

# MINUTES of the Vernal City PLANNING COMMISSION

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

January 13, 2015

7:00 pm

**Members Present:** Chair Mike Drechsel, Rory Taylor, Kathleen Gray, Ken Latham

**Members Absent:** Kimball Glazier, Samantha Scott

**Alternates Present:**

**Alternates Absent:** Adam Ray, Isaac Francisco, Kam Pope

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

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

**ELECT 2015 CHAIR AND VICE-CHAIR:** Chair Mike Drechsel opened up nominations for the 2015 Planning Commission Chair and Vice-Chair. *Kathleen Gray nominated Mike Drechsel as Chair and Samantha Scott as Vice-Chair. Rory Taylor moved to close nominations. Kathleen Gray seconded the motion. The motion passed with Mike Drechsel, Rory Taylor, Kathleen Gray, and Ken Latham voting in favor.*

**APPROVAL OF MINUTES FROM NOVEMBER 18, 2014 REGULAR MEETING:** Chair Mike Drechsel asked if there were any changes to the minutes from November 18, 2014. There being no corrections, *Kathleen Gray moved to approve the minutes of November 18, 2014 as presented. Rory Taylor seconded the motion. The motion passed with Mike Drechsel, Rory Taylor, Kathleen Gray, and Ken Latham voting in favor.*

**APPROVAL OF MINUTES FROM DECEMBER 2, 2014 SPECIAL MEETING:** Chair Mike Drechsel explained that there are not enough members in attendance who were in attendance of the December 2, 2014 meeting to vote. *The minutes of December 2, 2014 are deemed approved as per the Vernal City Municipal Code, Section 2.12.080.*

**REQUEST FOR RECOMMENDATION OF A MINOR SUBDIVISION FOR VERONICA BIRD FOR THE PROPERTY LOCATED AT 577 SOUTH 400 WEST, VERNAL, UTAH – APPLICATION NO. 2014-036-SUB – ALLEN PARKER:** Allen Parker explained that this application is basically a one acre parcel that the applicant wants to split into two half acre parcels. The property is located at 577 South 400 West in an R-1 residential zone. Mr. Parker stated that these are very traditional lots, and the dimensions meet all the requirements. Timberline Engineering and Vernal City staff have reviewed the application, and it is in compliance with Vernal City Code and is approvable for a positive recommendation. Chair Mike Drechsel opened the public hearing for the Veronica Bird minor subdivision. There being no comments, Mr. Drechsel closed the public hearing. *Rory Taylor moved to forward a positive*

*recommendation to the City Council for a minor subdivision for Veronica Bird for the property located at 577 South 400 West, Vernal, Utah – Application No. 2014-036-SUB. Ken Latham seconded the motion. The motion passed with Mike Drechsel, Rory Taylor, Kathleen Gray, and Ken Latham voting in favor.*

**REQUEST FOR RECOMMENDATION OF A MINOR SUBDIVISION FOR DENNIS MOTT FOR THE ORR SUBDIVISION LOCATED AT 1407 WEST HIGHWAY 40, VERNAL, UTAH – APPLICATION NO. 2014-037-SUB – ALLEN PARKER:** Allen Parker explained that this minor subdivision is in a commercial zone. There are no dimension or frontage area requirements. The applicant, Dennis Mott, is requesting to split one parcel into two. The small parcel is a memorial that currently resides there for Officer Orr who was killed in 2006 in a helicopter crash on the Green River. The memorial was moved to Vernal City from its location by the river due to consistent vandalism. Mr. Parker explained that the small part to be split off would make it easier for the Orr family to maintain. This application has been reviewed by Timberline Engineering and Vernal City staff and found to be in compliance with Vernal City Code. Chair Mike Drechsel opened the public hearing for the Dennis Mott minor subdivision. There being no comments, Mr. Drechsel closed the public hearing. *Kathleen Gray moved to forward a positive recommendation to the City Council for a minor subdivision for Dennis Mott for the property located at 1407 West Highway 40, Vernal, Utah – Application No. 2014-037-SUB. Ken Latham seconded the motion. The motion passed with Mike Drechsel, Rory Taylor, Kathleen Gray, and Ken Latham voting in favor.*

**REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – SECTION 16.24.060 – FLAG LOTS PERMITTED – ORDINANCE NO. 2015-01 – ALLEN PARKER:** Allen Parker explained that this recommendation is more for clarification than anything. In the current Code, flag lots in a subdivision allow the body and stem to be the same width. Mr. Parker stated that the City Council asked that the Planning Commission review this ordinance to clarify that the body or interior portion of the lots meets all the required dimensions to include width and area for the zone in which it is located. Mr. Parker explained that the body and lot width is 70 feet in most zones specified in the Code. Chair Mike Drechsel opened the public hearing for flag lots. There being no comments, Mr. Drechsel closed the public hearing. Mr. Drechsel asked for clarification on body dimensions to include width and area for the zone in which it is located, specifically as it relates to the flag portion of the lot or including the stem. Mr. Parker explained that it is the lot excluding the stem. Mr. Drechsel stated that it is not clear and asked if the body of the flag lot typically includes the drive way. Ken Latham clarified the access strip. Mr. Parker explained that it does not include the access strip. Mr. Parker agreed that this section of the Code needs cleaned up, and right now are just putting a band aid on it. Rory Taylor stated that he felt that the second sentence clarified that the access strip is not included. Corey Coleman suggested that under section B, they change the “Uniform Fire Code” to read as “International Fire Code”. Mr. Coleman added that it thought the International Fire Code stated a fire hydrant will be located within 300 feet of the dwelling not 250, but will check on this. Mr. *Rory Taylor moved to forward a positive recommendation to the City Council to amend the Vernal City Municipal Planning and Zoning Code – Section 16.24.060 – Flag Lots Permitted – Ordinance No. 2015-01 with the change from “Uniform Fire Code” to “International Fire Code”, and changing the location of the fire hydrant from 250 feet to 300 feet after staff has*

*confirmed this is correct. Kathleen Gray seconded the motion. The motion passed with Mike Drechsel, Rory Taylor, Kathleen Gray, and Ken Latham voting in favor.*

**REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY PLANNING COMMISSION BYLAWS – RESOLUTION NO. 2015-01 – ALLEN PARKER:** Allen Parker explained that the City Council had a discussion regarding the attendance requirement that is in place for regular members of the Planning Commission, but noticed that there is no requirement for alternate members. The City Council has asked that the Planning Commission consider having an attendance requirement for alternate members as well. Mr. Parker stated that it is important to make sure there is a level of attendance and commitment, regardless if you are an alternate or regular member of the Planning Commission. Mr. Parker stated that the resolution changes the Bylaws to include alternate members to the attendance policy of not more than two unexcused absences per year. Mr. Parker added that an unexcused absence is when the member did not notify the staff in advance of the meeting that they would not be in attendance. *Kathleen Gray moved to forward a positive recommendation to the City Council to amend the Vernal City Planning Commission Bylaws with Resolution No. 2015-01. Ken Latham seconded the motion. The motion passed with Mike Drechsel, Rory Taylor, Kathleen Gray, and Ken Latham voting in favor.*

**REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING & ZONING CODE – CHAPTER 16.10 – BOARD OF ADJUSTMENT – ORDINANCE NO. 2014-31 – ALLEN PARKER:** Allen Parker explained that a couple of months ago, the Planning Commission reviewed this ordinance and recommended some changes that have been added. Mr. Parker stated he would like to get this ordinance completed with a final version to be voted on at the next meeting. Mr. Parker mentioned that this topic was discussed on the radio, and Kristin Baldwin ran a story on it a few days ago reporting that the City was considering making these changes. Mr. Parker explained that the issue with the stay of decision was due to redundancy issues with State Code. Mr. Parker stated that Section 16.10.030 (F) - Standards for Variances is a direct quote out of State Code. Chair Mike Drechsel agreed that it should be pursuant to Utah law, so if the State statute changes, the City does not need to change the Code again. Mr. Drechsel asked if in Section 16.10.020 (J) Policies and Procedures, if the Planning Director should be the one to adopt the policies and procedures or would it be better to have the appeal policy run through the City Council. Mr. Parker stated not the City Council, probably the Deputy Recorder's office. This policy is for creating the process and forms for an appeal, and there is not a lot of room for changing it. Mr. Drechsel suggested "administrative procedures" instead of "policies and procedures" with the process spelled out with the obligations as it relates to appeals and hearings. Mr. Parker suggested anywhere it says "policies and procedures" to change it to "administrative procedures". Mr. Drechsel stated that the standard of review for district court is also already addressed in State Code and voiced his concern with the City telling a judge what he/she can or cannot do. Mr. Parker stated that he will make all the corrections and have a final draft in ordinance form for the next meeting. *Rory Taylor moved to table amending the Vernal City Municipal Planning and Zoning Code – Chapter 16.10 – Board of Adjustment – Ordinance No. 2014-31. Kathleen Gray seconded the motion. The motion passed with Mike Drechsel, Rory Taylor, Kathleen Gray, and Ken Latham voting in favor.*

**REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING & ZONING CODE – CHAPTER 16.48 – C-2 AND CC-1 COMMERCIAL ZONES – ORDINANCE NO. 2014-34 – ALLEN PARKER:** Allen Parker explained that this ordinance was previously reviewed with a public hearing by the Planning Commission regarding animal boarding and care taker dwellings being added to definitions and the use table. Mr. Parker stated that the Planning Commission needs to make a recommendation to the City Council to move forward. *Rory Taylor moved to forward a positive recommendation to the City Council to consider amending the Vernal City Municipal Planning and Zoning Code – Chapter 16.48 – C-2 and CC-1 Commercial Zones – Ordinance No. 2014-34. Ken Latham seconded the motion. The motion passed with Mike Drechsel, Rory Taylor, Kathleen Gray, and Ken Latham voting in favor.*

**REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING & ZONING CODE – CHAPTER 16.04 – DEFINITIONS AND CHAPTER 16.44 – R-4 RESIDENTIAL ZONE – ORDINANCE NO. 2014-33 – ALLEN PARKER:** Allen Parker explained that this ordinance was also previously reviewed by the Planning Commission with a public hearing in conjunction with the above animal boarding and care taker dwellings discussed earlier. This ordinance adds a section for minimum area requirements and minimum width requirements, as well as amends the setback requirements. Mr. Parker stated that a formal recommendation needs to be forwarded to the City Council. Chair Mike Drechsel stated that the two previous items have been formatted in a better way and have been separated out instead of presented together. *Kathleen Gray moved to forward a positive recommendation to the City Council to consider amending the Vernal City Municipal Planning and Zoning Code – Chapter 16.04 – Definitions and Chapter 16.44 – R-4 Residential Zone – Ordinance No. 2014-33. Rory Taylor seconded the motion. The motion passed with Mike Drechsel, Rory Taylor, Kathleen Gray, and Ken Latham voting in favor.*

**PLANNING COMMISSION VACANCY – ALLEN PARKER:** Allen Parker mentioned that Scott Gessell with the Tri-County Health Department has shown interest in serving on the Planning Commission, and the City Council will discuss this at their next meeting. Mr. Parker confirmed that Kam Pope was approved as an alternate member of the Planning Commission by the City Council at their last meeting.

**GENERAL PLAN:** Allen Parker explained that there will not be any more work sessions on the General Plan and Future Land Use Map. The map is now ready to start addressing through the public hearing process beginning next month. Mr. Parker stated that the map that the Planning Commission created needs to be made into a good digital format. Chair Mike Drechsel stated that it is important in conveying graphically what is being proposed by having a digital photo rendering that reflects the changes at the public hearing next month.

**ADJOURN:** There being no further business, *Kathleen Gray moved to adjourn. Ken Latham seconded the motion. The motion passed with a unanimous vote, and the meeting was adjourned.*

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Mike Drechsel, Planning Commission Chair