

## **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, April 14, 2015 at 7:00 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 Minutes of March 10, 2015 Regular Meeting (**TAB 1**)

### **B. PUBLIC HEARING – 7:05 P.M.**

1. Request for Approval of a Conditional Use Permit from Allen Knutson for a six foot fence located at 315 East 500 South, Vernal, Utah – Application# 2015-004-CUP – Allen Parker (**TAB 2**)
2. Request for Recommendation to Consider Amending the Vernal City Municipal Planning & Zoning Code - Chapters 16.40 (R-2 Residential Zone), 16.42 (R-3 Residential Zone), and 16.44 (R-4 Residential Zone) – Minimum Area Requirements and Minimum Width Requirements – Ordinance No. 2015-06 (**TAB 3**)

### **C. ACTION ITEMS**

1. Request for Recommendation to Consider Amending the Vernal City General Plan & Future Land Use Map – Ordinance No. 2015-04 – Allen Parker (**TAB 4**)
2. Request for Recommendation to Consider Amending the Vernal City Municipal Planning & Zoning Code – Chapter 16.06 – Administration and Procedures and Adding Chapter 16.60 – Master Site Plan – Ordinance No. 2015-09 – Allen Parker (**TAB 5**)
3. Request for Recommendation to Consider Amending the Vernal City Municipal Planning & Zoning Code – Chapter 16.14 – Conditional Uses – Ordinance No. 2015-08 – Allen Parker (**TAB 6**)

### **D. ADJOURN**

In compliance with the Americans with Disabilities Act, individuals needing special accommodation during this meeting should notify Allen Parker at 374 East Main, Vernal, Utah, 84078, telephone (435) 789-2271, at least five days prior to the meeting. All public comments will be limited to two (2) minutes.

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

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

3 March 10, 2015

4 7:00 pm

5  
6 **Members Present:** Chair Mike Drechsel, Samantha Scott, Rory Taylor, Kimball  
7 Glazier, Kathleen Gray and Ken Latham

8  
9 **Members Excused:** Scott Gessell

10  
11 **Alternates Present:** Adam Ray

12  
13 **Alternates Excused:** Isaac Francisco and Kam Pope

14  
15 **Staff Present:** Allen Parker, Assistant City Manager; Corey Coleman, Building  
16 Official; and Sherri Montgomery, Administrative Clerk

17  
18 **WELCOME AND DESIGNATION OF CHAIR AND MEMBERS:** Chair Mike Drechsel  
19 welcomed everyone present to the meeting. Adam Ray will be a voting member in place of Scott  
20 Gessell.

21  
22 **APPROVAL OF MINUTES FROM FEBRUARY 10, 2015:** Chair Mike Drechsel asked if  
23 there were any changes to the minutes from February 10, 2015. There being no corrections,  
24 *Samantha Scott moved to approve the minutes of February 10, 2015 as presented. Kimball*  
25 *Glazier seconded the motion. The motion passed with Mike Drechsel, Samantha Scott,*  
26 *Kimball Glazier, Kathleen Gray, Ken Latham, and Adam Ray voting in favor. Rory Taylor*  
27 *abstained from voting as he was not in attendance of the February 10, 2015 meeting.*

