



Agenda

Naples City Planning and Zoning Commission

February 15, 2024 at 7:30 p.m.

Naples City Council Room

1420 East 2850 South

Naples, Utah 84078

THIS IS A REGULARLY SCHEDULED PLANNING AND LAND USE MEETING

OPENING CEREMONIES

STANDING BUSINESS

- Verification of Full Quorum & Designation of Voting Members:

<u>Commissioner</u>	<u>Voting</u>	<u>Commissioner</u>	<u>Voting</u>
Chris Clark (Chairman)	Y N	Kevin Hiatt	Y N
Scott Adams (Vice-Chairman)	Y N	Brock Arnold (A)	Y N
Jessy McKee	Y N		Y N
Scott Major	Y N		

- Approval of Agenda – February 15, 2024
- Disclosures
- Approval of Minutes – January 18, 2024

PLANNING/DISCUSS

1. R-3
 - Ordinance changes
2. Open Meeting Act
 - Training

ITEMS FOR FUTURE DISCUSSION

- Highway 40 Rezone
- Downtown Commercial

ADJOURN

The next Planning and Zoning meeting will tentatively be held on March 21, 2024

All persons residing within the area served by City of Naples are HEREBY NOTIFIED that the Naples Planning and Zoning Commission will meet on the 3rd Thursday of each month at 7:30pm. All persons concerned with any matter before the Naples Planning and Zoning Commission are invited to attend. If possible, call to get on the agenda, 435-789-9090 NOTE: In compliance with the Americans with Disabilities Act, Individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Land Use Administrator at 435-789-9090 at the Naples City Office, 1420 East 2850 South, Naples, Utah 84078 at least three days prior to the meeting.

Naples Planning and Land Use
Public Meeting
January 18, 2024

Commission Present: Chris Clark, Scott Adams, Kevin Hiatt, Brock Arnold

Commission Absent: Jessie McKee, Scott Major

Others Present: Mike Davis, Gwen Harrison, Mayor Dean Baker, Kenneth Reynolds, Gordon Kitchen, Amanda Kitchen, Cable Murray, Casey Crowther

Opening Ceremonies

Verification of full Quorum Chris Clark verified a full quorum. Mr. Clark mentioned that Kevin Hiatt has moved to a full member of the Planning Commission with Brock Arnold remaining an alternate. All Commissioners will be voting in the meeting.

Approval of Agenda Scott Adams motions to approve the agenda. Kevin Hiatt seconds the motion.

All in favor:

Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Adams	Aye

Motion carried with all voting Aye. None opposed.

Disclosures

Approval of Minutes Scott Adams motions to approve the November 16, 2023 minutes. Kevin Hiatt seconds the motion.

All in favor:

Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Adams	Aye

Motion carried with all voting Aye. None opposed.

PLANNING/DISCUSSION

Planning Commission Bylaws

Election Chairman & Vice Chairman The Planning Commission voted to elect Chris Clark as Chairman. The Planning Commission votes to elect Scott Adams as Vice-Chairman.

All in favor:

Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Adams	Aye

Motion carried with all voting Aye. None opposed.

**Planning Commission Bylaws
Meeting Schedule**

Gwen Harrison presented the proposed meeting schedule for 2024.

Brock Arnold motions to approve the 2024 planning commission meeting schedule. Chris Clark seconds the motion.

All in favor:

Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Adams	Aye

Motion carried with all voting Aye. None opposed.

Walker Hollow Subdivision

Cable Murray stated the lot line adjustment on the south side of the property is affected by the Walker Hollow Subdivision, but is not necessarily part of the Walker Hollow Subdivision. Mr. Murray is looking to create flag lots on the south portion, due to the county/airport owned property. Mr. Murray will follow-up on a conversation with Mike Davis on the flag lots and requirements.

Commercial Design Concept Approval

Mike Davis presented the proposed commercial design to the Planning Commission to be located on the IFA Subdivision. The access will be on the road going to IFA, not Highway 40. Gwen Harrison stated there may be a concern for the number of required spaces and sizes. Chris Clark questioned if Planning Commission can give any type of variance. Gwen Harrison stated a variance may be given by the Planning Commission if it can be demonstrated by a parking study that the proposed use would have a demand less than required. Kevin Hiatt questioned if they used compact parking, if it would give back enough spaces. Mike Davis stated no, but they are going to try to rework things and come back. Chris Clark questioned if the entrance would be shared with the hotel. Brock Arnold questioned if they would be limited to that entrance.

Scott Adams motions to approve the concept plan. Kevin Hiatt seconds the motion.

