

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, December 8, 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 November 10, 2015 Regular Meeting (*TAB 1*)

B. PUBLIC HEARING – 7:05 PM

1. Request for Approval of Preliminary Plat for the Nick Richens Subdivision located at 509 South 500 West and 589 South 500 West, Vernal, Utah – Application #2015-020-SUB – Allen Parker (*TAB 2*)

C. ACTION ITEMS

1. Request for Amendment of a Conditional Use Permit from Steve Cochran for a Multi-Family Dwelling located at 116 West Vernal Avenue, Vernal, Utah – Application #2015-019-CUP – Allen Parker (*TAB 3*)

D. DISCUSSION ITEMS

1. Vernal City Municipal Planning & Zoning Code to Discuss Amending Fencing Regulations – Chapters 16.24, 16.48, 16.50, 16.20 – Allen Parker (*TAB 4*)
2. Annual Planning Commission Meeting Schedule for 2016 – Allen Parker (*TAB 5*)
3. Recognition of Past Chair, Mike Drechsel – Allen Parker

E. ADJOURN

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

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

3 November 10, 2015

4 7:00 pm

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6 **Members Present:** Samantha Scott, Kimball Glazier, Scott Gessell, Ken Latham, Rory Taylor, Kathleen Gray

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9 **Members Excused:** Mike Drechsel

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11 **Alternates Present:** Adam Ray

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13 **Alternates Excused:** Kam Pope

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

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18 **WELCOME AND DESIGNATION OF CHAIR AND MEMBERS:** Vice Chair Samantha Scott
19 welcomed everyone present to the meeting.

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21 **APPROVAL OF MINUTES FROM SEPTEMBER 8, 2015:** Samantha Scott asked if there were
22 any changes to the minutes from September 8, 2015. There being no corrections, *Kimball Glazier*
23 *moved to approve the minutes of September 8, 2015 as presented. Scott Gessell seconded the*
24 *motion. The motion passed with Samantha Scott, Kimball Glazier, Scott Gessell, Ken Latham,*
25 *Rory Taylor, Kathleen Gray, and Adam Ray voting in favor.*

26
27 **APPROVAL OF MINUTES FROM OCTOBER 6, 2015:** Samantha Scott asked if there were
28 any changes to the minutes from October 6, 2015. There being no corrections, *Kimball Glazier*
29 *moved to approve the minutes of October 6, 2015 as presented. Scott Gessell seconded the*
30 *motion. The motion passed with Samantha Scott, Kimball Glazier, Scott Gessell, Ken Latham,*
31 *Rory Taylor, Kathleen Gray, and Adam Ray voting in favor.*

