



**REGULAR MEETING
OF THE VINEYARD PLANNING COMMISSION,
Wednesday, August 18, 2021, at 6:00 p.m.**

PUBLIC NOTICE is hereby given that the Vineyard City Planning Commission will hold a regularly scheduled meeting at City Hall, 125 South Main Street, Vineyard, Utah. You can also view the meeting on our [live stream channel](#).

REGULAR SESSION

CALL TO ORDER

- 1. INVOCATION/INSPIRATIONAL THOUGHTS/PLEDGE OF ALLEGIANCE**
- 2. OPEN SESSION** - Time dedicated for public comment. Comments will be limited to three (3) minutes. No actions may be taken by the Planning Commission due to the need for proper public noticing.
- 3. MINUTES REVIEW AND APPROVAL:**
 - 3.1 August 4, 2021**
- 4. BUSINESS ITEMS**
 - 4.1 Public Hearing – Land Use Ordinance Text Amendment to Vineyard Subdivision Code (VSC) 14.06.020 ‘Requirements for Preliminary Subdivision Applications’ and VSC 14.08.030 ‘Requirements for Final Subdivision Applications’; modifying the language to reflect the correct and appropriate signatures required for subdivision plats (preliminary and final); Ordinance Number 2021-11**
 - The Planning Commission will hold a public hearing and consider proposed amendments to these sections of the Vineyard Subdivision Code
 - 4.2 Election of Vice Chair for the remainder of the 2021 Calendar Year**
- 5. WORK SESSION**
 - 5.1 Planning Commission Training Opportunities (continued from previous meeting)**
 - 5.2 Planning Commission Bylaws**
- 6. COMMISSION MEMBERS’ REPORTS AND EX PARTE DISCUSSION DISCLOSURE**
- 7. ADJOURNMENT**

The Public is invited to participate in all Planning Commission meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this public meeting should notify Cache Hancey, Planning Technician, at least 24 hours prior to the meeting by calling (801) 226-1929 or email at briamp@vineyardutah.org.

The foregoing notice and agenda were posted on the Utah Public Notice Website and Vineyard Website, posted at the Vineyard City Offices and City Hall, delivered electronically to city staff and each member of the planning commission.

AGENDA NOTICING COMPLETED ON:

NOTICED BY: /s/ Briam Perez

Briam Perez, Planner II



Community Development

DATE: August 12, 2021
FROM: Briam Amaya Perez, Planner II
TO: Planning Commission
ITEM: Consideration of Ord. 2021-11; update to Vineyard Subdivision Code
APPLICANT(S): City Initiated

INTRODUCTION:

This ordinance has been properly noticed in the newspaper, posted on the Vineyard City website and the Utah State Public Notice website, and mailed to all affected entities.

These text amendments within the Vineyard City Subdivision Code (Title 14) have been proposed by staff to reflect the correct and appropriate signatures required on subdivision plats. Moving forward, the following persons shall be required to sign subdivision plats: City Planner, City Engineer, and the City Manager (representing the will of the City Council). The City Recorder shall attest to the signatures.

RECOMMENDATION:

Staff is recommending approval of Ord. 2021-11.

PROPOSED MOTION:

"I move to recommend approval of the proposed Subdivision Code text amendment: Ordinance 2021-11

ATTACHMENTS:

Ord. 2021-11

**VINEYARD
ORDINANCE 2021-11**

AN ORDINANCE OF THE CITY OF VINEYARD UTAH AMENDING THE VINEYARD SUBDIVISION CODE SECTION 14.06.020 'REQUIREMENTS FOR PRELIMINARY SUBDIVISION APPLICATIONS' AND SECTION 14.08.030 'REQUIREMENTS FOR FINAL SUBDIVISION APPLICATIONS'; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Title 10, Chapter 9a Municipal Land Use, Development, and Management Act of Utah Municipal Code, permits Vineyard to ensure the health, safety, and welfare of the community through local land use planning and the adoption of land use ordinances; and

WHEREAS, Vineyard is authorized to amend the City's Subdivision Code pursuant to Utah Municipal Code Section 10-9a-102(2); and

WHEREAS, the Planning Commission held a public hearing on August 18, 2021, and after fully considering public comment and staff recommendations recommended approval to the Vineyard City Council; and

WHEREAS, the Vineyard City Council, having reviewed the proposed text amendments, held a public hearing on August 25, 2021; and

WHEREAS, the Vineyard City Council having considered the recommendation of the Planning Commission and submitted comments and testimony from the public, having determined that it is in the best interest of the public and adopt the proposed text amendments to the Subdivision Code

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

SECTION 1: **AMENDMENT** “14.06.020 Requirements For Preliminary Subdivision Applications” of the Vineyard Subdivision Code is hereby *amended* as follows:

A M E N D M E N T

14.06.020 Requirements For Preliminary Subdivision Applications

All Preliminary Subdivision Applications, filed with the Town, shall provide the following application information:

1. Application Form. A Preliminary Subdivision Application Form completed and signed

by the owner(s) of the Subject Property, as identified on the property assessment rolls of Utah County, or authorized agent of the owner(s), of the lands proposed to be subdivided. If the Application Form is signed by an agent of the owner(s), the Application Form shall be accompanied by an affidavit identifying the agent as being duly authorized to represent the owner(s) in all matters related to the Preliminary Subdivision Application. All persons with a fee interest in the Subject Property shall be required to join in and sign the Preliminary Subdivision Application.

