

1 **MINUTES of the Vernal City PLANNING COMMISSION**

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

3 July 9, 2013

4 7:00 pm

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6 **Members Present:** Chair Mike Drechsel, Anders Fillerup, Sonja Norton, Eric Olsen,  
7 and Ken Latham

8  
9 **Members Excused:** Kathleen Gray and Gary Redden

10  
11 **Alternates Present:** Rory Taylor

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13 **Alternates Excused:** Adam Ray

14  
15 **Staff Present:** Allen Parker, Assistant City Manager; Corey Coleman, Building  
16 Official; and Sherri Montgomery, Administrative Clerk.

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18 **WELCOME AND DESIGNATION OF CHAIR AND MEMBERS:** Chair Mike Drechsel  
19 welcomed everyone present to the meeting.

20  
21 **APPROVAL OF MINUTES FROM JUNE 11, 2103:** Chair Mike Drechsel asked if there  
22 were any changes to the minutes from June 11, 2013. Rory Taylor stated that on line 90  
23 “Norton” should be added after Sonja. There being no other corrections, *Sonja Norton moved to*  
24 *approve the minutes of June 11, 2013 with the correction as noted. Anders Fillerup seconded*  
25 *the motion. The motion passed with Mike Drechsel, Anders Fillerup, Sonja Norton, Eric*  
26 *Olsen, and Rory Taylor voting in favor. (Ken Latham was not present at this time to vote.)*

27  
28 **REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL**  
29 **CITY MUNICIPAL PLANNING AND ZONING CODE – SECTION 16.20.610 –**  
30 **TEMPORARY PARKING – ORDINANCE NO. 2013-15 – ALLEN PARKER:** Allen  
31 Parker explained that the City Council discussed this issue and asked the Planning Commission  
32 to consider having some type of financial guarantee in place with temporary events to make sure  
33 the property is cleaned up. Mr. Parker explained that Mike Davis, Finance Director for the City,  
34 mentioned to him that he would not recommend that the City act as the escrow agent and  
35 arbitrator for these types of issues. This ordinance change would place \$1,500 in an escrow  
36 account for the benefit of the property owner upon which the temporary parking shall take place.  
37 The monies could be used for the cleaning, repair, and restoration of the property if the applicant  
38 fails to do so upon the termination of the event and the vacation of the property. Sonja Norton  
39 stated that she does not agree with this if it is on private property. Mr. Parker added that another  
40 way to handle this is to require proof of insurance or require a bond with the application package.  
41 Ms. Norton stated that this is the property owner’s responsibility and should agree to it at his  
42 own risk. The consensus of the Commission agrees that the responsibility is on the property  
43 owner. Chair Mike Drechsel opened the public hearing for this issue. There being no comment,  
44 Chair Mike Drechsel closed the public hearing. *Sonja Norton moved to not include #5 in*  
45 *Section 16.20.610 - Temporary Parking; therefore, recommending there be no changes to the*  
46 *Temporary Parking Code. Eric Olsen seconded the motion. The motion passed with Mike*

47 *Drechsel, Anders Fillerup, Sonja Norton, Eric Olsen, Ken Latham, and Rory Taylor voting in*  
48 *favor.*