32
33 **REQUEST FOR RECOMMENDATION TO CONSIDER A REZONE FOR TREVOR CARTER FOR THE PROPERTY LOCATED AT 379 NORTH 500 WEST, VERNAL, UTAH FROM – APPLICATION NO. 2015-015-REZ – ALLEN PARKER:** Samantha Scott reported
34 that the rezone request for the property located at 379 North 500 West has been withdrawn by the
35 applicant.
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39 **VERNAL CITY MUNICIPAL PLANNING & ZONING CODE TO DISCUSS AMENDING FENCING REGULATIONS – CHAPTERS 16.24, 16.48, 16.50, 16.20 – ALLEN PARKER:** Allen
40 Parker reported that there was a conditional use permit on a fence several months ago, and staff found
41 some weaknesses in the Code during the process as it addresses fences which could create potential
42 conflicts. Mr. Parker stated that the Code needs reorganized with the same purpose and intent, but in a
43 more logical fashion. Mr. Parker stated that he wanted the Commission to review the changes he is
44 suggesting, before holding a public hearing and putting it into ordinance form. The changes are
45 highlighted in yellow and will replace the old Code. Mr. Parker mentioned that there is one area that
46 has not been addressed yet under Section (D) “parcels with a non-residential use” which needs to be
47 incorporated. Kimball Glazier referred to Section B 1 (d) “The fence shall not impede the view of
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49 vehicular traffic in a way that would create a hazard to the public” and stated that this sentence seems
50 vague. Mr. Parker stated that he pulled this section out of previous section, but it can be changed. Mr.
51 Glazier asked what everyone’s thoughts are on it being repetitive with Section G. Mr. Parker stated that
52 Section G was put in as a blanket statement to cover all fences and not necessarily pulled from the
53 previous Code. It can be removed. Mr. Glazier referred to Section 2 (b) “The owner of the adjacent
54 multi-family development consents in writing to the waiver of the fencing requirement.” and asked what
55 if it is a HOA type with multiple owners. How would that be handled? Mr. Parker stated that with a
56 multi-family development, it could say owner or a person who is authorized. Mr. Glazier stated that
57 there will be multi-family developments with multiple owners. Mr. Parker stated that you may have a
58 circumstance where there are multiple owners with no condo association. Mr. Glazier asked if you have
59 to have a HOA or PUD for multi-family developments. Mr. Parker stated that you do if you have
60 individual owners. Mr. Parker stated that he will work on that wording and come up with something
61 that covers it. Mr. Glazier referred to Section C 2 (b) and asked what is the impact of a stinky fence.
62 Mr. Parker explained that he had copied and pasted for format purposes from the kennel section and by
63 error that was not caught before being printed out for the packets. Mr. Parker asked if there are any
64 issues to address in Section C. Mr. Glazier asked if the City is now only allowing a four foot front
65 fence. Mr. Parker answered yes, unless it is a see through fence or a temporary fence for construction
66 that must abide for a clear vision triangle. Mr. Glazier asked if someone can still to install a six foot
67 privacy fence on the side of a corner lot. Mr. Parker stated no, they must comply with partials with up
68 to four dwellings with number three limited to a four foot fence, unless they do not obstruct the clear
69 vision triangle. Rory Taylor stated he does not understand the barb wire fence section as it relates to
70 fences which are located on a common boundary between residential lots. Mr. Glazier agreed that it is
71 not the best wording. Mr. Parker explained that this could be amended. The goal is not to change the
72 fencing laws, but to continue with what is already in the Code, but in a better format. Mr. Taylor asked
73 if the barb wire fence for holding animals has to be partial or can it be an entire fence. Mr. Parker
74 explained that there can be a full barbed wire fence for a pasture, but not for residential use. Mr. Taylor
75 suggested modifying the wording to say as part or whole to clarify that it can be all barbed wire. Mr.
76 Parker stated he will work on the verbiage.

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78 **VERNAL CITY MUNICIPAL PLANNING & ZONING CODE TO DISCUSS AMENDING PRE-**
79 **MANUFACTURED HOMES – CHAPTERS 16.04, 16.24, 16.46, 16.56 – ALLEN PARKER:**

80 Allen Parker stated that the City was approached by an owner of a trailer park here in town to ask the Planning
81 Commission to consider changing the Code to allow them to do what they are doing in other
82 communities by upgrading and moving pre-manufactured homes built prior to June 15, 1976. Corey
83 Coleman stated that there is a specific checklist to modify and bring up to Code the pre-1976
84 manufactured homes. Mr. Coleman explained that the 1976 federal government standards for
85 manufactured homes had no inspections on record. They were all done in house by quality control by a
86 different manufacture. Mr. Parker added that there was no specific standard. Mr. Coleman stated that
87 the gentleman who has approached the City knows what he is doing; however, what we do for one, we
88 have to do for all. The Code currently must comply with 1976 sub standards. Mr. Parker explained that
89 the reason for the request to change the Code is mostly to be able to move the homes. Mr. Coleman
90 explained that he currently cannot permit a pre-1976 manufactured home to be moved. Therefore, the
91 homes stay there until they rot into the ground. Mr. Coleman reported that Uintah County is in the same
92 position where they do not accept pre-1976 manufactured homes, but Duchesne County does with the
93 check list completed. Mr. Coleman stated that the State of Utah used to have someone who was in
94 charge of certifying them before local jurisdiction, but he is not employed anymore and has not been
95 replaced. Mr. Coleman asked do we allow pre-1976 manufactured homes or stay with the current
96 standard. Mr. Parker stated that the gentleman who requested the change is not here tonight to explain
97 what they are hoping to do and will try to have him here at the next meeting. Mr. Parker stated that he

