

**Naples Planning and Land Use
Regular Meeting
April 12, 2011**

Commission Present: Chairman Dale Harrison, Walter Gale, Cresta Slaugh and Lane Webb

Commission Absent: Vice Chairman Jim Richards, Kerry Kinney and Mark Partridge

Council Rep. Present: Kenneth Reynolds

Others Present: Chris Hoem and Brandy Salazar

Opening Ceremonies Chairman Dale Harrison welcomed the Commission to the meeting. Lane Webb led the pledge of allegiance. Chairman Dale Harrison offered the invocation.

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

Approval of Agenda
April 12, 2011

Cresta Slaugh moved to approve the agenda for April 12, 2011, Lane Webb seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Cresta Slaugh	Aye
Lane Webb	Aye

The motion passed with all voting Aye

Disclosures

None

Approval of Minutes
February 22, 2011

Chairman Dale Harrison moved to table the Minutes for February 22, 2011 until April 22, 2011. Lane Webb seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Cresta Slaugh	Aye
Lane Webb	Aye

The motion passed with all voting Aye

General Business

Affordable Housing Plan

Review of City Council Edits and Final Approval

Chris Hoem met with Gordon Kitchen from the City Council. There was a lot of material removed from the draft ordinance. The City Council removed any language that blamed the City and any language that committed the City to pay for low income housing. The Land Use Ordinance reflects a lot of the material removed from this draft ordinance. The City Council left in a provision stating this ordinance would be revisited every two years. Page 6, 1.13, first paragraph was removed. Page 9, 2.1, the last sentence of the first paragraph was removed. Page 13, 2.2.3, "Despite these circumstances, housing options need to be available in all cities and towns and is not necessarily a regional issue" was removed. Page 14, 2.2.4The first paragraph now reads, "The current number of persons living in the area with these special needs is listed in Table 8 fro Uintah County. According to the 2000 US Census, there were 137 unclassified persons with disabilities. With disabilities come special housing needs. There are other disadvantaged persons with special housing needs living in Naples Currently." Page 15, all paragraphs were removed except the fourth. Page 16 2.3, the second paragraph was removed. Page 17, Section 3. The first paragraph now reads, "Naples City currently has approximately 550 housing units. About 9%

of these units (52) are renter occupied, and of these. Many of the occupants are expending more than 30% of income for that housing.” The second paragraph was removed. Page 18, all paragraphs under Table 9 have been removed. Page 20, 4.1, The last two sentences from the first paragraph was removed as was the remainder of section 4.1. Page 21, 4.2, The first paragraph now reads, “The Naples City land use development ordinance creates six residential zones. The residential zones vary density allowances from about 3 units per acre in the RA-2 up to about 13 units per acre in the R-3 zone with 35 ft. height restrictions. The RA-1 zone allows about 6 units per acre. Multiple unit rental properties can be a maximum of four units with limited flexibility.” The second paragraph now reads, “Density analysis: densities up to 11.5 units per acre are currently allowed even under conditional use processes.” The third paragraph is left in and the fourth paragraph was removed. Page 22, 4.2 now reads, “It is suggested that the C-1 zones should allow greater flexibility for residential development with conditional uses. Currently in the C-1 zone especially in mixed use developments where housing is developed in upper floors of multi-story buildings in a live/work environment or for retail workers associated with Naples City Downtown Master Plan. Housing needs to be accommodated in this area especially senior housing near planned medical services businesses. Workforce housing for retail business employees should also be allowed.” 4.1.2.3, the last sentence of the first paragraph was removed. Page 23, Section 5. #3 was removed. #4.A., #4.B.1., #5, #6 and #7 was also removed. 5.2 “redeveloping and revitalizing” were changed to “developing or vitalizing.” Page 26, Section 6, first paragraph was removed. Page 29 Appendix 1, Implementation Strategy, first paragraph now reads, “Herein is the strategy concerning the housing element of its general plan.” Page 30, Priority #3, 4 and 6 has been removed. Page 32, Housing, “50% of renters fear that they may become homeless in the near future” has been removed. The entire appendix 3 was removed. 4.2 Current Zoning Requirements has been changed with sections removed because the current Land Use Ordinance addresses the requirements. Chairman Dale Harrison moved to accept the Affordable Housing Plan as a Final draft for adoption. Cresta Slaugh seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Walter Gale	Aye

The motion passed with all voting Aye

Lane Use Ordinance Discussion **02-31 Subdivisions –Discussion**

Chris Hoem: I will be meeting with the City Attorney on the 20th of this month to discuss the text in yellow. Page 2: Cul-de-sac, removed, “with a minimum width of 60 feet. Turn around to be at end of 60 foot right of way with a diameter of 100 feet.” Page 3, Lot: now reads, “A parcel or tract of land which is or may be occupied by a building(s).” Lot Right-of-Way will be reviewed with the City Attorney. Page 4, “Protection Strip” now reads, “ A strip of land, of less than the minimum depth required by the Land Use Ordinance for a building lot.” Street width was changed from 28 to 26 feet. Page 5, Subdivision now reads, “The division of any tract or parcel of land, owned as an undivided tract of parcel by a person, into one or more lots or other divisions of land for the purpose, whether for immediate or future sale, of building development. (Subdivision does not include any division of land where every parcel or tract of land within the subdivision exceeds five acres. Such divisions are administered by the Utah Farmland Assessment Act, also called the Greenbelt Act.) 02-31-003 Prohibited Acts now reads, “Improved lots: it shall be unlawful to build any residential or commercial building except on an improved lot.” 02-31-004, The City Attorney will clarify the class of misdemeanor for penalty. 02-31-009 Plans C. has been changed to: All proposed developments that require recommendation from the Planning Commission and approval from the City Council must complete the following three steps: concept plan approval, preliminary plan approval, and final plan approval. Each step must be approved