2. Preliminary Subdivision Application Fees. The Preliminary Subdivision Application shall include the payment of all Preliminary Subdivision Application fees, as established by the Council, and any total amount, or deposit amount, required to provide the services of the Town Engineer, as provided and required by VSC 14.06.030.
3. Legal Description. A complete and accurate legal description of the entire Subject Property proposed to be subdivided.
4. Preliminary Subdivision Plat. A Preliminary Subdivision Plat shall be prepared by a licensed land surveyor, or engineer, as required by the Act, and drawn at a scale of not less than one inch equals one-hundred feet (1" = 100'), or as recommended by the Town Engineer. The Preliminary Subdivision Plat shall be prepared in pen and all sheets shall be numbered. A minimum of fifteen (15) 11 inch x 17 inch size and two (2) 24 inch x 36 inch size paper copies shall be included and accompany the Preliminary Subdivision Application Form. A digital copy of the Preliminary Plat, in a format acceptable to the Town's Geographic Information System standards shall also be provided. The Preliminary Subdivision Plat shall show the following:
 - a. A vicinity map, at a minimum scale of one inch (1") = one-thousand feet (1000'), clearly identifying the boundaries of the entire Subject Property, accesses, adjoining subdivision outlines and names, as applicable, and other relevant information within one-half (1/2) mile of the boundary of the Subject Property. The location of the Subject Property with respect to surrounding property and roads, and the names of all adjoining property owners of record shall be shown.
 - b. A map of the boundary of the Subject Property; accurate in scale, dimension and bearing, and giving the location of and ties to the nearest survey monument. The map shall have an error of closure of not greater than 1:10,000. Survey tie to the State grid or other permanent marker established by the Utah County surveyor is required, if practical.
 - c. Located at the top-center and lower right-hand corner of the Preliminary Plat, the proposed name of the subdivision that is distinct from any other plat already recorded in the Utah County Recorder's Office. The basis of bearings used, graphic and written scale, true north point, township, range, section, quarter section, block, and lot number, and total area of the Subject Property shall be shown.
 - d. Proposed lot and street layout. All existing and proposed street names shall be shown.
 - e. The lot or unit reference, block or building reference, street or site address, the street name or coordinate address, boundaries, course, and dimensions,

acreage or square footage for all parcels, units, or lots, and length and width of the blocks and lots proposed to be created. All parcels, units, lots, or blocks created shall be numbered consecutively.

- f. The boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for any other public use, and whether any such area is reserved or proposed for dedication for a public purpose.
 - g. The location of any common space or open space areas, including the location of all property proposed to be set aside for public or private reservation, with the designation of the purpose of such set asides, and conditions, if any, of the dedication or reservation.
 - h. All existing and proposed right-of-way and easement grants of record for underground utility facilities, as defined by U.C.A. 54-8a-2, and for all other utility facilities within the proposed rights-of-way.
 - i. Each proposed lot shall identify required setback lines identifying the required front, side, and rear yard areas, as required by the Zoning District in which the Subject Property is located.
 - j. A title block, placed on the lower right hand corner of the Plat showing:
 - i. Proposed name or designation of the subdivision that is distinct from any other plat already recorded in the Office of the Utah County Recorder.
 - ii. Name and address of the owner of record and the name, address and license number of the licensed surveyor or engineer responsible for preparing the Preliminary Plat.
 - iii. Date of preparation of the Preliminary Plat, and all revision dates, as applicable.
 - iv. Signature blocks for the dated signatures of the City Planner, City Engineer, City Manager (representing the will of the legislative body), Recorder attests city signatures. ~~Town Planner, Planning Commission Chair, Mayor, and Town Engineer.~~
5. Required Subject Property Information. The following information is required and shall be provided on separate sheets at the same scale as the Preliminary Subdivision Plat:
- a. The identification of known natural features including, but not limited to, jurisdictional wetlands as identified by the United States Army Corps of Engineers, flood plains and flood channels as identified by a Federal or State Agency, all water courses, areas where ground water is located within three (3) feet of the ground surface, water bodies, marshy or swampy areas, drainage ways, and any other natural features, as required by the Town Planner or Town Engineer for the Subject Property, including the total area of each.
 - b. All trees over six (6) inches in diameter, measured four (4) feet above the ground. In cases of heavily wooded areas, indication of the outline of wooded