All in favor:

Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Adams	Aye

Motion carried with all voting Aye. None opposed.

R-3 Zone Ordinance Change

Gwen Harrison presented proposed changes from Building Inspector, Dale Peterson. It is suggested that instead of 12 units per acre, it be changed to 9 units per acre, in order to meet all the requirements. Minimum lot requirements, it was added that a 1200 square foot living space with a 20'x20' garage. Minimum width requirements be changed to 45 feet for duplex and 35 feet for no utilization of side yard. Gwen Harrison stated the proposed changes will be given to the attorney for review.

Kevin Hiatt motions to approve the R-3 Ordinance changes and bring back for public hearing. Scott Adams seconds the motion.

All in favor:

Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Adams	Aye

Motion carried with all voting Aye. None opposed.

Form Based Code Discussion

Gwen Harrison presented to the Planning Commission that there was an ordinance that stated the Form Based Code should be suspended indefinitely, up to one year. Because of the

wording, there was confusion if it was still suspended or active again. Staff has discussed suspending the document, in case it was requested to be brought back. Mayor Baker stated the Form Based Code was suspended during the building of the fire station, because the City couldn't conform. His understanding was that it was suspended indefinitely. Mayor Baker stated there needs to be a recommendation from the Planning Commission to City Council for the removal of it and change all the zone from Downtown Commercial to Commercial Zone. Chris Clark questioned if the Mayor is looking to get rid of the Downtown Commercial Zone or only remove the Form Based Code. Mayor Baker stated he thought we were going to do away with the Downtown Commercial zone. Chris Clark stated his concern is that we do allow some type of metal buildings in the Commercial Zone and we wouldn't want that in the Downtown Commercial Zone. Mayor Baker stated making the Downtown Commercial Zone a little more intense but they do not want to use the Form Based Code. Chris Clark stated we can either keep the Downtown Commercial and re-write that ordinance to keep an elevated appearance. Chris Clark questioned if we are to rezone the entirety of Highway 40 to C, do we want to keep the Downtown Commercial. Mayor Baker stated he is looking for recommendation either way from the Planning Commission. Kevin Hiatt stated he is leaning towards keeping something that differentiates between Commercial and Downtown Commercial. Chris Clark stated they would like to address Downtown Commercial.

Training

Gwen Harrison presented that a joint Planning Commission training will take place on January 31, 2024 at the Vernal City Offices.

ITEMS FOR FUTURE DISCUSSION

Highway 40 Rezone
Subdivision Ordinance- Hansen Group
Pheasant Run

ADJOURN

Brock Arnold motions to adjourn, Kevin Hiatt seconds the motion.

All in favor:

Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Adams	Aye

Motion carried with all voting Aye. None opposed.

The next Planning and Zoning meeting will tentatively be held February 15, 2024 in the Naples City Council Chambers @ 7:30 P.M.



Item No: __1__

MEMO TO: Planning Commission FROM: Staff Date: February 15, 2024	Subject: R3 Zone Ordinance
Staff Recommendation: Bring back for public hearing	
Background: After review, two minor changes were needed to the R3 Zone ordinance change.	
Options: _____ Bring back for public hearing	

Note: All proposed ordinance changes included in this document are NOT considered legal until legislative action has occurred and are accepted by Naples City Council in a public meeting by ordinance.

CHAPTER 02-11 R-3 RESIDENTIAL ZONE

Section	02-11-001	Purpose and Intent
Section	02-11-002	Permitted Uses
Section	02-11-003	Use Regulations
Section	02-11-004	Minimum Lot Area Requirements
Section	02-11-005	Minimum Width Requirements
Section	02-11-006	Off-street Parking Requirements
Section	02-11-007	Height Requirements
Section	02-11-008	Locations Requirements
Section	02-11-009	Special Provisions
Section	02-11-010	Open Space

02-11-001 PURPOSE AND INTENT

The R-3 Residential Zone has been established as a zone for family residential purposes with a higher density than both the R-1 and R-2 zones, to provide a setting for medium density residential living by commingling single-family dwellings, as well as multi-family dwellings, plus parks, playgrounds, schools, churches, and other community facilities to serve the residents of the zone. This zone is characterized by more compact development and should be designed to include neighborhood design that incorporates open space with convenient pedestrian and bicycle access, and connectivity between adjacent property, among residential, office, and recreational areas of the City. Industrial uses are not permitted in this zone.