98 wanted to give the Planning Commission a heads up and to give it some thought on whether this is
99 something the City would be interested in changing. Do we let pre-1976 manufactured homes melt into
100 the ground or do we allow them to be renovated and moved. Scott Gessell asked how many of these
101 homes are still around. Mr. Coleman stated that because most cities are ruling them out, there is a
102 surplus of them. The gentleman who has approached the City wants to buy 80 of them. Due to most
103 cities not accepting them, the prices are fairly low. Mr. Parker explained that these renovated homes
104 look more like a modern manufactured home. Mr. Coleman added that they install new siding, new
105 roof, new carpet, etc. Mr. Coleman explained that what is nice about this company that has approached
106 the City has an engineer on staff that recertifies them all and an electrician on staff. Kimball Glazier
107 asked if these were manufactured or modular homes. Mr. Parker stated that they are not pre-fab, they
108 are manufactured. Mr. Glazier asked if this company was looking at bringing more of these renovated
109 manufactured homes into our community. Mr. Coleman answered yes, at least 20, if not more. Mr.
110 Parker stated that they own one specific trailer park in Vernal called "East Meadows" on 500 East, and
111 there are some pretty good looking homes in there. This would be a good thing for the Planning
112 Commission to consider one way or another as it is important for the future of the City. Mr. Glazier
113 asked if this change would bog down the building department. Mr. Coleman explained that with this
114 builder not necessarily, but in general yes. Mr. Coleman explained that he recently attended a
115 manufacture home class, and there is not an engineer in the State of Utah. Mr. Parker stated that the
116 Code could be left the way it is or it could be changed to allow pre non HUD homes that have been
117 modified with state standards and placed in the City. If we do not adopt the change and stay with the
118 current standards, the pre-1976 manufactured homes will either stay stuck in the same place while it is
119 habitable, or they can be taken to another community that allows them. Mr. Parker stated that it would
120 be nice to provide cost effective housing in the City that is safe and certified if that is what we want in
121 our community. Rory Taylor asked if the state has a checklist method of certifying the homes. Mr.
122 Coleman explained that the staff member for the State who certified them in the past is no longer
123 employed with the State, and his position has not been filled. Mr. Glazier stated that he is concerned
124 with making any changes without the State having that position filled. Mr. Parker stated that he has met
125 with the builder from Logan and has confidence in his work. However, anyone would be able to buy
126 one of these homes and fix it up themselves, which could have the potential of being a nightmare
127 scenario. Mr. Parker stated this was a good introduction to this issue, and this item will be placed on the
128 next agenda. Mr. Parker added that he will invite the gentleman to the meeting to present the his
129 concept and how it is done in other communities.

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131 **PLANNING COMMISSION MEMBERS EXPIRING TERMS – ALLEN PARKER:** Allen Parker
132 explained that there are several Planning Commission members whose terms are expiring at the end of
133 the year. Those members are Rory Taylor, Scott Gessell, Kam Pope, and Adam Ray. Mr. Parker asked
134 the members if they would like to continue to serve on the Planning Commission. This would be
135 another four year term. Rory Taylor stated that he would like to stay on. Scott Gessell stated that he
136 would like to stay on, but will know more in a few weeks if that is possible. Adam Ray stated that he
137 would like to stay on. Mr. Parker reminded the Commission that there are still three vacancies to fill if
138 anyone has any ideas.

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140 **ADJOURN:** There being no further business, *Rory Taylor moved to adjourn. Kimball Glazier*
141 *seconded the motion. The motion passed with a unanimous vote, and the meeting was adjourned.*
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Samantha Scott, Planning Commission Vice-Chair



VERNAL PLANNING COMMISSION STAFF REPORT

ITEM: B1

DATE: 4 December 2015

APPLICATION:	2015-020-SUB (Richins Subdivision)		
APPLICANT:	Nick Richins		
LOCATION:	509 South 500 West, 589 South 500 West		
PARCEL	05:054:0007, 05:054:0008	ZONE:	RA-1
NUMBER(S):		ACREAGE:	5.2 Acres

ANALYSIS:

The applicant is requesting approval of a preliminary plat of a subdivision. This application proposes to divide two existing parcels into five (5) residential lots with one remnant parcel. The remnant parcel is intended to be divided and developed for commercial purposes at a future date. Each of the new parcels meet dimensional and area standards set forth in Vernal City Code. Staff has conducted a full review and found that the submittal is in substantial compliance with Vernal City requirements with the addition of some minor corrections and clarifications. An engineering review has been conducted of the application by Timberline Engineering and Land Surveying, and aside from some minor corrections, the submittal is in substantial compliance with applicable engineering standards.

