

MINUTES of the Vernal City PLANNING COMMISSION

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

September 12, 2023

6:00 pm

Members Present: Brandon Parker, Stephen Lytle, Brian Eades, Troy Allred, Samantha Chapoose, Ryan Pugh

Members Excused: Corey Foley

Alternates Present: Randel Mills, Ryan Balch

Alternates Excused: Brittany Young

Staff Present: Gabby Hawkes Blackburn, Assistant City Manager and Leslie Ivers, Planning Technician

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Chair Brandon Parker welcomed everyone present to the meeting.

APPROVAL OF MINUTES FROM August 8, 2023: Chair Brandon Parker asked if there were any changes to the minutes from August 8, 2023. The minutes were approved with there being no corrections, Ryan Pugh *moved to approve the minutes of August 8, 2023 as presented. Randel Mills seconded the motion. The motion passed with Brandon parker, Stephen Lytle, Brian Eades, Troy Allred, Samantha Chapoose, Ryan Pugh, Randel Mills and Ryan Balch voting in favor.*

RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE, CHAPTER 16.58, SECTIONS 16.58.040-AMENDING FROM PROCEDURE FOR OBTAINING SUBDIVISION APPROVAL TO SUBDIVISION SALE OR EXCHANGE-PLATTING REQUIREMENTS, 16.58.050 AMENDING FROM PLATTING & RECORDING REQUIREMENTS TO ENFORCEMENT AND PERMITS, 16.58.530-AMENDING WORK TO BE DONE OR REVIEWED BY LICENSED PROFESSIONAL AND ADDING A NEW SECTION 16.58.090-FINAL PLATTING REQUIREMENTS AND RENUMBERING THE SECTIONS IN THE CHAPER-ORDINANCE #2023-15

Gabby Hawkes Blackburn introduced the proposed amended Subdivision Code. The amendments include changes to various sections, such as procedures for obtaining subdivision approval, fire requirements, planning and recording requirements, enforcement and permit processes, work to be done by engineers, work to be done or reviewed by licensed professionals, and new final planning requirements.

The timeline for these changes was outlined, with a State-mandated HB 174 deadline of January 1st, 2024. The Minor Subdivision and Master Site Plan sections were approved from

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recommendation to the City Council in the July 2023 Planning Commission meeting. The process section of the Subdivision code was introduced and discussed in the August 2023 Planning Commission meeting. The Improvement Sections and the Reimbursement and Bond Section will be discussed at a later date.

Ms. Hawkes Blackburn mentioned that they had received positive feedback from attorneys and were confident that the proposed changes met State mandates. The Planning Commission reviewed the amendments in detail.

Chair, Brandon Parker opened the public hearing to receive comments from the public. There being no public comment, Chair, Brandon Parker closed the public hearing.

Troy Allred moved to forward a positive recommendation to consider amending the Vernal City Municipal Planning and Zoning Code, Chapter 16.58, Sections 16.58.040-Amending from Procedure for Obtaining Subdivision Approval to Subdivision Sale or Exchange-Platting Requirements, 16.58.050 Amending from Platting & Recording Requirements to Enforcement and Permits, 16.58.530-Amending Work to be Done or Reviewed by Licensed Professional and adding a new Section 16.58.090-Final Platting Requirements and Renumbering the Sections in the Chapter-Ordinance #2023-15. Ryan Pugh seconded the motion. The motion passed with Brandon Parker, Stephen Lytle, Brian Eades, Samantha Chappoose, Randel Mills and Ryan Balch voting in favor.

CHERISH MORRELL CONDITIONAL USE REQUEST, 1089 EAST HIGHWAY 40-2023-016-CUP

The meeting discussed a Conditional Use Permit (CUP) request for a Junk/Wrecking Yard located in a unique situation where a Minor Subdivision and a CUP application were submitted simultaneously. The property is located off 135 south.

The property owner was not the applicant, but the owner had signed the application. The applicant clarified that they primarily dealt with repossessions and impounds from apartment complexes, resulting in occasional traffic but with the main business operations occurring from 9:00 am to 5:00 pm on weekdays.

The CUP request included various conditions, such as the requirement for an eight-foot-tall site obscuring fence. The applicant proposed a six (6) foot tall fence with two (2) feet of barbed wire, which was in compliance with City regulations.