49

50 **REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL**  
51 **CITY MUNICIPAL PLANNING AND ZONING CODE – SECTION 16.24.130 –**  
52 **STORAGE OF COMMERCIAL VEHICLES IN RESIDENTIAL ZONES - ORDINANCE**  
53 **NO. 2013-16 – ALLEN PARKER:** Allen Parker explained that the concern in this section of  
54 the Code is not permitting the storage and/or parking of trucks having a rated capacity of one and  
55 one-half tons in a residential zone. There was a recent case in the City where an individual owns  
56 a small street sweeper that he uses for his home occupation, and according to the current Code,  
57 he is not allowed to park the vehicle at his residence. This has created a lot of concern with  
58 elected officials, and they have asked that the City look at a more appropriate requirement due to  
59 the standard of industrial activity here. Corey Coleman has researched other cities and found  
60 that some cities use the one and one-half ton and some cities use the gross weight limit. Uintah  
61 County allows you to park one commercial vehicle as a conditional use. Mr. Parker stated that  
62 the problem with a conditional use is it is permanent and stays with the land, unless it is violated.  
63 Mr. Parker gave several examples of the gross weight of vehicles. The Commission discussed  
64 the different types and weights of vehicles to consider. Anders Fillerup asked if the current Code  
65 is enforced. Mr. Parker answered yes. Rory Taylor suggested restricting it to the number of  
66 axles on the truck. Eric Olsen asked if the concern is because of a neighbor nuisance or to  
67 protect the City's roads. He suggested the City research the rating of the roads before  
68 considering increasing the gross weight. Mr. Fillerup agreed, and added that the City needs to  
69 determine what kind of weight limit the roads can handle for the maximum life cycle of the  
70 streets. Mr. Parker stated that currently the City allows up to 14,000 pounds. Mr. Olsen  
71 recommended asking Glade Allred, Street Superintendent, what the cross sections of the roads  
72 are designed for in the City. Chair Mike Drechsel suggested that Mr. Parker gather data for the  
73 next meeting to help determine if a change can or should be made, as well as some proposed  
74 changes. Mr. Parker mentioned that it is advertised as a public hearing for this meeting. Mr.  
75 Drechsel suggested another public hearing be held when there are proposed changes to the Code.  
76 Mr. Parker explained that it is not necessary to hold another public hearing, and reminded the  
77 Commission that public comment can be made at any meeting with the permission of the Chair.  
78 Sonja Norton asked if the specific Code is advertised. Mr. Parker answered yes. Mr. Olsen  
79 suggested that in the future these Code changes be a discussion item only and not advertise a  
80 public hearing until there are proposed changes for the public to discuss. Chair Mike Drechsel  
81 opened the public hearing for this item. There being no comment, Mr. Drechsel closed the  
82 public hearing. *Sonja Norton moved to table amending the storage of commercial vehicles in*  
83 *residential zones until further information is available. Eric Olsen seconded the motion. The*  
84 *motion passed with Mike Drechsel, Anders Fillerup, Sonja Norton, Eric Olsen, Ken Latham,*  
85 *and Rory Taylor voting in favor.*

86

87 **REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR MAGUIRE**  
88 **CONSTRUCTION FOR THE PROPERTY LOCATED AT 121 WEST MAIN, VERNAL,**  
89 **UTAH – APPLICATION NO. 2013-017-MSP – ALLEN PARKER:** Allen Parker explained  
90 that Maguire Construction, representing Grand Valley Bank, is requesting approval of a master

91 site plan to expand an existing structure being used as a bank. This plan will add 1,212 square  
 92 feet to be used for office space. This property is located in a CC-1 zone. The extension will be  
 93 on the west side of the building and will take up a few parking spaces. They have relocated the  
 94 handicap parking over to the west side of the existing parking lot as well as added parking to the  
 95 south. Staff has reviewed the application and found it to be in compliance with Vernal City  
 96 Code with a minor clarification with the parking. Chair Mike Drechsel asked what clarification  
 97 is needed for the parking. Mr. Parker explained that he needs a few other items marked on this  
 98 drawing in order to complete it, along with a utility plan and discussion on the clear vision  
 99 triangles for potential safety issues. He added that the access belongs to UDOT; therefore, the  
 100 City has no control over whether it is a full motion or exit only. Mr. Drechsel asked what it is  
 101 currently. Mr. Park answered full. Sonja Norton asked if they meet the parking requirement.  
 102 Mr. Parker stated that they actually exceed the amount required. Mike Maguire with Maguire  
 103 Construction is here representing Grand Valley Bank. Mr. Maguire explained that they are  
 104 building four offices to the west side. They will lose two parking stalls; however, they will be  
 105 adding 14 more. The bank purchased the little house to the south, and the entrance will be  
 106 moved to the south to eliminate the problem with big trucks or trailers trying to get through to  
 107 the drive-up. The little garage will be removed to make room for a dumpster pad. The electrical  
 108 is all going to be run underground. Mr. Parker asked if it would include the existing overhead  
 109 lines. Mr. Maguire answered yes. The entrance off of Main Street with the new addition will  
 110 stay back, so nobody can walk off and be in the line of traffic. Mr. Drechsel asked if it would  
 111 give adequate opportunity to see pedestrians on the north side of the addition to the building.  
 112 Mr. Maguire explained that they would probably pull out into that sidewalk a little bit. Mr.  
 113 Drechsel asked if a mirror on the side of the building could be mounted to the new addition in  
 114 case of people riding bikes in that area. Mr. Maguire stated that it will be considered. *Eric*  
 115 *Olsen moved to approve the master site plan for Maguire Construction for the property located*  
 116 *at 121 West Main Street, Vernal, Utah – Application No. 2013-017-MSP with corrections as*  
 117 *noted by staff and engineering. Sonja Norton seconded the motion. The motion passed with*  
 118 *Mike Drechsel, Anders Fillerup, Sonja Norton, Eric Olsen, Ken Latham, and Rory Taylor*  
 119 *voting in favor.*

