval of a rezone shall run with the land.

Section 16.07.090 Development Agreements

- A. A development agreement may be entered into between the City and any applicant for an amendment to the Official Zoning Map.
- B. A development agreement is not required for every amendment to the Official Zoning Map and shall not be used as a substitute for determining whether the proposed zoning map amendment is appropriate under this chapter.
- C. A development agreement may be considered when specific commitments related to future development of the property, infrastructure, phasing, public improvements, dedications, improvement assurances, use limitations, design standards, or other matters authorized by Utah Code and City ordinance should be documented in connection with the proposed zoning map amendment.
- D. When a development agreement is proposed in connection with a zoning map amendment, the City Council may review the development agreement concurrently with the application for the zoning map amendment.

- E. If the City Council determines before final action that a development agreement may be necessary or appropriate, the City Council may continue the matter or remand the matter for further review to allow preparation, review, and consideration of the development agreement.
- F. The development agreement shall run with the land as described in the agreement and shall be recorded with the Uintah County Recorder within ten (10) calendar days of its execution.
- G. If state or federal laws or regulations enacted after a development agreement has been entered into prevent or preclude compliance with one or more provisions of the development agreement, the development agreement may be amended or terminated as necessary to comply with such state or federal laws or regulations.
- H. A final development agreement may be amended or terminated in whole or in part by request of the parties to the agreement, or their successors in interest, with approval by the City Council, or by action initiated by the City Council.
- I. The termination or amendment shall be consistent with the process and provisions specified in the development agreement.

3. Recommendation to consider approval to amend the Vernal City Planning and Zoning Code, Amending Sections 16.42.080 and 16.44.080, R-3 and R-4 Residential Zones - Special Provisions - Ordinance #2026-21

- A. Type of PC Decision: Legislative**
- B. Application: Text Amendment to Vernal City Municipal Code**
- C. Applicant: Vernal City**
- D. Location / Code Reference: 16.42.080 & 16.44.080**
- E. Description and Background:**

The Planning Commission will review and discuss proposed amendments to Vernal City Municipal Code Sections 16.42.080 and 16.44.080 related to special provisions in the R-3 and R-4 Residential Zones. This item is being presented as a public hearing. The Planning Commission is being asked to review the proposed amendments, receive public comment, and forward a recommendation to the Vernal City Council.

The proposed amendments are intended to add additional standards for multifamily residential development in the R-3 and R-4 Residential Zones. The proposed language would address studio or efficiency dwelling units, common open space or recreation amenities for larger multifamily developments, and building articulation for longer multifamily buildings.

The current special provision sections primarily reference standards from other residential zones. The proposed amendments would keep the existing cross-reference structure while adding more specific standards for multifamily developments that may have greater site design, livability, and neighborhood compatibility impacts.

F. Analysis:

- 1. The proposed amendments would limit studio or efficiency dwelling units to no more than twenty-five percent (25%) of the total dwelling units within a development. The percentage would apply to the development as a whole, including phased developments,

and would not be calculated on a per-building basis. This is intended to allow studio or efficiency units as part of a residential mix while helping prevent a development from being designed primarily around smaller unit types.

2. Staff recognizes that percentage-based caps can create fractional-unit calculations in smaller developments. However, applying the cap to the full development provides a clearer standard and reduces the ability to avoid the cap on a per-building basis.
3. The proposed amendments would also require multifamily developments containing more than twenty (20) dwelling units to provide usable common open space or recreation amenities designed for resident use. This requirement is intended to support livability in larger multifamily developments and ensure that higher-density projects include areas or amenities that serve residents beyond the individual dwelling units.
4. The proposed building articulation requirement would apply to multifamily residential buildings exceeding one hundred twenty (120) feet in length. The amendment would require architectural offsets, façade variation, or building articulation at intervals not exceeding forty (40) feet. This standard is intended to reduce the appearance of long, uninterrupted building walls and improve compatibility with surrounding residential areas.
5. The proposed standards are repeated in both the R-3 and R-4 special provision sections for clarity. Although the R-4 section references the R-3 Zone, repeating the standards in both sections makes the requirements easier for applicants, staff, and future reviewers to locate and apply.

G. Findings:

1. The existing special provision sections would benefit from additional standards addressing multifamily residential developments.
2. The proposed amendments would allow studio or efficiency dwelling units while helping preserve a broader mix of dwelling unit types within a development.
3. Applying the percentage calculation to the development as a whole, including phased developments, would provide a clearer standard and reduce the ability to avoid the cap on a per-building basis.
4. The proposed studio or efficiency dwelling unit cap should apply to the development as a whole, including phased developments, to preserve a broader mix of dwelling unit types and avoid applying the limitation on a per-building basis.
5. The proposed common open space or recreation amenity requirement would support livability in larger multifamily developments.
6. The proposed building articulation requirement would help improve design quality and reduce the visual impact of long multifamily building facades.
7. The proposed amendments are intended to support orderly residential development, compatibility with surrounding areas, and improved site design within the R-3 and R-4 Residential Zones.

H. Staff Recommendation:

Staff recommends that the Planning Commission conduct the public hearing, receive public comment, review the proposed amendments to Sections 16.42.080 and 16.44.080, and forward a recommendation of approval to the Vernal City Council. The proposed amendments add

standards for multifamily residential development in the R-3 and R-4 Residential Zones, including limitations on studio or efficiency units, usable common open space or recreation amenities for larger multifamily developments, and building articulation for longer multifamily buildings. Staff finds that the proposed amendments support orderly residential development, improved site design, neighborhood compatibility, and livability within higher-density residential zones.

I. All changes are as follows

J. **Red** - Proposed removals

Green - Proposed new language

Section 16.42.080 Special Provisions

- A. Same as required in the R-1 residential zone, except as otherwise provided in this section.
- B. Studio or efficiency dwelling units shall not exceed twenty-five percent (25%) of the total dwelling units within a development located in the R-3 Residential Zone.
- C. The percentage calculation shall apply to the development as a whole, including phased developments, and shall not be calculated on a per-building basis.
- D. Multifamily developments containing more than twenty (20) dwelling units shall provide usable common open space or recreation amenities designed for resident use.
- E. Multifamily residential buildings exceeding one hundred twenty (120) feet in length shall incorporate architectural offsets, façade variation, or building articulation at intervals not exceeding forty (40) feet.

Section 16.44.080 Special Provisions

- A. Special provisions are the same as required in the R-3 Zone, except that off-street parking and landscape plans shall also be required for office buildings, clinics, mortuaries, and similar structures.
- B. Studio or efficiency dwelling units shall not exceed twenty-five percent (25%) of the total dwelling units within a development located in the R-4 Residential Zone.
- C. The percentage calculation shall apply to the development as a whole, including phased developments, and shall not be calculated on a per-building basis.
- D. Multifamily developments containing more than twenty (20) dwelling units shall provide usable common open space or recreation amenities designed for resident use.
- E. Multifamily residential buildings exceeding one hundred twenty (120) feet in length shall incorporate architectural offsets, façade variation, or building articulation at intervals not exceeding forty (40) feet.