28  
29 **REQUEST FOR APPROVAL OF A CONDITIONAL USE PERMIT FROM JAMIE**  
30 **KNIGHT (LAND SOLUTIONS PARTNERS) FOR A DEVELOPMENT ENTRY SIGN**  
31 **LOCATED AT 126 NORTH 500 EAST, VERNAL, UTAH – APPLICATION# 2015-002-**  
32 **CUP – ALLEN PARKER:** Allen Parker explained that this is a request from Jamie Knight for  
33 a conditional use permit for a development entrance sign on an existing trailer park. This zone  
34 allows for a five foot or under sign, but anything higher requires a conditional use permit. The  
35 applicant is requesting a sign eight feet in height. Mr. Parker stated that the proposed sign will  
36 be placed at the south entrance to the manufactured home park located at 126 North 500 East.  
37 There is a decorative fence at that entrance, and it would be necessary for the sign to be taller  
38 than five feet in order to be visible. Staff has reviewed the application and finds the project to be  
39 in compliance with Vernal City Code and approvable without any conditions. Chair Mike  
40 Drechsel opened the public hearing for the conditional use permit request. There being no  
41 comments, Mr. Drechsel closed the public hearing. Kimball Glazier asked how far back the sign  
42 will sit. Mr. Parker explained that the sign will come as close to the edge without going outside  
43 the clear vision triangle. Corey Coleman confirmed that the sign is well out of the clear vision  
44 triangle. Mr. Drechsel asked if the sign will run north and south. Mr. Parker stated that it will be  
45 at a 45 degree angle. Mr. Coleman explained that they actually changed it to be up against the  
46 trailer to the south and will be straight on coming down 100 North parallel to 500 East; however,

47 they have not received the building permit approval yet. *Kimball Glazier moved to approve the*  
48 *request for a conditional use permit from Jamie Knight for a development entry sign located at*  
49 *126 North 500 East, Vernal, Utah – Application No. 2015-002-CUP as long as it has been*  
50 *cleared for a clear vision triangle. Adam Ray seconded the motion. The motion passed with*  
51 *Mike Drechsel, Samantha Scott, Rory Taylor, Kimball Glazier, Kathleen Gray, Ken Latham,*  
52 *and Adam Ray voting in favor.*  
53

54 **REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL**  
55 **CITY GENERAL PLAN & FUTURE LAND USE MAP – ORDINANCE NO. 2015-04 –**  
56 **ALLEN PARKER:** Allen Parker explained that he has handed out a better copy of the revised  
57 General Plan & Future Land Use Map to replace the one delivered in the packets. This is a better  
58 version with the transition areas instead of hard lines. Mr. Parker stated that he is glad that they  
59 have included the areas outside the City limits based on the County's General Plan and what the  
60 City's original General Plan added in the proper locations for mixed use areas. The transitions  
61 have been corrected and are pretty close to what the City is trying to accomplish. Mr. Parker  
62 stated that even if the Planning Commission moves forward with a positive recommendation to  
63 the City Council, it can still be refined as far as details over the next little while. He added that  
64 the Council may also make changes to the map. Chair Mike Drechsel suggested that the  
65 ordinance not just adopt the map, but specify and explain the transition zones as to the purpose  
66 they were created, so they do not become something different than what was intended by the  
67 Planning Commission and City Council in the future. Mr. Parker stated that can be done through  
68 the ordinance or by amending the text of the general plan to give guidance as well. Mr. Parker  
69 suggested incorporating the language in the legend on the map itself of what those transition  
70 areas are. Rory Taylor stated that putting the language in a legend on the map would be a lot  
71 simpler than adding language to the ordinance or General Plan. The Planning Commission  
72 discussed different ways to make the transition lines blend better on the map. Mr. Drechsel  
73 stated that he would like to see explanatory language on why the transition lines are valuable,  
74 and suggested that they be in the ordinance, because it would be harder to note a longer  
75 explanation in the legend of the map. He added that it is not because he wants it to be wordy, but  
76 he wants it to help other people in the future. Mr. Drechsel would like to see what could be done  
77 graphical to make the transitional blending better and explaining the transition areas in the  
78 ordinance, before the map is forwarded to the City Council. Samantha Scott agreed and added  
79 that something needs to be finalized in the next few months as there are people waiting for the  
80 amended map. *Kimball Glazier moved to table Vernal City Plan & Future Land Use Map*  
81 *ordinance until the transitional areas have been blended better and with language in the*  
82 *ordinance to explain the transitional area, as well as add the language to the legend on the*  
83 *map. Samantha Scott seconded the motion. The motion passed with Mike Drechsel,*  
84 *Samantha Scott, Kimball Glazier, Kathleen Gray, Ken Latham, and Adam Ray voting in favor.*  
85

