

Naples Planning and Land Use Regular Meeting Minutes April 14, 2009

Regular Meeting

Vice Chairman Jim Garner is the acting Chairman for the April 14, 2009 meeting due to the absence of the Chairman.

Commission Present: Vice Chairman Jim Garner, Jim Richards, Lane Webb, and Stanley Johnson

Commission Absent: Chairman Dale Harrison, Walter Gale and Cresta Slaugh

Council Rep Absent: Kenneth Reynolds

Others Present: John and Stephanie Baker, Mary Bernard, Chris Hoem, and Brandy Salazar

Verification of Full Quorum: Vice Chairman Jim Garner verifies a full quorum.

Open Ceremonies Vice Chairman Jim Garner welcomed the public and Commission members to the meeting and called the regular meeting to order at 7:15 p.m. The pledge of allegiance was led by Lane Webb followed by a prayer given by Jim Richards.

Approval of Agenda: Jim Richards moved to approve the agenda for April 14, 2009 with the change to move the Sign Ordinance Review to the first agenda item. Lane Webb seconded the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Jim Richards	Aye
Lane Webb	Aye

The motion passed with all voting Aye.

Disclosures: None

Approval of Minutes March 10, 2009

Jim Richards moved to approve the Public Hearing and Regular Meeting Minutes for March 10, 2009. Lane Webb seconded the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Jim Richards	Aye

The motion passed with all voting Aye

Ordinances and Guidelines
Sign Ordinance review (02-16)

Chris Hoem: As the ordinance is written now, there are no signs allowed in residential zones. This includes R1, R2, RA-1 and RA-2 zones. The concern we have is that the City would like to promote the signs that advertise Naples. The city attorney suggested that we either accept all signs or no signs in residential zones; we can be zone specific. If the City allows signs in the residential area, we cannot regulate what the sign advertises, this is a first amendment right. The ordinance states off premises signs are not permitted. John Baker: The first paragraph of the ordinance makes it seem that the signs are allowed, the second paragraph states that no off premises signs are allowed. Jim Richards: Would it be possible for the City to allow a permit for off premises signs? They should be considered temporary, so there could be a permit period. Mr. Baker: The permit should state the number of signs, the size of sign allowed, length of time the sign could be up and the limitations for the sign. Jim Richards asks Mr. Baker how big the signs are for Fox Run. Mr. Baker: Four feet by four feet. Jim Richards asks if the signs are placed on private property or in the utility right-of-way. Mr. Baker: The signs are placed in the utility right-of-way but I have visited with each of the land owner's along that road to ensure they were okay with the signs being in front of their homes. Vice Chairman Jim Garner reads the temporary sign regulations, Temporary advertising in all zones may be permitted by the building inspector for up to seven (7) days use, provided that such sign is not placed in a public right-of-way and will not create a safety hazard to the public. Chris Hoem: If ten different companies wanted to do this that would be a lot of different signs staggered along one road. Vice Chairman Jim Garner: While we are amending the sign ordinance, I think we should restrict flashing signs. Vice Chairman Jim Garner wants to discuss this in the next meeting on April 28, 2009. Vice Chairman Jim Garner asks for any other comments. None were given.

Commercial Lighting

Chris Hoem: We have been working with gentlemen from a professional lighting company that not only sells the lamps we have along Weatherby Drive, but they also do photometric layouts for free. In the layout they will determine how many lights are needed at what watts to make the area look nice and adequately lit. The representative that we have been working with has given me a couple of different lighting ordinances from other cities. The next step will be getting a chart that shows what is needed for well lighted areas and bulb size for all zones in the City. The chart will also determine how many fixtures, how far apart the fixtures are and the maximum and minimum amounts of light needed. We are trying to start using induction bulbs, the new bulbs would be more expensive to install but they will last four times longer than incandescent bulbs. There will not be a need for much maintenance so these bulbs will be cheaper in the long run. Vice Chairman Jim Garner asks about the photometric layout for the City. Chris Hoem: They will do that for free for every zone in our City. We are especially considering the Downtown area. Vice Chairman Jim Garner asks for further comments. None were given.