4. Recommendation to consider approval to amend the Vernal City Planning and Zoning Code by amending Section 16.58.110 and adding Sections 16.58.112, 16.58.114, 16.58.116, and 16.58.118 related to subdivision amendments, subdivision vacations, boundary adjustments, boundary establishments, and lot combinations — Ordinance #2026-22

A. Type of PC Decision: Legislative

B. Application: Text Amendment to Vernal City Municipal Code

C. Applicant: Vernal City

D. Location / Code Reference: 16.58.110

E. Description and background:

Vernal City Code Section 16.58.110 currently addresses amended plats, lot line adjustments, and boundary adjustments in one section. However, the current section does not clearly reflect how Utah Code separates subdivision amendments, subdivision vacations, boundary adjustments, boundary establishments, and lot combinations. The current language also creates confusion regarding when Planning Commission review, public hearing review, administrative review, or no City land use approval is required.

The proposed amendment repeals and replaces Section 16.58.110 to provide a clearer process for staff, applicants, and surveyors. The amendment does not create a new subdivision process. Instead, it reorganizes the existing amended plat and boundary adjustment language into separate review categories that are consistent with Utah Code.

The proposed amendment creates separate sections for:

1. Subdivision amendments and amended plats;
2. Subdivision vacations;
3. Boundary adjustments;
4. Boundary establishments; and
5. Lot combinations and lot consolidations.

The intent is to help staff, applicants, and surveyors identify the correct process at the beginning of an application rather than treating every plat or boundary-related request as the same type of subdivision amendment.

The amendment also clarifies that application forms, checklists, review procedures, fees, and notice requirements may be administered by the Planning Director or Zoning Administrator, provided that the process remains consistent with Utah Code.

F. Analysis:

The proposed amendment improves Section 16.58.110 in the following ways:

1. Subdivision amendments and amended plats.

The amendment clarifies when an amended plat is required, who may submit the application, what role the Zoning Administrator has as land use authority, when a public hearing is necessary, and what findings are required before approval.

2. Subdivision vacations.

The amendment separates subdivision vacations from routine amended plats while preserving the methods authorized by Utah Code, including ordinance, amended plat, plat reflecting the vacation, or other authorized recording document where applicable.

3. Public streets and municipal utility easements.

The amendment clarifies that any request involving the vacation or amendment of a public street or municipal utility easement must follow the process required by Utah Code.

4. **Boundary adjustments.**

The amendment updates the City's "lot line adjustment" approach by using the current boundary adjustment framework. Boundary adjustments are administrative and may not create an additional lot or parcel.

5. **Boundary establishments.**

The amendment adds language recognizing that boundary establishments are used to clarify an ambiguous, uncertain, or disputed common boundary and do not require City land use authority approval before recording.

6. **Lot combinations and consolidations.**

The amendment clarifies that joining lots or consolidating parcels does not constitute a subdivision when handled in accordance with Utah Code. This prevents unnecessary subdivision amendment processing when no new lot is created and no public interest is affected.

7. **Notice and hearings.**

The amendment clarifies that notice shall be provided as required by Utah Code and that a public hearing is only required when required by Utah Code or other applicable law.

G. Compliance With Utah State Code and VCMC:

The proposed amendment is consistent with Utah Code because it updates the City's subdivision amendment, vacation, boundary adjustment, boundary establishment, and lot combination procedures to reflect current state law.

The amendment is also consistent with the intent of Vernal City's subdivision regulations because it keeps the City's review focused on zoning compliance, easement preservation, public infrastructure, public access, utility interests, and proper recording.

Because this is a text amendment to the City's subdivision ordinance, the Planning Commission is required to hold a public hearing and make a recommendation to the City Council. Final adoption of the ordinance amendment rests with the City Council.

H. Staff Recommendation:

Staff recommends that the Planning Commission conduct the public hearing, receive public comment, review the proposed amendments to Section 16.58.110 and proposed new Sections 16.58.112, 16.58.114, 16.58.116, and 16.58.118, and forward a recommendation of approval to the Vernal City Council. Staff finds that the proposed amendment:

1. Updates outdated subdivision amendment and boundary adjustment language;
2. Aligns the City's process with Utah Code;
3. Clarifies the difference between subdivision amendments, subdivision vacations, boundary adjustments, boundary establishments, and lot combinations;
4. Reduces unnecessary public hearing or Planning Commission review where not required by Utah Code;
5. Preserves required review for public streets, municipal utility easements, utilities, easements, infrastructure, and public access; and

6. Provides a clearer and more defensible process for staff, applicants, surveyors, and recording coordination.

I. All changes are as follows:

Red - Proposed Removals

Green - Proposed new language

Vernal City Municipal Code Section 16.58.110 is hereby repealed and replaced in its entirety as follows:

- ~~A. Amended plats must be filed when more than two adjacent lots of a subdivision which has been recorded are affected, an amended plat thereof approved and filed in accordance with the requirements of State code. No change shall be made in the approved plats unless approval thereof has been obtained by the Planning Commission after a public hearing is held that is published and noticed in accordance with applicable Utah codes including Title 52 Chapter 4, Title 10 Chapter 9 and Title 63G Chapter 30. The Zoning Administrator Planner shall approve lot line adjustments if;~~
- ~~1. No new dwelling lot or housing unit results from the lot line adjustment, and;~~
 - ~~2. The lot line adjustment does not result in remnant land that did not previously exist;~~
 - ~~3. The adjustment does not result in violation of applicable zoning requirements;~~
 - ~~4. All adjoining property owners consent to the lot line adjustment and sign the plat.~~
- ~~B. The Zoning Administrator may approve petitions to adjust boundary lines between two adjacent properties upon the filing of a record of survey and recordation of an appropriate deed. Petitions to adjust lot or parcel lines between adjoining properties not within a recorded subdivision may be executed upon the recordation of an appropriate deed after a record of survey has been approved by the Zoning Administrator, cleared for taxes by Uintah County Treasurer, and filed with the county surveyor within ninety (90) days of city Zoning Administrator approval, if;~~
- ~~1. No new dwelling lot or housing unit results from the lot line adjustment, and;~~
 - ~~2. All adjoining property owners consent to the boundary adjustment, and;~~
 - ~~3. The boundary adjustment does not result in a remnant piece of land that did not exist previously, and;~~
 - ~~4. The boundary adjustment does not result in the violation of any applicable zoning district requirements.~~