86 **ADJOURN:** There being no further business, *Kimball Glazier moved to adjourn. Adam Ray*  
87 *seconded the motion. The motion passed with a unanimous vote, and the meeting was*  
88 *adjourned.*  
89  
90  
91  
92



## VERNAL PLANNING COMMISSION STAFF REPORT

DATE: 10 April 2015

ITEM: **B1**

**I. APPLICATION:** 2015004CUP (6 foot fence in front yard)

- A. APPLICANT: Allen Knutson
- B. REQUEST: Conditional Use Permit **FOR APPROVAL**
- C. LOCATION: 315 East 500 South (05-033-0056)
- D. ZONING: R-3
- E. ACREAGE: .4 Acres

### II. ANALYSIS:

Allen Knutson is requesting the approval of a conditional use permit for a 6 foot tall sight obscuring fence in a front yard. Vernal City Code requires a conditional use permit be obtained a fence in the front yard of a residence when the proposed fence is taller than 3 feet. In accordance with Section 16.14 Vernal City Code staff finds that:

1. This project will contribute to the general well-being of the community;
2. This project will not be detrimental to the health, safety and well being of the members of the community;
3. This project does comply with the provisions of Vernal City Code.
4. This project complies with the principles of the Vernal City General Plan;
5. This project will not have a derogatory effect on the environment.

### III. STAFF RECOMMENDATIONS:

This application is in substantial compliance with Vernal City Code and the requirements contained therein. Staff recommends the following condition:

1. The "clear vision triangle" be maintained at all driveways.

Staff finds that this is an approvable application with the following requirement:

1. That all conditions imposed by the Planning Commission in association with this application be adhered to.

A handwritten signature in cursive script, appearing to read "Allen Parker".

Allen Parker  
Assistant City Manager/Planning Director



Location of proposed  
6 foot fence

ORDINANCE NO. 2015-06

**AN ORDINANCE AMENDING THE VERNAL CITY MUNICIPAL CODE, SECTIONS 16.40.040, 16.40.050, 16.42.040, 16.42.050, 16.44.040, AND 16.44.050 - MINIMUM AREA REQUIREMENTS AND MINIMUM WIDTH REQUIREMENTS.**

**WHEREAS**, the City Council finds that the regulation of minimum area and width requirements is necessary for orderly growth and conduct of business within the City, and;

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

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

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

**Section 1. Section 16.40.040 is hereby amended to read as follows:**

**16.40.040 Minimum area requirements.**

- A. One (1) family dwelling: seven thousand (7,000) square feet;
- B. Two (2) family dwelling: nine thousand (9,000) square feet;
- C. ~~One (1) family d~~Dwelling utilizing zero side yard: four thousand five hundred (4,500) square feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot. (PZSC § 03-20-004)

**Section 2. Section 16.40.050 is hereby amended to read as follows:**

**16.40.050 Minimum width requirements.**

Width requirements shall be measured at a distance of thirty (30) feet back from the front lot line.

- A. One (1) family dwelling: seventy (70) feet;
- B. Two (2) family dwelling: ninety (90) feet;
- C. ~~One (1) family d~~Dwelling utilizing zero side yard: forty-five (45) feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot. (PZSC § 03-20-005)

**Section 3. Section 16.42.040 is hereby amended to read as follows:**

**16.42.040 Minimum area requirements.**

- A. One (1) family dwelling: six thousand five hundred (6,500) square feet;
- B. ~~One (1) family d~~Dwelling utilizing zero side yard: four thousand five hundred (4,500)

square feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot.

- C. Two (2) family dwelling: nine thousand (9,000) square feet;
- D. Three (3) family dwelling: ten thousand (10,000) square feet;
- E. Four (4) family dwelling: twelve thousand (12,000) square feet. (PZSC § 03-21-004)

**Section 4. Section 16.42.050 is hereby amended to read as follows:**

**16.42.050 Minimum width requirements.**

Width requirements shall be measured at a distance of thirty (30) feet back from the front lot line.

