

MINUTES of the Vernal City PLANNING COMMISSION

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

July 13, 2021

7:00 pm

Members Present: Corey Foley, Nick Porter & Troy Allred

Members Excused: Samantha Scott, Jim Linchoten & Eric Hunting

Alternates Present: Stephen Lytle & Brandon Parker

Alternates Excused:

Staff Present: Allen Parker, Assistant City Manager; Matthew Tate, Building Official; and Gay Lee Jeffs, Administrative Secretary.

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Vice Chair Corey Foley welcomed everyone present to the meeting.

APPROVAL OF MINUTES FROM June 8, 2021: Vice Chair Corey Foley asked if there were any changes to the minutes from June 8, 2021. Allen Parker mentioned that Stephen Lytle and Brandon Parker had completed the Land Use 101 course and are now certified to participate in Planning Commission meetings. There being two changes on the last paragraph of the minutes – change “Steven” to “Stephen” and “US” to “Uintah Engineering and Land Surveying”, *Nick Porter moved to approve the minutes of June 8, 2021 with corrections. Brandon Parker seconded the motion. The motion passed with Corey Foley, Nick Porter, Troy Allred, Stephen Lytle and Brandon Parker voting in favor.*

AMEND SECTION 16.56 “MANUFACTURED HOME PARK AND TRAVEL TRAILER COURT REGULATIONS” AND 16.24.152 “OVERSIZED TRAILERS”

Vice Chair, Corey Foley opened the public hearing to receive comment from the public.

Allen Parker stated that due to noticing modification requirements, this is the second Public Hearing on this Item. Mr. Parker gave an overview of the changes to Section 16.56 and 16.24.152. The change addresses travel trailers specifically. It was determined that there will not be a limit on how many trailers will be allowed on a residential lot. The main changes to these sections will be to move the travel trailers from Section 16.56 to Section 16.24.152 which is a more appropriate location. The substance of the ordinance will not have any changes. Troy Allred asked what is going to stop property owners from having several camp trailers in their yards. Mr. Parker explained that a property owner is allowed to store trailers in a certain context; trailers cannot be stored in the front yard and cannot store as many as they want in their backyard either. If it is a business activity in a residential zone then it would be a different issue and not permissible within the City. If it is contained in the backyard and not a business activity then it would be permissible. Corey Foley asked what the City Manager has suggested. Mr. Parker

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stated that the City Manager is concerned that a property owner could take the ordinance too far and have quite a few trailers on a property which could then become a problem. Mr. Foley asked what the difference was between travel trailers and other trailers like snowmobile trailers, cargo trailers or other types of trailers being parked on a property and how to regulate it. Nick Porter asked the same question and felt the City should not over regulate how trailers are stored on someone's property. Troy Allred disagreed to a certain extent and gave the example of cars being stored on property that sit for quite a period of time and attracts a lot of nuisance. Brandon Parker asked if the City ordinance states that the trailers have to be registered. Mr. Parker answered that travel trailers do not have to be registered. If the trailers are parked on the City street they must be registered. Mr. Allred stated that problems can be created for neighbors if the trailers sit for years.

There being no public comment, Vice Chair, Corey Foley closed the public hearing.

Nick Porter moved to forward a positive recommendation to the City Council to amend Section 16.56 "Manufactured Home Park and Travel Trailer Court Regulations" and 16.24.152 "Oversized Trailers". Troy Allred seconded the motion. The motion passed with Corey Foley, Nick Porter, Troy Allred, Stephen Lytle and Brandon Parker voting in favor.

