

## *City of Naples*

Naples City Council Meeting Agenda  
August 24, 2017 - 7:30 p.m.  
1420 East 2850 South  
Naples, UT 84078

### Opening Ceremonies

1. Approval of Agenda
2. Approval of Minutes - July 27, 2017 Regular Council Meeting
3. Any follow up matters from meeting of July 27, 2017
4. Approval of Bills - Connie Patton
5. Ratify Approval of Bills - August 10, 2017
6. Resolution 17-299 Approve Interlocal Election Agreement with Uintah County
7. Land Use - Approve Change to the Farm Subdivision 2014 Water Retention Pond
8. Ordinance 17-195 - Change to Chapter 02-28-003 of Land Use Ordinance Adding Food Trucks
9. Ordinance 17-196 - Change to Chapter 02-14-027 Supplementary Regulations Referring to Tobacco Specialty Shops
10. Ordinance 17-197 - Moving All Definitions to Chapter 02-02 of Land Use Ordinance
11. Review Financial Statement
12. Administrative and Special Service District Updates
13. Other Matters/Future Council Matters
14. Motion to Adjourn

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Naples City offices at 789-9090, 1420 East 2850 South, Naples, UT 84078 at least 48 hours in advance of the meeting. Meetings are held at 1420 East 2850 South, Naples, UT.

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda was faxed or emailed to the Vernal Express. The agenda was also posted in the City Hall lobby, outside the door of the City Office building, on the City's website [www.naplescitu.gov](http://www.naplescitu.gov), and on the State Public Meeting Notice website <https://pmn.utah.gov>. Nikki W. Kay

**Naples City Council**  
**July 27, 2017**  
**Minutes**

The regularly scheduled meeting of the Naples City Council was held July 27, 2017, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

***DATE, TIME & PLACE OF MEETING***

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dan Olsen and Kenneth Reynolds. Dennis Long was absent.

***COUNCIL MEMBERS ATTENDING***

Others attending were Mark Watkins, Jim Harper, Connie Patton, and Nikki Kay.

***OTHERS ATTENDING***

At 7:30 p.m. Mayor Dean Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Gordon Kitchen offered the invocation.

***OPENING CEREMONY***

Mayor Baker presented the agenda for approval and said he had one item under other matters. Councilman Kitchen stated he also had one item. Robert Hall **moved** to approve the agenda as amended. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

***AGENDA APPROVED***

Mayor Baker presented the minutes of the July 5, 2017-emergency meeting. Kenneth Reynolds **moved** to approve the minutes of the emergency council meeting. Gordon Kitchen **seconded** the motion. The motion passed with all in attendance voting aye.

***MINUTES APPROVED***

Mayor Baker presented the minutes of the July 13, 2017-regular city council meeting for approval. Dan Olsen **moved** to approve the minutes. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Mayor Baker asked if anyone had something they wanted to follow up on from the previous meeting. Councilman Kitchen asked about the Ordinance for non-truck routes. It was explained Joshua was not quite finished with it. Councilman Kitchen mentioned it would be nice if there was a clause included to have the streets cleaned on a weekly basis, depending on what they are hauling. He said those streets

***FOLLOWUP ITEMS FROM PREVIOUS MEETING***

are pretty dirty right now. It was also noted the trucks are not stopping at the sign on 1500 South. Chief Watkins said they would try and monitor it.

Councilman Kitchen also said someone told him the gate at the new park in Ironwood is being locked. Mayor Baker said that will continue until the new grass is established and then it will be open.

Connie Patton presented the bills in the amount of \$41,451.62. Kenneth Reynolds **moved** to approve the expenditures in the amount of \$41,451.62. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

#### ***APPROVAL OF THE BILLS***

Chief Watkins presented a travel request for Nathan Simper to travel out of state to the UNOA Conference in Nevada. The amount presented was \$531.25. Dan Olsen **moved** to approve \$531.25 for Nathan Simper. Robert Hall **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

#### ***TRAVEL APPROVAL***

Chief Watkins also stated Kimberly Kay and Officer Simper were nominated and would be receiving awards at this same conference. Chief Watkins asked for approval to attend the conference in order to present the awards. He requested approval for per diem and one night of lodging for himself and for Kim. He didn't have the amounts to present but wanted to make sure it was okay with the Council that they are headed down there. No objections were made.

Changes to chapters 02-06, 02-08, and 02-14 of the Land Use Ordinance referring to a Board of Adjustments were submitted to the Council for their approval. Gordon Kitchen **moved** to approve the changes as presented and to adopt

#### ***LAND USE ORDINANCE CHANGE - ORDINANCE 17-193***

Ordinance 17-193. Robert Hall **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Absent
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

The Planning Commission recommended a change to the supplementary regulations referring to flag lots in chapter 02-14 of the Land Use Ordinance. Kenneth Reynolds **moved** to approve this change to the supplementary regulations and adopt Ordinance 17-194. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Absent
Dan Olsen	Aye
Robert Hall	Aye

***LAND USE ORDINANCE  
CHANGE - ORDINANCE  
17-194***

Councilman Kitchen said he would like the City to write a letter thanking the gentleman for the fireworks display put on at Naples Park on the 24<sup>th</sup> of July. Council members felt it was a good idea and they also commended the fire department and the police department.

***OTHER MATTERS -  
FUTURE COUNCIL  
MATTERS***

Mayor Baker reminded Council members of the meeting in the morning with Roger Brooks to hear his thoughts and recommendations after visiting the area for economic development.

With no other business before the Council, Robert Hall **moved** to adjourn the meeting at 7:55 p.m. Kenneth Reynolds **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 24<sup>th</sup> DAY OF AUGUST 2017

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_

## Report Criteria:

Invoices with totals above \$0.00 included.  
Only unpaid invoices included.

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-22500 HEALTH INSURANCE	410	HealthEquity, Inc.	HSA Monthly Fees	R27YBB3	08/01/2017	22.50
10-22500 HEALTH INSURANCE	740	Public Employees Health Prog	Health & Dental Insurance	740-817	08/21/2017	15,780.18
Total :						15,802.68
10-41-230 TRAVEL & PER DIEM	1081	Utah League of Cities & Towns	ULCT Registration - Mayor	ANN17002100	07/13/2017	410.00
Total LEGISLATIVE:						410.00
10-43-330 EDUCATION AND TR	1210	Zion's First National Bank	ULCT Conference Registration	FBNX762PNW	08/09/2017	420.00
Total CITY ADMINISTRATOR:						420.00
10-50-270 UTILITIES - SHOP	1099	Rocky Mountain Power	Monthly Electric Service 6119018	0186-817SH	08/17/2017	245.50
10-50-271 UTILITIES - CITY HAL	622	Mt. Olympus Waters	Equipment Rental	102094540811	08/11/2017	23.16
10-50-271 UTILITIES - CITY HAL	1099	Rocky Mountain Power	Monthly Electric Service 6115959	9596-817OF	08/17/2017	536.51
10-50-271 UTILITIES - CITY HAL	1168	West End Cleaners, Inc.	Traffic rug for offices	A27555	08/01/2017	61.60
Total GENERAL GOVERNMENT BUILDINGS:						866.77
10-54-249 EQUIPMENT/PURCH	589	Milt's Merchandise Mart	Mops	136319	08/08/2017	126.40
10-54-320 DRUG AND ALCOHO	454	Intermountain Toxicology	Drug & Alcohol Screening	8001-23236	08/18/2017	70.00
Total POLICE DEPARTMENT:						196.40
10-59-223 PUBLIC RELATIONS	1153	Wal-Mart Super Center	Employee party	3806	07/31/2017	73.57
10-59-223 PUBLIC RELATIONS	1210	Zion's First National Bank	Employee party	000023	07/31/2017	100.00
Total EDUCATION & PROMOTION:						173.57
10-60-250 EQUIPMENT REPAIR	1147	Vernal Winnelson Company	Icemaker cleaner	414924	07/26/2017	19.90
10-60-257 EQUIPMENT RENTA	677	Outback Rental	Pressure washer	31899	08/08/2017	68.00
10-60-274 TOOLS & SUPPLIES	916	Swain's Security Services	Duplicate keys	125997	08/21/2017	3.90
10-60-275 STRIPING OF STREE	487	Jones Paint & Glass, Inc.	Paint & supplies	VNI0032516	08/09/2017	670.19
10-60-470 WORK SHIRTS/SAFE	341	Fastenal Company	Glasses & ear plugs	UTVER72898	08/14/2017	29.12
10-60-470 WORK SHIRTS/SAFE	341	Fastenal Company	Glasses & ear plugs	UTVER72969	08/15/2017	27.60

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
Total HIGHWAYS:						818.71
10-68-270	UTILITIES-STREET LI	1099 Rocky Mountain Power	Monthly Electric Service 6108154	1546-817ST4	08/04/2017	25.23
Total STREET LIGHTS:						25.23
Grand Totals:						18,713.36

## Report Criteria:

Invoices with totals above \$0.00 included.