STAFF RECOMMENDATIONS:

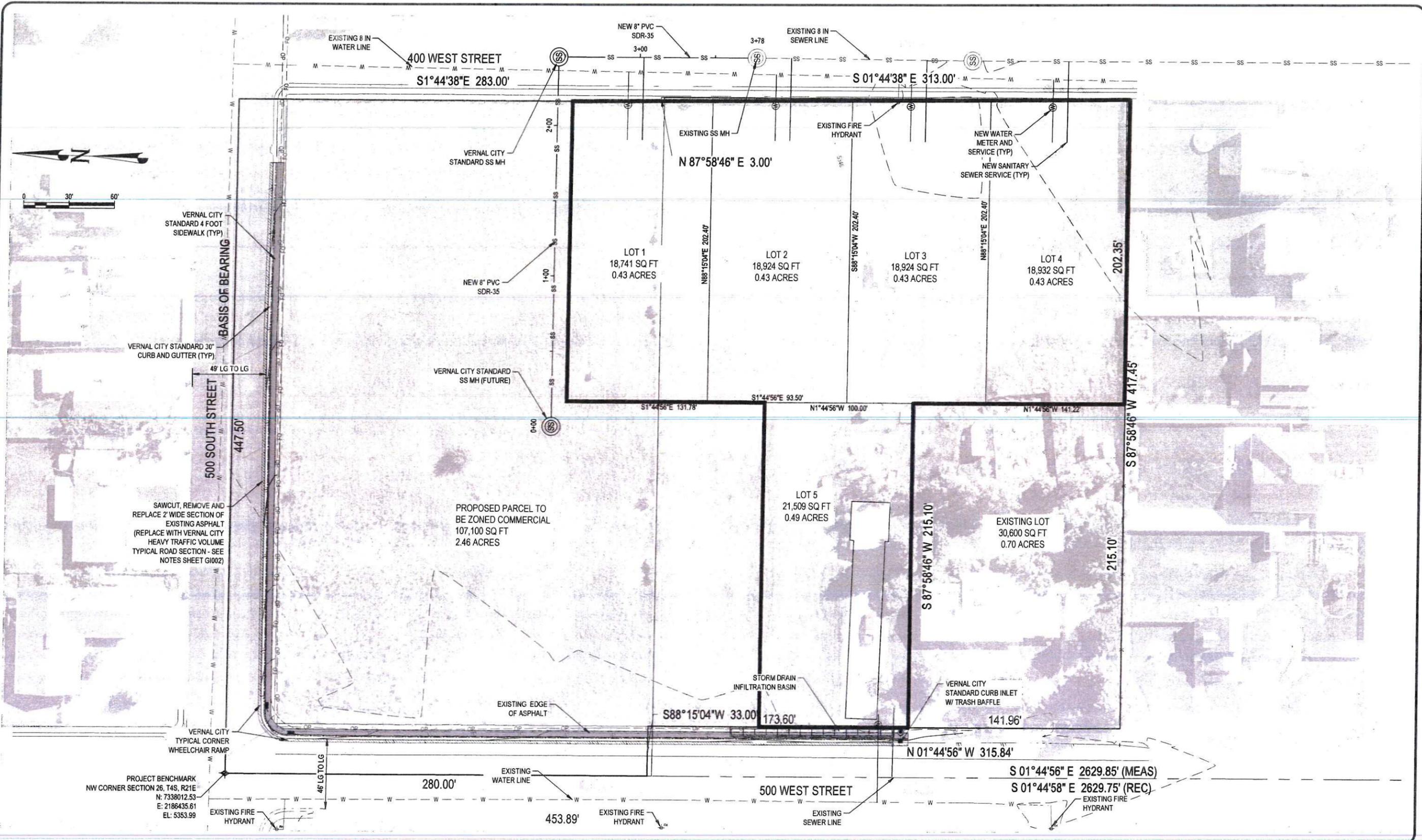
This application is in substantial compliance with Vernal City Code and the requirements contained therein. Staff finds that this is an approvable application with the following conditions:

1. Any and all corrections required by staff and/or engineering are made.

A handwritten signature in black ink, appearing to read "Allen Parker".

Allen Parker
Assistant City Manager/Planning Director

File Path: P:\14113V Richi...
 arcd Property Feasibility Study\Drawings\14113V RICHINGS SITE PLAN 2.0.dwg
 Oct 15, 2015 - 12:38pm



NO.	REVISION

IF THE ABOVE SCALE BAR DOES NOT MEASURE 1 INCH IN LENGTH, DO NOT USE THIS DRAWING FOR SCALING PURPOSES. DIMENSIONS AND MEASUREMENTS SPECIFIED IN THE DRAWING TAKE PRECEDENCE TO SCALED MEASUREMENTS.