Additionally, the zone has been established to promote the following:

1. High quality, innovative and creative development that includes a mixture of uses, heights and setbacks, varying densities and lot sizes and sufficient diversity of housing types to meet the full life cycle of housing needs for residents within the City of Naples;
2. Promote usable recreation areas, parks, playgrounds, trails, and open space;
3. Recreational uses that meet or exceed the needs of the residents;
4. A pedestrian environment which encourages transit and bicycle usage; and
5. A desirable living environment with unique identity and character.

02-11-002 PERMITTED USES

The following buildings, structures, and uses of land shall be permitted, upon compliance with the requirements set forth in this ordinance:

1. Single family detached dwelling
2. Multi-family dwellings, designed in a row-type housing arrangement, each unit occupied by separate households, each living independently, and sharing common walls, being connected in a row-type housing arrangement, containing two (2), a “duplex”, to six (6) dwelling units per building.
3. Churches;

4. Parks, trails and/or playgrounds;
5. Recreation Centers;
6. Schools;
7. Temporary building for uses incidental to construction work. Such shall be removed upon the completion of the construction;
8. Home occupations, in accordance with Chapter 13 this ordinance.
9. Home gardens
10. Accessory buildings such as garages and sheds.

02-11-003 USE REGULATIONS

Uses may be conducted in the R-3 Zone only in accordance with the following regulations:

1. Multi-family dwellings units shall be designed in a row-type housing arrangement, attached horizontally with a common wall, and shall not exceed 6 attached units per building. In no case shall dwelling units be stacked vertically.
2. Multi-family projects shall include a variety of unit sizes and shall include a variety of building colors and materials.
3. The maximum area of any lot that may be covered by structures is seventy-five (75) percent.
4. In no case shall there be more than 9 units per acre.
5. There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles in the Zone. No commercial materials, inventory, or equipment may be stored in the open.
6. Parking, storing, or leaving vehicles that are wrecked, junked, dismantled, inoperative, or abandoned is not permitted on any private or public property within the Zone for more than 72 hours. However, storing up to two such vehicles or their parts is allowed, provided they are kept entirely within an enclosed building.
7. In the Zone, commercial vehicles and heavy equipment used for earth moving or material handling are not to be parked or stored on any property, except when used for temporary development or construction activities. This category includes semi-trucks and trailers, vehicles with a curb weight of 12,000 lbs or more, delivery trucks, dump trucks, backhoes, graders, loaders, agricultural equipment, cement trucks, bulldozers, belly dumps, scrapers, forklifts, and other similar vehicles or equipment.

02-11-004 MINIMUM LOT AREA REQUIREMENTS

1. The minimum lot area for a single-family dwelling is 6,000 square feet, the residence must contain a minimum 1200 square feet of finished living area on the main floor and a minimum 20'x20' two-car attached garage.
2. The minimum lot area for a multi-family dwelling is 9,000 square feet (in the case of a duplex), plus 1,800 additional square feet of lot area for each additional dwelling unit above 2 units, with a maximum of 6 units per building. Each dwelling unit must contain a minimum 1200 square feet of living area and a minimum 20'x20'x two-car attached garage.
3. The minimum lot area for a church, school, is 20,000 square feet.
4. The minimum lot area for any other permitted use is 10,000 square feet.

02-11-005 MINIMUM WIDTH REQUIREMENTS

(MEASURED AT BOTH FRONT ROAD RIGHT-OF-WAY AND SETBACK LINES)

1. The minimum lot width for a single-family dwelling is 60 feet.
2. The minimum lot width for a duplex is 90 feet; with a minimum 45 feet for each dwelling.
3. The minimum lot width for any multi-family dwelling utilizing zero side yard is 35 feet per unit at the front property line.
4. The minimum lot width for any other permitted use shall be 100 feet.

02-11-006 OFF-STREET PARKING REQUIREMENTS

1. A minimum of three (3) off-street parking places shall be provided for each dwelling unit. Driveways must be a minimum of thirty (30) feet long in order to keep sidewalks and streets clear of larger vehicles. See Chapter 02-15 Off-street Parking Regulations for more information on parking regulations.
2. Guest parking shall be provided at a ratio of 0.50 stalls per unit.
3. Guest parking shall be located within 200 ft of the dwelling unit.
4. Driveways shall not be counted towards the guest parking requirements.
5. Accessible parking spaces shall be provided in off-street parking areas and shall count towards fulfilling the minimum requirements for guest parking.
6. All landscaped areas abutting any paved surface shall be curbed. Boundary landscaping around the perimeter of the parking areas shall be separated by concrete curbs six inches higher than the parking surface.
7. Clear Sight Triangle 02-14-20 must be observed.

02-11-007 HEIGHT REQUIREMENTS

Maximum – Thirty-five (35) feet above grade. Church steeples are exempt from this requirement.

