

**Naples Planning and Land Use
Regular Meeting and
Public Hearing Minutes
July 13, 2010**

Commission Present: Chairman Dale Harrison, Vice Chairman Jim Richards, Walter Gale, Cresta Slaugh, Lane Webb and Kerry Kinney

Commission Absent: Stanley Johnson, and Mark Partridge

Council Rep. Present: Kenneth Reynolds

Others Present: Chris Hoem and Brandy Salazar

Opening Ceremonies: Chairman Dale Harrison welcomed everyone out to the meeting and called the meeting to order. Vice Chairman Jim Richards led the pledge of allegiance and Vice Chairman Jim Richards offered the invocation.

Verification of Quorum: Chairman Dale Harrison verified a full quorum.

**Approval of Agenda
July 13, 2010**

Lane Webb moved to approve the agenda for July 13, 2010. Chairman Dale Harrison seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Vice Chairman Jim Richards	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Kerry Kinney	Aye

The motion passed with all voting Aye

Disclosures None

**Approval of Minutes
May 25, 2010**

Walter Gale moved to approve the minutes for May 25, 2010. Vice Chairman Jim Richards seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Vice Chairman Jim Richards	Aye
Walter Gale	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Kerry Kinney	Aye

The motion passed with all voting Aye

Public Hearing

Vice Chairman Jim Richards moved to open the Public Hearing for Land Use Amendments 02-15 Off Street Parking and 02-22 Residential Agricultural RA-1, Walter Gale seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Vice Chairman Jim Richards	Aye
Walter Gale	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Kerry Kinney	Aye

The motion passed with all voting Aye

Land Use Ordinance Amendments

02-15 Off Street Parking

Chris Hoem: The parking requirements for schools need to be changed. 02-15-004 Off Street Parking Requirements, # 10 currently reads, "1 space per 300 square feet of gross floor area." This requirement would create too many spaces. It now reads, "1 space per employee, plus 1 space per 3 students of driving age, plus 1 space per 6 students of non-driving age." This change would provide a more specific guideline depending on the average age of students. Elementary schools would require less parking. After further discussion, the Commission agreed to change the paragraph to read, "1 space per employee, plus 1 space per 3 students of driving age, plus 1 space per 10 students of non-driving age." Chris Hoem: 02-15-004, page 30, #33. Warehousing currently reads, "1 space per 1,000 square feet of gross floor area for the first 20,000 square feet devoted to warehouse plus the required parking for square footage devoted to other uses. 1 space per 2,000 square feet for the second 20,000 square feet. 1 space per 2,500 square feet of floor area in excess of 40,000 square feet." These guidelines should be kept for retail where there are customers, warehouses for distribution doesn't service as many customers. Generally, warehouses do not have many employees. If, for example, there was a 20,000 square foot warehouse that had four employees, this ordinance requires twenty parking spaces. Warehouses do not service walk in customers so the required parking far exceeds the needed parking. The recommendation is to change the warehousing parking requirements to, "1 parking space per 5,000 square feet or 1 parking space per employee, whichever is greater, with a minimum of 6 parking spaces." The Commission agreed to the change as long as it is specified that this requirement is for distribution warehouses only, no retail sales. Chairman Dale Harrison asked for further public comment, none was given.

02-22 Residential Agricultural RA-1

Chris Hoem read the ordinance as changed. 02-22-002, number 1 now reads, "One or two family dwelling." Number 2 was added and reads, "Livestock and fowls may be raised, cared for, and kept in limited numbers as follows: a. 1 cow, horse, donkey, or mule for every 10,000 sq. ft. b. 1 hog or llama for every 6,500 sq. ft. c. 1 sheep or goat for every 4,000 sq. ft. d. 1 fowl for every 400 sq. ft. The suckling offspring

of a through c above are allowed and do not require any sq. ft. The area requirement for each animal cannot be shared between animals. The minimum area required to keep any livestock or fowls is 20,000 sq. ft. which does not include the 8,000/10,000 sq. ft. required for the human dwelling area.” The Commission discussed the number of animals allowed may be too strict. Kerry Kinney: The sentence, “The suckling offspring of a through c above are allowed and do not require any sq. ft.” can be simplified by changing it to, “The suckling offspring are allowed and do not require any sq. ft.” We do not have to specify “a through c” because d is fowl and they are already excluded from suckling offspring. Chris Hoem: This new paragraph replaced, “The following may be kept for every 20,000 sq. ft.: The raising, care, and keeping of animals and fowl, in limited numbers as follows: Three Hogs or two cows or two horses or five sheep and their suckling offspring, fifty fowl, may be kept for each 20,000 sq ft of pasture. The 20,000 square feet shall not include the primary residence (8,000 sq. ft.)” By wording the guidelines a little differently, this gives property owners more options than just being able to have more than two of one kind of animal. The words Uintah County Board of Health was replaced with Tri County Health Department. Numbers 1 and 2 were removed because these guidelines are in the ordinance in a different section. Number 5 now reads, “Sheds, buildings, and cellars for the storage of farm machinery and produce. Number 6 now reads, “Barns, corrals, pens, netted pens, horse walkers, coops, and feed storage for the keeping of animals and fowl, and the storage of farm products, provided uses for the care and keeping of livestock and fowl are located at least two hundred feet distance from any existing dwelling, public, or private building used for human occupancy, and at least 100 feet from any property line. After further discussion, the Commission agreed to remove “100 feet from any property line. And specify “adjacent property.” Chris Hoem suggested splitting guidelines into two new paragraphs. Chairman Dale Harrison would like to revisit this ordinance in the next meeting. Chris Hoem: Number 7 now reads, “Day-care facilities, which have been approved by the appropriate state and local agencies. Day cares permitting more than 8 children are a conditional use.” Number 8 read “Clubs, lodges (which are compatible with agricultural characteristics), except those in which the chief activity is a business.” This has been removed from the ordinance. Rest homes were removed because the City now has a specific zone for these types of facilities. Number 10, non permitted uses and airports, transition areas of airports were removed. 02-22-003: The Area Requirements were left the same. “Two family dwellings/duplex is allowed at a ratio of one duplex to 5 single family houses” was moved to the subdivision ordinance. I added, “A duplex cannot be built if another existing duplex is within 600 feet of the property. (A duplex is a two family dwelling.) “Upon which animals and fowl, except household pets, are kept or upon which barns, corrals, pens, and coops, for the keeping of such animals or fowl are maintained, shall contain at least twenty thousand square feet of pasture, not including the square feet of primary dwelling” has been removed. The last paragraph of section 02-22-003 read, “Rest homes, schools, and churches, shall be located upon a lot containing at least one acre, except as may otherwise be provided for other uses, there shall be no area requirements.” This paragraph now reads, “Schools, veterinary clinics, hospitals, medical clinics, day care facilities, public parks, and churches shall be located upon a lot containing at least one acre. 02-22-004 Minimum lot width requirements B.3 read, “For schools, churches, hospitals, medical clinics and rest homes, the minimum width shall be one hundred feet.