- area and location of trees which are to remain.
- c. Existing site contours, at intervals of no greater than two (2) feet, overlaid with the proposed subdivision layout. Elevations shall be based on national Geodetic Survey sea level data. In cases of predominately-level topography one (1) foot interval contours may be required.
 - d. The location of any known man-made features on, or contiguous to the Subject Property, including existing platted lots, all utility easements, railroads, power lines and power poles, telephone and other telecommunication lines and facilities, bridges, culverts, drainage channels, road rights-of-way and easements, field drains, and well or spring protection areas. Indicate which features will remain and which will be removed.
 - e. The location and dimensions of all existing buildings, fence lines and property lines, overlaid with the proposed subdivision layout.
 - f. The layout of existing power lines including the source and connection to the existing power supply.
 - g. All existing and proposed roadway locations and dimensions, with cross sections and profiles of all new streets and roads, proposed to be dedicated to the Town, showing the grades of all proposed streets and roads, including direction of slope, and all proposed cuts and fills exceeding three (3) feet. The proposed radius of all centerline curves shall be shown.
 - h. The location and size of existing and proposed culinary water and sanitary sewer lines and the location of all wells and springs, if any, and the location of all secondary water locations, as required by the Town Engineer, as applicable, overlaid with the proposed subdivision layout plan. Indicate the direction of slope for all gravity pipelines.
 - i. Proposed storm drainage and flood control systems including proposed pipe sizes, inlets, detention areas, and drainage arrows.
 - j. The location of all existing and proposed curb, gutter and sidewalk within and adjacent to the proposed development with an indication of grades and flow arrows showing direction of storm water surface flows.
 - k. Existing land drain locations and proposed new land drainage system including proposed pipe sizes, inlets, outlets, and drainage arrows.
 - l. The location of all existing and proposed fire hydrants, including the sizes of all existing and proposed water lines serving all fire hydrants.
 - m. The location of all existing and proposed streetlights identifying the location, type, height, and light output of all existing and proposed street lights.
 - n. The location of all existing and proposed street trees and other landscape plantings identifying the location and type of all street trees, shrubs and other landscape materials and plantings.
6. Geotechnical Report. A report providing geologic maps, soil type maps, and tables of soil type interpretations based on the national Cooperative Soils Survey, United States Department of Agriculture, and Soil Conservation Service. Other investigation reports regarding the suitability of the Subject Property for the proposed subdivision shall be provided. The location and height of all subsurface ground water areas shall be shown.

7. Preliminary Grading and Drainage Plan. For all Subject Property of one (1) acre or larger, a preliminary grading plan shall be provided indicated by solid-line contours, using two (2) foot intervals, imposed on dashed line contours, also using two (2) foot intervals, of the existing topography for the entire Subject Property. For Subject Properties that have predominately-level, topography one (1) foot contour intervals may be required by the Town Engineer.
8. Preliminary Erosion Control Plan. When required by the Town Engineer, a Preliminary Erosion Control Plan shall be provided and included with the Preliminary Subdivision Application.
9. Preliminary Easement Plan. A preliminary easement plan, identifying the location, size, and use of all existing and proposed easements.
10. Title Report. A Title Report for the Subject Property, provided by a Title Company and no older than thirty (30) calendar days from the date of the filing of the Preliminary Subdivision Application.
11. Tax Clearance. A tax clearance from the Utah County Treasurer shall be provided as part of the Preliminary Subdivision Application.
12. Evidence of Availability of Necessary Services. The following information is required to be presented, necessary to establish the availability of required services to the Subject Property.
 - a. Culinary Water Requirements. As required and provided by the Act, the Vineyard Town Engineer is hereby designated as the Culinary Water Authority for the Town. It shall be the responsibility of the Applicant to provide all information and materials, as required by the Town Engineer, necessary to review and provide a written approval of the feasibility of the proposed culinary water system and culinary water sources.
 - b. Sanitary Sewer Requirements. As required and provided by the Act, the Vineyard Town Engineer is hereby designated as the Sanitary Sewer Authority for the Town. It shall be the responsibility of the Applicant to provide information and materials, as required by the Town Engineer, necessary to review and provide a written approval of the feasibility of the proposed sanitary sewer system.
 - c. Subdivision Roads and Streets. The Preliminary Subdivision Application shall identify the proposed road and street layout. Proposed subdivision streets shall make provision for the continuation of existing streets. All subdivision streets shall be designed as required by the Vineyard Town Development Standards and Design Specifications. If the proposed subdivision will be accessed directly from a State Highway, an appropriate access permit approval, as required by the State of Utah Department of Transportation, shall be provided with the application materials. If the subdivision will be accessed directly from a County Road, authorization from Utah County to allow subdivision access from a County Road shall be provided with the application materials. It shall be the responsibility of the Applicant to provide information and materials, as required by the Town Engineer, necessary to review and provide a written recommendation of the proposed road and street system.