- A. One (1) family dwelling: sixty-five (65) feet;
- B. ~~One (1) family d~~ Dwelling utilizing zero side yard: forty-five (45) feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot.
- C. Two (2) family dwelling: ninety (90) feet;
- D. Three (3) family dwelling: ninety (90) feet;
- E. Four (4) family dwelling: one hundred (100) feet; (PZSC § 03-21-005)

**Section 5. Section 16.44.040 is hereby amended to read as follows:**

**16.44.040 Minimum area requirements.**

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

- A. For each residential building: six thousand five hundred (6,500) square feet, plus one thousand five hundred (1,500) square feet for each dwelling unit in excess of one (1) in each building;
- B. For other main buildings: seven thousand five hundred (7,500) square feet.
- C. ~~One (1) family d~~ Dwelling utilizing zero side yard: four thousand five hundred (4,500) square feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot. (PZSC § 03-22-004)

**Section 6. Section 16.44.050 is hereby amended to read as follows:**

**16.44.050 Minimum width requirements.**

A. Width requirements shall be measured at a distance of thirty (30) feet back from the front lot line.

B. The minimum width of any parcel for a one (1) family or other main building shall be sixty-five (65) feet, plus five (5) additional feet for each additional dwelling unit up to eighty (80) feet.

C. ~~One (1) family d~~ Dwelling utilizing zero side yard: forty-five (45) feet. Such dwelling must be in a structure having two (2) or more dwelling units, with each dwelling being located entirely and solely on one (1) individual lot. (PZSC § 03-22-005)

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

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

**SECTION C. EFFECTIVE DATE.** This ordinance shall take effect the day after publication the \_\_ day of \_\_\_\_\_ 2015.