Other factors discussed included potential noise, which was not expected to exceed normal levels due to the absence of machinery and limited towing truck deliveries. Odors and fumes were also not anticipated to be an issue.

Existing lighting on the property was to be maintained, with the addition of motion sensor functionality. The hours of operation (9:00 am to 5:00 pm, Monday through Friday) were considered reasonable, given the absence of nearby residential properties.

Discussion among meeting participants revolved around the hours of operation, with the consensus that the proposed hours were acceptable. Concerns about neighboring properties were addressed, and it was noted that round the clock operations were typically not an issue in this

context.

In summary, the Planning Commission discussed the Conditional Use Permit request for a Junk/Wrecking Yard, considering various factors such as security measures, hours of operation, and potential impacts on neighboring properties.

Ryan Pugh moved to accept the Conditional Use Permit request and allow Twenty-Four (24) hour access. Stephen Lytle seconded the motion. The motion passed with Brandon Parker, Brian Eades, Troy Allred, Samantha Chappoose, Randel Mills and Ryan Balch voting in favor.

DISCUSSION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE CHAPTER 16.58-SUBDIVISION CODE

The Planning Commission engaged in a comprehensive discussion concerning proposed modifications to Vernal City's Municipal Planning and Zoning Code, specifically focusing on Chapter 16.58, which governs the Subdivision Code. The conversation encompassed various facets of the Code, including amendments, accesses, streets, alleys, and reverse curves. Notable deliberations revolved around determining the requisite number of access points for new subdivisions. Discussion continued whether a fixed number should be mandated, dependent on dwelling units or lots, or if flexibility should be granted to determine the appropriate access count. A proposal was put forth to necessitate an additional access point for every Twenty-Five (25) dwelling units beyond the initial 25. Furthermore, the integration of alley regulations with other roadway provisions was discussed. Another significant topic revolved around the State of Utah's directive, enforcing a minimum street width of 32 feet. Concerns were raised regarding the feasibility of this width, especially regarding parking and usability. Potential solutions included permitting on-street parking in narrower streets, requiring developers to provide visitor parking or wider streets, or seeking alternative approaches to address parking issues. The meeting also contemplated the legal risks associated with non-compliance and discussed the potential influence of developer interests in the legislative process. Furthermore, Planning Commission considered the unique challenges faced by rural communities due to these proposed regulations. Ultimately, while the meeting did not yield formal decisions, it provided a platform for gathering input and exploring potential strategies to navigate State-mandated regulations while considering the needs and concerns of the community and developers. Further research and analysis are anticipated to inform future decisions.

DISCUSSION TO CONSIDER A VERNAL REGIONAL AIRPORT OVERLAY

The airport discussion revolved around two (2) key topics: The Vernal Regional Airport Overlay and building height limits in the city. Firstly, the Vernal Regional Airport Overlay was addressed, with the need for airport overlay protection zones being a top priority. It was noted that these zones would need to be established by July and would be crucial for regulating airplane altitudes within Five thousand (5,000) feet of the airport. The airport manager, Ken, was designated to lead this effort due to his expertise in aviation, and it was agreed upon to rely on his knowledge and data.

DISCUSSION TO CONSIDER A MAXIMUM HEIGHT IN COMMERCIAL ZONES

The discussion revolved around two upcoming mixed-use buildings that are planned to reach a height of forty seven and a half (47.5) feet. Concerns were raised about the existing zoning regulations, which allow buildings to be as tall as sixty (60) feet. This prompted a debate about whether a sixty (60) foot maximum height is appropriate for the City, particularly in the downtown area. Most downtown buildings are significantly shorter, and there was a consensus that the City should proactively review and potentially revise these height limits to ensure they align with the character of the existing structures and the City's vision for the downtown area. The importance of addressing this issue before building permits are submitted was emphasized, as it becomes challenging to make changes once permits for sixty (60) foot structures have been approved. Overall, the discussion aimed to assess whether the current sixty (60) foot height limit is suitable for the City's downtown and to consider the potential impact of taller buildings on the city's aesthetics and character.

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

Brandon Parker, Planning Commission Chair