

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 13th day of May 2015.


Mayor Sonja Norton

ATTEST:


Kenneth L. Bassett, City Recorder



Date of Publication: May 12, 2015.