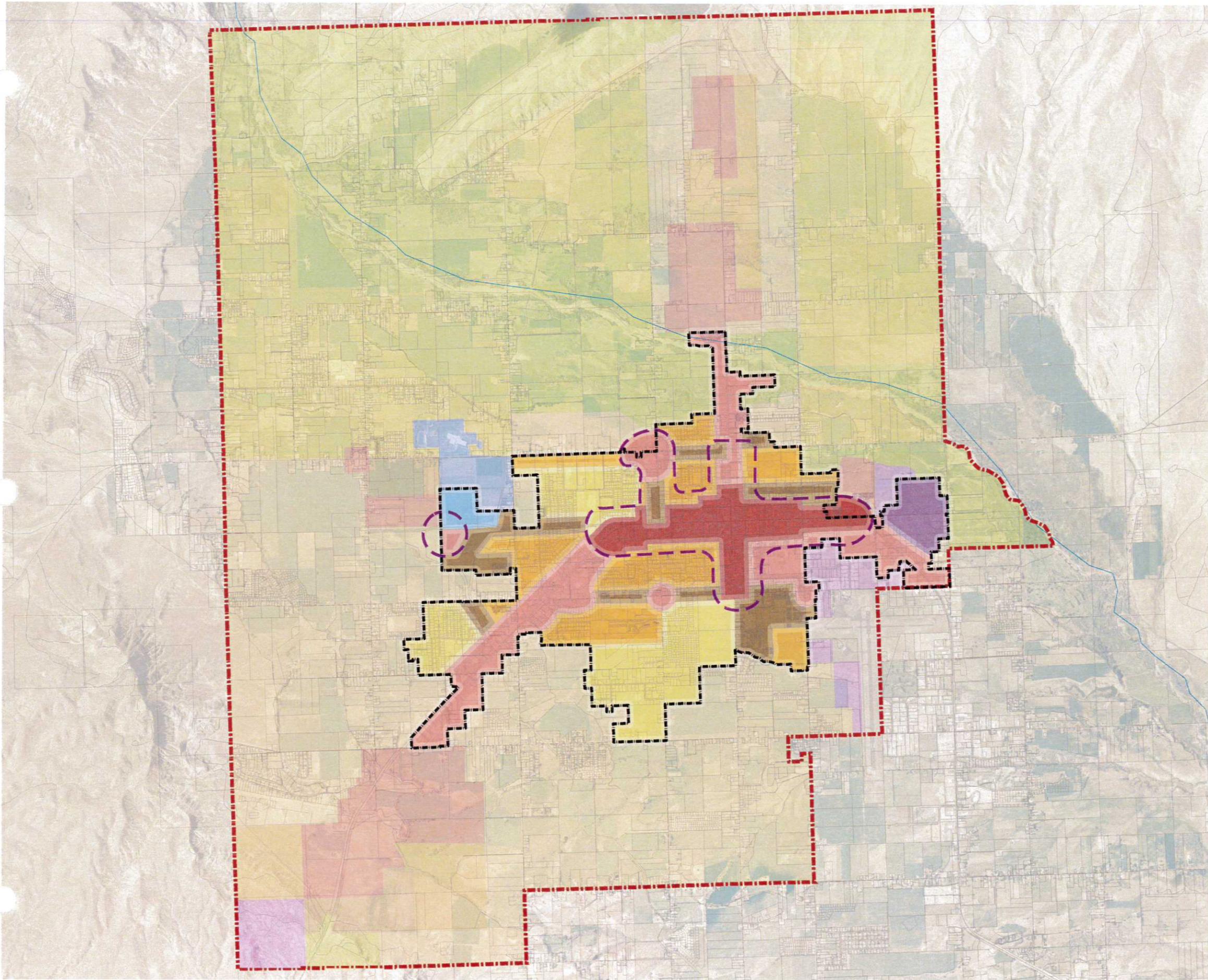
\_\_\_\_\_  
Mayor Sonja Norton

ATTEST:

\_\_\_\_\_  
Kenneth L. Bassett, City Recorder

( S E A L )

Date of Publication: \_\_\_\_\_



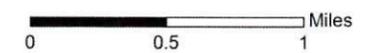
**PROPOSED LAND USE:  
Including Annexation Area**

-  Vernal City Limit
-  Mixed Use Areas
-  Annex
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Institutional
-  Commercial
-  Central Commercial
-  Industrial
-  Land Use Transition Areas  
(Faded Colors)

**Adjacent Proposed Land Use  
Within Annexation Area**

-  Low Density Residential
-  Medium Density Residential
-  Moderate Density Residential
-  High Density Residential
-  Open Space/ Agricultural/ Rural Residential
-  Institutional
-  Commercial
-  Industrial
-  Parks
-  Airport

Vernal City Land Use Update



April 2015



ORDINANCE NO. 2015-09

**AN ORDINANCE AMENDING THE VERNAL CITY MUNICIPAL CODE, AMENDING SECTION 16.06.050 - DESIGNATION OF LAND USE AUTHORITY, ADDING CHAPTER 16.60 - MASTER SITE PLAN, SECTIONS 16.60.010 - MASTER SITE PLAN APPROVAL.**

WHEREAS, the City Council finds that the regulation of parking requirements within new development is necessary for orderly growth and conduct of business within the City, and;

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

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

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

**Section 1. Section 16.06.050 is hereby amended to read as follows**

**16.06.050 Designation of land use authority.**

~~— A. For any proposed commercial, institutional or industrial construction, reconstruction, alteration, expansion or development, or any multiple-family housing development containing five (5) or more units, approval of the site plan by the Planning Commission is required prior to the issuance of a building permit. All development must receive preliminary approval from the Planning Commission. If all items of the site plan are addressed to the satisfaction of the Planning Commission, the Planning Commission may also give final approval. Site plans shall be submitted to staff no less than 30 days prior to the Planning Commission meeting at which the matter will be heard unless such thirty (30) day period has been waived by authority of the Mayor. In considering any site plan, the Planning Commission may impose reasonable requirements to assure, among other things, the safety and convenience of traffic movement both within the area covered and in relation to access streets, harmonious relation among the buildings and uses, harmonious relation between such area and buildings and adjacent neighborhoods and the preservation of future road locations.~~