Only unpaid invoices included.

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Invoices with totals above \$0.00 included.  
Only unpaid invoices included.

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-22500 HEALTH INSURANCE	22	American Family Life Assurance	Insurance Premium/employee w/h	480631	07/25/2017	833.71
10-22500 HEALTH INSURANCE	410	HealthEquity, Inc.	HSA Monthly Fees	23FDBQK	07/01/2017	22.50
10-22500 HEALTH INSURANCE	490	Judd, Dennis L.	D. Judd dental insurance	490-717	07/31/2017	89.46-
Total :						766.75
10-41-610 MISCELLANEOUS EX	1210	Zion's First National Bank	Shirts - Penney's	24431066	07/27/2017	91.54
Total LEGISLATIVE:						91.54
10-43-330 EDUCATION AND TR	1210	Zion's First National Bank	Energy Summit registration	2422443632	07/13/2017	42.50
10-43-610 MISCELLANEOUS EX	1210	Zion's First National Bank	Shirts - Penney's	24431066	07/27/2017	13.99
Total CITY ADMINISTRATOR:						56.49
10-44-241 BANK CHARGES	1210	Zion's First National Bank	Late fee	1210-717LATE	08/02/2017	19.00
Total TREASURER:						19.00
10-47-133 HEALTH INSURANCE	490	Judd, Dennis L.	D. Judd dental insurance	490-717	07/31/2017	89.46
10-47-310 PROSECUTING ATT	490	Judd, Dennis L.	Prosecuting Attorney	490-717	07/31/2017	3,374.05
10-47-330 CITY ATTORNEY - CI	490	Judd, Dennis L.	Civil matters	490-717	07/31/2017	3,547.33
10-47-610 MISCELLANEOUS C	490	Judd, Dennis L.	Copies, phone calls, etc.	490-717	07/31/2017	50.00
Total CITY ATTORNEY:						7,060.84
10-50-270 UTILITIES - SHOP	46	Ashley Valley Water & Sewer	Water and sewer billing 17.0475.1	0475-717SH	07/31/2017	56.00
10-50-270 UTILITIES - SHOP	46	Ashley Valley Water & Sewer	Water and sewer billing 17.0476.1	0476-717SB	07/31/2017	56.00
10-50-270 UTILITIES - SHOP	760	Dominion Energy	Monthly Gas Service - 056686000	5668-617SH	07/31/2017	12.17
10-50-271 UTILITIES - CITY HAL	46	Ashley Valley Water & Sewer	Water and sewer billing 15.1050.1	1050-717OF	07/31/2017	224.90
10-50-271 UTILITIES - CITY HAL	760	Dominion Energy	Monthly Gas Service - 207686000	2076-717OF	07/26/2017	22.01
10-50-271 UTILITIES - CITY HAL	760	Dominion Energy	Monthly Gas Service - 447509353	4475-717GEN	07/26/2017	21.52
10-50-271 UTILITIES - CITY HAL	760	Dominion Energy	Monthly Gas Service - 896686000	8966-717WW	07/26/2017	7.16
10-50-271 UTILITIES - CITY HAL	775	RDT, Inc.	Garbage Service - 1118	1118-817	08/01/2017	61.00

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-50-271	UTILITIES - CITY HAL	988 Strata Networks	Monthly Phone Service	3050945	07/31/2017	390.08
10-50-271	UTILITIES - CITY HAL	1099 Rocky Mountain Power	Monthly Electric Service 6115952	9526-717WW	08/03/2017	276.77
10-50-271	UTILITIES - CITY HAL	1107 Utah Department of Technology	Wide area network	1801R2150000	07/31/2017	497.00
10-50-271	UTILITIES - CITY HAL	1107 Utah Department of Technology	Email accounts	1801R2150000	07/31/2017	178.20
10-50-273	OLD FIRE STATION/	46 Ashley Valley Water & Sewer	Water and sewer billing 16.1110.1	1110-717FD	07/31/2017	56.00
10-50-273	OLD FIRE STATION/	760 Dominion Energy	Monthly Gas Service - 045686000	0456-717FD	07/26/2017	12.79
10-50-273	OLD FIRE STATION/	1099 Rocky Mountain Power	Monthly Electric Service 6111857	8576-817FD	08/03/2017	109.55
10-50-274	UTILITIES - ROADSID	46 Ashley Valley Water & Sewer	Water and sewer billing 16.0435.1	0435-717RSP	07/31/2017	358.40
10-50-610	MISCELLANEOUS EX	944 TJ's Productions, Inc.	Metal Logo	13146	08/03/2017	175.00
10-50-611	CLEANING SUPPLIE	1210 Zion's First National Bank	Cleaning supplies	2469216692	07/20/2017	75.04
Total GENERAL GOVERNMENT BUILDINGS:						2,589.59
10-51-250	EQUIPMENT, SUPPLI	1201 Xerox Corporation	Copy charges for WC7845	90095593	08/01/2017	62.75
10-51-250	EQUIPMENT, SUPPLI	1201 Xerox Corporation	Copy charges for WC3550	90172140	08/02/2017	2.55
10-51-250	EQUIPMENT, SUPPLI	1219 FP Mailing Solutions	Postage machine - quarterly	RI103326364	07/28/2017	99.99
Total SUPPLIES/EQUIPMENT:						165.29
10-52-220	ADVERTISE/NOTICE	97 Basin Nickel Ads, Newsprint	Public Hearing - Land Use	11982	07/27/2017	51.00
10-52-245	COMPUTER SUPPLI	1006 Uintah County Recorder	Internet charges	44441	08/01/2017	10.00
Total PLANNING AND ZONING:						61.00
10-54-210	BOOKS, SUBSCRIPTI	1063 Utah Chiefs of Police Assoc	Annual Dues	1261	07/20/2017	100.00
10-54-230	TRAVEL & PER DIEM	1210 Zion's First National Bank	Reservation - Casablanca	24431065	07/07/2017	183.72
10-54-249	EQUIPMENT/PURCH	600 Morgan and Alison Photography	Headshots	204	07/18/2017	55.00
10-54-250	VEHICLE MAINTENA	627 Naples Car & Truck Wash	Car washes	234552	08/01/2017	270.25
10-54-251	FUEL & OIL	808 Rocky Mountain Lube & Muffler	Oil change	574447	07/07/2017	50.95
10-54-251	FUEL & OIL	808 Rocky Mountain Lube & Muffler	Oil change #172	574643	07/17/2017	105.60
10-54-251	FUEL & OIL	919 State of Utah Gascard	Fuel	NP51050170	08/04/2017	1,175.66
10-54-251	FUEL & OIL	1174 Pilot Travel Centers, LLC	Monthly fuel purchases	308668451	08/01/2017	381.81
10-54-332	MOBILE UNIT EXPEN	53 AT&T Mobility	Wireless Data Connections	287259274777	07/20/2017	294.22