Vernal City Municipal Code Section 16.58.110 is hereby amended to the following:

Section 16.58.110 Subdivision Amendment and Amended Plat Requirements

- A. Purpose. The purpose of this section is to establish the City's requirements for subdivision amendments and amended plats affecting a previously recorded subdivision.
- B. An amended plat shall be required when a proposed change to a recorded subdivision requires a subdivision amendment or amended plat under Utah Code.
- C. An amended plat may be required when the proposed change:
 1. Increases the number of lots within a recorded subdivision;
 2. Alters a lot line, parcel line, or other boundary within a recorded subdivision;

3. Alters, vacates, or affects a public right-of-way, public easement, municipal utility easement, public infrastructure, or other public interest, subject to any additional process required by Utah Code and this chapter;
 4. Alters a common area or common amenity within a recorded subdivision; or
 5. Otherwise requires a subdivision amendment or amended plat under Utah Code.
- D. A subdivision amendment or amended plat shall not be used as a substitute for a subdivision vacation, boundary adjustment, boundary establishment, lot combination, or lot consolidation when one of those processes is required or more appropriate under Utah Code or this chapter.
- E. An application for a subdivision amendment or amended plat shall be submitted by a fee owner of land within the subdivision and shall include all information, signatures, certifications, and plat materials required by Utah Code.
- F. Amended Plat Requirements. An amended plat submitted under this section shall include, as applicable:
1. A plat name that distinguishes the amended plat from the original plat;
 2. A reference to the original recorded subdivision plat and any prior amendments affecting the property;
 3. A depiction of the portion of the subdivision proposed to be amended;
 4. A description or narrative explaining the differences between the amended plat and the original plat;
 5. The lot numbers, parcel numbers, boundaries, dimensions, acreage or square footage, and legal descriptions affected by the proposed amendment;
 6. Existing and proposed easements affecting the amended area, including utility, drainage, access, canal, public, private, or other recorded easements;
 7. Any public street, public right-of-way, municipal utility easement, public infrastructure, common area, common amenity, private street, private easement, or other public or common interest affected by the proposed amendment;
 8. Owner certificate, owner signature, and acknowledgment blocks for all owners whose property is included in the amended plat or whose signature is required by Utah Code;
 9. A surveyor's certificate and seal when required by Utah Code, the County Surveyor, or the Uintah County Recorder;
 10. A signature block for the Zoning Administrator or other designated land use authority;
 11. A signature block for the Public Works Director, City Water and Sewer Department, or other applicable utility approval when utility service, public improvements, public infrastructure, municipal utility easements, or other public works matters are affected;
 12. A signature block for the Uintah County Treasurer for tax clearance, if required by the County for recording; and
 13. Any additional information, certificates, notes, dedications, acknowledgments, or corrections required by Utah Code, this chapter, the City, the County Surveyor, or the Uintah County Recorder for recording.
- G. Notice shall be provided as required by Utah Code.
- H. A public hearing for a subdivision amendment or amended plat shall be required when required by Utah Code, including when a timely written objection is submitted by a property owner within the subdivision proposed to be amended, or when a public hearing is otherwise required by applicable law.
- I. If a public hearing is not required, the subdivision amendment or amended plat may be reviewed administratively or considered at a public meeting by the designated land use authority.

- J. The Zoning Administrator is designated as the land use authority for administrative subdivision amendments and amended plats, except where Planning Commission review, a public hearing, or action by the legislative body is required by Utah Code or other applicable law.
- K. If the application includes a request to amend, vacate, or affect a public street, public right-of-way, public easement, municipal utility easement, public infrastructure, or other public interest, the request shall comply with the applicable process required by Utah Code and this chapter.
- L. The land use authority may approve a subdivision amendment or amended plat if the land use authority finds that:
 - 1. There is good cause for the amendment;
 - 2. The amendment complies with applicable land use ordinances and development conditions;
 - 3. Required easements, utility interests, public infrastructure, and public access are identified and preserved, unless amended as allowed by Utah Code;
 - 4. No public street, public right-of-way, municipal utility easement, public easement, or other public interest is amended or vacated unless the process required by Utah Code and this chapter has been completed; and
 - 5. The amended plat complies with Utah Code and this chapter.
- M. An approved amended plat shall be recorded in the office of the Uintah County Recorder. Upon recording, the amended plat shall supersede and replace any contrary provision in a previously recorded plat of the same land as provided by Utah Code.
- N. Approval of a subdivision amendment or amended plat shall not authorize development, construction, or issuance of a building permit until all other applicable land use approvals, permits, utility approvals, improvement requirements, and recording requirements have been satisfied.

Section 16.58.112 Subdivision Vacation Requirements

- A. Purpose. The purpose of this section is to establish the City's requirements for the vacation of a subdivision, or a portion of a subdivision, in accordance with Utah Code.
- B. A subdivision vacation shall be processed in accordance with Utah Code and this section.
- C. Unless otherwise authorized by Utah Code and accepted by the City through an amended plat process, a subdivision vacation shall be reviewed by the Planning Commission at a public hearing and approved, if at all, by ordinance of the City Council.
- D. A subdivision vacation application shall include:
 - 1. A completed application form;
 - 2. The required fee;
 - 3. Written consent or signatures required by Utah Code;
 - 4. A legal description of the subdivision, lot, parcel, street, easement, common area, or other interest proposed to be vacated;
 - 5. An amended plat, plat reflecting the vacation, ordinance exhibit, or other document required by Utah Code, the City, the County Surveyor, or the Uintah County Recorder for the proposed vacation;
 - 6. A statement identifying any public or private easements, rights-of-way, utilities, public infrastructure, access rights, common areas, or other interests affected by the proposed vacation; and
 - 7. Any additional information reasonably necessary for the City to verify compliance with Utah Code and applicable land use regulations.

- E. Notice and any required public hearing shall be provided as required by Utah Code.
- F. A subdivision vacation shall not be approved unless the approving authority finds that:
 - 1. There is good cause for the vacation;
 - 2. The vacation will not be detrimental to the public interest;
 - 3. Required public or private easements, rights-of-way, utility interests, public infrastructure, access rights, common areas, and other recorded interests are preserved unless specifically vacated or modified in accordance with Utah Code; and
 - 4. The vacation complies with Utah Code, this chapter, and applicable recording requirements.
- G. Any public or private easements or rights-of-way of record not specifically vacated by the approving ordinance, amended plat, plat reflecting the vacation, or other approved vacation document shall remain in full force and effect unless vacated by separate action.
- H. An approved subdivision vacation shall be recorded in the office of the Uintah County Recorder by recording an amended plat, a plat reflecting the vacation, an ordinance with legal description, or other document authorized by Utah Code.
- I. Approval of a subdivision vacation shall not authorize development, construction, or issuance of a building permit until all other applicable land use approvals, permits, utility approvals, improvement requirements, and recording requirements have been satisfied.

