

**VERNAL  
ORDINANCE 2024-11**

**AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING SECTION  
16.06.010 - AMENDMENTS AND 16.58.110 - AMENDED PLATS TO CHANGE THE  
REQUIREMENTS FOR PUBLIC HEARINGS.**

**WHEREAS**, the City Council finds that amendments are necessary to the noticing requirements for certain public hearings dealing with land use regulations , 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.

**NOW THEREFORE**, be it ordained by the Council of the Vernal, in the State of Utah, as follows:

**SECTION 1:**        **AMENDMENT** “Section 16.06.010 Amendments” of the Vernal Municipal Code is hereby *amended* as follows:

**AMENDMENT**

Section 16.06.010 Amendments

- A. ~~This title, including the zoning map, may be amended from time to time by the City Council after holding a public hearing. The public hearing notice shall be published on the Utah Public Notice Website and posted on the City's web site at least ten (10) days prior to the public hearing. of the City Council All proposed amendments shall be first proposed by the Planning Commission or shall be submitted to the Planning Commission for its recommendation within thirty (30) days. The Planning Commission shall hold a public hearing before giving its recommendation to the City Council. Notice of the Planning Commission public hearing shall be published on the Utah Public Notice Website and posted on the City's web site at least ten (10) days before the hearing.~~ All Vernal City land use ordinances, including this Title and the zoning map, may be amended to ensure Vernal City's land use regulations remain responsive to the communities needs and growth patterns. The City Council is authorized as the land use authority responsible for review, approval or denial of all land use ordinance amendment applications. City Council decisions shall be made after receiving a recommendation from the Planning Commission and following the required public engagement process as outlined in Utah State code. All public

meetings and hearings required in the public engagement process shall comply with the provisions for such meetings and be published and noticed in accordance with applicable Utah codes including Title 52 Chapter 4, Title 10 Chapter 9 and Title 63G Chapter 30 ensuring timely and accessible information is sent to affected entities and members of the public. Failure of the Planning Commission to take action on the proposed amendment within ~~thirty (30) days of the prescribed time~~ Vernal City's receipt of a complete amendment application shall be deemed a recommendation of approval for by such Commission of the proposed change or amendment. ~~The City Council may overrule the Planning Commission's recommendation by a majority vote of its members.~~ The City Council shall prescribe, by resolution, the fees required to amend this title or the accompanying map.

- B. A development agreement may be entered into between any applicant for a zoning map amendment and the City.
1. The City Council shall review the development agreement concurrently with the application for a zoning map amendment.
  2. The development agreement shall be perpetually attached to the property as described in the agreement and shall be recorded with the Uintah County Recorder within ten (10) calendar days of its execution.
  3. In the event that State or federal laws or regulations, enacted after a development agreement has been entered into, prevents or precludes compliance with one or more regulations of the development agreement, such agreement may be amended or terminated as may be necessary to comply with the new State or federal laws or regulations.
  4. The City Council may waive the requirement for a development agreement.
  5. A final development agreement may be amended or terminated in whole or in part by either a request of the parties to the agreement, or their successors in interest, with approval by the Vernal City Council or by action initiated by the City Council.
    - a. The termination or amendment shall be consistent with the process and provisions specified in the development agreement.

(PZSC § 03-02-001)

(Ord. 2013-09, Amended, 05/15/2013; Ord. 2012-16, Amended, 05/16/2012; Ord. 2007-33, Amended, 10/17/2007; Ord. 2005-07, Amended, 06/01/2005)

**SECTION 2:            AMENDMENT** “Section 16.58.110 Amended Plats” of the Vernal Municipal Code is hereby *amended* as follows:

## AMENDMENT

Section 16.58.110 Amended Plats



~~A. Amended plats must be filed when more than two adjacent lots of a subdivision which has been recorded are affected, an amended plat thereof approved and filed in accordance with the requirements of State code. No change shall be made in the approved plats unless approval thereof has been obtained by the Planning Commission after a public hearing is held that is published and noticed in accordance with applicable Utah codes including Title 52 Chapter 4, Title 10 Chapter 9 and Title 63G Chapter 30. The Zoning Administrator shall approve lot line adjustments if; ~~with at least ten (10) days notice on the Utah Public Notice Website and posted on the City's website, except that the City Planner may approve petitions to adjust lot lines between two adjacent properties upon the filing of a record of survey and recordation of an appropriate deed if:~~~~

- ~~A. 1. No new dwelling lot or housing unit results from the lot line adjustment, and;~~
- ~~B. 2. The lot line adjustment does not result in remnant land that did not previously exist;~~
- ~~C. 3. The adjustment does not result in violation of applicable zoning requirements.~~
- ~~D. 4. All adjoining property owners consent to the lot line adjustment and sign the plat.~~

~~Notice of the lot line adjustment must be made on the Utah Public Notice Website and posted on the City's website indicating the date by which objections must be received in the City Recorder's office. If no objections are received, the lot line adjustment may be approved by the City Planner if all other requirements are met. If an objection is filed, the lot line adjustment will be heard at the next Planning Commission meeting for their review and decision.~~

B. The City Planner Zoning Administrator may approve petitions to adjust boundary lot lines between two adjacent properties upon the filing of a record of survey and recordation of an appropriate deed. Petitions to adjust lot or parcel lines between adjoining properties not within a recorded subdivision may be executed upon the recordation of an appropriate deed after a record of survey has been approved by the Zoning Administrator, ~~and~~ cleared for taxes by Uintah County Treasurer, and filed with the county surveyor within ninety (90) days of city Zoning Administrator approval, if:

- ~~A. 1. No new dwelling lot or housing unit results from the lot line adjustment, and;~~
- ~~B. That a 2. All adjoining property owners consent to the boundary lot line adjustment, and;~~
- ~~C. 3. The boundary lot line adjustment does not result in a remnant piece of land that did not exist previously, and;~~
- ~~D. -4. The boundary lot line adjustment does not result in the violation of any applicable zoning district requirements.~~

~~When Vernal City proposes to vacate, alter, or amend a subdivision plat, or any road or lot contained in a subdivision plat, the City Council shall consider the issue at a public hearing after giving the notice, as required by Section 17-27a-207 et seq., Utah Code Annotated, 1953, as amended~~

(PZSC § 03-28-005 (2) (D))

PASSED AND ADOPTED BY THE VERNAL COUNCIL

6-12-2024

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Robin O'Driscoll	<u>X</u>	_____	_____	_____
Councilmember Corey Foley	<u>X</u>	_____	_____	_____
Councilmember Ted Munford	<u>X</u>	_____	_____	_____
Councilmember Edward Long	<u>X</u>	_____	_____	_____
Councilmember Randel Mills	<u>X</u>	_____	_____	_____

Presiding Officer

Doug R. Hammond  
Doug Hammond, Mayor, Vernal



Attest

Roxanne Behunin  
Roxanne Behunin, City Recorder,  
Vernal