02-11-008 LOCATION REQUIREMENTS

MINIMUM SETBACKS FROM ROAD RIGHT-OF-WAY LINES:

1. Main buildings on INTERIOR (non-corner) LOTS:

Front: 24 feet

Side: 8 feet (20 feet minimum for both sides combined)

Rear: 20 feet

2. Main buildings on CORNER LOTS:

Front: 24 feet

Side: 20 feet on street-side, and 8 feet on interior side

Rear: 20 feet (8 feet for dwellings with attached garage or carport)

3. Main buildings on CUL-DE-SAC LOTS:

Front: 24 feet measured perpendicular to a straight line between the front lot corners, and no less than 20 feet from the turn-around or cul-de-sac right-of-way.

Side: 8 feet

Rear: 20 feet measured perpendicular from the rear wall of the home to the lot line. In no case shall any part of the home be closer than 5 feet to any lot line, and in no case shall any two homes on adjacent lots be closer than 10 feet.

4. Accessory buildings:

Front: 24 feet

Side: 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: 3 feet.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

Setbacks are measured from either the property line or the back of curb or sidewalk, whichever is furthest from public right-of-way. Porches may not be built in the setback area, but steps leading up to porches may be built in the setback area.

Regardless of orientation, the closest a main building may be to any property line is 8 feet.

Each dwelling unit shall front upon an access road whether it be a city or private road, and shall have a front and rear yard. .

02-11-009 SPECIAL PROVISIONS

1. Plans showing proposed off-street parking layout and landscaping for the development shall be submitted to and approved by the city Planning Commission prior to the issuance of a building permit. Said plans shall provide that all land not covered by buildings or by off-street parking space shall be landscaped as lawn, trees, shrubs, gardens, or ground cover and otherwise landscaped and maintained in accordance with good landscaping practice.

2. A bond or other financial guarantee shall be required, guaranteeing landscaping, streets, sidewalk, trails, curb, gutter, lighting, and other improvements within a year of occupancy. See 02-31 Subdivisions for the procedures of bonds.

3. All residential dwellings shall be connected to a public sewer system.

4. The design for curb and gutter shall be either high back or modified high back.

5. All dwellings shall be supplied with culinary water, and plumbed in accordance with the current edition of International Plumbing Code in Utah.

5. All new residential developments shall have curb, gutter, and a minimum 5 foot wide sidewalk, all of which adhere to ADA standards.
7. Street lights and street signs shall not be located in the sidewalk, as to avoid impeding pedestrian flow.
8. A six-foot-high sight obscuring fence/wall shall be installed for all dwellings, which extends directly from the unit enclosing the entire back yard from each adjoining lot or dwelling unit, to delineate between common and private space. Fencing shall be uniform in design and construction.
9. Clustering of dwelling units is encouraged to allow for larger open spaces. Housing units and open space should be distributed in a manner that does not unduly separate the usable open space from residents.
10. The Land Use Administrator may approve variation from applicable development standards of the Naples City Land Use Ordinances, if found that the following conditions are met:
 - a. The granting of the variation will not adversely affect the rights of adjacent landowners or residents.
 - b. The variation desired will not adversely affect the public health, safety, or general welfare; and
 - c. The granting of the variation will not be opposed to the general spirit and intent of the subdivision code.

02-11-010 OPEN SPACE

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All permanent open space in the R-3 Zone must be landscaped to accommodate approved recreational or agricultural uses. Each development must allocate at least 20% of its total area to such open spaces. These areas will be designated as either subdivision lots or common areas, situated as per environmental and infrastructure considerations. Maintenance of these spaces must adhere to perpetual open space or conservation easement standards. Owners or associations, having the authority to levy maintenance fees, are responsible for the upkeep of privately owned open spaces. These spaces should not constitute individual lot or yard areas. Privately owned open spaces accessible to the public, whether free or fee-based, can be included in the mandatory open space requirement.

1. Open space may include parks, playgrounds, sidewalks, non-motorized pathways, trails, and outdoor amenities may be computed into the open space requirement.
2. Open space excludes private balconies, decks, patio areas, recreation buildings, indoor amenities, vehicle parking, street, and streetscape sidewalks.
3. Open space should be clustered to create the most beneficial and efficient use of space.
4. All pathways and trails shall be paved or constructed of asphalt or concrete, or when approved by the city, an alternate hard surface may be used.



Item No: 2

MEMO TO: Planning Commission FROM: Staff Date: February 15, 2024	Subject: Open Meeting Act Training
Staff Recommendation:	
Background:	
Options:	

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