Section 16.58.114 Boundary Adjustment Requirements

- A. Purpose. The purpose of this section is to identify the City's review process and submittal requirements for boundary adjustments in accordance with Utah Code.
- B. Boundary adjustments, including simple boundary adjustments and full boundary adjustments, shall be processed in accordance with Utah Code.
- C. The Zoning Administrator is designated as the land use authority for boundary adjustments.
- D. A boundary adjustment application shall include, as applicable:
 - 1. A completed application form;
 - 2. The required fee;
 - 3. Written consent of the affected property owners;
 - 4. A boundary adjustment agreement, conveyance document, deed, or other instrument required by Utah Code;
 - 5. Current legal descriptions of the affected lots or parcels;
 - 6. Adjusted legal descriptions of the affected lots or parcels;
 - 7. A survey, record of survey, visual exhibit, or amended plat when required by Utah Code, the City, the County Surveyor, or the Uintah County Recorder;
 - 8. A notice of consent or other land use authority approval document when required by Utah Code; and
 - 9. Any additional information reasonably necessary for the Zoning Administrator to verify compliance with Utah Code and applicable land use regulations.
- E. The Zoning Administrator may consent to or approve a boundary adjustment if the proposed boundary adjustment complies with Utah Code and does not result in a lot or parcel that violates applicable land use regulations.
- F. A boundary adjustment shall not create an additional lot or parcel.

- G. A boundary adjustment shall be effective upon recording with the Uintah County Recorder in accordance with Utah Code.
- H. Recording of a boundary adjustment does not constitute land use approval for development, construction, or issuance of a building permit.

Section 16.58.116 Boundary Establishment Requirements

- A. Purpose. The purpose of this section is to recognize the boundary establishment process provided by Utah Code.
- B. A boundary establishment may be used by adjoining property owners to resolve an ambiguous, uncertain, or disputed boundary and agree upon the location of an existing common boundary in accordance with Utah Code.
- C. A boundary establishment shall not be used to create an additional lot or parcel.
- D. A boundary establishment is not subject to review or approval by the City's land use authority.
- E. A boundary establishment shall be prepared and recorded by the adjoining property owners in accordance with Utah Code.
- F. Recording of a boundary establishment does not constitute land use approval for development, construction, or issuance of a building permit.
- G. The City may enforce applicable land use regulations against property affected by a boundary establishment as allowed by Utah Code.

Section 16.58.118 Lot Combination and Lot Consolidation Requirements

- A. Purpose. The purpose of this section is to establish the City's review process for lot combinations and lot consolidations in accordance with Utah Code.
- B. A lot combination or lot consolidation may be used to combine two or more adjoining lots or parcels into fewer lots or parcels.
- C. A lot combination or lot consolidation does not create a subdivision and does not require a subdivision amendment unless required by Utah Code, this chapter, the County Surveyor, or the Uintah County Recorder.
- D. The Zoning Administrator is designated as the land use authority for lot combinations and lot consolidations.
- E. A lot combination or lot consolidation application shall include:
 - 1. A completed application form;
 - 2. The required fee;
 - 3. Written consent of the affected property owners;
 - 4. A deed, plat, amended plat, or other document required by Utah Code, the County Surveyor, or the Uintah County Recorder;
 - 5. A description of all lots or parcels affected by the proposed lot combination or lot consolidation; and
 - 6. Any additional information reasonably necessary for the Zoning Administrator to verify compliance with Utah Code and applicable land use regulations.
- F. The Zoning Administrator may approve or consent to a lot combination or lot consolidation if the proposed combination or consolidation:
 - 1. Does not create an additional lot or parcel;
 - 2. Does not create a remnant parcel or remnant piece of land that did not previously exist;

3. Does not result in a lot or parcel that violates applicable land use regulations;
 4. Does not vacate or amend a public street, public right-of-way, municipal utility easement, public easement, public infrastructure, or other public interest unless processed in accordance with Utah Code and this chapter; and
 5. Complies with Utah Code, this chapter, and applicable recording requirements.
- G. A lot combination or lot consolidation may require an amended plat, deed, record of survey, or other recording document when required by Utah Code, the County Surveyor, the Uintah County Recorder, or the Zoning Administrator.
- H. A lot combination or lot consolidation shall be effective upon recording with the Uintah County Recorder in accordance with Utah Code.
- I. Recording of a lot combination or lot consolidation does not constitute land use approval for development, construction, or issuance of a building permit.

5. Recommendation to consider amending the Vernal City Planning and zoning code, Section 16.16.050 - Proposed Development - Submissions of plans and documents - Ordinance #2026-23

A. Type of PC Decision: Legislative

B. Application: Text Amendment to Vernal City Municipal Code

C. Applicant: Vernal City

D. Location / Code Reference: 16.16.050

E. Description and Background:

Vernal City Code Section 16.16.050 currently establishes the plan and document submittal process for proposed Planned Residential Unit Developments. The existing section includes outdated hard-copy submittal requirements and language requiring Planning Commission and City Council approval of final plats.

The proposed amendment is intended to modernize the PRUD submittal process and better coordinate Section 16.16.050 with the City's current subdivision, master site plan, engineering, improvement assurance, fee, and recording procedures. The amendment updates outdated paper-copy requirements, clarifies submittal responsibilities, and removes language that routes final plat approval through the Planning Commission and City Council when final plat approval is otherwise governed by Chapter 16.58 and applicable Utah Code requirements.

The amendment does not remove any applicable PRUD, subdivision, engineering, review, recording, or other fees required by the City's adopted fee schedule. The amendment also does not remove substantive PRUD review. The Planning Commission would continue to review the general design and preliminary PRUD materials as required by Section 16.16.050. The amendment instead clarifies that final plat approval, public improvements, improvement assurances, applicable fees, and recording requirements are processed through the applicable final plat procedures and land use authority structure established in Chapter 16.58.

F. Analysis:

The proposed amendment updates the PRUD process by removing outdated submittal language and aligning final plat review with current subdivision procedures. The current code requires multiple hard copies of plans and documents to be submitted to the Planning Commission. The

proposed amendment updates those requirements to allow digital submittals to the Planning Department.

The existing PRUD language also requires final plat approval by the Planning Commission and City Council. Current Utah Code requires a subdivision plat to be approved by the municipality's designated land use authority and any other officers designated by ordinance before the plat may be recorded. Current Utah Code also provides that the administrative subdivision land use authority may include municipal staff, a board, or a commission, but may not include the municipal legislative body.

