

**Naples Planning and Land Use
Public Hearing
October 20th, 2015**

Commission Present: Szeth Simmons, Chis Clark, Andrew Bentley

Commission Absent: Mark Partridge, Cresta Slaugh, Kerry Kinney, Kenneth Reynolds

Others Present: Kenneth Reynolds, Joshua Bake, Mayor Dean A. Baker, Heidi Lundberg, Roni Greenhow, Semi Qoro, Katinia Qoro

Verification of full Quorum Chris Clark nominated Andrew Bentley as Chairman Pro-Tem. Szeth Simmons seconds the motion.

All in favor:

Chris Clark	Aye
Szeth Simmons	Aye
Andrew Bentley	Aye

Motion carried with all voting Aye.

None opposed.

All three Commission members will be voting in tonight's meeting.

Approval of Agenda

Szeth motions to approve the agenda October 20, 2015 meeting, Chris seconds the motion

All in favor:

Chris Clark	Aye
Szeth Simmons	Aye
Andrew Bentley	Aye

Motion carried with all voting Aye.

None opposed.

Disclosures

None

Approval of Minutes

Szeth motions to accept the September 15, 2015 minutes. Chris seconds the motion.

All in favor:

Chris Clark	Aye
Szeth Simmons	Aye
Andrew Bentley	Aye

Motion carried with all voting Aye.

None opposed.

Introduction of Heidi Lundberg, new administrative assistant and planning technician.

PLANNING

Joshua: We do have the effective small city training in Price, UT. I made a request to City council for formal approval to travel to this, I did want to extend the invitation City Council and Planning and Zoning commissioners. We would like to carpool down there; it is a one day event. They will be focusing on a lot of topics that are very applicable to small cities such as updating the master city general plan, preparing parks & trails master plan, plan for downtown revitalization, utilizing city mapping and involving the public.

• **REZONE DISCUSSION**

Joshua: As we have discussed in previous Planning & Zoning meetings, this is a small subdivision close to Wildwood that we discovered when a single lot split came before the city. We looked at the needs of the community and where a subdivision should be. This is a small subdivision with 4 or 5 houses is all, however given the nature that it is a subdivision the city staff suggests we look at this and rezone it from an RA-1 to RA-2.

Heidi presented a slideshow presentation about the differences between RA-1 and RA-2.

Joshua: There are not a lot of changes that are being affected by this rezone, however with the nature with the 5 lots that are included, city staff is recommending we rezone to RA-2. I would like to point out that all lots that do not currently comply with this zoning for example each of these lots do not comply with the street frontage, they are non-conforming as we studied before and will remain as non-conforming, it would not change that it would not require anything additional, they would not need to change anything. The objective here is to make it more in line with a true subdivision that is geared more toward that residential aspect. Are there any more questions before city staff before public hearing?

Andrew: So where it's not every going to be conforming because of the lot sizes, are there any constraints like for the future, let's say someone wants to come tear down the houses and just start over.

Joshua: That would not stop them here with their frontage, because their lot frontage is maintained. Now if someone were to purchase 3 of these lots right next to each other and make one large lot, let's say 250 sq ft, they could not then subdivide it back to 3 lots. But if they had their single lot that only had 80 ft frontage they could tear their house and build it on their lot. Any other questions for city staff? City staff recommendation to Planning & Zoning is that we rezone the Otter Creek Subdivision from RA-1 to RA-2.

Motion

Chris motions to start the public hearing, Szeth seconds the motion.

All in favor:

Chris Clark	Aye
Szeth Simmons	Aye
Andrew Bentley	Aye

Motioned carried with all voting Aye.

None opposed.

Public Hearing

In favor:

- o Katina Qoro
1599 s 500 E
Lives in subdivision, in favor
- o Semi Qoro
1599 S 500 E
In favor of the rezone. Our back lot, part of that we are trying to sell to our neighbors. When we discussed that with josh, it made sense and to make it into an RA2 to make it easier on our end.
- o Ronnie Greenhow
1629 S 500 E
When you guys were discussing the differences, would we have to put in a curb & gutter and sidewalk?

Joshua: That would be for new development. You would not be required to change anything. Let's say you were to tear down your house and put in a new development on your house, then you would be required to do that. Or if a developer came in a bought all those houses and then tore them all down and put in a new subdivision, he would then be required to do that. Existing homes, you wouldn't have to change anything.