- d. Storm Drainage and Flood Control Facilities. The Preliminary Subdivision Application shall identify the storm drainage and flood control system. The proposed subdivision storm drainage and flood control system shall make provision for the continuation of existing facilities. All subdivision storm drainage and flood control system facilities shall be designed as required by the Vineyard Town Development Standards and Design Specifications. It shall be the responsibility of the Applicant to provide information and materials, as required by the Town Engineer, necessary to review and provide a written recommendation of the proposed storm drainage and flood control system.
 - e. Fire Protection, Suppression, and Access Facilities. The Preliminary Subdivision Application shall identify the proposed fire protection, fire suppression, and fire access facilities and shall make provisions for the continuation of existing facilities, as required by the Commission and Council. All subdivision fire protection, fire suppression, and fire access facilities shall be designed as required by the Vineyard Town Development Standards and Design Specifications. The Vineyard Town Fire Marshall is hereby designated as the Fire Protection Authority, and shall review all proposed fire protection, fire suppression, and fire access facilities. It shall be the responsibility of the Applicant to provide information and materials, as required by the Town Fire Marshall, necessary to review and provide a written approval of the feasibility of the proposed fire protection, suppression, and access facilities.
13. Additional Information and Materials. When the Town Staff, Commission, or Council deem necessary, the Applicant may be required to provide other information, materials, letters of feasibility, conduct studies, and provide other evidence indicating the suitability of the Subject Property for the proposed subdivision, including, but not limited to, compliance with the Town's Transportation Plan(s) including access management plans, adequacy of utilities, public safety and fire protection, ground water protection, plant cover maintenance, geologic or flood hazard, erosion control, wildlife habitat, and any other infrastructure, physical, environmental, or cultural matters.
14. Phasing Schedule. If the Applicant is proposing phasing the development into two or more sections for purposes of recording final plats, such information must be included as a part of the Preliminary Subdivision Application submission.
- a. A phasing plan describing each phase, the approximate size in area of each phase, the order of phasing and the projected time for recording and development of each phase shall be submitted.
 - b. The requirements of the Concept Plan as described in VSC 14.04.010 shall be submitted for all phases not being proposed for preliminary approval.
 - c. The Planning Commission may impose conditions upon the filing of each section proposed as may be necessary to ensure orderly development of the overall subdivision and the area in which it is located.
 - d. Application for subsequent phases must be submitted within one year of recordation of the previous phase.

SECTION 2: AMENDMENT “14.08.030 Requirements For Final Subdivision Applications” of the Vineyard Subdivision Code is hereby *amended* as follows:

A M E N D M E N T

14.08.030 Requirements For Final Subdivision Applications

All Final Subdivision Applications, filed in the Office of the Town Planner, shall provide the following information:

1. Application Form. A Final Subdivision Application Form completed and signed by the owner(s) of the Subject Property, as identified on the property assessment rolls of Utah County, or authorized agent of the owner(s), of the Subject Property. If the Application Form is signed by an agent of the owner(s), the Application Form shall be accompanied by an affidavit identifying the agent as being duly authorized to represent the owner(s) in all matters related to the Final Subdivision Application.

All persons with a fee interest in the Subject Property shall be required to join in and sign the Final Subdivision Application.

2. Final Subdivision Application Fees. The Final Subdivision Application shall include the payment of all Final Subdivision Application fees, as established the Council, and any total amount, or deposit amount, required to provide the services of the Town Engineer, as provided and required by this section, or engineering inspection services.
3. Legal Description. A complete and accurate legal description for the entire Subject Property.
4. Final Subdivision Plat. A Final Subdivision Plat shall be prepared by a licensed land surveyor, as required by the Act, and drawn at a scale of not less than one inch equals one-hundred feet (1" = 100'), or as recommended by the Town Engineer, and in a form acceptable to the Utah County Recorder for recordation. The Final Subdivision Plat shall be prepared in pen on mylar and all sheets shall be numbered. All required certificates shall appear on a single sheet (along with the index and vicinity maps). One (1) original mylar copy of the Final Plat and two (2) original copies of the Final Subdivision Design and Construction Plans shall be included with the Final Subdivision Application and a minimum of ten (10) 11 inch x 17 inch size and two (2) 24 inch x 36 inch paper copies shall be included and accompany the Final Subdivision Application Form. A digital copy of the Final Subdivision Plat, in a format acceptable to the Town’s Geographic Information System standards by the Town Engineer, shall also be provided. The Final Subdivision Plat shall contain the same information as required by VSC 14.06.020, and shall include any revisions or additions, as required by the Commission or Council, as part of the Preliminary Subdivision Application approval, as applicable. The Final Subdivision Plat shall show the following:
 - a. Notation of any self-imposed restrictions, including proposed restrictive covenants, signed by all owners of interest, and bearing the acknowledgment

- of a public notary, and all other restrictions as required by the Commission or Council, as applicable.
- b. A survey of the perimeter of the Subject Property and all parcels, units, lots and blocks created, accurate in scale, dimension and bearing, and giving the location of and ties to the nearest survey monument. Bearings shall be shown to the nearest second; lengths to the nearest hundredth (100th) foot; areas to the nearest hundredth (100th) acre. All parcels, units, lots, or blocks created shall be numbered consecutively. All lands within the boundaries of the Final Subdivision Plat shall be accounted for as lots, roads, streets, alleys, walkways, or as excepted parcels. Excepted parcels shall be marked as “Not Included in the Subdivision” and the boundary of such parcels indicated by distances and bearings.
 - c. Endorsement of every person having a security interest in the Subject Property subordinating their liens to all covenants, servitudes, and easements imposed on the property.
 - d. The location of all monuments erected, corners, and other points established in the field. The material of which the monuments, corners, or other points are made shall be noted.
 - e. All existing and proposed street names shall be shown and the street address and coordinate address of all parcels, units, or lots, created shall be shown, as required by the addressing system of the Town.
 - f. Every existing right-of-way and easement grant of record for underground facilities, as defined by U.C.A. 54-8a-2, and for all other utility facilities, and all proposed rights-of-way and easement grants of record for utility facilities.
 - g. The location of any common space or open space areas including the location of all property set aside for public or private reservation, with the designation of the purpose of such set asides, and conditions, if any, of the dedication or reservation.
 - h. The name and address of the licensed surveyor responsible for preparing the Final Subdivision Plat.
 - i. The surveyor making the Final Plat shall certify that the surveyor:
 - (1) Holds a License in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
 - (2) Has completed a survey of the property described on the Final Plat in accordance with U.C.A. 17-23-17 and has verified all measurements; and
 - (3) Has placed monuments as represented on the Final Plat.
 - i. Located at the top-center and lower-right of the Final Subdivision Plat, the name of the subdivision, as approved by the Utah County Recorder’s Office. The basis of bearings used, graphic and written scale, true north point, township, range, section, and quarter section, block, lot number, and total are of the Subject Property shall be shown.
 - j. A title block, placed on the lower right hand corner of the Final Subdivision Plat showing:

