

**Naples Planning and Land Use  
Public Meeting  
August 16, 2016**

**Commission Present:** Mark Partridge, Szeth Simmons, Andrew Bentley, Chris Clark, and Mishelle Rowell

**Commission Absent:** Cresta Slaugh

**Others Present:** Heidi Lundberg, Jim Harper, Mayor Baker

**Verification of full Quorum** Mark Partridge verified a full quorum.  
All commission members will be voting in tonight's meeting.

**Approval of Agenda** Chris Clark motions to approve the agenda for the August 16, 2016 meeting, Szeth Simmons seconds the motion.

All in favor:

|                        |            |
|------------------------|------------|
| <b>Mark Partridge</b>  | <b>Aye</b> |
| <b>Szeth Simmons</b>   | <b>Aye</b> |
| <b>Andrew Bentley</b>  | <b>Aye</b> |
| <b>Chris Clark</b>     | <b>Aye</b> |
| <b>Mishelle Rowell</b> | <b>Aye</b> |

Motion carried with all voting Aye. None opposed.

**Disclosures** None

**Approval of Minutes** Szeth Simmons motions to approve the July 19, 2016 minutes. Chris Clark seconds the motion.

All in favor:

|                        |            |
|------------------------|------------|
| <b>Mark Partridge</b>  | <b>Aye</b> |
| <b>Szeth Simmons</b>   | <b>Aye</b> |
| <b>Andrew Bentley</b>  | <b>Aye</b> |
| <b>Chris Clark</b>     | <b>Aye</b> |
| <b>Mishelle Rowell</b> | <b>Aye</b> |

Motion carried with all voting Aye. None opposed.

Land Use Ordinance Changes – Public Hearing Removals - Chapters 02-03 Administration and Procedures; 02-07 Nonconforming uses – noncomplying structures; 02-08 Conditional Uses; 02-29 Infill Development; and 02-31 Subdivisions.

Heidi Lundberg introduced the sections changed. The public hearings that were not state mandated were removed. Under conditional uses changes were made to have conditional uses go before the Land Use Administrator instead of the Planning Commission.

Commissioner Partridge asked for a motion to open the public hearing.

Andrew Bentley motions to open the public hearing for the public hearing removals. Szeth Simmons seconds the motion.

All in favor:

|                        |            |
|------------------------|------------|
| <b>Mark Partridge</b>  | <b>Aye</b> |
| <b>Szeth Simmons</b>   | <b>Aye</b> |
| <b>Andrew Bentley</b>  | <b>Aye</b> |
| <b>Chris Clark</b>     | <b>Aye</b> |
| <b>Mishelle Rowell</b> | <b>Aye</b> |

Motion carried with all voting Aye. None opposed.

**PUBLIC HEARING**

No comments

Szeth Simmons motions to close the public hearing for the public hearing removals. Chris Clark seconds the motion.

All in favor:

|                        |            |
|------------------------|------------|
| <b>Mark Partridge</b>  | <b>Aye</b> |
| <b>Szeth Simmons</b>   | <b>Aye</b> |
| <b>Andrew Bentley</b>  | <b>Aye</b> |
| <b>Chris Clark</b>     | <b>Aye</b> |
| <b>Mishelle Rowell</b> | <b>Aye</b> |

Motion carried with all voting Aye. None opposed.

Commissioner Partridge mentioned it is a great idea to take all the public hearings out, if there is no need for it. It was clarified that public hearings are still required for rezones. Commissioner Partridge asked if a subdivision extension needs to come before the Planning Commission. He expressed they shouldn't need to come in to the Planning Commission if they have all their items in order and on time, if it would just be an administrative decision. Mayor Baker mentioned the 12 month review was so a subdivision doesn't sit for years before being completed. If someone were to come for an extension, if there were some new requirements from a year ago, then the Planning Commission could review that and to approve the extension they would have to change things. Mrs. Lundberg explained we could put it on next month's meeting. Commissioner Partridge commented he likes the Planning Commission to have control of it. Commissioner Bentley commented he would like to see it in another meeting, to have something with more teeth if a developer doesn't move forward the way it was approved. Commissioner Partridge explained he is ok leaving it the way it is or taking it out. Commissioner Clark stated everything that has been changed is good. Mrs. Lundberg said staff would add subdivision extensions to items for future discussion. Commissioner Clark mentioned when we are considering an extension we are not considering what they are doing with the subdivision, they are just asking for more time, so nothing they've already done changes.

Andrew Bentley motions to approve the changes made to chapters 02-03, 02-07, 02-08, 02-29, and 02-31. Chris Clark seconds the motion.

All in favor:

|                        |            |
|------------------------|------------|
| <b>Mark Partridge</b>  | <b>Aye</b> |
| <b>Szeth Simmons</b>   | <b>Aye</b> |
| <b>Andrew Bentley</b>  | <b>Aye</b> |
| <b>Chris Clark</b>     | <b>Aye</b> |
| <b>Mishelle Rowell</b> | <b>Aye</b> |

Motion carried with all voting Aye. None opposed.

**PLANNING/DISCUSSION**

**Land Use Ordinance Changes**

**Review of changes for Chapter 02-06 Appeals and Variances**

Heidi Lundberg explained the changes made since last meeting. We removed nonconforming uses, subdivisions and group homes. Wording changed to Land Use Administrator and Land Use Authority. Mrs. Lundberg explained there can only be one appeal before it goes to court.