Opposed:

None

Motion

Szeth motions to close the public hearing, Chris seconds the motion.

All in favor:

Chris Clark	Aye
Szeth Simmons	Aye
Andrew Bentley	Aye

Motioned carried with all voting Aye.

None opposed.

Action Items

- Recommendation to City Council on the following items:
 - Rezone – Otter Creek Subdivision from RA-1 to RA-2

Chris: So essentially the differences still have issue with the frontage, but the non-conforming would come into play essential on the area of the lot than on the lot size.

Joshua: Yeah

Chris: and the RA2 is more applicable to residential subdivisions vs the RA1, just because of the size of the lot.

Joshua: The size of the lot is one, it states in the ordinance that's what it's more geared toward

Szeth: They wouldn't be able to put 300 cows on their 1600 sq ft or whatever it is anymore. It would keep a ton of animals out of your back yard if you wanted stuff like that.

Chris: It doesn't look like the livestock requirements are any different.

Joshua: They are the same either way, they are based on a percentage of your land.

Andrew: Is that amount of square footage for livestock is that minus any dwellings, so if you had 15,000 sq ft and the foot print of your house was 5,000 sq ft then you could still do one cow.

Joshua: I believe so, I can't say for sure, the others I looked at you do minus the foot print of the building.

Andrew: So if a developer were coming in straight minus the frontage portion, with the same subdivision, minus the frontage problem, is there any way they could get ra1 out of this or would it go straight to an ra2? If a developer were coming in asking for it to be subdivided.

Joshua: I don't believe any would work for this. On lot number 2, I'm not sure the exact square footage of the lot, but I am aware it's smaller. The reason we want to keep it as an RA-2 rather than an R-2 is the nature of the neighborhood is still in an semi-agricultural area. It's not in a subdivision with houses behind it. So that's why we feel to keep it agricultural in nature, even though we do have one or two lots that would not be conforming even in changing it to an RA-2, not counting the frontage. With the frontage, they won't be conforming either way.

Chris: So lot 11 and lot 2 were they the same size at one time?

Andrew: No, lot 13 & 15 were the same size at lot 2 but when lot 11 was developed the properties of lot 13 & 15 were added on to that.

Chris: so the original subdivision was smaller lot sizes.

Andrew: Lot 15, 13, and 2 were all the same size.

Joshua: I'm not sure on that, I don't have the original records.

Chris: That's a .75 acre lot. So even with that one is not conforming, even if we change the zones, it's only 11, 00 sq ft. So outside of the discussion of the rezoning, I was wondering if the livestock numbers made sense, if it's the same but I guess it's based on the lot size.

Joshua: Right, bigger lot you can have more animals, smaller lot fewer animals.

Szeth: You would just have to go in and change that on the ordinance how many animals you can have, if that's going to change.

Andrew: wasn't that a discussion we wanted to have at one point anyway? I thought they were going to build a task force last year and decide on animals in residential areas.

- Discussion about the lot split that came before Planning & Zoning, if it would create a flag lot or a land locked parcel. Decided we would look at that after the rezoning.

Motion

Chris makes motion to recommend to City Council to rezone the Otter Creek Subdivision from RA-1 to RA-2, Szeth seconds the motion

All in favor:

Chris Clark	Aye
Szeth Simmons	Aye
Andrew Bentley	Aye

Motion carried with all voting Aye.

None Opposed.

ITEMS FOR FUTURE DISCUSSION

- There will be a special planning meeting to discuss form-based code November 10th at 7:30. It will be a more informal setting to hash out the proposed changes of the form-based code. No formal actions will be taken; discussion about what makes sense and what doesn't. The public is welcome. At the flowing P&Z meeting we will take any formal actions.
- Upcoming Planning & Zoning meetings fall a week before holidays, staff recommends not canceling yet. It is up to the commission to play it by ear.
- First Monday in December is the city Christmas party, December 7th.

- We have been working on finding the ordinances that need cleaning up as we're going along. We will be presenting that in the upcoming weeks.
- Appoint an Appellate board/hearing officer.

ADJOURN

Szeth motions to adjourn, Chris seconds the motion.

All in favor:

Chris Clark	Aye
Szeth Simmons	Aye
Andrew Bentley	Aye

Motion carried with all voting Aye.

None opposed.

The next Planning and Zoning meeting will tentatively be held November 17, 2015 in the Naples City Council Chambers @ 7:30 P.M.