

MINUTES of the Vernal City PLANNING COMMISSION
Vernal City Council Chambers 447 East Main Street
May 10, 2011
7:00 pm

Members Present: Chair Eric Olsen, Sonja Norton, Glenn Spencer, Kathleen Gray, and George Bingham.

Excused Members: Gary Redden.

Alternates Present: Anders Fillerup.

Alternates Absent: Ken Latham and Ben Mahaffey.

Staff Present: Allen Parker, Assistant City Manager; Richard Zohner, Building Official; and Roxanne Behunin, Deputy Recorder

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Chair Eric Olsen welcomed everyone present. He noted that Mr. Fillerup would be a voting member for this meeting.

APPROVAL OF MINUTES FROM APRIL 12, 2011: Sonja Norton moved to approve the minutes of April 12, 2011 as written. George Bingham seconded the motion. The motion passed with a majority vote with Olsen, Norton, Spencer, Gray and Bingham voting in favor and Fillerup abstaining.

APPROVAL OF MINUTES FROM APRIL 14, 2011: Glenn Spencer requested that the spelling of the name "Scott Gardner" be verified and corrected in the minutes if necessary. There being no quorum present from the April 14, 2011 meeting, the minutes will stand as written after thirty days.

PLANNING COMMISSION VACANCY: Allen Parker explained that there is a vacancy for a regular member on the Planning Commission. He suggested advancing an alternate member to a regular member and finding another alternate. After discussion, Sonja Norton moved to recommend Ken Latham become a regular Planning Commission member and a resident that was previously interested in serving be contacted to fill the alternate position. Glenn Spencer seconded the motion. The motion passed with Olsen, Norton, Spencer, Gray, Bingham and Fillerup voting in favor for a unanimous vote.

RESCHEDULE JUNE 14, 2011 MEETING: Allen Parker explained that initially he was scheduled to be out of the State the week of June 13th. However, those plans have now changed and he will be here for the meeting.

Allen Parker reminded the Commission members that specialized training on conditional use permitting will be offered in Roosevelt on May 19th. Kathleen Gray and Anders Fillerup indicated they would be interested in attending.

PUBLIC HEARING: REQUEST FOR APPROVAL OF THE PRELIMINARY SUBDIVISION

PLAT FROM KIMBALL GLAZIER FOR THE PROPERTY LOCATED AT 1045 SOUTH 500 WEST AND 1065 SOUTH 500 WEST, VERNAL, UTAH - APPLICATION# 2011-007-SUB:

Allen Parker explained that a request has been received for Phase II of the Ashley Subdivision development. The preliminary plat includes 10 lots on 8.98 acres in a RA-1 residential / agricultural zone. It was noted that the preliminary plat is in substantial compliance with City regulations with a few minor corrections. George Bingham asked for clarification on how lot 10 would be accessed. Kimball Glazier explained that there is access from the cul-de-sac which is off center to meet the requirements of a turn around and provide enough frontage to build on Lot 12. Glenn Spencer asked if the lots were large enough to meet the agricultural requirement in an RA-1 zone. Kimball Glazier conceded that some of the lots would not be able to house animals. Eric Olsen asked if the storm water would be sent to a pond. Kimball Glazier answered yes that the water would go into an 8'x4' dry basin lined cobble rock on Lot #10. Eric Olsen asked who would be responsible to maintain it. Allen Parker answered that the developer can set up a homeowners association or require the lot owner to maintain the system. Sonja Norton asked that this item be placed on a future agenda to discuss mechanisms for someone to be obligated to maintain the storm water systems. Glenn Spencer clarified that the drive entrance for the flag lot is a private drive. Allen Parker answered yes, and it creates the frontage for that lot. Eric Olsen asked for public comments. There being no public comments, the public hearing was closed. *Sonja Norton moved to approve the preliminary subdivision plat for application # 2011-007SUB submitted by Kimball Glazier, with corrections as noted by staff. George Bingham seconded the motion. The motion passed with Olsen, Norton, Spencer, Gray, Bingham and Fillerup voting in favor for a unanimous vote.*

PUBLIC HEARING: REQUEST FOR RECOMMENDATION AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE - CHAPTER 16.24 - SUPPLEMENTARY REGULATIONS, SECTION 16.24.150 - TEMPORARY USES AND STRUCTURES, ORDINANCE NO. 2011-07:

