

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 13th day of May, 2015.

Sonja Norton
Mayor Sonja Norton

ATTEST:

Kenneth L. Bassett
Kenneth L. Bassett, City Recorder



Date of Publication: May 12, 2015