

**VERNAL
ORDINANCE 2026-24**

**AMENDING THE VERNAL CITY PLANNING AND ZONING CODE, SECTION
16.24.160 - OFF-SITE IMPROVEMENTS**

WHEREAS, Section 16.24.160 of the Vernal City Municipal Code addresses off-site improvements associated with development, including improvements along public road frontage and within adjacent public rights-of-way; and

WHEREAS, portions of the existing section create uncertainty regarding the administration of exceptions, modifications, deferrals, and alternative compliance; and

WHEREAS, the City Council finds and determines that off-site improvement requirements should be administered through clear and consistent standards while preserving reasonable flexibility for site-specific conditions; and

WHEREAS, the proposed amendment clarifies the improvements that may be required, coordinates curb, gutter, sidewalk, and street-paving requirements with Section 16.24.180, and preserves the existing minor-addition provision; and

WHEREAS, the proposed amendment establishes procedures for exceptions, modifications, deferrals, alternative compliance, and improvement assurances while maintaining the City's authority to require applicable frontage and right-of-way improvements; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on July 14, 2026, and forwarded its recommendation to the City Council; and

WHEREAS, WHEREAS, the City Council has reviewed the proposed amendment, the staff report, the Planning Commission recommendation, and the record presented in connection with the ordinance;

NOW THEREFORE, be it ordained by the Council of the Vernal, 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. 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: The special circumstances attached to the property such as topographical, geographic location, or exceptional conditions do not generally apply to other properties. 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. 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; 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. Bonding or monetary payments. Easements for access through the property at another location. Installing necessary improvements to connect to existing improvements such as street crossings to existing sidewalk. Constructing alternate access through the site connecting to existing or planned alternate improvements such as trails. In order to protect the safety and welfare of the public certain off-site improvements such as fences and other improvements may be required for any development proposal. The developer may be required to install such off-site improvements at their own cost.~~

- A. Purpose. The purpose of this section is to establish requirements for off-site improvements associated with development in Vernal City, including improvements located along the public road frontage of the property or within the adjacent public right-of-way.
- B. Required Off-Site Improvements. Development, redevelopment, expansion, modification, or change of use of property in Vernal City shall comply with applicable City standards for off-site improvements. For purposes of this section, off-site improvements include, but are not limited to, sidewalk, curb, gutter, driveway approaches, drainage facilities, street paving, street widening, park strip improvements, access improvements, and other improvements required along the public road frontage or within the adjacent public right-of-way by this title, adopted City standards, or other applicable City ordinances.
- C. Curb, Gutter, Sidewalk, and Street Paving. Requirements for curb, gutter, sidewalk, and street paving shall be applied in accordance with Section 16.24.180 and other applicable City standards.
- D. Minor Additions. The sidewalk, curb, and gutter requirements shall not apply to minor additions to existing developments, except for the construction or addition of parking lots. For purposes of this section, a minor addition means an addition of less than forty percent (40%) of the square footage of the existing structure or structures.
- E. Exceptions, Modifications, Deferrals, and Alternative Compliance. A required off-site improvement may be excepted, modified, deferred, or satisfied through an approved alternative compliance arrangement when reviewed through the applicable land use approval process. **The Zoning Administrator, in consultation with the Public Works Director, may approve an exception, modification, deferral, or alternative compliance arrangement through the applicable land use approval process.**

1. An exception may be approved when the City determines that the required improvement is not necessary or appropriate based on the specific facts of the development, existing infrastructure, lack of connecting improvements, site conditions, right-of-way limitations, surrounding development patterns, or adopted City standards.
 2. A modification may adjust the design, location, timing, or scope of the required improvement.
 3. A deferral may postpone installation of the required improvement when immediate installation is impractical, premature, or inconsistent with existing or planned public improvements.
 4. An alternative compliance arrangement may allow a different improvement, design, or method when the alternative satisfies the purpose of the required off-site improvement.
 5. **The City's approval of an exception, modification, deferral, or alternative compliance arrangement shall be documented in writing through a Finding of Facts that identifies the basis for the decision.**
- F. Deferral and Improvement Assurance. When installation of a required off-site improvement is deferred, the City may require one or more of the following to preserve the obligation for future completion:
1. An improvement assurance;
 2. A bond;
 3. An escrow;
 4. A guarantee account;
 5. A development agreement;
 6. A recorded agreement;
 7. Participation in a future improvement district or similar future public improvement process, when applicable; or
 8. Another security, agreement, or instrument acceptable to the City and authorized by law.

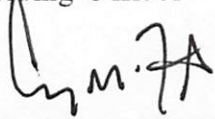
(PZSC § 03-11-016)

PASSED AND ADOPTED BY THE VERNAL COUNCIL

July 15, 2026

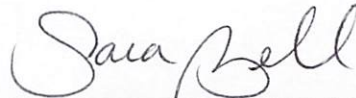
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Ted Munford	☒	☐	☐	☐
Councilmember Randel Mills	☒	☐	☐	☐
Councilmember Robin O'Driscoll	☒	☐	☐	☐
Councilmember Edward Long	☒	☐	☐	☐
Councilmember Nick Porter	☒	☐	☐	☐

Presiding Officer



Corey Foley, Mayor, Vernal

Attest



Sara Bell, City Recorder, Vernal