120  
 121 **REQUEST FOR APPROVAL OF A MASTER SITE PLAN FOR DUKE TRUCKING,**  
 122 **INC. FOR THE PROPERTY LOCATED AT 90 SOUTH 1500 EAST, VERNAL, UTAH –**  
 123 **APPLICATION NO. 2013-018-MSP – ALLEN PARKER:** Allen Parker explained that Duke  
 124 Trucking is requesting the approval of a master site plan at 90 South 1500 East expanding an  
 125 existing industrial building. This plan will add an additional 1,080 square feet of space to be  
 126 used as an office. This property is located in an I-1 industrial zone. Staff has reviewed the  
 127 application and found it to be in substantial compliance with the Vernal City Code and finds this  
 128 application approvable. Mr. Parker stated that he has requested a few more details on the storm  
 129 water. Engineering Services has review the site plan and found it to be in compliance with  
 130 engineering standards. Sonja Norton asked if this property is required to have handicap parking.  
 131 Corey Coleman explained that depending on the amount of parking stalls there are and without  
 132 looking at the Code specifically, they would probably only need one. Justin Duke with Duke  
 133 Trucking explained that there is no sidewalk or curbing. The parking lot will be all asphalt, and  
 134 striping will be added when the building is completed. There will be one parking spot marked

135 handicap with all the other appropriate requirements. The bathroom will be remodeled to make  
136 it wheelchair accessible. *Sonja Norton moved to approve the master site plan for Duke*  
137 *Trucking for the property located at 90 South 1500 East, Vernal, Utah – Application No.*  
138 *2013-018-MSP with any corrections as noted by staff or engineering. Rory Taylor seconded*  
139 *the motion. The motion passed with Mike Drechsel, Anders Fillerup, Sonja Norton, Eric*  
140 *Olsen, Ken Latham, and Rory Taylor voting in favor.*

141  
142 **REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL**  
143 **CITY MUNICIPAL PLANNING AND ZONING CODE – SECTION 16.44.050 – R-4**  
144 **RESIDENTIAL MINIMUM WIDTH REQUIREMENTS, SECTION 16.44.060 –**  
145 **SETBACK REQUIREMENTS, ADDING SECTION 16.04.484 – DEFINITION OF A**  
146 **ROW HOUSE, AND RENUMBERING SECTION 16.04.485 – RESIDENTIAL FACILITY**  
147 **FOR HANDICAPPED PERSONS - ORDINANCE NO. 2013-11 – ALLEN PARKER:**

148 Allen Parker explained that this topic was discussed at the last meeting and tabled. The changes  
149 discussed at that meeting have been incorporated into this ordinance such as the setbacks, width  
150 of a row house, and definition of a row house. Chair Mike Drechsel asked why the need to make  
151 changes if there is not an existing problem. Sonja Norton stated that there are these types of  
152 houses in the County now, and they are building them with one car garages in the front. If these  
153 types of row houses are built in the City with a garage in the front, this could become an issue if  
154 the City decreases the front setback. Rory Taylor suggested adding a provision that if there is a 0  
155 setback or a very small setback, there cannot be any parking in the front. Anders Fillerup voiced  
156 his concern over the 30 foot minimum width of a row house. Eric Olsen asked why the Code  
157 should dictate how wide they should be. Mr. Parker explained that the width of the property is  
158 addressed in all other zones (except commercial) in order to create a design and style within that  
159 zone. Ms. Norton agreed that 30 feet is extremely wide for a row house. Mr. Olsen suggested  
160 changing it to 15 or 20 feet. Mr. Drechsel asked Corey Coleman, Building Official, if he could  
161 foresee any problems with changing the minimum width of a row house to 15 feet. Mr. Coleman  
162 stated that with two parking spaces per row house, it should at least be a minimum of 16 feet.  
163 Mr. Parker added that a parking space in the City is 10 feet. Mr. Coleman stated that there could  
164 be parking in the back of the unit as well. Ms. Norton mentioned that it should not be changed to  
165 less than 20 feet. Mr. Olsen recommend changing the minimum width of a row house to 15 feet  
166 and changing the minimum width of any parcel with a family dwelling utilizing a zero side yard  
167 on one side of the dwelling from 45 feet to 23 feet. Ms. Norton mentioned that changing it to 15  
168 feet will be a problem for the parking. Mr. Olsen stated there can be parking in the back, and the  
169 developer can figure out the parking situation. Ms. Norton and Mr. Parker agreed that the  
170 Council would probably not agree to 15 feet. Ms. Norton asked what the minimum width of the  
171 lot must be. Mr. Parker reads Section 16.40.040 on the minimum area requirements and stated  
172 that this section would have to be amended to reduce the lot size to accommodate the row  
173 houses. Ms. Norton suggested a work session for this topic. Mr. Parker will have more  
174 information available at the next meeting to come up with an appropriate size for the lot and row  
175 houses. *Eric Olsen moved to table this ordinance. Anders Fillerup seconded the motion. The*  
176 *motion passed with Mike Drechsel, Anders Fillerup, Sonja Norton, Eric Olsen, Ken Latham,*  
177 *and Rory Taylor voting in favor.*

