

**Naples City Planning and Zoning  
Special Meeting – Form Based Code Workshop  
November 10, 2015**

**Commission Present:** Chris Clark, Andrew Bentley, Cresta Slaugh

**Commission Absent:** Szeth Simmons, Mark Partridge

**Others Present:** Heidi Lundberg, Dale Peterson, Joshua Bake, Dean Baker, Jim Harper, Kenneth Reynolds

**Verification of full Quorum** Cresta Slaugh verified a full Quorum

**DISCUSSION ON FORM BASED CODE (FBC)**

Josh brought up some talking points:

- One of the best benefits of a Form Based Code is it streamlines the process. This FBC does not do this.
- Do we need a FBC right now? I would not recommend that we would ever take this and throw it out and be done with it. But I do want to discuss the possibility of suspending the FBC for a time until development starts.
  - Talking with developers, the ones that know about our FBC would not develop in our downtown.
- I like FBC, I think they are great. My opinion is I do not want to get rid of the FBC, it is very well written, and they've done a very good job at designing this. They have gone a little restrictive, where things have to be with things the city does not own.
- The first person that gets in to the downtown can make a huge difference. The first person is going to be key.
- We do have an industrial commercial overlay section that is somewhat of a FBC type, it has a design standard, requirements that industries have to do; we could beef that up a little bit.
- Anyone that has talked to me that knows about the FBC has not shown interest. I've talked with many that don't know about the FBC.
- Do we need a FBC right now?
- My idea is a suspension of the FBC should be in order for 1 year. It's an opportunity to get first time risk taker in there. I would never recommend we get rid of the FBC. Is something we want to talk about right now, or suspend it?

Dale said FBCs seems overreaching. Ken said we still need some kind of control. Josh stated the Commercial Industrial Overlay would still have guidelines for developers. We could beef up some part of the commercial aspect. One thing we need to change is the street layout. Josh mentioned if we have a Target that wants to come down here they are going to have to redesign a different type of Target than they usually do or they will go elsewhere. Andrew asked if suspending the FBC just until we get somebody that is not a government entity in there, is that something that would serve better in the short term? Josh said a request like that does need to go through P&Z and go to Council. Mayor said he will never see Naples City with a big development like Park City, and this area isn't that big for big development. Josh doesn't see big development anytime soon, but has a vision of a hotel and fast food restaurants that would create an anchor where people want to go. The Mayor said when creating the FBC they tried to come up with a vision that we would like, not a dictate.

**DISCUSSION ABOUT THE INDUSTRIAL COMMERCIAL OVERLAY SECTION**

Andrew asked about simplifying the FBC. Josh said he'd hate to simplify it too much because we'll want those requirements after we have people in our downtown. To get people in, the FBC is going to scare them away.

The Mayor said we could call it form based code and match it up with our other commercial and say this is our concept. Make something that is appealing to a developer to come, a simple packet. Tweak our Industrial commercial Overlay to make it like a form based code format. Chis said in Commercial Industrial overlay the style of buildings they call out are a different look than what we're doing.

Mayor wants to keep here to keep an appealing look without just being just a metal building

**DISCUSSION ON FORM BASED CODE**

Andrew, Chris, and Josh discussed changing the FBC into a very soft FBC, by changing where it says standards into just guidelines. By doing so, it gives the encouragement to do more than the minimum by having the expensive standards turned into guidelines, making it less costly for developers.

### **DISCUSSION ABOUT BUILDING EXAMPLES IN THE AREA**

Josh brought up the question, are we ok with a Shopko like the one in Ballard, or are we going to hold out for a Park City Wal Mart to come in? With our current downtown and FBC, we would have to wait for the Park City type Wal Mart. Dale likes the QED building design, not too much, not too little.

### **DISCUSSION ON SUSPENDING THE FORM BASED CODE (FBC)**

Josh thinks it would be better if we suspend the FBC but keep it as a conceptual plan as is. Then, beef up our commercial overlay with some of the design requirements. When a developer comes in they will know we have a conceptual plan on the books for when development is going well. Andrew asks if we suspend the FBC until we're past 10% of building out the downtown. Josh thinks an annual review would be easier. Planning and Zoning commissioners can decide when it's time to reevaluate. It would let our Land Use Ordinance control. Andrew suggested after we suspend the FBC, each month take one aspect of the FBC and look at it. Josh agrees that is a great idea.

### **DISCUSSION ON THE DOWNTOWN AREA**

Josh thinks having a Shopko as our first development would be great. If we were to get a Costco to come down, they would not go in a FBC area. The Mayor mentioned the downtown area is not a big chunk of land to develop. A Costco or Walmart would take up the whole area.

### **DISCUSSION OF THE COMMERCIAL INDUSTRIAL OVERLAY**

Josh thinks we're protected right now with what we have to an extent; we won't be getting a big tin building in our downtown. Ken said we need to make sure we like the Commercial Industrial Overlay before we suspend the FBC. Andrew asked about a dream date clause. Josh said we should suspend with annual reviews unless Planning & Zoning determines at such date that they need to reevaluate, to leave the door open.

Josh mentioned we need to fix where it says C is downtown and C1 is regular commercial in the FBC.