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-54-334	K-9 EXPENSES & EQ	448 Intermountain Farmers Assoc.	Kennel shade	1008799471	07/18/2017	70.29
10-54-334	K-9 EXPENSES & EQ	448 Intermountain Farmers Assoc.	Kennel & tarp	1008822030	07/24/2017	229.97
10-54-470	UNIFORM ALLOWAN	874 Skaggs Companies, Inc.	Vests	2898459RI	07/01/2017	792.00
10-54-470	UNIFORM ALLOWAN	874 Skaggs Companies, Inc.	Star cards - uniform allowance	29074549RI	07/18/2017	2,400.00
10-54-760	GRANT PURCHASE I	192 CDW Government, Inc.	Computers & monitors	JNS5221	07/21/2017	1,044.36
10-54-760	GRANT PURCHASE I	192 CDW Government, Inc.	Computers & monitors	JNV4536	07/21/2017	1,169.15
10-54-760	GRANT PURCHASE I	192 CDW Government, Inc.	Computers & monitors	JNV5713	07/21/2017	4,483.29
Total POLICE DEPARTMENT:						12,806.27
10-58-251	FUEL & OIL	1174 Pilot Travel Centers, LLC	Monthly fuel purchases	308670901	08/01/2017	32.63
10-58-610	MISCELLANEOUS S	1210 Zion's First National Bank	Shirts - Penney's	24431066	07/27/2017	17.49
Total BUILDING INSPECTOR:						50.12
10-59-223	PUBLIC RELATIONS	1210 Zion's First National Bank	Employee party - pizza	24445006	07/31/2017	100.00
Total EDUCATION & PROMOTION:						100.00
10-60-250	EQUIPMENT REPAIR	106 Basin Saw, Inc.	Trimmer caps	118494	08/07/2017	11.98
10-60-250	EQUIPMENT REPAIR	277 Dan's Tire Service	Tire repair	228247	08/07/2017	17.95
10-60-250	EQUIPMENT REPAIR	958 Main Street Auto	Lens restoration kit	898145	07/31/2017	22.63
10-60-251	FUEL & OIL	1174 Pilot Travel Centers, LLC	Monthly fuel purchases	308670901	08/01/2017	1,012.84
10-60-262	"C" ROAD MAINTENA	1147 Vernal Winnelson Company	Landscape fabric	413913	07/18/2017	353.10
10-60-265	SNOW REMOVAL	515 KW Trucking	Reject sand	25908	07/25/2017	78.00
10-60-265	SNOW REMOVAL	515 KW Trucking	Reject sand	25966	07/20/2017	78.00
10-60-265	SNOW REMOVAL	898 Staker Parson Companies	Road Salt	4393690	07/28/2017	3,958.88
10-60-269	STREET SWEEPER	451 Intermountain Sweeper	Hose	103521	08/03/2017	475.00
10-60-274	TOOLS & SUPPLIES	341 Fastenal Company	Measuring tape, batteries	UTVER72524	07/20/2017	23.93
10-60-274	TOOLS & SUPPLIES	341 Fastenal Company	Measuring tape, batteries	UTVER72605	07/25/2017	16.56
10-60-274	TOOLS & SUPPLIES	555 Lowe's Commercial Services	Rope	906937	07/26/2017	32.27
10-60-274	TOOLS & SUPPLIES	589 Milt's Merchandise Mart	Key	136296	08/07/2017	4.75
10-60-274	TOOLS & SUPPLIES	791 Rhinehart Oil	Washer fluid & grease	3199931	07/20/2017	36.05

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-60-274 TOOLS & SUPPLIES	791	Rhinehart Oil	Washer fluid & grease	3202002	07/26/2017	41.69
10-60-274 TOOLS & SUPPLIES	1147	Vernal Winnelson Company	Rotor tool	413730	07/13/2017	2.44
10-60-274 TOOLS & SUPPLIES	1153	Wal-Mart Super Center	Camera & SD cards	8219	07/27/2017	173.49
10-60-275 STRIPING OF STREE	487	Jones Paint & Glass, Inc.	Paint	VNI0032274	08/01/2017	162.49
10-60-278 BLUE STAKES	341	Fastenal Company	Paint	UTVER72475	07/18/2017	7.56
10-60-282 ROADSIDE PARK MA	1147	Vernal Winnelson Company	Plugs & nipples	413551	07/10/2017	37.22
10-60-282 ROADSIDE PARK MA	1147	Vernal Winnelson Company	Plugs & nipples	413730	07/13/2017	.80
10-60-470 WORK SHIRTS/SAFE	341	Fastenal Company	Gloves	UTVER72456	07/17/2017	108.34
10-60-470 WORK SHIRTS/SAFE	341	Fastenal Company	Gloves	UTVER72465	07/18/2017	77.00
Total HIGHWAYS:						6,732.97
10-68-270 UTILITIES-STREET LI	1099	Rocky Mountain Power	Monthly Electric Service 6108154	1546-717ST	08/01/2017	2,186.42
Total STREET LIGHTS:						2,186.42
10-70-271 UTILITIES OF EAST	46	Ashley Valley Water & Sewer	Water and sewer billing 16.1128.1	1128-717PK	07/31/2017	75.50
10-70-272 PARK IRRIGATION E	46	Ashley Valley Water & Sewer	Water and sewer billing 18.0551.1	0551-717IR	07/31/2017	23.00
Total PARKS:						98.50
Grand Totals:						32,784.78

## Report Criteria:

Invoices with totals above \$0.00 included.

Only unpaid invoices included.

RESOLUTION NO. 17-299

**A RESOLUTION OF THE NAPLES CITY COUNCIL, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN NAPLES CITY, A UTAH MUNICIPAL CORPORATION AND UINTAH COUNTY, A BODY POLITIC OF THE STATE OF UTAH, RELATING TO HOLDING ELECTIONS**

**WHEREAS**, pursuant to the provisions of the Interlocal Cooperation Act, Title 11, Chapter 13, Utah Code Annotated, 1953, as amended, public agencies, including political subdivisions of the State of Utah as therein defined, are authorized to enter into mutually advantageous agreement for the purpose of providing governmental services; and

**WHEREAS**, Naples City has determined that the interest and welfare of the public within its jurisdiction will best be served by this Interlocal Cooperation Agreement regarding the joint agreement of Naples City, A Utah Municipal Corporation and Uintah County relating to conduct of the 2017 municipal general election by Uintah County.

**WHEREAS**, Naples City and Uintah County are public entities as defined by the Interlocal Cooperation Act.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Naples City, Utah as follows:

**Section 1. Interlocal Agreement.** The Naples City Council desires to enter into an Interlocal Agreement between Naples City and Uintah County relating to the conduct of the 2017 general municipal election and authorizes the Mayor to execute the agreement on behalf of Naples City.

**Section 2. Effective Date.** This resolution shall take effect immediately upon its passage.


**PASSED AND ADOPTED** this 24 day of August, 2017.

  
Dean Baker, Naples City Mayor

ATTEST:

\_\_\_\_\_  
Nikki Kay, City Recorder

APPROVED AS TO FORM:

  
Dennis L. Judd, Naples City Attorney



Item No. \_\_\_\_\_

<b>MEMO TO:</b> City Council  <b>FROM:</b> Planning and Zoning/Staff	<b>Subject:</b> The Farm Subdivision 2014 Phase 2	
<b>Recommendation:</b>  Approve the changes made to the Farm Subdivision 2014 Phase 2 water retention pond.	<b>Date:</b> 8/17/2017	
	<b>Fiscal Impact:</b>	
	<b>Funding Source:</b>	
<b>Background:</b> After further review of the water retention calculations for this phase didn't calculate the roof areas.  The engineers added the roof areas (estimated at 2,500 SF) to the storm water impervious calculation. Updated the retention pond volume required. They changed the size of the retention pond easement area description to match the size of the pond needed. A note stating the dimensions of the pond needed to get the volume required was also added.		
<b>Recommendation:</b>  Approve the changes made to the Farm Subdivision 2014 Phase 2 plat.		
<b>Recommended Motion:</b>		

# RETENTION BASIN DESIGN STORM WATER VOLUME CALCULATION

ROAD, CURB AND GUTTER, SIDEWALK, DRIVEWAY, AND ROOF AREAS CONTRIBUTING TO STORM WATER RUN-OFF: 20,167 sq ft

**STORM WATER PEAK RUNOFF CALCULATION (RATIONAL METHOD)**

Drainage Area = 20,167 sq ft = 0.46 Acres

C = 0.90

Intensity = 0.777 in/hr (assumed for this region - 100-yr 2-HR)

Overland = C<sub>o</sub> = 0.90 x 0.777 x 0.46 = 0.32 cfs

**RETENTION POND CALCULATION**

Naples City Ordinance: 02-51-010 (B)(3)(b)(iv)

The storm drainage system must be engineered to retain on-site storm water for 125% of a 2 hour, 100 year storm over the impervious area