178 **AMENDING SECTION 16.56.410 - TRAVEL TRAILER SET BACKS – ALLEN**

179 **PARKER:** Allen Parker explained that the current Code states that travel trailers cannot be  
180 parked in any way that violates the existing setbacks of the property. It has to be behind the 30  
181 foot front setback and inside the 10 foot side setback. Most property owners in the City cannot  
182 have travel trailers at their residence according to the Code. The Code Enforcement Officer has  
183 been enforcing this Code, which has caused a considerable amount of frustration. Mr. Parker  
184 stated that the issue is where should a property owner store their travel trailer. Sonja Norton  
185 stated that the ordinance has been that way for a number of years and suggested they find a  
186 storage area. Eric Olsen mentioned that this is a community where it needs to be changed. Chair  
187 Mike Drechsel explained that the Commission needs to evaluate if the issue is aesthetic, privacy,  
188 or safety to determine if their needs to be a change. Mr. Parker stated that it is primarily an  
189 esthetic issue. The ordinance was originally passed to protect the expected lifestyle in the area  
190 without the impact of your neighbors ruining your ability to enjoy your property. Ms. Norton  
191 mentioned that this is a grey area, and it is not appealing to have travel trailers in the driveway.  
192 Mr. Parker stated that there is always a safety concern such as a sidewalk being blocked. He  
193 added that there are a number of ways to approach this subject including not violating the front  
194 set back or leaving the Code as it currently stands where travel trailers on the property must be  
195 stored within the constraints of the Code. After a brief discussion on this issue, it was the  
196 consensus of the Planning Commission to add this item to the next agenda with a proposed  
197 recommendation to the Code as a starting point for discussion. The Commission agreed to allow  
198 for a single side storage, but not on both sides of the house. They also agreed to allow a travel  
199 trailer to be parked within 15 feet of the front of the property.

200  
201 **AMENDING YARD SALE EASEMENT AREA – ALLEN PARKER:** Allen Parker  
202 explained that you cannot place yard sale signs on public property such as power poles, park  
203 strips, etc. as per the current Code. The signs are allowed on private property with the  
204 permission of the property owner. Mr. Parker stated that Ken Bassett, City Manager, does not  
205 think there is an issue with the park strips, but there appears to be a problem placing them on the  
206 utility poles and street signs. Chair Mike Drechsel asked the definition of a park strip. Mr.  
207 Parker explained that a park strip is the strip in front of a house that is publicly owned and  
208 extends out to the curb. Mr. Drechsel asked if the private property owner maintains the strip, but  
209 the City owns it. Mr. Parker answered yes. Mr. Parker explained that the request from Mr.  
210 Bassett is to allow the signs on public property, as long as they are not attached to structures such  
211 as utility poles. Rory Taylor voiced his concern with every highway corner having a bunch of  
212 stakes in them. Sonja Norton asked if the only problem is yard sale signs. Mr. Parker answered  
213 yes. The Code Enforcement Officer has tried to approach the public nicely about moving the  
214 yard signs back off of public property. He added that there have been a lot of complaints and  
215 lawsuits threatened over \$20 signs that the City has removed. Anders Fillerup suggested a fine.  
216 Mr. Drechsel voiced his concern as a property owner who spends time and money to maintain  
217 the park strip not wanting public walking all over it and placing signs there. He added that he  
218 personally would not make a change. Ms. Norton agreed and suggested educating the public by  
219 inserting a notice in the paper about the ordinance. Mr. Parker explained that there have been  
220 notices advertised in the past. The Commission agreed that the biggest problem with the signs is  
221 the cleanup, and maybe there should be some type of citation or fine for not complying with the  
222 Code. Mr. Drechsel mentioned that an option could be making them purchase a permit. The

223 consensus of the Commission is to make no changes to the Code.

224

225 **ADJOURN:** There being no further business, *Eric Olsen moved to adjourn. Anders Fillerup*  
226 *seconded the motion. The motion passed with a unanimous vote, and the meeting was*  
227 *adjourned.*

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Mike Drechsel, Planning Commission Chair