- i. The Approved name of the subdivision, as approved by the Utah County Recorder.
 - ii. Date of preparation of the Final Subdivision Plat.
 - iii. Signature blocks for the dated signatures of the City Planner, City Engineer, City Manager (representing the will of the legislative body), Recorder attests city signatures.
~~Planning Commission Chair, Mayor, Town Engineer, Town Fire Marshall, and Town Attorney.~~
5. Other Required Final Subdivision Application Information and Materials. The following information is required and shall be provided on separate sheets at the same scale as the Final Subdivision Plat:
 - a. All documents establishing any required agreements, guarantees, or any bonds and the payment of any required guarantees or bonds.
 - b. Owner's Dedications. The owner's certificate of dedication(s) including a legal description of the Subject Property boundaries and the dedication of all public ways or spaces. This certificate shall be signed, dated, and notarized. The owner's certificate shall include a reference to any covenants that may be declared and blanks where the Utah County Recorder may enter the book and page number of their recording.
 - c. Required Federal, State, and Local Permits. Whenever a Federal, State, or Local department or agency has authority or jurisdiction, all necessary approvals, permits, and licenses, as required, shall be provided by such Federal, State, and Local departments and agencies and shall be required and included with the Final Subdivision Application.
 - d. Covenants and Restrictions. Copies of all protective covenants, conditions and restriction (CC&R's), trust agreements, home owner's association articles and bylaws, and all other required documents, including those required by the Commission or Council, as applicable, governing the future use of property, infrastructure, utility and service systems, re-subdivision, and other provisions required to maintain the integrity of the subdivision.
6. Final Construction Drawings. Final design and construction drawings for all proposed, or required public improvements, prepared by a licensed civil engineer, and as required by the "Vineyard Town Development Standards and Design Specifications" and the Town Engineer, including, but not limited to, all culinary water facilities, all sanitary sewer facilities, all storm drainage and flood control facilities, bridges and culverts, the profiles and cross sections of all proposed roads and streets, all secondary water facilities, all fire hydrants and fire protection and suppression facilities, all electrical power facilities, all telecommunications facilities, all street lights, all street trees and other landscape plantings identifying the location and type of all street trees, shrubs and other landscape materials and plantings, and all other provided and required public facilities and improvements.
7. Improvement Construction Costs. Estimated construction costs of all proposed, or required public improvements, prepared by a licensed civil engineer, and as required by the "Vineyard Town Development Standards and Design Specifications" and the Town Engineer.

8. Final Grading and Drainage Plan. For all Subject Property of one (1) acre or larger a Final Grading Plan shall be provided indicated by solid-line contours, using two (2) foot intervals, imposed on dashed line contours, also using two (2) foot intervals, of the existing topography for the entire Subject Property. For Subject Properties that have predominately-level topography one (1) foot contour intervals may be required by the Town Engineer.
9. Final Erosion Control Plan. When required by the Town Engineer, a Final Erosion Control Plan shall be provided and included with the Final Subdivision Application.
10. Title Report. If the Final Subdivision Application is filed in the Office of the Town Planner after one hundred eighty (180) calendar days from the date the Preliminary Subdivision Application is approved, or if any changes or corrections have been made to the Title of the Subject Property since the Preliminary Subdivision Application was filed in the Office of the Town Planner, a Title Report for the Subject Property, provided by a Title Company, no older than thirty (30) calendar days from the date of filing the Final Subdivision Application shall be provided.
11. Tax Clearance. A tax clearance from the Utah County Treasurer shall be provided as part of the Final Subdivision Application. The Council may withhold an otherwise valid Final Plat approval until the owner of the Subject Property provides the Council with a tax clearance indicating that all taxes, interest, and penalties owing on the Subject Property have been paid.
12. Additional information and Materials. When the town staff, commission, or council deem necessary, the applicant may be required to provide other information, materials, letters of feasibility, conduct studies, and provide other evidence indicating the suitability of the subject property for the proposed subdivision, including, but not limited to, compliance with the town's transportation plan(s) including access management plans, adequacy of utilities, public safety and fire protection, ground water protection, plant cover maintenance, geologic or flood hazard, erosion control, wildlife habitat, and any other infrastructure, physical, environmental, or cultural matters.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	_____	_____
John Earnest	_____	_____	_____	_____
Tyce Flake	_____	_____	_____	_____
Chris Judd	_____	_____	_____	_____
Cristy Welsh	_____	_____	_____	_____

Presiding Officer

Attest

Julie Fullmer, Mayor, Vineyard

Pamela Spencer, City Recorder
Vineyard



Community Development

Date: August 18, 2021
From: Briam Perez, Planner II
To: Planning Commission
Item: Training Opportunities for the Planning Commission

OVERVIEW:

To continue the education and training of current Planning Commission members, Vineyard City is offering a catalog of training opportunities. The cost of each of these trainings will be covered by Vineyard City.