~~— B. In furthering the objectives set out in subsection A of this section, the Planning Commission shall review and may require certain improvements or design changes to be implemented by the developer. The following considerations shall be shown on a site plan, drawn to scale as follows:~~

- ~~— 1. Dimensions and orientation of parcel;~~
- ~~— 2. The location of buildings and structures, both existing and proposed;~~
- ~~— 3. The location and layout of off-street parking and loading facilities;~~
- ~~— 4. The location and size of points of entry and exit in accordance with this title, and internal vehicle circulation patterns, type of barrier or curb and gutter used on front property lines;~~

~~— 5. The location and design of walls and fences and an indication of their height and materials of their construction;~~

~~— 6. The height of existing and proposed buildings and structures;~~

~~— 7. The proposed use of building(s) shown on the plot plan;~~

~~— 8. The location of exterior existing and proposed lighting standards and devices;~~

~~— 9. The location and height of any overhead power and communication and transmission lines and all utility easements that may effect the subject property;~~

~~— 10. The location and size of existing and proposed water, sanitary and on-site water retention and drainage facilities;~~

~~— 11. The location and size of existing and proposed exterior signs and outdoor advertising in accordance with the sign regulations as defined in Chapter 16.28 of this title;~~

~~— 12. Existing topography with maximum contour interval of two (2) feet, except where existing ground is on a slope of less than two percent (2%) then either one (1) foot contours or spot elevation shall be provided.~~

~~— 13. Landscaping and open space plan to be developed. The plan shall identify landscaping details such as shrubs, trees and other plantings in conformance with this Title.~~

~~Landscaping plans shall be designed to best maximize the use of the property.~~

~~— C. The Building Official shall ensure that development is in compliance with the site plan and all other requirements imposed by the Planning Commission. Upon approval of the site plan by the Planning Commission, no alterations shall be made without first obtaining approval from the Planning Commission. Approval of a site plan by the Planning Commission shall expire in one (1) year if development of the project has not begun.~~

~~— D. Minimal or inconsequential alterations to minor parts of a site plan, of one thousand (1000) square feet or less, may be approved by the Building Official if not in violation of the provisions of this title and if reasonably made to carry out the purpose and intent of the Planning Commission.~~

~~— E. Improvement guarantees may be required in order to ensure that improvements are installed at no cost to the City within one (1) year from the date of building permit issuance. All roadways and customer parking areas or as required by the Planning Commission, shall be paved with asphalt or concrete prior to occupancy of the building or structure. An extension may be granted by the Building Official when inclement weather prevents the completion of the required improvements; provided, that a financial guarantee is filed with the City ensuring completion of such improvements.~~

~~— F. For any proposed commercial, institutional or industrial construction, reconstruction or alteration, expansion or development of one thousand (1,000) square feet or less, the building official may approve this development site plan as required herein, without the need for approval from the Planning Commission.~~

~~The land use authority for application to Vernal City shall be as follows:~~

~~A. Master site plans: Planning director;~~

~~B. Conditional use permit: Planning Commission;~~

~~C. Subdivision: City Council;~~

~~D. Flood plain development permit: Planning director;~~

~~E. General plan amendment: City Council;~~

~~F. Zoning ordinance amendment (to include zoning map amendment: City Council;~~

~~G. Variance: Appeals and variances hearing officer. (PZSC § 03-02-005)(Ord. No. 94-06, Amended, 3/24/94; Ord. No. 94-22, Amended, 11/10/94; Ord. No. 95-20, Amended, 11/02/95;~~

Ord. No. 96-27, Amended, 11/20/96)

**Section 2. Chapter 16.60 is hereby amended to read as follows**

**16.60 MASTER SITE PLAN**

**Section 3. A new Section 16.60.010 is hereby added to read as follows**

**16.60.010 Master site plan approval.**

A. Master Site Plan approval shall be required for the following:

1. New commercial, institutional or industrial construction, expansion or additions.
2. The relocation of a commercial, institutional or industrial structure.
3. New commercial, institutional or industrial parking lots.
4. New multiple-family housing developments containing five (5) or more dwelling units.

