

Naples Planning and Land Use Regular Meeting Minutes September 9, 2008

Commission Present: Chairman Dale Harrison, Vice Chairman Jim Garner, Stanley Johnson, Walter Gale, Lloyd Barton, Jim Richards

Commission Absent: None

Council Rep Present: Kenneth Reynolds

Others Present: Craig Blunt, Brandy Goff, Greg Simmons, Michelle Kinney, Bob Chaudahri, Brad, Brett Woods

Open Ceremonies: Chairman Dale Harrison welcomes everyone and called the meeting to order at 7:15 p.m. Chairman Dale Harrison opened the meeting with the pledge of allegiance and the invocation was offered by Vice Chairman Jim Garner.

Approval of Agenda: Craig Blunt would like to add Emergency Temporary Housing Permit and the Impact Fee Analysis under General Business. Vice Chairman Jim Garner makes a motion to approve the amended agenda. Stanley Johnson seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Disclosures: None

Approval of Minutes:
August 12, 2008 Public Hearing Stanley Johnson makes a motion to accept the minutes for the Public Hearing on August 12, 2008. Walter Gale seconds the motion.

Roll Call Taken:

Chairman Dale Harrison	Abstain
Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Abstain
Jim Richards	Abstain

The motion passed with all voting Aye

**August 26, 2008
Regular and Public Hearing**

Lloyd Barton makes a motion to approve the Regular and Public Hearing minutes for August 26, 2008. Vice Chairman Jim Garner seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Abstain

The motion passed with all voting Aye

**Commercial Development
Studio 6**

Vice Chairman Jim Garner makes a motion to table preliminary and final approval for Studio 6 motel at this time until later on this evening. Walter Gale seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Aye

The motion passed with all voting Aye

**Grants
Community Development Block Grant
And Community Impact Board**

Craig Blunt: These grants come up for review every year. There used to a wide range of projects you could use with these grants. Lately, the review committee has set up the questions and points in such a way that the grant money is for low income housing and ADA assistance. One of the projects that has been requested is to purchase some property in Parkview Subdivision and allow a beehive home to be built. This

meeting is to discuss what projects you would like to see the City to focus on. The Community Impact Board typically likes water and sewer projects and they do loans on streets and some equipment. They match Master Planning 50/50. The Community Impact Board Funds: there are roads the City is looking at building; 2500 South incorporates the canal, there is work with the county in extending 3500 South to 1500 West. We have been asking for 2500 South to be extended to Highway 40. The 1000 South road going from 3000 South to 2500 South, at the east end of High Country, continuing all the way over to 2500 South and the building of 3000 South from 500 East to 1500 East. There are some developers that are willing to help with that. The last road is 1500 South from Highway 40 to the dugway on down. All in total there are \$9,000,000.00 in roads. The Commission needs to consider the projects and make recommendations on the projects you would like to start with. I wanted to know if the Commission felt like the beehive home would be a good thing, I think it would meet the needs of the City. Chairman Dale Harrison asks if this is an assisted living center. Craig Blunt: yes, sixteen rooms. Lloyd Barton: aren't assisted living centers privately owned and operated? Craig Blunt: yes, eventually. Vice Chairman Jim Garner: does Naples City need to have a facility like this? Craig Blunt: we reviewed this about six years ago and yes there was a need. I do not believe the need has decreased in that time. All of the beehive homes around here are full and have a waiting list. Walter Gale: the nicest beehive home I have been to was on 1950 West 600 South. They really take care of the elderly well. Chairman Dale Harrison: are you planning on having one big structure? Craig Blunt: yes. Vice Chairman Jim Garner: does Naples City buy the land and build the structure? Craig Blunt: no, we buy the land and make it available and affordable for the developer to build the structure. The land is about \$65,000.00 per lot so we would be looking at about \$130,000.00. Stanley Johnson asks how big are the lots. Craig Blunt: they are half acre lots. This would give then an acre to put the home on. Vice Chairman Jim Garner: how many rooms will this structure hold? Craig Blunt: typically sixteen rooms per house. There will be common areas inside which includes the kitchen. These rooms are like a small apartment. Jim Richards asks how much money is available. Craig Blunt: there is \$450,000.00 available to Uintah County. Jim Richards: we could actually get three lots and put in more rooms. Sixteen rooms is not a lot of rooms. Craig Blunt: that was recommended by the company. Chairman Dale Harrison: have you considered what lots are available?