RETENTION VOLUME REQUIRED = 0.32 cfs x 2 hr x 3600 s/hr x 1.25 = 2,905 gal

CURRENT OWNER  
NASH FAMILY LLC

CURRENT OWNER  
NASH FAMILY LLC

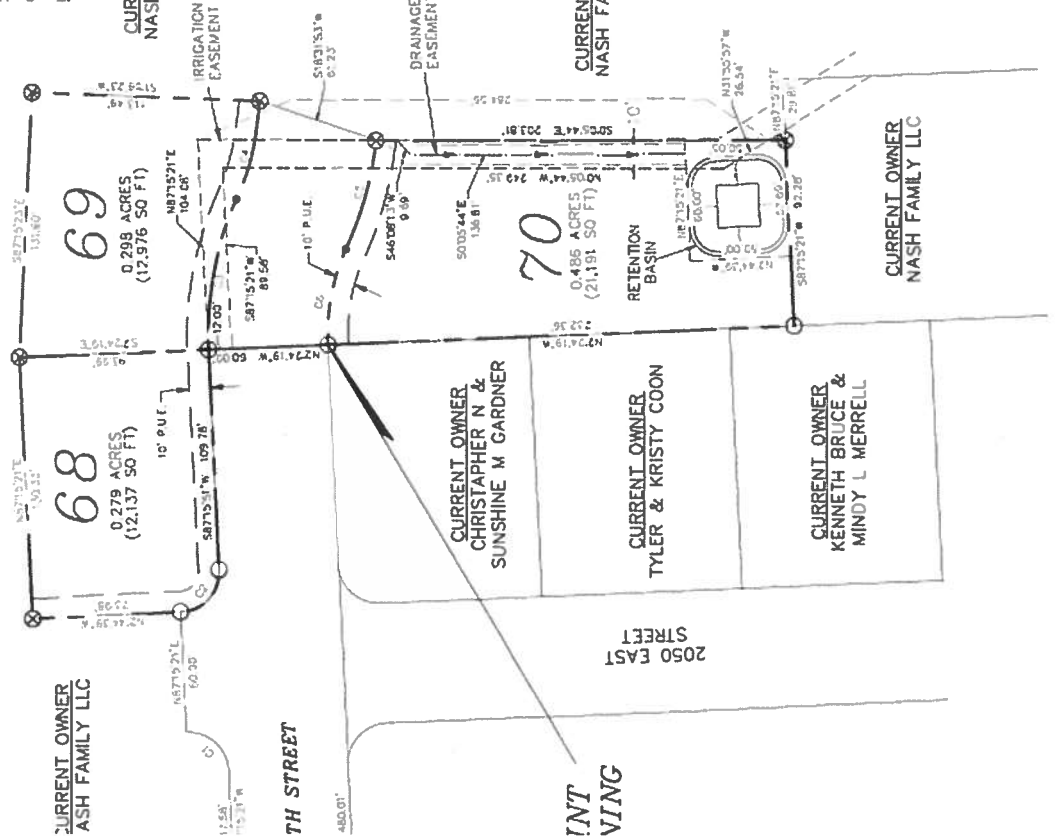
CURRENT OWNER  
NASH FAMILY LLC

CURRENT OWNER  
ASH FAMILY LLC

CURRENT OWNER  
CHRISTOPHER N &  
SUNSHINE M GARDNER

CURRENT OWNER  
TYLER & KRISTY COON

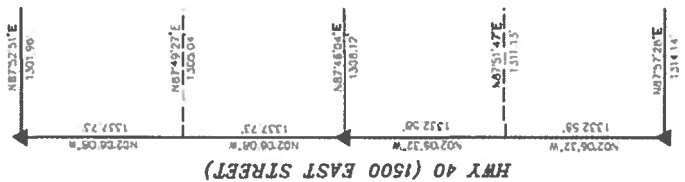
CURRENT OWNER  
KENNETH BRUCE &  
MINDY L MERRELL



**GENERAL NOTES:**

- SEWER AND WATER TO SERVE LOTS 68-70 PREVIOUSLY INSTALLED.
- CURB AND GUTTER ALONG LOTS 68-70 PREVIOUSLY INSTALLED. PAVEMENT TO BE INSTALLED ALONG LOTS 68-70 FRONTAGE AND TIE INTO 1820 S STREET EXISTING PAVEMENT.
- REFER TO LATEST REVISION OF CONSTRUCTION DOCUMENTS FOR THE FARM SUBDIVISION 1800 S AND 1820 S ROADS. (FILE NUMBER 244445)
- THE RETENTION POND WILL HAVE BOTTOM DIMENSIONS OF 2 FT X 2 FT WITH 3:1 V SIDE SLOPES (INSIDE AND OUTSIDE). THE POND SHALL HAVE A 2 FT DEEP WITH 10 FT LONG OVERFLOW CONSTRUCTED AT AN ELEVATION OF 3 FEET ABOVE THE POND BOTTOM. A 10 FT WIDE RIP-RAP RUNDOWN WILL BE INSTALLED DOWN THE SLOPE OF THE POND ON THE DOWNSTREAM SIDE USING D<sub>50</sub> = 6 IN. RIP-RAP 12 INCHES DEEP. THE OVERFLOW SHOULD BE DIRECTED TO RUN TOWARDS THE DRAINAGE DIRECTLY EAST OF THE POND.

NUMBER	LENGTH	RADIUS	DELTA ANGLE	CHORD DIRECTION	CHORD LOGIC
C1	31.42'	20.00'	90.0000°	N47°15'21"E	28.26'
C2	31.42'	20.00'	90.0000°	S47°14'39"E	28.26'
C3	77.02'	162.46'	27.0945°	S79°09'41"E	76.30'
C4	55.94'	116.58'	17.2213°	S74°16'01"E	55.81'
C5	54.13'	178.50'	17.2214°	N74°16'01"W	53.93'
C6	48.93'	102.84'	27.7342°	N78°14'15"W	48.47'



SEC



Item No. \_\_\_\_\_

<p><b>MEMO TO:</b> City Council</p> <p><b>FROM:</b> Planning and Zoning/Staff</p>	<p><b>Subject:</b> Land Use Changes – Adding Food Trucks into the Industrial Zone</p>
<p><b>Recommendation:</b></p> <p>Approve the recommended changes for Chapter 02-28-003 Industrial Zone I-1 Permitted Uses – Adding Food Trucks in the Land Use Ordinance.</p>	<p><b>Date:</b> 8/16/2017</p>
	<p><b>Fiscal Impact:</b></p>
	<p><b>Funding Source:</b></p>
<p><b>Background:</b></p> <p>As food trucks are becoming more popular and common, the Planning Commission wanted to create an ordinance that addressed Food Trucks. Staff and the Planning Commission agreed to start creating an ordinance in the Industrial Zone. Staff looked at other cities' food truck ordinance and then drafted one for Naples City. After talking with the Utah Property Rights Ombudsman and Utah League of Cities and Towns, staff and the Planning Commission agreed on making Food Trucks a permitted use with conditions.</p> <p>The Planning Commission was presented the changes on July 18, 2017 and had a public hearing on August 15, 2017 where the changes were approved and sent to City Council for approval.</p>	
<p><b>Recommendation:</b></p> <p>Approve the recommended changes for Chapter 02-28-003 Industrial Zone I-1 Permitted Uses.</p>	
<p><b>Recommended Motion:</b></p>	

Naples City Ordinance No. 17-195

**An ordinance amending the Naples City Land Use Ordinance making changes in Chapter 02-28-003 Industrial Zone I-1 Permitted Uses.**

WHEREAS, the Naples City Planning Commission has considered proposed revisions to the Naples City Land Use Ordinance and Subdivision Ordinance; and

WHEREAS, the Naples City Planning Commission has conducted duly noticed and open public meetings and hearings, considered the revisions to the Naples City Land Use Ordinance and Subdivision Ordinance on July 18, 2017 and August 15, 2017; and

WHEREAS, the Naples City Planning Commission has found that the revisions set forth herein are in the best interest of the health, safety and welfare of the community, and will improve the land use management and subdivision development procedures in the City of Naples; and

WHEREAS, the Naples City Planning Commission has recommended the changes set forth herein to the Naples City Council; and

WHEREAS, the Naples City Council has in a duly noticed open meeting on August 15, 2017, considered the recommended changes;

NOW THEREFORE, be it ordained by the Naples City Council that:

1. The Naples City Land Use Ordinance is amended as follows (additions are underlined, deletions have a strikethrough):

**02-28-003 Industrial Zone I-1 Permitted Uses has the following changes:**

**02-28-003 I-1 ZONE, PERMITTED USES**

The following buildings and uses of land shall be permitted in the I-1 zone, upon compliance with the requirements of this ordinance:

11. Food Trucks, with the following conditions:

- a. Must obtain a Naples City Business License.
- b. Provide a valid copy of a current Utah business license, a current health department food truck permit; a current approval from a fire and safety inspection and any other licenses or permits required by state or local authorities.
- c. Shall obey all parking and traffic regulations in Naples City.
- d. The outdoor dining area shall not impede pedestrian or emergency access circulation.
- e. Shall not interfere with or limit pedestrian users' free and unobstructed passage.