Vernal City's subdivision code designates the Planning Commission as the administrative land use authority for preliminary plat review and designates the Zoning Administrator as the land use authority for final plat approval. The proposed amendment removes outdated PRUD language requiring Planning Commission and City Council approval of final plats and coordinates PRUD final plat approval with Chapter 16.58.

The amendment also clarifies that final plat approval may not be granted until the City has confirmed compliance with applicable requirements, including master site plan approval, planned residential unit development requirements, subdivision improvement construction plans, engineering and design requirements, floodplain development requirements, utility service requirements, access requirements, required easements, development agreements, homeowners association documents, covenants, conditions and restrictions, open space protections, improvement completion, improvement assurances, applicable fees, and any other required City, county, state, or federal approvals.

The proposed amendment also updates language related to homeowners association documents, common area maintenance, open space protections, private improvements, public improvements, improvement assurances, and final plat recording requirements.

G. Findings:

1. Section 16.16.050 contains outdated paper-copy submittal requirements.
2. Section 16.16.050 contains outdated language requiring final plat approval by the Planning Commission and City Council.
3. Current Utah Code requires subdivision plats to be approved by the municipality's designated land use authority and any other officers designated by ordinance before recording.
4. Current Utah Code does not include the municipal legislative body within the administrative subdivision land use authority.
5. Vernal City Code designates the Planning Commission as the administrative land use authority for preliminary plat review.
6. Vernal City Code designates the Zoning Administrator as the land use authority for final plat approval.
7. The proposed amendment does not remove any applicable PRUD, subdivision, engineering, review, recording, or other fees required by the City's adopted fee schedule.
8. The proposed amendment modernizes PRUD submittal requirements by allowing digital submittals to the Planning Department.

9. The proposed amendment preserves Planning Commission review of preliminary PRUD materials while coordinating final plat approval with Chapter 16.58.
10. The proposed amendment clarifies that final plat approval shall not be granted until all applicable PRUD, master site plan, engineering, public improvement, improvement assurance, easement, utility, access, open space, fee, recording, and related approval requirements have been satisfied.
11. The proposed amendment removes outdated PRUD language requiring Planning Commission and City Council final plat approval and coordinates PRUD final plat approval with Chapter 16.58.
12. The proposed amendment better coordinates PRUD review with the City's subdivision, public improvement, improvement assurance, fee, and recording procedures.

H. Staff Recommendation:

Staff recommends that the Planning Commission conduct the public hearing, receive public comment, review the proposed amendments to Section 16.16.050, Proposed Development — Submission of Plans and Documents, and forward a recommendation of approval to the Vernal City Council. Staff finds that the proposed amendment modernizes the PRUD submittal process, removes outdated hard-copy and final plat approval language, preserves Planning Commission review of preliminary PRUD materials, preserves applicable fee requirements, and coordinates final plat approval, public improvements, improvement assurances, and recording with Chapter 16.58, the City's designated land use authority process, and applicable Utah Code requirements.

I. All changes are as follows:

Red - Proposed Removals

Green - Proposed new

Section 16.16.050 Proposed Development -- Submission Of Plans And Documents

- A. Discuss Proposed PRUD with City Planner. Any person wishing to create a PRUD within Vernal City, Utah, shall secure from the City Planner information pertaining to the City's plan of streets, parks, drainage, land use, and other general plan requirements affecting the land proposed for the PRUD.
- B. Prepare Vicinity Plan. ~~The developer shall then prepare a vicinity plan and shall submit nine (9) copies of the same to the Planning Commission.~~ **The applicant shall prepare a vicinity plan and shall submit one digital copy of the same to the Planning Department.**
- C. Obtain Planning Commission Approval of Vicinity Plan. ~~The Planning Commission shall review and shall approve or disapprove the general design of the subdivision or approve it subject to required changes or alterations.~~ **The Planning Commission shall review and may approve, approve with modifications, or deny the general design of the proposed PRUD.**
- D. Prepare Preliminary Plat and Engineering Drawing ~~and Pay Preliminary Plat Fees to City Clerk.~~ Upon approval of the vicinity plan by the Planning Commission, ~~the developer~~ the applicant shall prepare a preliminary plat of the PRUD and shall submit ~~to the Planning Commission~~ the following to the Planning Department:
 1. ~~Nine (9) copies of the preliminary plat for the proposed PRUD should be submitted to the Planning Commission at least fourteen (14) days prior to the scheduled Planning Commission meeting.~~ **One digital copy of the preliminary plat for the proposed PRUD shall be submitted**

to the Planning Department at least fourteen (14) days prior to the scheduled Planning Commission meeting. The preliminary plat should show proposed uses, dimensions, locations of proposed structures, landscaping, recreational facilities and areas reserved as common open space and utility easements. The preliminary plat shall also indicate the following tabulations:

2. Total number of acres in the proposed development;
3. Total number of dwelling units;
4. Number of off-street parking spaces;
5. Percentage of total lot area maintained in open green space.

E. ~~Three (3) copies of the engineering drawings shall also be submitted prior to final approval, showing:~~ One digital copy of the engineering drawings shall also be submitted prior to final approval, showing:

1. Typical cross sections of streets;
2. Provisions for drainage;
3. Location and size of both on-site and off-site water mains and sewer lines.

F. The Planning Commission shall hold a public hearing, review and shall approve or disapprove the preliminary plat, or approve it with modifications within thirty (30) days from the date of submission of the preliminary plat. Notice of the public hearing shall be posted on the Utah Public Notice Website and also on the City's website at least ten (10) days prior to the public hearing. ~~The action of the Planning Commission shall be written on the face of two (2) copies of the plat, one (1) of which shall be returned to the developer.~~ The action of the Planning Commission shall be documented in the meeting record and provided to the applicant.

G. ~~Prepare Final Plat and Obtain Approval of Planning Commission and Pay Final Plat Fees to City Clerk. After the preliminary plat has been approved, the developer shall then prepare and submit one (1) tracing, three copies of the finalized covenants, conditions and restrictions to the Planning Commission. The following documents shall also be submitted to the Planning Commission prior to final approval:~~ Final Plat Submittal and Review. After preliminary plat or preliminary PRUD approval has been granted, the applicant may submit a final plat and all required supporting documents in accordance with Chapter 16.58 of this title and any applicable planned residential unit development requirements.

Final plat approval shall not be granted until the City has confirmed compliance with all applicable requirements, including, as applicable, master site plan approval, planned residential unit development requirements, subdivision improvement construction plans, engineering and design requirements, floodplain development requirements, utility service requirements, access requirements, required easements, development agreements, homeowners association documents, covenants, conditions and restrictions, open space protections, improvement completion, improvement assurances, and any other required City, county, state, or federal approvals.

Final plat approval shall be processed by the land use authority designated in Chapter 16.58.