AMEND PUBLIC NOTICE REQUIREMENTS; CITY CODE SECTION 16.06.010 (A) – ZONING MAP, SECTION 16.08.060 (A) & (B) – LAND USE PLAN, SECTION 16.08.070 (A) & (B) – GENERAL PLAN, SECTION 16.16.050 (F) – PROPOSED DEVELOPMENT - (PRUD), SECTION 16.58.040 (E) – PROCEDURE FOR OBTAINING SUBDIVISION APPROVAL, 16.58.055 (C) – MINOR SUBDIVISION, 16.58.500 FIRST PARAGRAPH & (D) – AMENDED PLAT

Allen Parker stated that the State law changed concerning public advertising and the City is no longer required to advertise in the local newspaper, but the City's Code still requires advertising in the local newspaper. The City is amending the Code to reflect the new State law. Anywhere in these ordinances that say "newspaper of general circulation" will now be removed from these ordinances and will no longer be required. The hearings will still be required, but the noticing requirements will change. The new requirements state that a notice must be added to the State's Public Notice website, the City's website and possibly posted in different areas around the City.

Vice Chair, Corey Foley opened the public hearing to receive comment from the public. There being no public comment, Vice Chair Corey Foley, closed the public hearing.

Nick Porter moved to forward a positive recommendation to the City Council to amend Public Notice Requirements; City Code Section 16.06.010 (A)-Zoning Map, Section 16.08.060 (A) & (B)-Land Use Plan, Section 16.08.070 (A) & (B) – General Plan, Section 16.16.050 (F) – Proposed Development – (PRUD), Section 16.58.040 (E) – Procedure for Obtaining Subdivision Approval, 16.58.055 (C) – Minor Subdivision, 16.58.500 First Paragraph and (D) – Amended Plat. Brandon Parker seconded the motion. The motion passed with Corey Foley, Nick Porter, Troy Allred, Stephen Lytle and Brandon Parker voting in favor.

AMEND SECTION 16.24.155 – PORTABLE STORAGE CONTAINERS – USES

Allen Parker explained that this is a request to amend Section 16.24.155 and in the process of the amendment, it will be deleted and moved to 16.20.585 which is the appropriate location in the Code to address portable storage containers. Portable storage containers are defined in the Code broadly. This amendment is to clean up the verbiage of the Code not change the function of the Code. Item C of this Section of Code has been added to the ordinance which adds portable storage containers as a permitted use to the R-1, RA-1, R-2, R-3, R-4 and MH zones. The current Code does not allow portable storage containers in those zones. This will allow portable storage containers as defined in Item C-1 of this ordinance which reads, “A single portable storage container may be placed on a parcel or lot provided it is placed in accordance with all requirements applicable to an accessory structure for the zone in which it will be placed. No more than one (1) portable storage container may be placed on any single parcel or lot.” In previous discussions it was decided that not allowing portable storage containers at all in residential zones is not entirely appropriate considering a shed can be built that does not look great and that is fine, but a storage container cannot be placed on a residential lot to be used as a shed and in many cases it is more aesthetically appropriate for a neighborhood and certainly a higher quality structure. In order to prevent placing portable storage containers on a property from getting out of control, it is specified that only one (1) per property would be allowed, which is a compromise. This is the original recommendation to be forwarded on to the City Council. The storage containers will be regulated the same as any other accessory structure. Any accessory structure, including portable storage containers, over two hundred (200) square feet will require a building permit and possibly engineering. Corey Foley asked if a building permit would be required for a pre-fabricated building under two hundred (200) square feet, according to Item B-1-a. Mr. Parker explained that Section B is for placement of storage containers in commercial zones and Section C is for residential zones. All Codes must be followed for those zones along with the application process.

Vice Chair, Corey Foley opened the public hearing to receive comment from the public. There being no public comment, Vice Chair Corey Foley, closed the public hearing.

Corey Foley moved to forward a positive recommendation to the City Council to amend Section 16.24.155 – Portable Storage Containers - Uses. Stephen Lytle seconded the motion. The motion passed with Corey Foley, Nick Porter, Troy Allred, Stephen Lytle and Brandon Parker voting in favor.