- f. Shall not operate on public streets where the speed limit exceeds thirty-five (35) miles per hour.
- g. Shall not sell to any person standing in the roadway.
- h. Trash containers shall be provided for the use of the business patrons.
- i. All signs must be physically attached to the vehicle.
- j. Provide written consent of the property or business owner stating the food truck is allowed to operate on that property and provide an adequate area to be used for patron parking.
- k. All power must be self-contained. No use of public or private power sources are allowed without written consent from the owner.

--End of Ordinance Changes--

The revisions to the Ordinance set forth herein become effective upon filing in the office of the City Recorder, and posting. These changes supersede prior inconsistent sections of the Naples City Land Use and Subdivision Ordinances as of the effective date of this Ordinance.

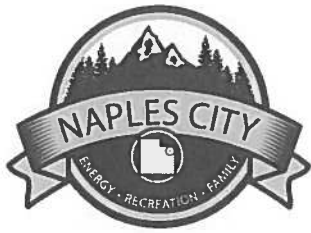
The changes set forth herein shall be inserted in, and incorporated into the Naples City Subdivision Ordinance.

DATED this 24 day of AUGUST, 2017.

  
\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Recorder



Item No. \_\_\_\_\_

<p><b>MEMO TO:</b> City Council</p> <p><b>FROM:</b> Planning and Zoning/Staff</p>	<p><b>Subject:</b> Land Use Changes – Supplementary Regulations – Tobacco Specialty Businesses Clerical Change</p>	
<p><b>Recommendation:</b></p> <p>Approve the recommended changes for Chapter 02-14-027 Supplementary Regulations – Tobacco Specialty Businesses in the Land Use Ordinance.</p>	<p><b>Date:</b> 8/16/2017</p>	<p><b>Fiscal Impact:</b></p>
	<p><b>Funding Source:</b></p>	
	<p><b>Background:</b></p> <p>While reviewing the Land Use Ordinance, staff noticed a hyperlink that is invalid since we have updated the Naples City website. The Planning Commission and staff have decided to refer to the website instead of the hyperlink. This is just a clerical change/cleanup.</p> <p>The Planning Commission was presented the changes on July 18, 2017 and had a public hearing on August 15, 2017 where the changes were approved and sent to City Council for approval.</p>	
<p><b>Recommendation:</b></p> <p>Approve the recommended changes for Chapter 02-14-027 Supplementary Regulations – Tobacco Specialty Businesses.</p>		
<p><b>Recommended Motion:</b></p>		

Naples City Ordinance No. 17-196

**An ordinance amending the Naples City Land Use Ordinance making changes in Chapter 02-14-027 Supplementary Regulations – Retail Tobacco Specialty Businesses.**

WHEREAS, the Naples City Planning Commission has considered proposed revisions to the Naples City Land Use Ordinance and Subdivision Ordinance; and

WHEREAS, the Naples City Planning Commission has conducted duly noticed and open public meetings and hearings, considered the revisions to the Naples City Land Use Ordinance and Subdivision Ordinance on July 18, 2017 and August 15, 2017; and

WHEREAS, the Naples City Planning Commission has found that the revisions set forth herein are in the best interest of the health, safety and welfare of the community, and will improve the land use management and subdivision development procedures in the City of Naples; and

WHEREAS, the Naples City Planning Commission has recommended the changes set forth herein to the Naples City Council; and

WHEREAS, the Naples City Council has in a duly noticed open meeting on August 15, 2017, considered the recommended changes;

NOW THEREFORE, be it ordained by the Naples City Council that:

1. The Naples City Land Use Ordinance is amended as follows (additions are underlined, deletions have a strikethrough):

**02-14-027 Supplementary Regulations – Retail Tobacco Specialty Businesses has the following changes:**

**02-14-027 RETAIL TOBACCO SPECIALTY BUSINESSES**

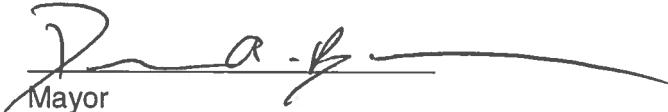
All Retail Tobacco Specialty Businesses as defined in U.C.A.10-8-41.6 shall follow all state and local regulations pertaining to such businesses. See map titled “Naples City Area Prohibited for Retail Tobacco Specialty Business” [on naplescityut.gov](http://naplescityut.gov). at [http://naplescityut.com/images/citycontent/Maps/rtsb\\_buffer\\_map.pdf](http://naplescityut.com/images/citycontent/Maps/rtsb_buffer_map.pdf)

--End of Ordinance Changes--

The revisions to the Ordinance set forth herein become effective upon filing in the office of the City Recorder, and posting. These changes supersede prior inconsistent sections of the Naples City Land Use and Subdivision Ordinances as of the effective date of this Ordinance.

The changes set forth herein shall be inserted in, and incorporated into the Naples City Subdivision Ordinance.

DATED this 24 day of AUGUST, 2017.

  
\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Recorder



Item No. \_\_\_\_\_

<p><b>MEMO TO:</b> City Council</p> <p><b>FROM:</b> Planning and Zoning/Staff</p>	<p><b>Subject:</b> Land Use Changes – Combining definitions into the 02-02 Definitions chapter</p>
<p><b>Recommendation:</b></p> <p>Approve the recommended changes for Chapters 02-02 Definitions; 02-14-004 &amp; 02-14-025 Supplementary Regulations; 02-16-007 Sign Regulations; 02-26-010 Commercial Zone; 02-27-010 Downtown Commercial Zone; 02-28-012 Industrial Zone; 02-30-004 Mobile Home Park Regulations; 02-31002 Subdivisions; 02-32 Buffers; and 02-32-002 Naples City Tree Ordinance in the Land Use Ordinance.</p>	<p><b>Date:</b> 8/17/2017</p> <p><b>Fiscal Impact:</b></p> <p><b>Funding Source:</b></p>
<p><b>Background:</b></p> <p>Staff recommended to remove the numbering system listed in the definitions chapter which will make it easier to update and add definitions later. Staff also recommended combining all the definitions into one chapter, the 02-02 Definitions Chapter to avoid conflicting definitions. We have removed all the definitions listed in the above mentioned chapters and added them to the 02-02 Definitions chapter.</p> <p>The Planning Commission was presented the changes on July 18, 2017 and had a public hearing on August 15, 2017 where the changes were approved and sent to City Council for approval.</p>	
<p><b>Recommendation:</b></p> <p>Approve the recommended changes for Chapters 02-02 Definitions; 02-14-004 &amp; 02-14-025 Supplementary Regulations; 02-16-007 Sign Regulations; 02-26-010 Commercial Zone; 02-27-010 Downtown Commercial Zone; 02-28-012 Industrial Zone; 02-30-004 Mobile Home Park Regulations; 02-31002 Subdivisions; 02-32 Buffers; and 02-32-002 Naples City Tree Ordinance.</p>	
<p><b>Recommended Motion:</b></p>	

Naples City Ordinance No. 17-197

**An ordinance amending the Naples City Land Use Ordinance making changes in Chapter 02-02 Definitions; 02-14-003 & 02-14-025 Supplementary Regulations; 02-16-007 Sign Regulation; 02-26-010 Commercial Zone; 02-27-010 Downtown Commercial Zone; 02-28-012 Industrial Zone; 02-30-004 Mobile Home Park Regulations; 02-31-002 Subdivisions; 02-32 Buffers; and 02-32-002 Naples City Tree Ordinance.**

WHEREAS, the Naples City Planning Commission has considered proposed revisions to the Naples City Land Use Ordinance and Subdivision Ordinance; and

WHEREAS, the Naples City Planning Commission has conducted duly noticed and open public meetings and hearings, considered the revisions to the Naples City Land Use Ordinance and Subdivision Ordinance on July 18, 2017 and August 15, 2017; and

WHEREAS, the Naples City Planning Commission has found that the revisions set forth herein are in the best interest of the health, safety and welfare of the community, and will improve the land use management and subdivision development procedures in the City of Naples; and

WHEREAS, the Naples City Planning Commission has recommended the changes set forth herein to the Naples City Council; and

WHEREAS, the Naples City Council has in a duly noticed open meeting on August 15, 2017, considered the recommended changes;

NOW THEREFORE, be it ordained by the Naples City Council that:

1. The Naples City Land Use Ordinance is amended as follows (additions are underlined, deletions have a strikethrough):

**02-02 Definitions has the following changes:**

**~~02-02-001~~ — ACCESS STRIP**

A strip of land which is part of a lot and provides access to the part thereof used to be used for buildings or structures.