The following documents shall also be submitted prior to final approval, as applicable:

1. ~~A declaration of management policies and the covenants setting forth the responsibilities and duties of the occupants within the development (homeowners association articles of incorporation and bylaws);~~ A declaration of management policies and covenants setting forth

the responsibilities and duties of the occupants within the development, including homeowners association articles of incorporation and bylaws, if applicable;

2. ~~An agreement between the developers and Vernal City stating among other things:~~ An agreement, development agreement, declaration, easement, plat note, or other instrument acceptable to the City addressing, as applicable:
 - a. ~~That in the event of failure or neglect on the part of the owners, successors or assigns to maintain the common areas, landscaping and other improvements in good condition, the City may perform the necessary work and for this purpose may enter upon the land and do the work and charge the cost thereof, including reasonable attorney's fees, against the owners or their successors and assigns, and~~ Maintenance of common areas, landscaping, private streets, private utilities, and other private improvements;
 - b. ~~That the developer will construct the project in accordance with approved plans, and~~ Construction of the project in accordance with approved plans;
 - c. ~~That the agreement shall be binding upon the heirs, assigns, receivers or successors of the project for the life of the building or project, and~~ Binding effect upon heirs, assigns, receivers, successors, owners, and occupants of the project;
 - d. ~~That the required open space shall be protected against building development by conveying to the City an open space easement over such open space areas, and~~ Protection of required open space through an easement, dedication, plat note, declaration, or other legal instrument acceptable to the City; and
 - e. ~~That the project shall be subject to any other conditions that the Planning Commission deems reasonably necessary to carry out the intent of this title.~~ Any other condition or requirement reasonably necessary to carry out the intent of this title and the approved PRUD.

H. ~~Obtain Approval of the City Council. After setting up an escrow account, the plat, shall be submitted to the City Council for approval. Unless otherwise provided on the plat, approval of the final plat shall constitute acceptance by the City of all streets and other properties dedicated for public use.~~ Public Improvements and Improvement Assurance. Before final plat approval or recording, the applicant shall either complete all required public improvements or provide an improvement assurance, guarantee account, bond, escrow, or other security acceptable to the City in accordance with Chapter 16.58 of this title and applicable City standards.

I. ~~Record Final Plat. After obtaining approval of the City Council, the developer shall submit the final plat tracing to the office of the Uintah County recorder for recording within ninety (90) days of the date of approval by the City Council.~~ Record Final Plat. After final plat approval by the land use authority designated in Chapter 16.58, and after all required signatures, approvals, corrections, assurances, and recording documents have been completed, the applicant shall submit the final plat to the office of the Uintah County Recorder for recording within the time required by Chapter 16.58. Approval and recording of the final plat shall be governed by Chapter 16.58 and applicable Utah Code requirements.

6. Recommendation to consider amending the Vernal City Planning and zoning code, Section 16.24.160 - Off Site Improvements - Ordinance #2026-24

A. Type of PC Decision: Legislative

B. Application: Text Amendment to Vernal City Municipal Code

C. Applicant: Vernal City

D. Location / Code Reference: 16.24.160

E. Description and Background:

Vernal City Code Section 16.24.160 currently addresses off-site improvements associated with development, including improvements along public road frontage. The existing section also includes language allowing the Planning Commission to consider variations or exemptions from off-site improvement requirements.

The proposed amendment is intended to clarify the purpose and process for off-site improvements while removing variance-style language from this section. The amendment keeps the City's ability to require development, redevelopment, expansion, modification, or change of use to comply with applicable City improvement standards, including improvements located along the public road frontage of the property or within the adjacent public right-of-way.

The amendment also clarifies that curb, gutter, sidewalk, and street paving requirements are applied in accordance with Section 16.24.180 and other applicable City standards. The existing minor-addition rule is repeated in this section so that additions of less than forty percent (40%) of the square footage of the existing structure or structures are clearly addressed, except where parking lots are constructed or added.

F. Analysis:

The proposed amendment removes the existing variance/exemption language from Section 16.24.160, including the reference to substantial justice. Variance requests and appeals are subject to the City's generally applicable appeal and variance procedures rather than the off-site improvement section.

The amendment preserves the City's ability to require public road frontage and adjacent right-of-way improvements when property is developed, redeveloped, expanded, modified, or changed in use. These improvements may include sidewalk, curb, gutter, driveway approaches, drainage facilities, street paving, street widening, park strip improvements, access improvements, and other improvements required by City code or adopted City standards.

The amendment also preserves flexibility for site-specific conditions. A required off-site improvement may be excepted, modified, deferred, or satisfied through an approved alternative compliance arrangement when reviewed through the applicable land use approval process and approved by the City. This allows the City to address situations where strict installation may not be necessary or appropriate, such as when there are no connecting improvements, unusual site conditions, right-of-way limitations, surrounding development patterns, or planned public improvements.

G. Findings:

1. Section 16.24.160 should be amended to clarify the process for off-site improvements associated with development.
2. The proposed amendment removes variance-style language from the off-site improvement section.
3. The proposed amendment removes the reference to substantial justice from Section 16.24.160.
4. Variance requests and appeals should be processed under the City's generally applicable appeal and variance procedures.

5. The proposed amendment preserves the City's ability to require development, redevelopment, expansion, modification, or change of use to comply with applicable City improvement standards.
6. The proposed amendment clarifies that off-site improvements may include improvements located along the public road frontage of the property or within the adjacent public right-of-way.
7. The proposed amendment preserves the existing minor-addition rule for additions of less than forty percent (40%) of the square footage of the existing structure or structures, except where parking lots are constructed or added.
8. The proposed amendment allows exceptions, modifications, deferrals, improvement assurances, or alternative compliance arrangements when justified by the facts of the development proposal and approved by the City.

H. Staff Recommendation:

Staff recommends that the Planning Commission conduct the public hearing, receive public comment, review the proposed amendments to Section 16.24.160, Off-Site Improvements, and forward a recommendation of approval to the Vernal City Council. Staff finds that the proposed amendment clarifies the off-site improvement process, removes variance-style language and the reference to substantial justice, preserves the City's ability to require public road frontage and adjacent right-of-way improvements, and allows site-specific exceptions, modifications, deferrals, improvement assurances, or alternative compliance arrangements when approved by the City.