Chris Clark motions to approve the changes made to chapter 02-06 Appeals and Variance. Szeth Simmons seconds the motion.

All in favor:

|                        |            |
|------------------------|------------|
| <b>Mark Partridge</b>  | <b>Aye</b> |
| <b>Szeth Simmons</b>   | <b>Aye</b> |
| <b>Andrew Bentley</b>  | <b>Aye</b> |
| <b>Chris Clark</b>     | <b>Aye</b> |
| <b>Mishelle Rowell</b> | <b>Aye</b> |

Motion carried with all voting Aye. None opposed.

#### Discussion on C1 Zone Uses

Mrs. Lundberg explained staff recommendations for the C1 zone uses. Commissioner Clark explained there are a few that would be ok as a conditional use with conditions; Automobile used sales and service. Contractor shop could be approved with conditions such as a fenced yard. Service station would be good as a conditional use so it wasn't a service station with a lot of junk cars on it. Mayor Baker asked what their definition of a service station was. Commissioner Bentley mentioned back in the day it was a gas station that did oil changes. He asked if Rocky Mountain Lube would be a service station. Mayor Baker mentioned maybe the definition is old. Mrs. Lundberg asked if we should change it to Gas Station. Commissioner Bentley replied Jiffy Lube would be considered a service station. Commissioner Partridge mentioned there aren't too many gas stations only, they are all convenience stores. Commissioner Bentley asked if convenience stores were allowed. Mrs. Lundberg stated it is not listed. Commissioner Clark mentioned we should add it in as allowed. Commissioner Partridge agreed. Commissioner Bentley asked if we wanted to take service station out. Commissioner Clark commented if we did it would be good to keep as a conditional use. Mayor Baker gave an example of Moab's downtown having a service station and it can look tacky. Commissioner Clark mentioned a Jiffy Lube wouldn't be a big deal, but it would open up potential for that kind of business. Commissioner Bentley mentioned if they had a nice façade and no broken down vehicles. Mrs. Lundberg mentioned the C1 Zone design requirements were higher than the other zones, so the businesses would have to have the nice façade. She asked if they wanted to leave service station in as a conditional use or remove. Commissioner Simmons replied to remove it; they have plenty of other areas in the city to go. Commissioner Clark mentioned if we leave it as a conditional use we can add conditions. Commissioner Bentley mentioned anything that deals with automotive service should be added as a conditional use, such as motorcycle and motor scooter sales and service. Mayor Baker mentioned Used Car Lots was listed as a duplicate. Commissioner Partridge asked why carwash automatic was allowed but a carwash manual spray wasn't when they would most likely be together. Commissioner Rowell asked how these were decided. Mrs. Lundberg mentioned that staff made recommendations and Joshua Baker's conversations with City Council over time. Mrs. Lundberg explained if there is an automatic carwash that also has manual spray it would be allowed. She also mentioned automatic carwash buildings usually invest more and would typically be a nicer building than just a manual spray carwash. Mrs. Lundberg explained staff had a recommendation to add accessory residential, housing above a business. Commissioner Partridge mentioned he wouldn't want to see that. Commissioner Bentley commented to put conditions on the access way. Commissioner Bentley and Rowell expressed they liked the idea. Commissioner Partridge explained there are places for residential and places for businesses and residential shouldn't be above businesses. Commissioner Rowell mentioned it is a modern vision. Commissioner Bentley clarified it would only be allowed in the C1 Downtown Zone. Mayor Baker mentioned it is also in the C Commercial zone as caretaker dwellings. Mrs. Lundberg asked for any other changes the commission wants on the C1 Downtown Zone. Commissioner Partridge asked about miniature golf as a conditional use but parks and playgrounds are allowed. He also asked about janitor service and supply, if the chemical products were why it is not allowed. Mrs. Lundberg expressed her opinion that it seems more of an industrial service. Commissioner Clark mentioned we have a lot of industrial area; this (C1 Zone) is a limited area so we can limit what we want there. Commissioner Clark asked about cafes. Mrs. Lundberg mentioned

that we removed café or cafeteria and included them in with restaurant. The public hearing for these changes would be next month.

**ITEMS FOR FUTURE DISCUSSION**

Land Use Ordinance Changes

Discussion on Chain-link fencing

Mrs. Lundberg mentioned chain link fencing with privacy slats was approved a while ago, so we wanted to continue that through the rest of the ordinances. Commissioner Partridge asked what zones it would be allowed. Mrs. Lundberg commented all zones. Commissioner Clark mentioned in the industrial zone chain link is reasonable, but downtown commercial next to residential would be different.

Land Use Training 101

Mrs. Lundberg mentioned this training would be very helpful for the commissioners to attend if they are able.

Commissioner Clark asked for more information on subdivision extensions for next month.

**ADJOURN**

Mark Partridge motions to adjourn, Szeth Simmons seconds the motion.

All in favor:

|                        |            |
|------------------------|------------|
| <b>Mark Partridge</b>  | <b>Aye</b> |
| <b>Szeth Simmons</b>   | <b>Aye</b> |
| <b>Andrew Bentley</b>  | <b>Aye</b> |
| <b>Chris Clark</b>     | <b>Aye</b> |
| <b>Mishelle Rowell</b> | <b>Aye</b> |

Motion carried with all voting Aye.

None opposed.

**The next Planning and Zoning meeting will tentatively be held September 20, 2016 in the Naples City Council Chambers @ 7:30 P.M.**