Craig Blunt: there are two lots set back in Parkview Subdivision. Chairman Dale Harrison: I think this is something we need to consider. Vice Chairman Jim Garner we need to consider the east ball diamonds as well. Chairman Dale Harrison: two more ball fields would help with the traffic congestion on the west side. Chairman Dale Harrison: we definitely need to consider the 2500 South road. This road is one of the most traveled roads; I don't know where we would put that as a priority. The assisted living needs to be top priority. Vice Chairman Jim Garner: I would say the assisted living should be top priority followed by the two baseball diamonds then 2500 South road. Chairman Dale Harrison asks if the City is up to code for fire hydrants. Craig Blunt: we made a deal with Ashley Valley Water and Sewer. The City put in about 130 fire hydrants and at that time were put in by the old rules which was in residential 1000 feet apart and commercial 500 feet apart. State Fire Marshalls have changed that to 500 feet apart in

any zone. Ashley Valley Water and Sewer has upgraded lines and add structures they were to put in new hydrants. There are about forty more hydrants to be put in. Vice Chairman Jim Garner asks if there is a timeline for the hydrants to be put in. Craig Blunt: if you think about the City's size, we are an ISO class 5. By installing the hydrants we are saving all of our residents \$100.00 each year.

Chairman Dale Harrison asks about the road department's equipment. Craig Blunt: we could use another dump truck. We do not have a road grader anymore. Jim Richards asks about the importance of a grader for the winter. Craig Blunt: the purpose for the second dump truck is for the cul-de-sacs. Snow will have to be hauled out because there is no where to push the snow except to the center of the cul-de-sac. Eventually it has to be hauled away. The other dump truck currently houses the snow blade and the sander. Jim Richards: since roads have to be maintained, the dump truck should be high priority? Craig Blunt: yes. We can use the dump truck to haul sand and salt also. Chairman Dale Harrison: If we are going to be a City we need to have the equipment to maintain our own. Jim Richards: If the roads are maintained it will cut down on the number of accidents. I think we need to put the road equipment in front of the 2500 South project.

Chairman Dale Harrison: I encourage the Commission to go look at the housing for the elderly in the next couple of weeks and look at the equipment the City road crew has. We will put this on the next agenda.

Jim Garner makes a motion to table the Community Development Block Grants and the Community Impact Board until September 23, 2008. Walter Gale seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Commercial Development

Studio 6

Preliminary/ Final

Chairman Dale Harrison: why are the sidewalks for the school district gone? Craig Blunt: the school district has sold that piece of ground to Studio 6. Jim Richards: were you able to work with the Stevenson family? Bret Woods: The architect has been working with them. Vice Chairman Jim Garner: What type of fence will be around this project? Bret Woods: Eight foot vinyl fence around the back, it tapers to five feet to the front of the building. Vice Chairman Jim Garner: How many stories are there? Bret Woods: Three, it meets the thirty five foot limit. Craig Blunt: has the UDOT access been secured? Mike Chaudahari: yes, there will be a thirty six foot access. Vice Chairman Jim Garner: is there enough parking for the rooms, is the parking covered or uncovered? Bret Woods: yes, uncovered. There will be truck parking to the south side. Stanley Johnson: how many rooms will there be? Bret Woods: 78. Walter Gale makes a motion to recommend to the City Council to approve preliminary and final for Studio 6. Jim Richards seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Ordinance Updates
Quorum Requirements

Craig Blunt: There is a copy of the attorney's recommendations. He wrote in for five alternates with the intention they would be in training. The Mayor and some of the Council would like to have one alternate; my feeling is that we should have two alternates. Vice Chairman Jim Garner: I am fine with the five member Commission with two alternates. Stanley Johnson: I think that we could leave in there that we could have up to five, we could write in two alternates with the possibility of five, this would give us some flexibility. Chairman Dale Harrison: I would like to see at least two alternates but I do not see a need for five. Jim Richards: what is the opinion of the Commission on a three member quorum? Chairman Dale Harrison: this would be great; it would eliminate the chances of a tie. I like the three member quorum because we can still maintain the number of the Commission here. Vice Chairman Jim Garner: can the alternates take part in the discussion? Craig Blunt: yes, they would sit with the Commission. Vice Chairman Jim Garner: the alternates would not be able to vote unless they were part of the quorum. Vice Chairman Jim Garner makes a motion to accept the first reading of the Quorum Requirements. Stanley Johnson seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Residential 3 Zones

