

**VERNAL
ORDINANCE 2024-23**

**AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING SECTION
16.24.160 - OFF-SITE IMPROVEMENTS OF THE VERNAL CITY MUNICIPAL
CODE.**

WHEREAS, the City Council finds that the regulation of improvements within new development is necessary for orderly growth and conduct of business within the City, 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 Vernal City Council, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “Section 16.24.160 Off-Site Improvements” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.24.160 Off-Site Improvements

A. All development in Vernal City shall have sidewalk, curb and gutter along the public road frontage.

1. In cases where unusual topographical, geographic location, or exceptional conditions or circumstances exist, variations or exceptions to the above requirement of this section may be approved in the Master Site Plan by the Planning Commission provided that:

a. The special circumstances attached to the property such as topographical, geographic location, or exceptional conditions do not generally apply to other properties.

b. The Variance or exemption will not substantially affect the general plan, be contrary to the public interest, or detrimentally affect safety, health or welfare of the public.

c. Substantial justice is done ensuring the spirit of the ordinance requiring sidewalk, curb and gutter is done and equivalent arrangements are made. Substantial justice could include but is not limited to:

- (1) Bonding or monetary payments
- (2) Easements for access through the property at another location
- (3) Installing necessary improvements to connect to existing improvements such as street crossings to existing sidewalk
- (4) Constructing alternate access through the site connecting to existing or planned alternate improvements such as trails.

d. The reasoning for the variations or exceptions are detailed in the final staff report and signed by both the Public Works Director and Planning Commission Chairman.

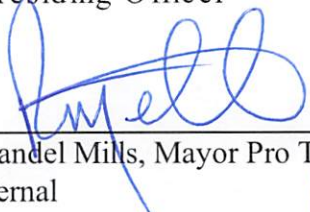
B. In order to protect the safety and welfare of ~~the public school children and other individuals, the Planning Commission may require~~ certain off-site improvements such as ~~sidewalks~~, fences and other ~~such~~ improvements ~~as a condition of approval may be required~~ for any development proposal. The developer may be required to install such off-site improvements at ~~his~~ their own cost.

(PZSC § 03-11-016)

PASSED AND ADOPTED BY THE VERNAL COUNCIL
September 18, 2024.

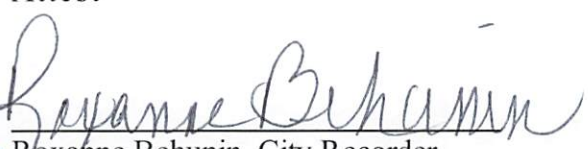
| | AYE | NAY | ABSENT | ABSTAIN |
|--------------------------------|-------|-------|--------|---------|
| Councilmember Robin O'Driscoll | _____ | _____ | _____ | _____ |
| Councilmember Corey Foley | _____ | _____ | _____ | _____ |
| Councilmember Ted Munford | _____ | _____ | _____ | _____ |
| Councilmember Edward Long | _____ | _____ | _____ | _____ |
| Councilmember Randel Mills | _____ | _____ | _____ | _____ |

Presiding Officer



 Randel Mills, Mayor Pro Tempore
 Vernal

Attest



 Roxanne Behunin, City Recorder,
 Vernal