**ACCESSORY RESIDENTIAL**

A separate residential unit that is incidental, subordinate, and secondary to the principal residential or nonresidential use of the property.

**~~02-02-002~~**

~~The Planning Commission/ Land Use Authority shall adopt and maintain a Master Street Map for the City in conformance with and as part of the General Plan. Said Master Street Map shall contain the proposed location and widths of all arterial and collector streets and such other streets as the Commission may deem appropriate. Said Master Street Map shall be submitted to and recommended to the City Council for adoption as the Official Master Street Map. Once adopted by the City Council the Commission shall cause the Official Map to be recorded with the County Recorder's office.~~

**02-02-003** — **AFFECTED ENTITY**

"Affected entity" shall be As defined in accordance with Section 10-9a-103 of Utah Code Annotated.

**02-02-004** — **AGRICULTURE**

The tilling of the soil, the raising of crops, horticulture and gardening, but not including keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospital, or similar uses.

**AGRICULTURAL ZONE**

Provides areas in which agricultural pursuits can be continued within the City of Naples.

**02-02-005** — **AIRPORT TRANSITION**

An area zoned to avoid or lessen hazards resulting from the operation of aircraft and to avoid creation of new hazards and protect the lives of people who use aircraft facilities.

**AIRPORT ZONE (A)**

Intended to keep open and open up collector streets for emergency vehicle travel and maintain the integrity of the Naples Transportation System.

**02-02-006** — **ALLEY**

A public thoroughfare more than 20 feet but less than 26 feet wide. A walk cutting through massed trees or a formal procession of trees, originally in French seventeenth century gardens.

**02-02-007** — **ANIMAL CONTROL**

The care and keeping of pets and strays within the Naples City boundaries as provided for by State and Local Laws.

**02-02-008** — **APPEAL AUTHORITY**

The person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or a variance.

**APPLICANT**

The holder, or written authorized representative, of fee title to land or buildings or to property, whether a person, partnership, corporation, or other entity recognized by law, including any assignee, or successor in interest.

**02-02-009** — **ARCHITECTURAL PROJECTION**

Any projection which is not intended for occupancy and which extends beyond the face of an exterior wall or a building, but shall not include signs.

**02-02-010** — **AREA**

The measure of a region, as of land.

**02-02-011** — **AREA of SPECIAL FLOOD HAZARD**

The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

**02-02-012** — **BASEMENT**

A story partly underground and having at least one half its height between average level of the adjoining ground. A basement shall be counted as a story, for purposes of height measurement.

**02-02-013** — **BARN**

A large structure used for farm storage of equipment, fleet of equipment, farm feed, farm products and animals.

**02-02-014** — **BASE FLOOD**

The flood having one percent chance of being equaled or exceeded in any given year.

**02-02-015** — **BILLBOARD**

~~A freestanding ground sign located on industrial, commercial, or residential property if the sign is designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located.~~

**02-02-016** — **BLOCK**

The land surrounded by streets and other rights-of-way other than an alley, or land which is designated or shown as a block on any recorded subdivision plat or official map or plat adopted by the Council

**02-02-017** — **BOARDING HOUSE - LODGING HOUSE**

A building containing not more than one kitchen where, for compensation, meals are provided pursuant to previous arrangements on a daily, weekly, or monthly basis, as distinguished from a hotel, motel, and café.

**BOSQUE**

A grove of trees, particularly a thickly planted block forming part of the architecture of a garden.

**BUFFERS**

A strip or area that consists of walks and plants which include pre-cast masonry walls and burms. With trees, shrubs, stone, rocks and other landscaping materials at least ten feet in width to form a hardy screen dese enough and high enough both to interrupt vision and to diffuse the transmission fo sound.

**02-02-018** — **BUILDING**

Any structure used or intended for supporting or sheltering any use or occupancy.

**02-02-019** — **BUILDING, ACCESSORY**

A subordinate building or a portion of the main building on a lot, the use of which is customarily incidental to that of a main or principal building.

**~~02-02-020~~ — BUILDING, AGRICULTURAL**

A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation, or a place of employment where agricultural products are processed, treated, or packed, nor shall it be a place used by the public.

**~~02-02-021~~ — BUILDING, DETACHED**

A building surrounded by open space on the same lot may not have less than twenty-feet of open space from that building and the main building on the same lot.

**~~02-02-022~~ — BUILDING, HEIGHT OF**

The vertical distance above 'grade', as defined herein, to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height of the highest adjoining sidewalk or ground surface within a five foot horizontal distance of the exterior wall of the building, when such sidewalk or ground surface is not more than ten feet above grade. The height of a steeped or terraced building is the maximum height of any segment of the building.

**~~02-02-023~~ — BUILDING INSPECTOR OR CHIEF BUILDING OFFICIAL**

The official or other person charged with the administration and enforcement of this ordinance, or his duly authorized deputy.

**~~02-02-024~~ — BUILDING, MAIN**

A building in which is conducted the principal use of the lot on which it is located.

**~~02-02-025~~ — BUILDING, PUBLIC**

A building owned and operated, or owned and intended to be operated, by a public agency of the United States of America, of the state of Utah, or any of its political subdivisions.

**BUSINESS PARKS**

Self-contained commercial areas used for office space separated from other commercial zones by intervening zones of other types.

**CASITAS**

A separate dwelling structure located on a lot with one or more main dwelling and used for housing of family and shall not be sold separately from the main residential structure until such time as all access roads meet all Naples City road standards and specifications, and all subdividing is done strictly in accordance with Naples Zoning and Subdivision Ordinances. Lots with casitas are subject to the area, width and location requirements for two-family dwellings in the applicable zone. Mobile homes, trailers, RV's, campers, and any other temporary buildings and/or vehicles, may not be used as a casitas. A casitas shall only be permitted on lots with an existing owner occupied single-family dwelling or where a permit has been issued and construction is in progress for a single-family dwelling. Only one casitas shall be permitted per lot of record.

**~~02-02-026~~ — CHIEF EXECUTIVE OFFICER**

1. A mayor in municipalities operating under all forms of municipal government except the council-manager form; or
2. A City Manager in municipalities operating under the council-manager form of municipal government.

**02-02-027 — CITY**

Naples City

**CLERESTORY**

A portion of an interior rising above adjacent rooftops and having windows admitting daylight to the interior.

**02-02-028 — CLINIC**

A building used for the diagnosis and treatment of ill, infirm, and injured persons, but which building does not provide board, room, or regular hospital care and services.

**COMMERCIAL VILLAGE CORES**

Those areas designated as C-1 in the Naples City Land Use Ordinance.

**COMMERCIAL ZONE (C)**

Permits the establishment of a well-designed complex of retail commercial facilities and associated services, which will provide goods and services for the public.

**02-02-029 — COMMON OPEN SPACE**

The land area in a subdivision reserved and set aside for recreational uses, landscaping open green areas, parking and driveway areas for the common use and enjoyment of the residents of the subdivision.

**02-02-030 — COMMON OPEN SPACE EASEMENT**

A required right-of-way granted to the city on and over land in a subdivision designated as common open space, which easement guarantees to the city that the designated common open space and recreation land is permanently reserved for access, parking and recreation, and open space purposes in accordance with the plans and specification approved by the Planning Commission and City council at the time of approval of the subdivision or as such plans are amended from time to time.

**02-02-031 — CONDITIONAL USE**

A land use that, because of its unique characteristics or potential impact on the City, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

**02-02-032 — CONDOMINIUM PROJECT**

A real estate condominium project where ownership of a single unit in a multiunit project, together with an undivided interest in common if the common areas and facilities of the property is transferred; a plan or project whereby four or more apartments, rooms, office spaces, or other existing and proposed apartments or commercial or industrial buildings or structures are separately offered or proposed to be offered for sale, and meeting all requirements of the Condominium Ownership Act of the state of Utah.

**CONSIDER**

Used when suggesting a range of alternative design solutions. Compliance is recommended by not required.