Craig Blunt: The reason we are looking at this, if you remember we have had a proposal for an annexation of property to the south of the downtown site that belongs to Randy Simmons right now. Part of the agreement was that they build 3000 South road. There is an eighty foot easement to tie it into 1500 East/ SR 45. Lloyd Barton: is there a time frame? Craig Blunt: we gave them the application and it has not been completed. Lloyd Barton: is there any kind of alignment where they

connect in to 1500 East? Craig Blunt: they will want to connect to 3050 South High Country is also talking about another access on the south side of the property to connect to 500 East. Our recommendation was that they don't dump all of their traffic on 500 East. Craig Blunt: with that development they wanted an R3 zone for some good density. They have asked you guys to consider a new residential zone. There are a couple of examples in your packets of the states and the county's R3 zone. Lloyd Barton: how many acres do they want to re-zone to R3? Craig Blunt: if I remember correctly, forty. They do want to keep ten acres commercial. Lloyd Barton: what is the density for an R3 zone? Craig Blunt: multiple family dwellings could be thirty units or less per acre. Lloyd Barton: that is a possible 1,200 people per acre. Lloyd Barton: I have no problem with the R3 zone but not forty acres. Craig Blunt: you can write this ordinance any way you would like as long as it doesn't copy the R2 zone. Walter Gale: I would like to see them put cottages in there to break it up. Lloyd Barton: one of the Commissioners for the County has said we need to watch out for the high density projects. They are starting to stay away from high density projects. I don't mind if they re-zone up to ten acres then zone around it commercial, it needs to be broken up. If we re-zoned forty solid acres R3 that has a potential of 36,000 people on forty acres. With a project with this density we would need to have a new fire department along with consideration of other impacts. Chairman Dale Harrison: there would be no relief for the congestion. Jim Richards: what if we changed part of it to R3 then kept the other part R2? Is there enough room to put an R3 at the front of the property and also at the back? Craig Blunt: you have to make a decision on the acreage limit for the R3, and then it should be buffered by a C or R2 zone. Walter Gale: does the forty acres extend past this subdivision? Randy Simmons: yes. The bottom twenty acres that would adjoin Naples would be commercial. The entire contract is subject to the Commission's approval. Chairman Dale Harrison: we have developers coming in wanting our commercial to be residential zones. The City is going to grow but we would like to have Commercial grow also. We love the residential but we would like to maintain the residential with commercial. Walter Gale makes a motion to approve R3 as a first reading. Vice Chairman Jim Garner seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Aye

The motion passed with all voting Aye

**Assisted Living
Utah Code Chapter 26-20**

Craig Blunt: In order to have an assisted living center, we have to make provisions to the residential codes to allow them. The state of Utah has put a code together to help protect communities as well as assisted living buildings for example, an assisted living building cannot function as an youth correction center. The community would be

concerned it might be used as something else. Utah code will not allow that building to be used for anything but assisted living. For your review there is an example from the county as well for their assisted living centers permitted uses. Lloyd Barton: does this fit into any zone? Craig Blunt: it would fit in any residential zone. There would need to be a paragraph in each of our residential zones explaining that assisted living can be allowed under state code conditions. Lloyd Barton: several people put these in their home. Craig Blunt: Utah law requires certain licenses to be able to do this. Lloyd Barton makes a motion to approve the first reading of the assisted living ordinance. Vice Chairman Jim Garner seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Administrative Updates **Bylaws**

Craig Blunt: We would need to make a few changes to the bylaws for the change in quorum requirements and provide an explanation as to when the alternates could vote. We will review the bylaws every January. Jim Richards: the City Council can remove us for not being here on a regular basis? Craig Blunt: the Planning Commission governs itself. Chairman Dale Harrison: I would like to change section 7 number 6, the agenda for all Planning Commission meetings should be limited to twelve items, I don't like twelve. The meeting would be too long, I would like to change that to ten. Vice Chairman Jim Garner makes a motion to accept the bylaws for Naples City Planning Commission as a first reading. Jim Richards seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Aye

The motion passed with all voting Aye

General Business **Impact Fees**

The Impact Study has not come back in yet. We have them for parks, roads and public safety.