Width requirements shall be measured at a distance of thirty feet back from the front lot line. For other uses, there shall be no minimum width size." It now reads, "For schools, churches, hospitals, medical clinics, and veterinary clinics, the minimum width shall be 150 feet. For day cares and preschools, the minimum width shall be 100 feet." On page 4, I added "of" changed "in back" to "behind" At the bottom of the fourth paragraph, I removed "except for interior rear lot corner where the setback may be five feet." Fifth paragraph, I added "setback" and changed the distance for two homes on adjacent property to be closer than 18 feet from 20 feet. I added the paragraph, "The footprint of the house and attached garage or carport may not occupy more than 40% of the lot." Page 6, 02-27-007 Size of Dwelling, the word "and" was added along with "(750)" square feet. Chris Hoem: The only two items that need to be researched are the distance from any building for livestock and fowls. Vice Chairman Jim Richards recommends a minimum of 200 feet from any dwelling from livestock and fifty feet from any dwelling for fowl. Chairman Dale Harrison would like to revisit this matter at a later meeting. Chairman Dale Harrison asked for further public comment, none was given.

Vice Chairman Jim Richards moved to close the public meeting, Lane Webb seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Vice Chairman Jim Richards	Aye
Walter Gale	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Kerry Kinney	Aye

The motion passed with all voting Aye

Public Hearing Discussion

Land Use Ordinance Amendments

02-15 Off Street Parking

Chairman Dale Harrison moved to recommend to City Council to approve 02-15 Off Street Parking with the changes made, Cresta Slaugh seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Vice Chairman Jim Richards	Aye
Walter Gale	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Kerry Kinney	Aye

The motion passed with all voting Aye

02-22 Residential Agricultural RA-1

Vice Chairman Jim Richards asked Chris Hoem to research a “Grandfather” law. No motion was made for ordinance 02-22 Residential-Agricultural RA-1 will be discussed at a later meeting.

General Business

Land Use Ordinance Review:

02-29 Infill Development

Chris Hoem: The Council didn’t agree with the 100 foot required hard surfacing on page 2. The Council wanted to change that to “The first 30 feet of driveway or access from the street must be paved.” Chairman Dale Harrison move to accept and recommend to the City Council to accept 02-29 Infill Development with the changes and Chairman Harrison asked that any violations for section 02-29-003 mud tracking be added to the Planning Commission Packets in the future. Walter Gale seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Vice Chairman Jim Richards	Aye
Walter Gale	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Kerry Kinney	Aye

The motion passed with all voting Aye

Binggeli Rock – Renewal of Conditional Use

Chris Hoem: Binggeli Rock has requested the renewal of their conditional use permit for a rock crusher. The original approval of the conditional use permit has conditions the company has to meet, such as, 1. Operating hours 8 a.m. to 5 p.m. / Monday through Friday (crushing) 2. Berm the spoil piles on the west side to the project as a wound buffer 3. Review in mid summer July’s meeting 4. Dust control – use water to minimize dust during crushing and hauling operations 5. Access to 4500 East, road needs to be built up to minimize dust as trucks come and go from crushing operation 6. Legal Counsel Approval of conditions. 7. Follow MSHAW rules 8. Trucks will not use 1500 South road to come and go from crushing operations. Chairman Dale Harrison moved to approve the Conditional Use Permit for Binggeli Rock Products for four years, to be evaluated again in July, 2014. Kerry Kinney seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Vice Chairman Jim Richards	Aye
Walter Gale	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Kerry Kinney	Aye

The motion passed with all voting Aye

Items for Future Discussion

Chris Hoem: Naples Head Start will be bringing plans to the City for a new facility.

Chairman Dale Harrison: Halliburton has not been keeping their weeds maintained and the silt fence needs to be maintained as well, on 1750 South. Craig Blunt will be notified for non compliance.

Lane Webb asked for an update on the prairie dog discussion. The City has contacted the developer and have come to an agreement.

Adjourn

Chairman Dale Harrison moved to adjourn. Lane Webb seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Vice Chairman Jim Richards	Aye
Walter Gale	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Kerry Kinney	Aye

The motion passed with all voting Aye

Next Planning and Land Use Meeting will be held on August 10, 2010 at 7:00 p.m.