I. All changes are as follows:

Red - Proposed Removals

Green - Proposed new

Vernal City Municipal Code Section 16.24.160 is hereby repealed and replaced in its entirety as follows:

- ~~A. All development in Vernal City shall have sidewalk, curb and gutter along the public road frontage.~~
- ~~1. In cases where unusual topographical, geographic location, or exceptional conditions or circumstances exist, variations or exceptions to the above requirement of this section may be approved in the Master Site Plan by the Planning Commission provided that:~~
- ~~a. The special circumstances attached to the property such as topographical, geographic location, or exceptional conditions do not generally apply to other properties.~~
 - ~~b. The Variance or exemption will not substantially affect the general plan, be contrary to the public interest, or detrimentally affect safety, health or welfare of the public.~~
 - ~~c. Substantial justice is done ensuring the spirit of the ordinance requiring sidewalk, curb and gutter is done and equivalent arrangements are made. Substantial justice could include but is not limited to;~~
 - ~~1. Bonding or monetary payments.~~
 - ~~2. Easements for access through the property at another location.~~
 - ~~3. Installing necessary improvements to connect to existing improvements such as street crossings to existing sidewalk.~~
 - ~~4. Constructing alternate access through the site connecting to existing or planned alternate improvements such as trails.~~
 - ~~d. The reasoning for the variations or exceptions are detailed in the final staff report and signed by both the Public Works Director and Planning Commission Chairman.~~

~~B. In order to protect the safety and welfare of the public certain off-site improvements such as fences and other improvements may be required for any development proposal. The developer may be required to install such off-site improvements at their own cost.~~

Vernal City Municipal Code Section 16.24.160 is hereby amended to the following:

Section 16.24.160 Off-Site Improvements

- A. Purpose. The purpose of this section is to establish requirements for off-site improvements associated with development in Vernal City, including improvements located along the public road frontage of the property or within the adjacent public right-of-way.
- B. Required Off-Site Improvements. Development, redevelopment, expansion, modification, or change of use of property in Vernal City shall comply with applicable City standards for off-site improvements. For purposes of this section, off-site improvements include, but are not limited to, sidewalk, curb, gutter, driveway approaches, drainage facilities, street paving, street widening, park strip improvements, access improvements, and other improvements required along the public road frontage or within the adjacent public right-of-way by this title, adopted City standards, or other applicable City ordinances.
- C. Curb, Gutter, Sidewalk, and Street Paving. Requirements for curb, gutter, sidewalk, and street paving shall be applied in accordance with Section 16.24.180 and other applicable City standards.
- D. Minor Additions. The sidewalk, curb, and gutter requirements shall not apply to minor additions to existing developments, except for the construction or addition of parking lots. For purposes of this section, a minor addition means an addition of less than forty percent (40%) of the square footage of the existing structure or structures.
- E. Exceptions, Modifications, Deferrals, and Alternative Compliance. A required off-site improvement may be excepted, modified, deferred, or satisfied through an approved alternative compliance arrangement when reviewed through the applicable land use approval process and approved by the City.
 - 1. An exception may be approved when the City determines that the required improvement is not necessary or appropriate based on the specific facts of the development, existing infrastructure, lack of connecting improvements, site conditions, right-of-way limitations, surrounding development patterns, or adopted City standards.
 - 2. A modification may adjust the design, location, timing, or scope of the required improvement.
 - 3. A deferral may postpone installation of the required improvement when immediate installation is impractical, premature, or inconsistent with existing or planned public improvements.
 - 4. An alternative compliance arrangement may allow a different improvement, design, or method when the alternative satisfies the purpose of the required off-site improvement.
- F. Deferral and Improvement Assurance. When installation of a required off-site improvement is deferred, the City may require one or more of the following to preserve the obligation for future completion:
 - 1. An improvement assurance;
 - 2. A bond;
 - 3. An escrow;
 - 4. A guarantee account;
 - 5. A development agreement;
 - 6. A recorded agreement;
 - 7. A plat note;

8. Participation in a future improvement district or similar future public improvement process, when applicable; or
9. Another security, agreement, or instrument acceptable to the City and authorized by law.

Action Items

1. **Recommendation to consider the approval of the crown estates amended 8,9 and 11 subdivision amendment for property located at 1460 W 210 S, Parcel # 05:010:0108 - 2026-020-SUB**

- A. **Type of PC Decision: Administrative**
- B. **Application: Amended Plat/Subdivision Amendment**
- C. **Applicant: Wes Sorensen**
- D. **Location: 1460 W 210 S**
- E. **Parcel # 05:010:0108**
- F. **Code Reference: VCMC 16.58.110; Utah State Code §10-20-811**
- G. **Description and Background:**

The applicant, Wes Sorensen, is requesting approval of a subdivision amendment for property located at 1460 W 210 S, Parcel # 05:010:0108. The property is identified on the proposed plat as Lot 8A of the Crown Estates Subdivision Amended Lots 8, 9, and 11. The proposed amended plat would divide existing Lot 8A into two separate residential lots, identified as Lot 8B and Lot 8C.



The proposed plat is titled “2nd Amendment for Lot 8A of the Crown Estates Subdivision.” The plat identifies Lot 8B and Lot 8C as approximately 0.309 acres each. The purpose of the request is to amend the existing recorded subdivision plat to create two separate residential lots from the existing Lot 8A. The new addresses assigned to the two proposed parcels are 1470 W 210 S and 145 S 1500 W.

The application has been reviewed by City staff and sent to applicable reviewing entities. Initial staff review identified items related to plat history, access, canal location, easements, utilities, and confirmation that the proposed amendment does not vacate or amend a public street or municipal utility easement. The applicant’s surveyor provided responses and updated the plat to address those review items. Fire review found no fire-related concerns and noted that the roads and hydrants appear acceptable. Water and sewer review identified no concerns, but noted that if both properties connect utilities to 210 South, an easement will be needed to allow utility service for the northern lot to pass through the southern lot.

H. Analysis:

The proposed subdivision amendment is administrative in nature and does not require a legislative amendment to the Vernal City Municipal Code or the Official Zoning Map. The request is limited to amending a previously recorded subdivision lot to create two separate residential lots.

The proposed lots appear to have frontage and access from existing public streets. One proposed parcel will be addressed as 1470 W 210 S, and the other proposed parcel will be addressed as 145 S 1500 W. Fire review found the road and hydrant access acceptable, with the recommendation that addresses be placed above the garage doors facing the street.

The applicant's surveyor has identified the applicable plat history and has stated that the proposed plat does not amend or vacate a public street or municipal utility easement. The surveyor has also stated that the Ashley Central Canal is piped and located within the street right-of-way along the west side of the proposed lots. Final plat review should confirm that any canal-related features, manholes, easements, or other utility-related matters are accurately shown if required before recording.

Water and sewer review did not identify concerns with service availability. However, the applicant has indicated a desire to connect utilities for both lots to 210 South. If that service configuration is used, the amended plat or other recorded instrument must include an easement allowing the northern lot to obtain utility service through the southern lot.

Staff finds that the proposed amendment may be approved subject to final technical review, completion of any required easement language, final addressing confirmation, and compliance with Uintah County Recorder requirements prior to recording.