AMEND SECTIONS 16.34 – A-1, 16.36 – R-1, 16.38 – RA-1, 16.40 – R-2, 16.42 – R-3, 16.44 – R-4, 16.46 - MH - MASSING & GARAGE SIZES

Allen Parker stated that the easiest way to address coverage issues within the City is by only addressing coverage and not massing. Mr. Parker explained how he calculated the percentage of coverage by taking the minimum lot size that the City allows, then the minimum lot size in width, then applied the setbacks which created the building envelope. The building envelope is the only location that principle structures are able to be located, and then calculated the square footage of that area. The calculated the ratio and rounded it to come up with the coverage percentage. The only change to this ordinance was by adding the different ratios of coverage to

the zones based on the calculations. There are no A-1 zones within the City, but it is in the Code. Mr. Parker stated that he would add the coverage percentage for 16.34.090-A-1 zone which was accidentally omitted from the packet. In 16.36.100-R-1 zone, the coverage is forty-five (45) percent. In 16.38.060-RA-1 zone, the coverage is forty-five (45) percent. In 16.40.070-R-2 zone, the coverage is forty-five (45) percent. In 16.42.070-R-3 zone, the coverage is fifty-five (55) percent. In 16.44.070-R-4 zone, the coverage is sixty-five (65) percent. The higher density zones have a higher percentage of coverage. There is no change for 16.46.040 because Item E already addresses the percentage of coverage for the MH zone. This amendment does not take into account accessory structures. Accessory structures are built outside of the building envelope and must still meet Code.

Vice Chair, Corey Foley opened the public hearing to receive comment from the public. There being no public comment, Vice Chair Corey Foley, closed the public hearing.

Nick Porter moved to forward a positive recommendation to the City Council to amend Sections 16.34- R-1, 16.38 – RA-1, 16.40 – R-2, 16.42 – R-3, 16.44 – R-4, 16.46 – MH – Massing & Garages Sizes. Brandon Parker seconded the motion. The motion passed with Corey Foley, Nick Porter, Troy Allred, Stephen Lytle and Brandon Parker voting in favor.

AMEND SECTION 16.24.180 CURB, GUTTER, SIDEWALK AND STREET PAVING

Allen Parker introduced the curb, gutter, sidewalk and street paving section. There are no proposed changes at this time. Any changes will depend on whether or not the Planning Commission would like to make any amendments to this Code. The Code requires that curb, gutter and sidewalk be completed on any newly developed lot before a Certificate of Occupancy will be issued. In Section A-2 of the Code, it appears there is a loop hole in actually having to complete this infrastructure. This loop hole is not actually valid anymore because the Code states that if the property owner is required to put infrastructure in, the City determines that managing the storm water, that will be generated by the curb and gutter, is not manageable then the City can have the property owner sign and record an affidavit that states the property owner will not oppose a Special Improvement District (SID), if a SID is voted on by the people in the area and will not vote against it. The City does not do SIDs anymore because they are no longer underwritten, so there is no financing mechanism anymore. The City needs to look at a different mechanism that is relevant and can allow people to do this in a way that has a lasting impact. Mr. Parker showed on the monitor a property that is undeveloped that has no curb, gutter or sidewalk that would need to be put in when the property is developed. On both sides of the property are homes that also do not have curb, gutter or sidewalks but are developed property. These properties are grandfathered in. This leaves the City with orphaned infrastructure that is difficult to maintain, it does not provide any service to the public because it does not connect to anything and it would be owned and maintained by the City. It does not make sense and is probably not serving the public's best interest to leave it in tact the way it is and make people put in random pieces of curb, gutter and sidewalk. The Code needs to be revamped in a way that allows the City to still have undeveloped tracts of land, where the land is going to be developed but not subdivided, and where smart decisions can be made for the infrastructure in front of the property. Mr. Parker stated that he would write the Code for further discussion in the future.

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ADJOURN: There being no further business, *Brandon Parker moved to adjourn. Troy Allred seconded the motion. The motion passed with a unanimous vote, and the meeting was adjourned.*

Corey Foley, Planning Commission Vice Chair