

# MINUTES of the Vernal City PLANNING COMMISSION

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

November 12, 2019

7:00 pm

**Members Present:** Jim Linschoten, Eric Hunting, Darcy McMickell, Samantha Scott

**Members Excused:** Joni Crane, Troy Allred

**Alternates Present:** Ben McMickell

**Alternates Excused:** Corey Foley

**Staff Present:** Allen Parker, Assistant City Manager; Matt Tate, Building Official; and Gay Lee Jeffs, Administrative Clerk.

**WELCOME AND DESIGNATION OF CHAIR AND MEMBERS:** Vice Chair Jim Linschoten welcomed everyone present to the meeting.

**APPROVAL OF MINUTES FROM October 8, 2019:** Vice Chair Jim Linschoten asked if there were any changes to the minutes from October 8, 2019. There being no corrections, *Eric Hunting moved to approve the minutes of October 8, 2019 as presented. Darcy McMickell seconded the motion. The motion passed with Jim Linschoten, Eric Hunting, Darcy McMickell, Samantha Scott and Ben McMickell voting in favor.*

**PUBLIC HEARING REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING VERNAL CITY GENERAL PLAN – APPENDIX E – HOUSING ELEMENT – ALLEN PARKER:** Allen Parker stated that he had made some adjustments to the current Vernal City General Plan - Appendix E - Housing Element. Mr. Parker explained that a State representative made a commitment to Vernal City to help rewrite this portion of the General Plan, but Mr. Parker has not been able to make contact with the representative so far and so the document is not a finished product at this time. The majority of the tables and a portion of the narrative do not reflect the changes that have yet to be made to bring the document current, but it is in appropriate condition to where the City can have a hearing and a discussion on the plan. The reason the changes are being made now instead of in conjunction with the General Plan consultant is because the City must update and pass the Housing Element per State Law and be delivered to the State before December 1, 2019. The penalty would be losing funding for the City's Class B and C road funds for a year and a number of other funds that the State controls. The State would remove a significant amount of funds from the City's budget for an entire year with no waiver capability on their part written into their law. The update that will pass, for this purpose, would be a workable plan and a feasible document that will function within the requirements of the City and the requirements of State Law. Mr. Parker stated that he would still like to have the consultant review what will be passed and make any recommended changes that they have for the next bi-annual update of the plan to the State. Mr. Parker explained that the consultant that wrote the current General Plan, which was ten years ago, did a good job and this is that plan being updated with new demographics reflecting the current state of the economy and

**Vernal City Planning Commission Minutes  
November 12, 2019**

the housing market within the valley. Jim Linschoten stated that it is 2019, and the Country is about to kick off a new census and a lot of the numbers in this document, except as noted in Table 1, is from ten years ago. Even Table 1 only goes to 2018. Mr. Parker explained that those were the latest numbers available from the State Census Bureau. Mr. Linschoten mentioned that the information must not have to be exact for the December deadline, because the census will not be conducted for another year, and it will take another year or two after that to have all of the information. People are coming and going with the busts and booms all of the time. Mr. Parker explained that State Law, the way it has been changed, makes it into a fluid document and the State expects the City to make updates every two years. It has to be submitted to the State every two years for their review and approval. There will not always be current information. Sometimes the document the City resubmits will not have any substantial changes. Vernal City's State Senator and Representative sought an exemption for the City, but no exemption was granted. Vernal City is the only entity in the Basin and outside the Wasatch Front and St. George area required to update the City's Housing Element by State Law. It will not be too difficult other than the initial update and changing the plan that describes a housing market that is underserved and where there is projected demographic growth in the area. Changing it to a document that reflects the current state where there is a lot of affordable housing available is time consuming. Mr. Parker explained that the direction he is going is simply a narrative describing the current conditions. It is not something that is a policy position, instead it is simply a description of the current conditions and where the City stands on the conditions. Mr. Parker explained that the State does expect the City to take action if it is underserved. The State wants an enforceable plan in place that creates the tools for affordable housing. The State does not expect the City to create the housing. Mr. Linschoten asked if there was a punishment for not meeting the underserved housing. Mr. Parker stated that in a general sense, there is not. Mr. Parker explained that if there is a binding document and the City chose not to follow the document, then there could be penalties. Mr. Parker stated that Section 5 will be updated to reflect the current availability of housing and the projections that the City will be able to meet the housing needs over the next couple of years. Mr. Parker explained that the section that recommends changes to the Code has been removed. If the City had a significant housing shortage that was easily demonstrated at the State level and the City failed to follow the plan to address it, then the City would be in trouble with the State. If the City does not have a housing problem and does not implement any of the measures that are in the plan, then there is not really anyone who has been harmed by the City by excluding moderate and low income housing from the community.