Ken said there most likely won't be development for the next 6 months, so we could leave it as is and each month come back and tweak a section of Commercial Industrial Overlay so it's what we like then suspend the FBC so we're not caught in between. Andrew asked if we don't like the Commercial where it's at now. Josh said it needs to be cleaned up but there aren't any major changes. It's been written well but, it needs to be reorganized. The Mayor said the Commercial Industrial Overlay is like master planning. We need something specific instead of vague. Instead of having them interloped, we should have an actual C design standards, C1 design standards, and I standards. Josh said if we separate them out it will clean it up a lot. Mayor said we should suspend the FBC and fall back on the Commercial Industrial Overlay. Josh said is easiest to separate them out into their chapters and eliminate the chapter 2-27. Mayor said they added the overlay a while back so they could start converting industrial into commercial. The only way to do that is take a chunk of land and turn it commercial, and then grandfather it in. Josh and Heidi can break section 2-27 into both commercial and industrial and put them back in their respective sections, eliminate 2-27.

### **DISCUSSION ON ZONES**

Andrew asked if everything is zoned the way we ultimately envisioned it. Or are there sections you want to convert from industrial to commercial? Mayor said the ideal would be to slowly work out all the industrial into commercial; it would be a vision 50-100 years in the future. Josh said when you rezone you have to be sensitive to who is there. To change industrial to commercial, it would be better to do it in a slow process when it warrants a need to be changed.

### **DISCUSSION ON FBC AND COMMERCIAL INDUSTRIAL OVERLAY**

Mayor asked if we have the C and C1 downtown as a separate standard. Josh thought that was a great idea because it shows the city's commitment to a downtown. Josh said there are not a lot of differences between the C and C1 as far as development. Chris said he doesn't understand the purpose of the overlay section. Andrew said that's why we are separating it into their sections, C C1 and I. Josh said the easiest way is for Heidi and Josh to separate chapter 2-27 into everything that applies to commercial and everything that applies to industrial. Makes it easier for Planning & Zoning to look at and decide if anything needs switched around. Andrew asked how long it will take to get the commercial and industrial lined out, reorganized. Josh said we could have it done by December. The Mayor said we need to get this done quickly; it will give us more opportunity.

Josh asked what the plan was from this. The next month we will separate the Commercial Industrial Overlay we'll have a proposal for Planning & Zoning to change the code, the first process of changing it. To separate the Commercial Industrial Overlay into their respective chapters, with a proposal to eliminate 2-27, suspend form based code for 1 year with an annual review unless at such a time Planning & Zoning deems it time to reevaluate the FBC. Then in January it would go before City Council.

Andrew asked if the FBC would change anything if it is in effect for the next two months. Josh replied as long as it's before the final review of the fire station. Dale mentioned the permit for the fire station was issued under a suspended FBC. Josh said we definitely need to get it in the process of re-suspension. Andrew asked for the suspension to go on our next planning meeting.

#### **DISCUSSION ON STREETS IN DOWNTOWN**

Mayor wanted to take the road design that Chris designed and put that as a standard in the C1 cross section. Josh replied by putting that cross section into our ordinance it makes it more of a FBC. We need to be careful of what standards we put in. Andrew said having a road standard is not overreaching. Josh said putting a road in is a huge expense, is a new business going to do it? Chris said if they are buying a subdivided lot the street should have been built. Mayor said we need to add this so it's a requirement for any lot; the infrastructure has to be in. Dale asked if commercial is exempt from subdivision single lot splits. Josh replied they can do it. Chris mentioned if you build small portions of the street year by year it creates maintenance issues. What we want is a developer to buy up all the land and build the streets. Josh said the reality is probably going to be small chunks of streets built at a time. Chris said maybe the city wants to look into doing a project where they build the street out there so he can sell the parcels. Josh thinks that is a great idea, it spurs development. The Mayor mentioned the Latecomer's ordinance. Josh said if we can get grants to punch the road all the way through, it would make it more enticing for the developer to come. The Mayor asked if we don't have this design standard then what standards do we have now? Josh said the standard road is 40 feet. Chris said that won't cut it for development.

The Mayor said he wants C and C1 broken into separate sections. Josh said they are almost identical. The Mayor said it'll be better to have our own separate ordinance for the C1. Josh said he needs to check, he doesn't think we can use chapter 27 for the new C1 ordinance.

December:

- Public hearing to suspend the form based code for 1 year with an annual review unless at such a time Planning & Zoning deems it time to reevaluate.
- 2-27 will be broken apart into C, C1, & Industrial with proposal to eliminate 2-27.
- In the Commercial for C-1 zone, we are going to add this (design standard Chris designed) with the intent that we are going to pursue a grant at some time in the future to punch the street through to spur development. Incorporate this straight into the Commercial C1 zone so we do have that standard.
- Proposal to change the FBC before suspension to incorporate the new road design Chris made.

Those will both be sent to council.

January:

- Public hearing to eliminate ordinance chapter 2-27
- Public hearing to change the Industrial,
- Public hearing to change the commercial zone,
- Public hearing to create the c1 zone

**ADJOURN** Cresta made a motion to adjourn, Kenneth seconds the motion.