Residential Zone R3/PC Zone

Chris Hoem: We are working with Vic Condie on the Simmons property that has just been annexed into our City. Mr. Condie wants it to be put in mostly residential with some commercial. The planned project is a lot like Daybreak Subdivision on the Wasatch Front. This

type of Community is more pedestrian friendly. The purpose for a Community like this is to have a better community feel. The Planned Community Zone comes from the Daybreak project. Vic Condie originally wanted to do his project just like Daybreak but has recently decided he would like to stick with the simplicity of the R3 Zone. We would like to add Form Based Codes to the R3 Zone. Vice Chairman Jim Garner: Didn't we set a limit for the R3 zone? Chris Hoem: There is a maximum of fifteen units per acres for an R3 zone and it has to be broken up. Mr. Condie's development would be around twelve units per acre with a mixed use. Chris Hoem asks the Commission what direction they would like to go, R3 with Form Based or Planned Community Zone. The Commission would like to go with the R3 zone with Form Based Codes. Chris Hoem: I will give a presentation on Day Break. (Stanley Johnson arrives at the meeting)

Moratorium for Downtown Master Plan

Chris Hoem gives the state legislature guidelines for the moratorium. Chris Hoem: A moratorium is where us, as a City, says that we do not want any development for six months or less in the Downtown area. This will give us time to work on our Form Based Codes to ensure the future developments will follow our Downtown Master Plan. McNeil Group did the Downtown Master Plan and they will be helping us with the Form Based Codes. The Commission is in favor of a moratorium.

Telecommunications Rights-of-way

Chris Hoem: Union Wireless is a wireless company that is a little different from the other wireless companies in our area. The wireless company has stated they have C.O.W.s, cell towers on wheels (trucks). They can drive these trucks out into places that do not get service and act as an intermediate transfer of communications to another tower. Union Wireless would like to put a tower on the City property. We would like to get the Commission's opinion on allowing Union Wireless to put a tower on City property. They have stated they cannot add on to an existing cell tower, their equipment is too heavy. Union has said that if we allow them to build a tower on City property that they will allow the existing cellular companies to use their tower as well; and they have agreed to pay an annually or monthly lease. Stanley Johnson: How big is their tower going to be? Chris Hoem: They have not given us any plans yet. The company needs to find a location for the tower before we will receive plans. Vice Chairman Jim Garner: How will this tower fit in to the Downtown Plan? Stanley Johnson: We need to make sure it looks good in the Downtown Plan before we make a decision. If the tower is going to be big like the one by the disposal ponds then I don't think this is the right location for the tower. Vice Chairman Jim Garner: it would be nice to have plans for the tower. Jim Richards: Would this be the best place for the tower? There are plenty of industrial areas close to the City's property maybe that would be a better location for a cell tower. Chris Hoem asks the Commission if they would review the Telecommunications Rights-of-way and make any needed changes. The ordinance has not been reviewed in a long time. The Commission asked Chris Hoem to research the amount of the lease.

General Business Design Overlay

Chris Hoem: It wasn't specified in the ordinance where the overlay started. I used the center line of the highway for the 600 foot design overlay. Chris Hoem will double check where the line begins. Do we

want to amend the design overlay? The Commission would like the overlay to stay as it is. Chris Hoem asks if the Commission wants to round out the parcels so zones would not split the parcels. Jim Richards: I would like to leave that option to the Commission as development occurs. The Commission would like to leave the present overlay and make changes project to project.

Adjourn

Jim Richards moved to adjourn. Lane Webb seconded the motion.

Roll Call Taken:

Vice Chairman Jim Garner	Aye
Jim Richards	Aye
Lane Webb	Aye
Stanley Johnson	Aye

The motion passed with all voting Aye.

Next Planning and Land Use Meeting will be held on April 28, 2009 at 7:00 p.m.