**Emergency Temporary
Use Housing Permit**

Craig Blunt: From listening to the discussions about this permit I have gathered, this is something we should not get rid of, we need to make it available. It is how we write it up so that it can be available for a family whether commercial as a non conforming use or in residential. The first basis on the old permit was economical recession. Now we take in to account prosperity, the cost of living, and baby boomers; for families who want to take care of their own family. I would like the Commission's input so we can re-write the family care permit. Chairman Dale Harrison: this would only be in commercial and residential areas, correct? Craig Blunt: residential mostly, commercial would be non conforming existing residential housing. Lloyd Barton: would that fall under conditional use? Craig Blunt: everything within the scope of this permit falls under conditional use. Vice Chairman Jim Garner: what about R1, R2 and agricultural zones? Craig Blunt: yes, anything residential unless you want to limit it. The purpose for this permit is to allow families to help families. Lloyd Barton: does Naples have a casitas ordinance? Craig Blunt: no. Lloyd Barton: are they allowed? Craig Blunt: not right now, we don't have one. Vice Chairman Jim Garner: Lloyd, what is a casitas ordinance? Lloyd Barton: a casitas is a little out building, a one bedroom house that will fit on a lot as long as they will meet setbacks. There is a kitchen, bathroom and a bedroom. We need to look at adopting a casitas ordinance. Vice Chairman Jim Garner: you can put one of these buildings anywhere? Lloyd Barton: as long as the setbacks are met. Lloyd Barton: you need to set the parameters for a casitas for what is allowed and what is not. Chairman Dale Harrison: my concern with this is how do we determine if it is an emergency? Lloyd Barton: it has to go through the same water and sewer lateral with ex amount of square feet available for that hookup. This isn't any difference than putting a camp trailer next to a house. Vice Chairman Jim Garner: I do not like the five year limit. Lloyd Barton: I would review the applications every two years. A casitas is on a permanent foundation and becomes part of the real property. Craig Blunt: we also need to specify that it can not become a rental unit. Chairman Dale Harrison: I don't think we should get rid of this ordinance, but I do think we need to regulate this heavily. Vice Chairman Jim Garner: I do not want to see trailer houses sitting behind houses. If we allow one we will have to allow others. Walter Gale: I agree with you but where are these people supposed to put their trailer? Can we say we will review this in two years, it can't be a rental and it can only be immediate family. Lloyd Barton: I think a casitas has to be stick built. Chairman Dale Harrison: I think we need to regulate the mobile homes. There should be an age limit. Lloyd Barton: there is a federal age limit, anything older than a 1976 cannot be moved. Chairman Dale Harrison: I am in favor of the casitas ordinance, stick built. I am not in favor of trailer houses, I don't want one behind every house in the City. Lloyd Barton: how do we police this? Craig Blunt: it will have to be recorded with the property; the casitas will become part of the real property. Jim Richards: maybe the way to restrict it is restrict the size of the building. Vice Chairman Jim Garner: I would like to see a casitas ordinance before we write one. Vice Chairman Jim Garner makes a motion to table the Emergency Temporary Use for Family Care Permit on further reviews of concetta ordinance. Walter Gale seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Aye

The motion passed with all voting Aye
Chairman Dale Harrison talks about on street parking. We need to review the on street parking ordinance. Craig Blunt: I would love High Country to read their bylaws and the High Country to enforce them.

Lloyd Barton: I believe Naples City will be the biggest city in Ashley Valley. I am going to ask for resignation from the board tonight.
Chairman Dale Harrison: I appreciate the time you have given to the Planning Commission.

Adjourn

Walter Gale makes a motion to adjourn. Lloyd Barton seconds the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Stanley Johnson	Aye
Walter Gale	Aye
Lloyd Barton	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Next Planning and Land Use Meeting will be held on September 23, 2008 at 7:00 p.m.