- Utah League of Cities and Towns Annual Conference. September 30th, 2021.
- Office of Property Rights Ombudsman. Date as requested.
 - Free training on a variety of topics, including, land use & development, eminent domain and takings law.
- APA Utah Annual Conference. September 9-10, 2021.

Town of Vineyard Planning Commission Bylaws

*Planning Commission recommended approval of bylaws on July 6, 2016
Town Council approved bylaws on July 27, 2016*

ARTICLE 1:

Purpose:

These policies and procedures, as amended, are designed and adopted for the purpose of providing guidance and direction to members of the Town of Vineyard Planning Commission in performing their duties.

Name:

The Planning Commission shall be known as the Town of Vineyard Planning Commission, hereinafter referred to as the "Commission".

Planning Commission Powers and Duties:

The Commission shall make recommendations (and make decisions within delegated authorities) to the Mayor and Town Council for:

- A. A General Plan and amendments to the General Plan;
- B. Land use ordinances, zoning maps, plats, official maps, and amendments;
- C. Conditional uses, commercial and residential site plans and subdivisions; and
- D. Other similar procedures, documents, processes.

ARTICLE 2:

Membership, Appointment, Compensation, and Attendance:

- A. Membership: The Commission shall be comprised of five (5) members and 1-3 alternate members. These members are appointed by the Mayor with the advice and consent of the Town Council from among residents of Vineyard. These members serve at "the pleasure" of the Mayor. Each member has full voting rights regarding matters brought before the Commission for recommendation and/or decision. Alternate members temporarily fill in for a member when the member is not in attendance. Alternate members only exercise their right to vote when acting in the place of a member
- B. Appointment: Members of the Commission shall serve for a term of four years, or until their successor is appointed. Members may serve a maximum of two consecutive terms. Alternate members shall serve no more than two consecutive terms, however, an alternate member who

subsequently becomes a member shall not be prevented from serving two consecutive terms in that newly appointed capacity. Vacancies shall be filled for the remainder of any unexpired term. Being appointed to an unexpired term shall not be counted towards the maximum number of years or terms.

- C. Compensation: Members of the Commission, including alternates, shall serve without compensation except for reimbursement for duly approved and authorized expenses and/or per diem for each meeting attended.
- D. Attendance: Members shall attend all meetings except in such circumstances such as illness, vacations, work-related travel, and other approved absences. The Chair may excuse a member for up to three regular Commission meetings. If a member is absent more than three consecutive times and has failed to notify the Commission Chair in advance, to obtain approval for said absences, such absences may be considered non-performance of duty and can place the member subject to being removed and replaced, upon recommendation of the Chair to the Mayor.

ARTICLE 3:

Meetings:

- A. Regularly scheduled Commission meetings will be held on the first and third Wednesdays of each month (unless such date is a recognized holiday), and will regularly be convened at the Vineyard Town Hall, unless otherwise designated, in advance, by the Commission Chair. A meeting so convened, may be reconvened (moved) by the Commission to another place for the purpose of accommodating more attendees, investigating some particular matter of business at a specific site, etc.
- B. In order to conduct official business a quorum of members needs to be present. A quorum is considered to be at least half of the members and/or alternate members present. A quorum is necessary to vote, make decisions and or recommendations and other transactions assigned to the Commission. If, on occasion, a member recuses him/herself from a matter under consideration, and the result is a number of members less than a majority, a quorum shall be deemed to exist. Members may participate and be counted as present by electronic means.
- C. Regular Meetings: A regular meeting is a scheduled meeting in which the normal business of the Commission is conducted. A regular meeting is open to the public, proceedings are recorded and minutes are taken.
 - 1. Workshops: A workshop is a meeting where the Commission can discuss various or specific issues and/or conduct training, but where no decisions/recommendations shall be made regarding any item or issue. The workshop meeting is open to the public, however no public comments are taken. Proceedings shall be recorded and minutes shall be taken.
 - 2. Special Meetings: A special meeting is a meeting where business of the Commission is conducted outside the regular meeting time/schedule. Notice is given to each Commission member and alternate at least 24 hours prior to such meeting. Special meetings are open to the public, proceedings shall be recorded and minutes shall be taken.

3. Closed Meetings: Closed Commission meetings may be held as part of a regular meeting or as part of a special meeting to discuss matters of a confidential nature. The Commission must have a roll call vote to enter into and out of a closed meeting. The closed meeting is not open to the public. Proceedings of this meeting are recorded and must strictly comply with the Utah Code Title 52, Chapter 4, Sections 204-206.
4. Field Trips: When site inspections/visits are deemed advisable, field trips may be held at a convenient time determined by the majority of the Commission. The time/dates of the field trip shall be posted. Only Commission Members (and/or alternates) and pertinent staff shall be allowed to visit the specific site in question. The public shall be allowed at the general sites of the field trip but are encouraged to present their case at the Commission meeting, not during the field trip. Field trips are for the purpose of gathering information, not for making decisions or for addressing specific issues of public concern.