~~02-02-033~~ — **CONSTRUCTION STANDARDS**

The Standards and Specification adopted by this Ordinance.

~~02-02-034~~ — **CONSTITUTIONAL TAKING**

A government action that results in a taking of private property so that compensation to the owner of the property is required by the:

- a. Fifth or Fourteenth Amendment of the Constitution of the United States; or
- b. Utah Constitution Article I, Section 22.

~~02-02-035~~ — **COOP**

Cage or small structure for housing poultry and or domestic fowl.

~~02-02-036~~ — **CORRAL**

Could be any size with any number of pens used for holding or separating animals.

~~02-02-037~~ — **COUNCIL**

The legislative body that governing body of Naples City proposes bills, holds votes, and passes laws to help govern the City of Naples.

~~02-02-038~~ — **COURT**

A space, open and unobstructed to the sky, located at or above grade level on a lot, and bounded on three or more sides by walls or a building.

~~02-02-039~~ — **COVERAGE, LOT**

The percent of the lot area covered by the main and accessory buildings.

~~02-02-040~~ — **CULINARY WATER AUTHORITY**

The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

~~02-02-041~~ — **CUL-DE-SAC**

A turn-around at the end of a dead-end street having a diameter of 100 feet.

~~02-02-042~~ — **DAIRY**

A commercial establishment for the manufacture, processing or sale of dairy products.

~~02-02-043~~ — **DAY CARE CENTER**

A building or structure where six or more children are regularly cared for during the day for compensation.

~~02-02-044~~ — **DEVELOPMENT**

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, fillings, grading, paving, excavation or drilling operations located within the area of special flood hazard.

**~~02-02-045~~ — DISABILITY**

- ~~a. A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment.~~
- ~~b. does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.~~

**DOMESTIC ANIMAL**

An animal that is not wild and is kept as a pet or to produce food.

**DOWNTOWN FORM BASED ZONING ORDINANCE (FBZ)**

Refers to the Naples City Form Based Code document. Contains definitions, introductions, procedures, and standards and guidelines for the intent of regulating all development activities within the C-1 Zone.

**DOWNTOWN COMMERCIAL ZONE (C-1)**

Provides locations for a full range of convenience shopping facilities and services which are oriented to serve the city as a whole. Esures a quality rural environment with landscaping, light and air at street level, well defined rural open spaces and compatibility of building materials, colors, and textures so that the appearances from the highway frontage does not present a poor image of the city.

**~~02-02-046~~ — DRY CLEANER**

An establishment which has as its sole purpose the cleaning of fabrics with substantially non-aqueous organic solvents. Laundry establishments with self-service, coin operated dry cleaning machines, shall not be classified as a dry cleaner.

**~~02-02-047~~ — DWELLING**

A building or portion thereof designed or used as the living quarters for one or more families.

**~~02-02-048~~ — DWELLING UNIT, BACHELOR OR BACCALAUREATE**

~~A dwelling unit designed or used to accommodate four or quarters for one or more families.~~

**~~02-02-049~~ — DWELLING, GROUP**

Two or more dwellings placed upon a single lot.

**~~02-02-050~~ — DWELLING, MULTIPLE-FAMILY**

A building arranged or designed to be occupied by three or more families.

**~~02-02-051~~ — DWELLING, SINGLE FAMILY**

A building arranged or designed to be occupied by one family, the structure having only one dwelling unit.

**~~02-02-052~~ — DWELLING, SINGLE FAMILY ROW HOUSE**

A building directly against an adjoining building without an open space between, and containing a one family dwelling unit extending from basement to roof. Each such single family attached dwelling unit shall have a front and rear entrance. Each group of single family attached dwellings shall be considered one structure for purposes of front, rear, and side yard requirements.

~~02-02-053 — DWELLING, TWO-FAMILY~~

~~A building arranged or designed to be occupied by two families, the structure having only two dwelling units.~~

~~02-02-054 — DWELLING UNIT~~

~~One or more rooms in a dwelling, apartment, hotel, or apartment hotel designed for or occupied by one family for living, sleeping, eating, and sanitation purposes. A dwelling unit may contain more than one set of kitchen facilities, whether temporary or permanent, provided they are used only by members of the family occupying the dwelling unit, or their nonpaying guests. A dwelling unit may include up to two persons per unit to whom rooms are rented, in addition to a family related by blood, marriage, or operation of law, but if the number of such additional persons exceeds two or if they use or are furnished separate cooking facilities, whether temporary or permanent such additional persons shall be considered a separate dwelling unit.~~

~~02-02-055 — DUTIES OF LAND USE ADMINISTRATOR~~

~~The Land Use Administrator shall provide in the application process and include a designated routine in Land Use matters and building permit process for the Master Street Map review.~~

~~The review will ensure that:~~

- ~~1. The Planning Commission receives the Master Street Map request on Land Use matters during Conceptual Phase.~~
- ~~2. The Building Official receives the Master Street Map, review report on Land Use matters at permit review.~~
- ~~3. Work with developers, engineers and planners to provide well planned subdivision roads, alleys, and access to collector and arterial streets.~~
- ~~4. Work with developers and their engineers and planners to provide alternative transportation ways connecting to the City's alternative transportation plan.~~
- ~~5. Work with the City Engineers to maintain the City's road development standards. For the purpose of this ordinance, the City adopts UDOT road and bridge Standards and addendums with the following exceptions:
  - ~~1. Compaction is 97%~~
  - ~~2. Asphalt types for Naples street;
    - ~~a. cold native w/ chip seal and flush coat~~
    - ~~b. hot native w/ chip seal and flush coat~~
    - ~~c. hot mix asphalt (HMA) Section 02741M~~~~
  - ~~3. Minimum of 3 inches asphalt, 8 inches untreated road base, 12 inches granular barrow.~~~~
- ~~6. Work with City Engineers to maintain the typical cross section giving location and depth for sewer, water, and utilities.~~

~~02-02-056 — EASEMENT~~

~~The quantity of land set aside, or over which a liberty, privilege, or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public, or some particular person or part of the public.~~

~~02-02-057 — EDUCATIONAL INSTITUTION~~

~~A public elementary or secondary school or a private educational institution having a curriculum similar to that ordinarily given in public schools.~~

ENCOURAGED

Compliance with a guideline using this term is important to the Planning Commission, but is not required.

**02-02-058 — ENGINEER**

The person designated or assigned by the City and according to City policy to be the City Engineer.

**02-02-059 — ESTRAY**

Stray livestock and/or stray domestic animals.

**02-02-060 — FAÇADE**

Any visible side of a building facing a public way or space.

**02-02-061 — FAMILY**

One or more persons related by blood, marriage, or law, plus domestic ~~servants~~ worker employed for service on the premises.

CONSANGUINITY RELATIONSHIP CHART

First Degree	Second Degree	Third Degree
Parents	Grand Parents	Great Grand Parents
Children	Brothers/Sisters	Uncles/Aunts
	Grand Children	Nephews/Nieces
		Great-Grand Children

Under the Degrees of Consanguinity, where Spouse is indicated, the relationship of the spouse is in the same degree as that of the person related by consanguinity, but the spouse is related only by affinity.

**02-02-062 — FENCE**

A tangible barrier or obstruction of any material with the purpose or intent, or having the effect of preventing, passage or view across the fence line. It includes hedges and walls.

**FENCE, SIGHT-OBSCURING**

A fence intended to conceal or hide the view of neighboring properties; which can include chain-link with slats.

**FENESTRATION**

The design and placement of windows in a building.

**02-02-063 — FINAL PLAT**

A map or chart of the land division, which has been accurately surveyed, and such survey marked on the ground so that streets, alleys, blocks, lots, and other divisions thereof, can be identified. The last plat submitted in the approval process.

**02-02-064 — FLOOD or FLOODING**

A general and temporary condition of partial or complete inundation of normally dry land areas from:  
a. The overflow of inland or tidal waters and/or  
b. The unusual and rapid accumulation or runoff of surface waters from any source.

**02-02-065 — FLOOR AREA**

The sum of the gross horizontal area of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not devoted to residential use, but including the area of roofed terraces. All dimensions shall be measured from the exterior faces of the exterior walls.

**02-02-066 — FLOOD HAZARD BOUNDARY MAP (FHBM)**

The official map issued by the Federal Insurance Administration where the areas of special flood hazard have been designated Zone A. Habitable floor means any floor unusable for living purposes, which includes working, sleeping, eating, cooking, or recreation, or a combination thereof. A floor used only for storage purposes in to a habitable floor.