Mr. Linschoten stated that he was interested in the salary levels and also the demographics of who is over 62 years old. Mr. Linschoten mentioned that what he found most interesting was that there may be times when the economy may be depressed and it could be hard to meet the plan. It might be difficult to find a lender because of the state of the economy unless it comes from a source outside the valley that is unfamiliar with the area, whereas during the boom times, there is not much lower to moderate income housing need because no one is in that category. Mr. Parker stated that a lot of housing is on the market now where it was not available when the document was written. There is some conflicting data in the document that will be resolved within the next week for the City Council. Darcy McMickell asked if the credit issue section was necessary. Mr. Parker explained that he had made some minor changes to it, but it is not fully revised yet. The document talked about the housing and lending crisis that was going on at

**Vernal City Planning Commission Minutes  
November 12, 2019**

that time. It has changed since that time. Mr. Parker stated that he did not think the credit section was necessary. Ms. McMickell stated that the document talks about making credit management training available and she thought it was out of the scope of the City's role. Mr. Parker said that the fact that credit management training is discussed in the document does not mean that the City is going to make sure the schools are teaching credit management. Mr. Linschoten explained that there are already programs in place in the schools that teach credit management. Mr. Parker stated that he would like to rewrite that portion of the plan to reflect what is already in place and what has been done to accomplish the plan.

Vice Chair Jim Linschoten opened the public hearing for public comment. There being no public comments, Mr. Linschoten closed the public hearing. *Samantha Scott moved to forward a positive recommendation to the City Council to amend the Vernal City General Plan – Appendix E – Housing Element with the changes that Allen Parker will make between this date and the next City Council meeting. Ben McMickell asked Allen Parker to email the completed version of the document to the Planning Commission members by the next City Council meeting. Eric Hunting seconded the motion. The motion passed with Jim Linschoten, Eric Hunting, Ben McMickell, Samantha Scott and Darcy McMickell voting in favor.*

**RECOMMENDATION FOR 2020 MEETING SCHEDULE – RESOLUTION 2019-23:**

Allen Parker explained that Resolution 2019-23 would be amending the 2020 Planning Commission meeting schedule from meeting every month to meeting every other month beginning February 11, 2020 at 7:00 p.m. in the Vernal City Council Chambers. Allen Parker mentioned that there were enough amendments to be made within the City Code that could keep the Planning Commission busy each month throughout the coming year. Mr. Parker explained that the railroad would be coming soon, and he would like to make sure that the City's Code was up-to-date if the City has a boom cycle again. Mr. Parker stated that the City Code is weak and that he would like to address big sections of the Code. Mr. Parker expressed that he would like to make sure that there is not a situation where developer's projects are delayed by having an every other month meeting; however, a special meeting could be scheduled to accommodate a time sensitive matter. Mr. Parker stated that he would like to make sure the business of the City is conducted in a timely manner. Samantha Scott mentioned that she thought it would be fine to have a Planning Commission meeting every other month and if there are pressing issues then a special meeting could be scheduled. Mr. Parker explained that there could be a special meeting scheduled in January 2020 to discuss the General Plan. *Samantha Scott moved to make a positive recommendation to the City Council to consider the Planning Commission 2020 Meeting Schedule – Resolution 2019-23. Darcy McMickell seconded the motion. The motion passed with Jim Linschoten, Eric Hunting, Darcy McMickell, Ben McMickell and Samantha Scott voting in favor.*

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

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Jim Linschoten, Planning Commission Vice Chair