B. Master Site Plan applications shall be made to the Planning Department.

1. A Master Site Plan application shall be deemed complete when all of the items specified in section D have been submitted.

2. The Planning Department shall review the application for compliance with the requirements of Vernal City Code and notify the applicant of any deficiencies and/or needed corrections.

3. After any required corrections and/or additions to the application package have been submitted by the applicant, the Planning Department shall prepare and transmit to the applicant an initial staff report containing the following:

a. A list of any deficiencies in the application, and;

b. A finding of whether or not the application is approvable under applicable law, code and standards.

4. The applicant shall have ninety (90) calendar days from the date of the initial staff report to make any required corrections and resubmit the application to the Planning Department. If the corrections are not resubmitted within the required amount of time, the applicant shall be deemed non-responsive and the application denied.

5. The Planning Department shall review the final application submittal for compliance with Vernal City Code and to verify that all required corrections have been made.

6. The Planning Department shall then prepare and transmit to the applicant a final staff report that shall notify the applicant of the approval or denial of the application. If the application is denied, the staff report shall state the reasons for the denial.

a. If, after the initial review is complete, an application is found to be approvable, a final staff report may be prepared and transmitted in place of the initial staff report.

C. Appeals of the final decision of the Planning Department shall be made within fourteen (14) calendar days of the date of the mailing of a certified letter to the applicant at the address indicated on the application form. An appeal shall be applied for within the specified time at Vernal City Offices, using a form provided by Vernal City and with all applicable fees paid. Appeals shall be heard by the Appeals and Variances Hearing Officer.

D. A Master Site Plan application shall contain the following:

1. A completed and signed application form obtained from the Planning Department;

2. The required application fee;

3. A copy of the current deed showing ownership of the property or properties addressed in the application;

4. Three (3) copies of drawings in a 24 inch by 36 inch format; one (1) copy in an 11 inch by 17 inch format and one (1) copy in a digital format readable by a computer as specified by Vernal City. The drawings shall contain the following:

- a. Dimensions and orientation of parcel;
  - b. The location of buildings and structures, both existing and proposed;
  - c. The location and layout of off-street parking and loading facilities;
  - d. The location and size of points of entry and exit in accordance with this title, and internal vehicle circulation patterns, type of barrier or curb and gutter used on front property lines;
  - e. The location and design of walls and fences and an indication of their height and materials of their construction;
  - f. The height of existing and proposed buildings and structures;
  - g. The proposed use of building(s);
  - h. The location of exterior existing and proposed lighting standards and devices, along with a photometric analysis if the proposed development is adjacent to an existing residential zone or use;
  - i. The location and height of any overhead power and communication and transmission lines and all utility easements that may affect the subject property;
  - j. The location and size of existing and proposed water, sanitary and on-site water retention and drainage facilities;
  - k. The location and size of existing and proposed exterior signs and outdoor advertising;
  - l. Existing topography with maximum contour interval of two (2) feet, except where existing ground is on a slope of less than two percent (2%) then either one (1) foot contours or spot elevation shall be provided;
  - m. Landscaping and open space plan. The plan shall identify landscaping details such as shrubs, trees and other plantings, as well as any proposed irrigation system;
  - n. A Storm Water Pollution Prevention Plan (SWPPP);
  - o. A traffic study is required unless a waiver is granted by the City Engineer.
- E. The Building Official shall ensure that development is in compliance with the site plan and all other requirements imposed by the City. Upon approval of the site plan by the Planning Department, no alterations shall be made without first obtaining written approval from the Planning Department. Approval of a site plan shall expire in one (1) year from the date of the final staff report if development of the project has not begun.
- F. A financial guarantee of improvements may be required in order to ensure that improvements are installed at no cost to the City. Improvement guarantees shall be made using forms provided by, and in accordance with procedures established by the Planning Department. The Building Official may issue a Certificate of Occupancy when certain improvements are not completed provided a financial guarantee has been established with the Planning Department to ensure the completion of said improvements, however improvements designed to protect life and safety must be completed prior to the issuance of a Certificate of Occupancy.