ARTICLE 4:

Organization and Officers:

- A. Chair, Vice Chair and Chair Pro-Temp: The Commission, at its first regularly scheduled meeting in January of each year, shall elect a Chair and Vice Chair. The Chair shall preside at all meetings of the Commission and shall provide general Commission guidance, order and direction. The Chair will also be recognized as the head of the Commission for all administrative and ceremonial purposes and as such will interface with the Mayor and Town Council to conduct the business of the Commission. It is the duty of the Chair to enforce observance of the rules of procedure, to decide all questions of order, to offer for consideration all motions properly made, to assign specific duties to the members of the Commission, to call all special meetings, to appoint all necessary committees and perform such other duties as the office may require. Under normal circumstances, the Chair will make no motion or amendment to a motion. No member shall serve as Chair for more than two consecutive years. In the absence of the Chair, the Vice Chair shall preside over the meeting and assume all of the regularly assigned duties of the Chair. In a case where the Chair becomes unable to continue in the role as Chair, the Vice Chair shall succeed to the office of Chair for the remainder of the current term. In the case that the Vice Chair becomes no longer a member of the Commission or succeeds to the office of Chair, a special election shall be held at the next regularly scheduled Commission meeting to fill that vacancy. In the absence of the Chair and Vice Chair, prior to the meeting, the Chair shall appoint a member of the Commission to serve as Chair Pro-Temp. If a Chair Pro-Temp has not been appointed prior to the meeting, a Member, by a majority vote of the Commission Members present shall be appointed to serve as Chair Pro-Temp. The Chair Pro-temp shall perform all the duties of the Chair for that particular meeting only.
- B. Secretary: The Commission will have a staff secretary, who as part of his/her other Town Staff duties will notify Commission members, alternates and the public of all scheduled meetings; attend all Commission meetings; prepare all correspondence of the Commission; record the proceedings of all hearings and meetings; prepare the minutes of the Commission; assure all documents of the Commission are ready for signature; and perform other duties as specified by the Commission.

- C. Town Planner: The Town Planner shall advise the Planning Commission regarding planning, regulations of development, development and re-development. He/She shall also prepare all documents for presentation to the Planning Commission, with observations, options and recommendations. The Planner will assist the Planning Commission Chair and/or Vice-Chair in the exercise of their duties. The Planner will prepare an agenda for each of the regularly scheduled Commission meetings. The agenda and all required materials will be posted on the Town of Vineyard website and made available to the Commission members with adequate time for review. Duties performed by the Planner may be performed by his/her designee.
- D. Legal Counsel: The Town Attorney or his/her designee shall provide applicable legal counsel for the Planning Commission and its committees.

ARTICLE 5:

Committees:

As necessary the Chair, with the concurrence of the majority of the Commission, may organize special committees for a particular purpose or when an issue at hand is seen to be so complex and time consuming that it cannot be reasonably handled at a Commission meeting. These special committees shall consist of at least one, but not more than two Commission members, appointed by the Chairperson and may include members from the public at-large, but in no case shall include a majority of sitting Commission members. All committees so formed are considered temporary in nature and serve at the will of the Commission.

ARTICLE 6:

Conflict of Interest:

- A. No member of the Commission shall actively participate in any aspect of the decision-making process or discuss any case in which he/she, or anyone closely associated with him/her, may have a perceived or real financial or personal interest in any action brought before the Commission. A Commission Member must declare a potential/real conflict of interest regarding any specific agenda item. After a conflict of interest is determined, a Commission Member may not participate in the discussion and/or vote on any matter where it is perceived or real that a conflict exists. Commission members must comply with the provisions of the Municipal Officers and Employees Ethics Act – Utah Code 10-3-1301 et.seq.

ARTICLE 8:

Rules of Order, Procedures and Meeting Conduct:

- A. Rules of order not specified by statute, ordinance or resolution shall be governed by Robert's Rules of Order. The Town Planner shall serve as parliamentarian, and as such shall advise the Commission

Chair as to correct rules of procedure or questions of specific rule application. The Chair shall decide all points of procedure and order, unless otherwise directed by the majority of the Commission members in attendance.

- B. Any member of the Commission shall have the right to express dissent from, or protest against any recommendation, resolution or decision of the Commission and have the reason therefore entered into the minutes.
- C. During all meetings and hearings, persons providing testimony or comment shall proceed without interruption. All comments, arguments and pleadings shall be addressed to the Chair. There shall be no debate or argument between individual citizens. The Chair shall maintain order and decorum. The Chair may determine a specific time limit of speakers at the beginning of any public meeting.
- D. Upon review of the public record on a request and due deliberation by members of the Commission, any member of the Commission, except the Chair, may make a motion and/or second a motion. Motions should state findings at the beginning of the motion followed by the recommendation to the appropriate body, and should conclude with any conditions of approval. The motion may simply refer to the staff report for the detail of the findings. Each motion of the Commission must be seconded, except for motions to amend a motion and motions to adjourn the Commission meeting. If there is no second to a motion it will be considered dead without further action. After a motion is made it may be withdrawn by the author of the motion prior to the vote. When a motion is pending before the Commission, any member may suggest an amendment to the motion without a second, at any time prior to the Chair putting the motion to a vote. The amendment must be accepted by the author of the original motion and the second of the motion in order for it to move forward to amend the stated motion.
- E. Notice of action taken or decision made by the Commission shall be given by the Commission Chair and/or Town Planner to the applicant, petitioner or any party making a written request for such action.
- F. Any and all materials submitted to the Commission for consideration or regarding a request for action shall become property of the Town and be entered into the public record. All notices, agendas, requests, agency or consultant letters or reports, staff reports, minutes of meetings, and resolutions or record shall constitute the documents of the Commission and shall be indexed as public record.
- G. The specific conduct of Hearings and Public Comment meetings is contained in Attachments one (1) and two (2).