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PRINCPAL
D. ANDERSON

PROJECT MANAGER
D. ANDERSON

DRAWN BY
D. ANDERSON

CHECKED BY
C. ALLEN

DATE
AS SHOWN

DATE
 09/28/15

CALDWELL RICHARDS SORENSEN

ANSWERS TO INFRASTRUCTURE

CRS

Vernal Office:
 2028 WEST 500 NORTH
 VERNAL, UTAH 84078
 PHONE 435 781 2550
 www.crsengineers.com

NICK RICHINS
500 WEST 500 SOUTH SUBDIVISION
 SITE PLAN

500 SOUTH 500 WEST

VERNAL

PROJECT NUMBER	14113V
SHEET	3 OF 15
TITLE BLOCK	CG101



MEMORANDUM

DATE: December 4, 2015
TO: Vernal City Planning Commission, file
FROM: Allen Parker *AP*
RE: Conditional Use Permit 2015-019-CUP Steve Cochran

Mr. Steve Cochran is requesting that the Planning Commission modify the terms of his conditional use permit which grants multi-family dwellings at 116 South Vernal Ave., a property that is in the C-2 zone. The conditional use permit currently requires two parking spaces for each dwelling unit on the property, however Mr. Cochran would like to have that reduced to one space per dwelling unit due to the fact that the dwelling units are studio apartments. I don't see any unreasonable impacts generated by this modification and find it to be an approvable request.

100 South

W 100 S

E 100 S

Vernal Ave.

S Vernal Ave



Subject Parcel

© 2015 Google

GOOGLE

Imagery Date: 6/21/2015 40°27'14.01" N 109°31'48.01" W elev 5337

1997

THESE SECTIONS ARE THE ONES IN OUR CURRENT CODE THAT REFERENCE FENCES:

Section 9.32.020 Barbed wire and similar fences prohibited.

A. It is unlawful to erect or maintain a barbed wire fence, or to cause the same to be erected or maintained; provided, however:

1. Barbed wire may be used at the top of a fence not otherwise constructed with barbed wire if the barbed wire is not closer than six (6) feet to the ground. This subdivision shall not apply to a fence which is located on a common boundary between residential lots.

2. Barbed wire may be used as part of a fence which is closer than six (6) feet to the ground if the fence encloses a lot or pasture which is used at least six (6) months in each calendar year to lawfully maintain one or more horses, cows, sheep or other domestic animals of similar size.
(Added during 1993 recodification)

Section 16.04.240 Fence.

A tangible barrier or obstruction of any material with the purpose or intent, or having the effect of preventing passage or view across the fence line. It includes hedges and walls. (PZSC § 03-15-048)

Section 16.24.055 Fencing for multi-family developments.

A. This section shall apply to multifamily developments having five (5) or more dwelling units.

B. A fence shall be erected around the perimeter of multifamily developments in accordance with the following:

1. The fence shall be sight obscuring;
2. The fence shall be six (6) feet in height;
3. The fence shall not be required along any road frontage;
4. The fence shall not impede the view of vehicular traffic in a way that would create a hazard to the public.

C. The Planning Commission may waive the fencing requirement in accordance with the following:

1. The required fence is immediately adjacent to another multi-family development, and ;
2. The owner of the adjacent multi-family development consents in writing to the waiver of the fencing requirement.

D. The fence shall be built in accordance with all other City ordinances.

Section 16.24.080 Fence height requirements.

A. No fence or other similar structure shall be erected in any required front yard of a dwelling to a height in excess of four (4) feet; nor shall any fence or other similar structure be erected in any side yard or rear yard to a height in excess of seven (7) feet except when authorized by a conditional use permit. Rear yards abutting against a front yard may not have a

fence, hedge, or block wall erected higher than four (4) feet except as allowed by a conditional use permit.

B. For dwellings on corner lots, fences other than see-thru fences erected in the side yard and rear yard bordering on a street shall be limited to a height of four (4) feet, unless a clear vision triangle, as defined herein, is maintained at all street intersections and automobile street accesses.