I. Findings:

1. The applicant has submitted a subdivision amendment application for property located at 1460 W 210 S, Parcel # 05:010:0108.
2. The proposed plat is titled "2nd Amendment Survey for Lot 8A of the Crown Estates Subdivision."
3. The proposed amendment would divide existing Lot 8A into two separate residential lots, identified as Lot 8B and Lot 8C.
4. The proposed lots are each shown as approximately 0.309 acres.
5. The new addresses assigned to the two proposed parcels are 1470 W 210 S and 145 S 1500 W.
6. The proposed subdivision amendment is administrative in nature and does not require a legislative amendment to the Vernal City Municipal Code or the Official Zoning Map.
7. The applicant's surveyor has identified the relevant plat history and has indicated that the proposed amendment does not vacate or amend a public street or municipal utility easement.
8. Fire review found no fire-related concerns and noted that the roads and hydrants are acceptable.
9. Water and sewer review found no concerns with service, provided that an appropriate easement is granted if utility service for the northern lot crosses the southern lot.
10. Final approval should be conditioned upon completion of final technical review, any required utility easement, final addressing confirmation, and any required corrections before recording.

J. Staff Recommendation:

Staff recommends that the Planning Commission approve the Crown Estates Lot 8A Subdivision Amendment for property located at 1460 W 210 S, Parcel # 05:010:0108, subject to completion of final technical review and any required corrections prior to recording. Staff further recommends that approval be conditioned upon the applicant providing any utility easement necessary to serve the proposed northern lot through the proposed southern lot if both lots connect to utilities from 210 South, and upon compliance with any final requirements of City staff, the City Engineer, the City Attorney, and the Uintah County Recorder.

K. Plat changes are as follows:

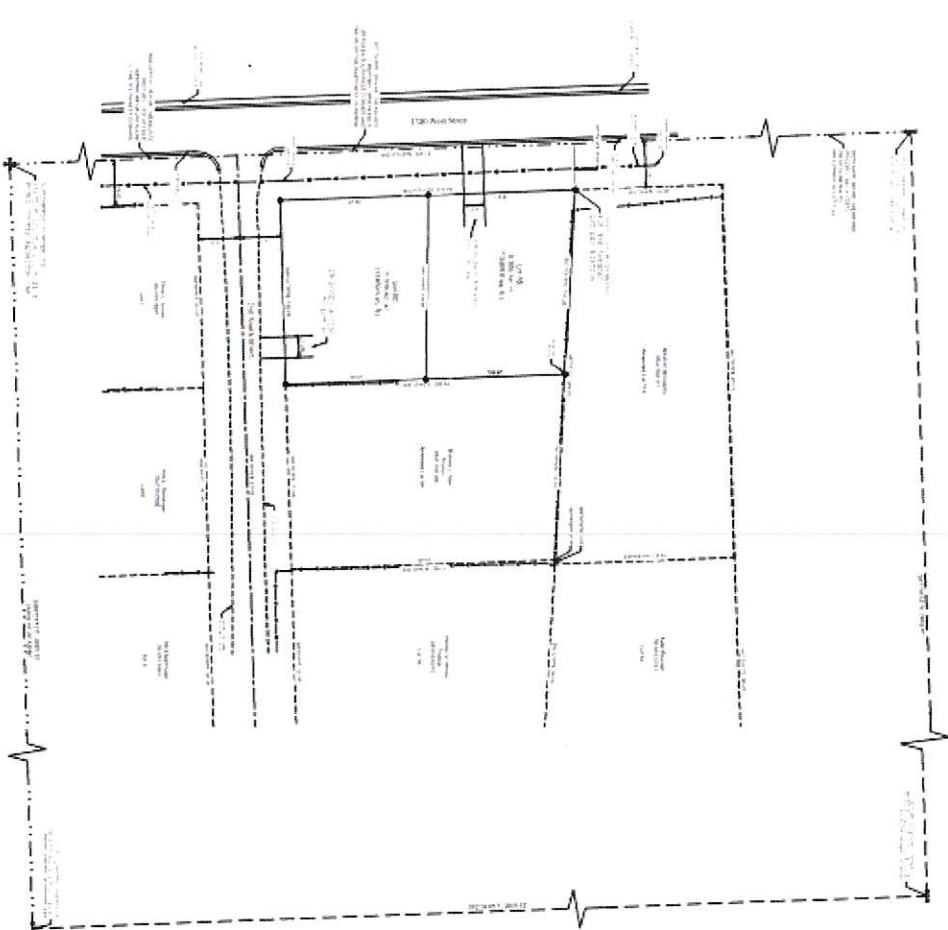
1. Existing Lot 8A of the Crown Estates Subdivision Amended Lots 8, 9, and 11 is proposed to be divided into two separate residential lots.
2. The amended plat creates Lot 8B and Lot 8C.
3. Lot 8B is shown as approximately 0.309 acres.
4. Lot 8C is shown as approximately 0.309 acres.
5. The new addresses assigned to the proposed parcels are 1470 W 210 S and 145 S 1500 W.
6. The plat identifies applicable prior subdivision records and amendments.
7. Access locations have been added to the plat.
8. Final plat approval shall be subject to any required utility easement if utility service for one lot crosses the other lot.
9. Final plat approval shall be subject to any final technical corrections required before recording.

Exhibit A: Plat Map - Next Page

2nd Amendment for Lot 8A of the Crown Estates Subdivision Located in the Southwest Quarter of Section 22, T. 4 S., R. 21 E., S.L.B. & M. Vernal City, Uintah County, Utah

LEGEND

- Proposed Right-of-Way
- Easement
- Survey Boundary
- Section Boundary
- Township Boundary
- Range Boundary
- County Boundary
- State Boundary



REMARKS

This map was prepared by the Surveyor General of the State of Utah, under the authority of the Board of Surveyors, and is a true and correct copy of the original map on file in the office of the Surveyor General.

LEGAL DESCRIPTION

That certain lot or lots of land, situated in the Southwest Quarter of Section 22, Township 4 South, Range 21 East, Salt Lake Meridian, and more particularly described as follows: Lot 8A, containing 0.125 acre, more or less, as shown on the attached map.

ADDITIONAL INFORMATION

This map was prepared by the Surveyor General of the State of Utah, under the authority of the Board of Surveyors, and is a true and correct copy of the original map on file in the office of the Surveyor General.

QUESTIONS INFORMATION

This map was prepared by the Surveyor General of the State of Utah, under the authority of the Board of Surveyors, and is a true and correct copy of the original map on file in the office of the Surveyor General.

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2nd Amendment for Lot 8A of
the Crown Estates Sub'd.

Surveyed and Approved
10/15/2010
10/15/2010

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

2nd Amendment for Lot 8A of
the Crown Estates Sub'd.

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