ARTICLE 9:

Amendments to the By-Laws:

These bylaws may be periodically amended by a majority vote of the Commission except where such amendment would be contrary to the requirements of State Law or Town Ordinance. An amendment may be proposed at any meeting of the Commission. Commission members shall receive a copy of the proposed or amended by-laws not less than five (5) working days prior to the meeting at which said proposed changes shall be heard. Recommended amendments shall be forwarded to the Town Council

for final approval. There shall be an annual review of these bylaws, typically during January each year. A legend of all amendments proposed/adopted shall be kept as an attachment to the bylaws indicating the specific amendment proposed, the date of said action and the action(s) taken.

Attachment 1

Hearing Procedures:

- A. The Chair is responsible for opening and closing all hearings and comment periods. All persons wishing to make public comment must be recognized by the Chair. The Chair will stipulate the amount of time allocated for each person permitted to speak.
- B. Each person recognized by the Chair to speak will first state his/her name, street of residence and then present his/her remarks. They may also leave a copy of written remarks to be entered in the public record. Public comments will be limited to those listed as agenda items.
- C. General Order of Business:
 - 1. The Chair shall introduce the item/topic for consideration,
 - 2. The applicant or petitioner shall outline the nature of the request and present supporting evidence. Commission members may ask questions of the applicant or staff for clarification,
 - 3. Staff shall give the Commission a brief presentation and explanation of relevant details related to the item, and make recommendations including unique or important aspects requiring particular attention by the Commission. Commission members may ask clarifying questions,
 - 4. The Chair shall open the public comment portion of the hearing and briefly outline how the meeting will be conducted, including time limits for presenters,
 - 5. After presenters have been heard (or allotted time expired), the Chair will close the public comment portion of the hearing,
 - 6. The Chair will allow the applicant or petitioner to address issues or topics raised during the public comment portion,
 - 7. The Chair will invite Commission members to discuss the matter and ask questions of the applicant or petitioner and/or staff and have an open discussion among themselves,
 - 8. The Chair, unless the item is continued to a future meeting date, shall call for a motion to close the public hearing. The motion shall be seconded and voted upon by the Commission,
 - 9. Decision: The Chair will call for a motion, second and vote by the Commission on the application or petition. If the vote is positive, the request is approved and then, if required by code, submitted to the Town Council for final consideration. If substantial public comment was received and there is a need for further study on the part of the Commission, the Chair may receive a motion to continue the item to allow the Commission more time to further review the public comment.
 - 10. Final action is announced by the Commission Chair.

Attachment 2

Public Meeting and Public Hearing Etiquette:

- A. All public meetings are recorded. All attendees will be asked to silence all of their electronic devices as a condition of attendance.
- B. Those wishing to address the Commission must sign in beforehand, giving their name, street of residence and if applicable the specific agenda item they wish to address. Anyone who fails to sign in shall not be permitted to address the Commission until all those who did sign in have been given the opportunity to be heard. The Chair may establish specific comment time limits (such as from two to three (2-3) minutes for individual participants and from three to five (3-5) minutes for those representing groups or neighborhoods) to facilitate the hearing, give all an equal opportunity to be heard and otherwise control the hearing. The Chair may add additional procedures on a case-by-case basis.
- C. All participants must be recognized by the Chair, will stand (if able), present themselves at a central location (podium or microphone). Accommodation will be made for those not able to stand or present themselves at the podium.
- D. Those addressing the Commission will give their name and street of residence.
- E. Comments will be addressed to the Commission. No disruptions or comments from the audience will be permitted or tolerated. Conversations and dialogue among or between audience members will not be permitted during the comment period as the recording is very sensitive and picks up sidebar conversations, complicating the recording for the public record.
- F. There should be no verbal approval or dissatisfaction expressed from the audience regarding the ongoing comment(s), i.e., applauding, booing, etc., thereby allowing comments to stand on their own merits.
- G. If an individual fails to follow the above rules (or others as stipulated) after being warned once, the Commission may bar that individual from further participation during that meeting. Those participants or attendees not conforming to the above guidelines will be determined to be “out of order” and may be asked to leave the hearing.
- H. Exhibits (photos, petitions, studies, etc.) given to Commission become the property of the Town and incorporated into the public record.
- I. At the discretion of the Chair, the Chair may appoint a meeting facilitator and time keeper (who will normally be members of the Commission or staff) to help manage the meeting.