C. Where a fence is erected upon a retaining wall or where, for other reasons, there is a difference in the elevation of the surface of the land on either side of a fence, height of the fence shall be measured from a point halfway between the top of the retaining wall and the land on either side of the fence, but nothing herein contained shall be construed to restrict a fence to less than four (4) feet in height measured from the surface of the land on the side having the highest elevation. (PZSC § 03-11-008)

D. Temporary fences up to eight (8) feet in height of a see through type may be erected in any zone for construction and/or demolition purposes. Application for a temporary use permit shall be required as outlined in Section 16.24.150 of this Title.

E. Building permits shall be required and obtained from the Building Official for the construction of all fences prior to any fence being constructed.

F. In addition, all fences must meet the specific requirements of the zone in which it is constructed as defined herein.

THE FOLLOWING SECTION WOULD REPLACE ALL OF THE ABOVE SECTIONS, EXCEPT 16.04.240 WHICH DEFINES FENCES. ALL USE TABLES WOULD BE AMENDED TO INCLUDE FENCES AS A PERMITTED USE.

16.20.350 Fences

A. Parcels with up to four (4) dwelling units

1. Fences in front yards or abutting a front yard on an adjoining parcel shall be limited to four (4) feet in height.

2. Except as provided in section C, fences in rear and side yards shall be limited to seven (7) feet in height.

3. Fences along parcel frontages in side or rear yards shall be limited to four (4) feet in height unless they do not obstruct sight.

B. Parcels with more than four (4) dwelling units

1. A fence shall be erected around the perimeter of multifamily developments in accordance with the following:

a. The fence shall be sight obscuring, and;

b. Except as provided in section C, the fence shall be a minimum of six (6) feet and a maximum of seven (7) feet in height, except any fence in a front yard or abutting a front yard on an adjoining parcel shall be limited to four (4) feet in height, and;

c. The fence shall not be required along any road frontage;

d. The fence shall not impede the view of vehicular traffic in a way that would create a hazard to the public.

2. The Planning Commission may waive the fencing requirement in accordance with the following:

- a. The required fence is immediately adjacent to another multi-family development, and ;
- b. The owner of the adjacent multi-family development consents in writing to the waiver of the fencing requirement.

3. The fence shall be built in accordance with all other City ordinances.

C. Parcels with a residential use – fences exceeding seven (7) feet

1. On parcels with a residential use, fences in excess of seven (7) feet may be allowed as a conditional use in accordance with the following:

- a. The fence must be in a side or rear yard.
 - b. The fence must not abut a front yard on any other adjoining parcel.
2. In considering a fence as a conditional use, the following items shall be evaluated:
- a. The impact of the fence on visibility from adjoining properties, and;
 - b. The impact of the fence on visibility in relation to adjoining uses.

D. Parcels with a non-residential use

1. Fences shall be limited to a height of eight (8) feet.
2. Fences shall be built in accordance with further requirements imposed by Vernal City Code.

E. Barbed Wire Fences

1. Barbed wire may only be used for fencing in accordance with the following:
 - a. Barbed wire may be used at the top of a fence not otherwise constructed with barbed wire if the barbed wire is not closer than six (6) feet to the ground, provided said fence is not erected between lots having a residential use on them.
 - b. Barbed wire may be used to construct a fence if the fence encloses a lot or pasture which is used at least six (6) months in each calendar year to lawfully maintain livestock as defined in Vernal City Code. Barbed wire may be in any portion of said fence regardless of the distance of the wire from the ground.

F. Temporary fences

1. Temporary fences up to eight (8) feet in height of a see through type may be erected in any zone for construction and/or demolition purposes. Application for a temporary use permit shall be required as outlined in Section 16.24.150 of this Title.

G. All fences shall not obstruct the clear vision triangle as defined in Vernal City Code.

H. Building permits required

1. With the exception of temporary fences, a building permit shall be required for the construction of a fence.



MEMORANDUM

DATE: December 4, 2015
TO: Vernal City Planning Commission, file
FROM: Allen Parker *AP*
RE: Planning Commission Meeting Schedule for 2016

Every December the City Council has to pass a resolution setting the meeting schedule for the Planning Commission for the upcoming year. Our current schedule is for a monthly meeting on the second Tuesday of every month at 7:00 p.m. For this agenda item, we need to decide if we are going to keep that schedule for the upcoming year or modify it, and then forward that decision on to the City Council.