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

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

**SECTION C. EFFECTIVE DATE.** This ordinance shall take effect the day after publication the \_\_\_ day of \_\_\_\_\_ 2015.

2015-09

Mayor Sonja Norton

ATTEST:

Kenneth L. Bassett, City Recorder

( S E A L )

Date of Publication: \_\_\_\_\_

**ORDINANCE NO. 2015-08**

**AN ORDINANCE AMENDING THE VERNAL CITY MUNICIPAL CODE, SECTION 16.14.010 - CONDITIONAL USES - PURPOSE.**

**WHEREAS**, the City Council finds that the allowing conditional uses in certain locations within zones is necessary for orderly growth and conduct of business within the City, and;

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

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

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

**Section 1. Section 16.14.010 is hereby amended to read as follows:**

**16.14.010 Purpose.**

**A.** The purpose of conditional uses is to allow in certain areas compatible integration of uses which are related to the permitted uses of the zone, but which may be suitable and desirable only in certain locations in that zone due to conditions and circumstances peculiar to that location, and/or upon certain conditions which make the uses suitable, and/or only if such uses are designed, laid out and constructed on the proposed site in a particular manner.

**B.** A conditional use permit shall be required for all uses listed as conditional uses in the zone regulations. A conditional use permit may be revoked by the Planning Commission upon failure to comply with the conditions imposed with the original approval of the permit.

**C. Application.**

**1.** Application for a conditional use permit shall be made to the Planning Commission.

**2.** Detailed location, site and building plans shall accompany the completed application form provided by the City. For structures in existence, only a location plan needs to be provided.

**3.** A written description of the proposed use shall be provided.

**4.** The application, together with all pertinent information, shall be considered by the Planning Commission at its next regularly scheduled meeting.

**5.** The Planning Commission shall take action on the application by the second regularly scheduled meeting of the Planning Commission after the application filing date.

**D.** A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. In authorizing any conditional use the Planning Commission shall impose such requirements and conditions necessary for the protection of adjacent properties and the public welfare.

E. The Planning Commission shall consider factors specified for each conditional use elsewhere in this title, as well as the following, when reviewing all applications for a conditional use permit:

1. The impact of the use on the adjoining uses and public infrastructure; and
2. The impact of the use on the health, safety and welfare of the community; and
3. The ability of the use, as proposed, to operate in compliance with Vernal City Code, and
4. How the use relates to the Vernal City general plan

F. The decision of the Planning Commission may be appealed by filing such appeal within fourteen (14) calendar days after the date of notice of decision is sent to the applicant. An appeal shall be applied for within the specified time at the Vernal City offices using a form provided by Vernal City with all applicable fees paid. Appeals shall be heard by the Appeals and Variances Hearing Officer.

G. Unless there is substantial action toward implementing the conditional use permit within a period of one (1) year of the date of its issuance, the conditional use permit shall expire. The Planning Commission may grant one (1) extension period of one (1) year. If the conditional use permit expires due to inaction, the applicant must reapply for a permit and pay all associated fees. (PZSC § 03-06-001)

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

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

**SECTION C. EFFECTIVE DATE.** This ordinance shall take effect the day after publication the \_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Mayor Sonja Norton

ATTEST:

\_\_\_\_\_  
Kenneth L. Bassett, City Recorder

( S E A L )

Date of Publication: \_\_\_\_\_