Allen Parker explained that the Planning Commission has reviewed regulations for temporary merchants; however, the City Manager is asking the Commission to consider changing drive up windows from conditional uses to permitted uses for temporary businesses. The requirements could be to require a vehicle stacking lane of at least fifty feet, and control the speaker volume if it is adjacent to a residential use. Eric Olsen asked if there was a lighting requirement. Allen Parker stated that the Commission can specify a single outdoor light to illuminate the vehicle stacking area. Sonja Norton stated she would like to see minimum lighting requirements for security reasons.

Allen Parker brought the Commissions attention to the next section of the ordinance which changes temporary merchandizing to temporary sales events only. These types of special sales are authorized by the City Council and the permit can be issued in any zone. Eric Olsen asked for an example of these kinds of events in a residential zone. Allen Parker stated that schools are in residential areas and often have special events. There was some discussion regarding neighborhood yard sales. The consensus was to allow these events at schools within residential zones.

Allen Parker stated that the sale of fireworks has a requirement of five parking spaces based on the business licensing code. After discussion, the consensus of the Planning Commission was to make the number of parking spaces consistent with other temporary merchants and require three spaces. Eric

Olsen asked how the “clean and orderly” requirement for temporary merchants would be enforced. Allen Parker stated that the zoning compliance officer would consider this under the nuisance statute. Sonja Norton suggested that directive be deleted. Eric Olsen opened the hearing for public comment.

Mr. Michael Wayland, owner of Atlantis Divers, explained that he understood that the kiosk that was moved onto his property was an eyesore, and he apologized for letting that happen. He asked if another kiosk was moved onto his property, would it be grandfathered since it has not been that long since the trailer was moved. Allen Parker stated that Section D of the ordinance would apply. Eric Olsen explained he would need to submit a site drawing and would have restrictions on the size and parking would be required.

Tosha Hayne 3500 West 250 South explained that her family is interested in opening a concession business and was wondering what type of permit would be required. Allen Parker suggested she come into the office and pick up a copy of the regulations.

There being no further public comments, the public hearing was closed.

Kathleen Gray moved to recommend amending the Vernal City Municipal Planning and Zoning Code – Chapter 16.24 – Supplementary Regulations, Section 16.24.150 – Temporary Uses and Structures, Ordinance No. 2011-07 as discussed. Sonja Norton seconded the motion. The motion passed with Olsen, Norton, Spencer, Gray, Bingham and Fillerup voting in favor for a unanimous vote.

REQUEST FOR APPROVAL OF THE FINAL SUBDIVISION PLAT FROM KIMBALL GLAZIER FOR THE PROPERTY LOCATED AT 1045 SOUTH 500 WEST AND 1065 SOUTH 500 WEST, VERNAL, UTAH – APPLICATION# 2011-008-SUB: Allen Parker explained that now that the preliminary plat has been approved, the Planning Commission can recommend the City Council approve the final plat. Eric Olsen asked that Lot #10 have something placed on the deed to require the storm drainage area be maintained. Allen Parker stated he would have language added to the subdivision plat that clearly carries forward with the deed.

George Bingham moved to recommend the final subdivision plat from Kimball Glazier for the property located at 1045 South 500 West and 1065 South 500 West, Vernal, Utah - Application# 2011-008-SUB be forwarded to the City Council. Glenn Spencer seconded the motion. The motion passed with Olsen, Norton, Spencer, Gray, Bingham and Fillerup voting in favor for a unanimous vote.

DISCUSSION:

Storm Water System Maintenance:

Sonja Norton again asked that this item be placed on the agenda for future discussion to determine if above ground storm water retention systems should be allowed. Eric Olsen noted that the underground storage systems add a lot of cost to a development. Allen Parker noted that in the future the City may need to have a storm drain utility system and charge residents for the use. He explained that the EPA may impose a significant requirement on the City as the area becomes more urbanized and those

regulations will probably be imposed within the next year.

ADJOURN: There being no further business, Sonja Norton moved to adjourn. George Bingham seconded the motion. The motion passed with a unanimous vote and the meeting was adjourned.

Eric Olsen, Planning Commission Chair