independently. The approval of each of the three steps expires after one year, unless the next step is approved within that time, or unless the owner/developer submits a request for extension (not more than 1 year for each extension) and is granted such extension by the Planning Commission (see 02-03-006 C.). Every proposed development requires a public hearing, except for Minor Residential Subdivisions (8 dwelling units or less. (See 02-31-002 Minor Subdivision.) Concept plans do not require engineered plats or plans. However, the hand-drawn plan should basically reflect the intent of the owner/developer. The Planning Commission shall review said plans and advise the owner/developer of possible problems within 30 days after receiving the concept plan application. Preliminary plans require a site plan created by a licensed engineer or surveyor (see 02-03-005 C.) and a rendered elevation showing the façade. The Planning Commission shall approve only those preliminary plats which it finds have been developed in accordance with the standards and criteria specified in this ordinance and all other ordinances of this municipality including, but not limited to, the Major Street Plan, the General Plan and the Building Codes. Page 10, # 4. now reads, “**Authorization to Proceed.** One copy of the approved preliminary plat with written conditions attached and signed by the Chairman of the Planning Commission shall be retained by the Planning Commission and one copy shall be given to the owner/developer. Receipt of the signed copy by the owner/developer shall be authorization to proceed with the preparation of plans and specifications for the improvements required in the final plat. Prior to the construction of any improvements required by this ordinance, the owner/developer shall provide the Planning and Land Use office with all plans, information and data necessary to install and construct the improvements. This information shall be examined by the licensed engineer or surveyor representing the City and shall be approved if he/she determines them to be in accordance with the requirements of the City’s ordinances. Construction of buildings shall not be begun until after the final plat has received recommendation from the Planning Commission and approval from the City Council, filed with the County Recorder, and all bonding is in place. Approval of the preliminary plat does not constitute final approval of the project. The Building Official shall ensure that development is in compliance with the final plan, and all other requirements imposed by the Planning Commission and City Council. Upon approval of the plan by the City Council, no alteration shall be made without first obtaining recommendation from the Planning Commission and approval from the City Council.” # 5 now reads, “If the final plat has not been recorded with the County Recorder within a year of final approval, the final plat must be re-submitted for recommendation from the Planning Commission and approval from the City Council. Each individual phase of a subdivision must have a recommendation from the Planning Commission and approval from the City Council. Preliminary approval of an entire subdivision shall not be voided if the final plat of a section or phase is submitted for final approval within one year of the preliminary approval of the entire subdivision. Before seeking final approval on each subsequent phase of a subdivision, the previous phase must have 80% construction completed and 50% occupancy permits issued within the phase. Each phase shall not exceed thirty homes.” # 6 now reads, “Ten days prior to the public meeting to discuss a subdivision plat approval or amendment, or vacation of a subdivision, notice shall be mailed to the affected entities and property owners, posted on the City website, and either published in a local newspaper or posted in 3 public places. Any residential subdivision with only 8 lots or less shall be exempt from notification requirements. All subdivisions must be reviewed and approved by Ashley Valley Water & Sewer.” Section E. Content of Preliminary Plan was removed. Page 13, F was changed to E and now reads, “**Fees.** See General Provision Fee Resolution. The subdivider shall pay a nonrefundable plan check fee for each lot within the subdivision. The fee shall be paid on or before the date the preliminary plat is submitted for approval by the Council. All application fees and plan check fees required by the Planning Commission and City Council must be paid in order for approval of the final plat by the City Council to be considered valid.” Page 15, An Occupancy Restriction, The City Attorney will be consulted for, “If no action is taken within 45 days, the plat shall be deemed to have been approved by the Planning Commission except that such approval shall not operate to waive any requirement of this or any other ordinance of this municipality.” Page 18, General Improvement Requirements. **Scope** This section defines the general requirements for improvements to be built by the owner/developer. The improvements shall include all street improvements in front of all lots and along all dedicated streets to a connection with existing improvements of the same kind or to the boundary of the subdivision nearest existing

improvements. Layout must provide for future ground for proper drainage. All water lines, sewer lines, and any other appropriate utilities buried conduit shall be installed to the boundary lines of the subdivision.” Chairman Dale Harrison asked the Commission to review the drainage requirement section. Chris Hoem will review the ordinance with Craig Blunt and the City Attorney to insure enforcement will still be achievable after removing pages 31, 33, 34 and parts of pages 35 and 36. Chairman Dale Harrison moved to accept as first reading with changes made and discussion with City Attorney to be brought back to the Commission. Walter Gale seconded the motion.

Roll Call Taken:

Chairman Dale Harrison	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Walter Gale	Aye

The motion passed with all voting Aye

Administrative Updates
Planning Intern Potentiality

Chris Hoem: I would like to have a summer intern to help in the Planning Department. If you have anything you would like the intern to work on, please let me know.

Items for Future Discussion

Cresta Slaugh: Western Petroleum’s parking needs to be addressed. Employees are parking along 1500 south, making the road narrow.

Chairman Dale Harrison: Nalco is being flooded from storm drainage off of Pro Petro’s property. This needs to be addressed. Pro Petro has never complied with the drainage and landscaping requirements that were agreed to in 2006.

Adjourn

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

Roll Call Taken:

Chairman Dale Harrison	Aye
Cresta Slaugh	Aye
Lane Webb	Aye
Walter Gale	Aye

The motion passed with all voting Aye

Next Planning and Land Use Meeting will be held on April 22, 2011 at 7:00 p.m.