**02-02-067 — FLOOD INSURANCE RATE MAP (FIRM)**

An official map of a community on which the Federal Emergency Management Agency has delineated areas of special flood hazard designated a Zone A.

**FOOD TRUCK**

A full encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport; and from which a food truck vendor, standing within the frame of the vehicle, prepares, cooks, sells, or serves food or beverages for immediate human consumption. Food truck does not include a food car or an ice cream truck.

**02-02-068 — FRONTAGE**

All property fronting on one side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, or end of a dead-end street measured along the street line, an intercepting street shall determine only the boundary of the frontage of the side of the street which it intercepts.

**02-02-069 — GARAGE, CARPORT**

A private garage not completely enclosed by walls or doors for the purposes of this ordinance, a carport shall be subject to all of the regulations prescribed for a private garage.

**02-02-070 — GARAGE PRIVATE**

An enclosed space or accessory building for the storage of one or more motor vehicles, provided that no business, occupation, or service is conducted for profit therein, nor space therein for more than one car is leased to a non-resident of the premises. A garage shall be considered part of a dwelling if the garage and dwelling have a roof or wall in common, or are connected structurally by a physical connection such as a wall, trellis or solid fence, with the exception of home occupations.

**02-02-071 — GARAGE, PUBLIC**

Garage for temporary parking or storage of small to medium size motor vehicles, usually for a fee.

**GARAGE, MECHANIC**

A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling, or storing motor vehicles.

**~~02-02-072~~ — GRADE**

The lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the buildings or the property line, or when the property line is more than five feet from the building, between the building and a line five feet from the building.

**~~02-02-073~~ — GENERAL PLAN**

A document that a municipality adopts that sets forth general guidelines for proposed future development of the land within Naples.

**~~02-02-074~~ — CASITAS**

~~A separate dwelling structure located on a lot with one or more main dwelling and used for housing of family and shall not be sold separately from the main residential structure until such time as all access roads meet all Naples City road standards and specifications, and all subdividing is done strictly in accordance with Naples Zoning and Subdivision Ordinances. Lots with casitas are subject to the area, width and location requirements for two family dwellings in the applicable one. Mobile homes, trailers, RV's, campers, and any other temporary buildings and/or vehicles, may not be used as a casitas. A casitas shall only be permitted on lots with an existing owner occupied single family dwelling or where a permit has been issued and construction is in progress for a single family dwelling. Only one casitas shall be permitted per lot of record.~~

**~~02-02-075~~ — HALF STREETS**

The portion of a street within a subdivision comprising one-half the minimum required right-of-way on which improvements are constructed and in accord with one-half of an approved typical street cross section.

**HEAVY INDUSTRIAL ZONE (I-2)**

The area of the city better suited for heavy industrial use which are more intense by nature than those uses permitted in the I-1 zone and often accompanied by noise, odors, and other factors which make the uses objectionable near residential and commercial zones.

**~~02-02-076~~ — HOME OCCUPATION**

Any use conducted entirely within a dwelling and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the character thereof and in connection with which there is no display non stock-in-trade.

**~~02-02-077~~ — HORSE WALKER**

Mechanically controlled device used in a small area or a small area used for animal exercise. The area is maintained to control dust.

**~~02-02-078~~ — HOTEL**

A building designed for or occupied as the more or less temporary abiding place of sixteen or more individuals, who are for compensation lodged with or ~~within~~ without meals.

**~~02-02-079~~ — HOUSEHOLD PETS**

Animals ordinarily permitted in residences and kept for the company or pleasure of residents, such as domesticated birds, domesticated cats and domesticated dogs. Household pets also include tropical fish, amphibians, reptiles, or invertebrates of a number or species that do not constitute a health hazard or nuisance and can safely and humanely be kept in aquariums, cages, or enclosures within a residence. Household pets shall not include the keeping of

"vicious animals", "venomous animals", "constrictors", "wild animals" or "livestock" as defined in this ordinance. Furthermore, household pets shall not include miniature horses, pygmy goats, and Vietnamese pot-bellied pigs.

~~02-02-080~~ — ~~IDENTICAL PLANS~~

~~Building plans submitted to the City that are substantially identical to building plans that were previously submitted to and reviewed and approved by the City and describe a building that is;~~

- ~~a. located on land zoned the same as the land on which the building described in the previously approved plans is located; and~~
- ~~b. subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans.~~

~~02-02-081~~ — ~~IMPROVED LOT~~

A lot which has all of the improvements required by this Ordinance.

~~02-02-082~~ — ~~IMPROVEMENT~~

Work, objects, devices, facilities, or utilities required to be constructed or installed in a subdivision. Such improvements may include, but are not limited to, street construction to required standards, grading, landscaping, water facilities, sewer facilities, street, trees, sidewalks, curbs and gutters, drainage facilities, street signs, street lights, traffic control or other safety devices, fire hydrants, and such other facilities, or construction required by the subdivision ordinance, subdivision regulations, or by the Planning Commission and/or City Council for the necessary proper development of the proposed subdivision.

~~02-02-083~~ — ~~INCOMBUSTIBLE MATERIAL~~

Any material which will not ignite at or below a temperature of 1200 degrees Fahrenheit during an exposure of five minutes, and will not continue to burn or glow at that temperature. Tests shall be made as specified in the uniform building code.

INDUSTRIAL ZONE (I-1)

Covers a portion of the city which is suited for light and medium intensity industrial development.

~~02-02-084~~ — ~~INFILL DEVELOPMENT~~

It is a lot improvement within or adjoining residential zoned land. It may be a division of a previously layer lot or parcel that has been skipped over leaving little access, or where demolition has occurred. The infrastructure is in place but due to other developments around it access or frontage cannot meet current zone requirements.

~~02-02-085~~ — ~~INTERVENING PROPERTY~~

Property located between the existing service facility, and the property under development.

~~02-02-086~~ — ~~JUNK YARD~~

The use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metal or other scrap materials or for the dismantling, demolition, or abandonment of automobiles, or other vehicles, or machinery or parts thereof, provided that this definition shall not be deemed to include such uses which are clearly incidental to and accessory to any agricultural use permitted in the zone.

~~02-02-087~~ — ~~KENNEL~~

The land or buildings used in the keeping of four or more dogs or cats over four months old.

**~~02-02-088~~ — LANDSCAPING**

Landscaping shall mean some combination of planted trees, shrubs, vines, ground cover, flowers, or lawns. In addition the combination ~~or of~~ design may include rocks and such structural features as fountains, pools, art works, screens, walls, fences or benches, but such objects alone shall not meet the requirements of this ordinance.

**~~02-02-089~~ — LAND USE APPLICATION**

An application required by the Naples City Land Use Ordinance.

**LAND USE ADMINISTRATOR**

The Land Use Administrator shall be designated to hear and act on Land Use applications and may decide certain matters as designated by the City Council, and consistent with guidelines established by this Chapter and State law and the rules adopted by the Planning Commission.

**~~02-02-090~~ — LAND USE AUTHORITY**

A person, board, commission, agency, or other body designated by the local legislative body to act upon a land use application.

**~~02-02-091~~ — LAND USE ORDINANCE**

A planning, zoning, development, or subdivision ordinance of the municipality, but does not include the general plan.

**~~02-02-092~~ — LAUNDROMAT OR LAUNDERETTE**

A self-service laundry establishment where clothes are cleansed in a coin operated machine. Laundromats or launderette may include self-storage coin operated dry cleaning machines.

**~~02-02-093~~ — LAND USE PLAN**

A plan adopted and maintained by the City Council which shows how the land is being used - an element of the master plan.

**~~02-02-094~~ — LATECOMERS**

Those landowners or any person who subsequently utilize public improvements that were privately funded by another land owner.

**~~02-02-095~~ — LEGISLATIVE BODY**

The Municipal Council.

**~~02-02-096~~ — LIVESTOCK**

Domestic animals of types customarily raised or kept on farms for profit or other productive purposes. This does not include Urban Livestock

**~~02-02-097~~ — LIVESTOCK CORRAL**

A place or pen where livestock are kept on a seasonal basis as part of an agricultural enterprise or operation, as distinguished from a livestock feed yard.

**~~02-02-098~~ — LIVESTOCK FEED YARD**

A feeding operation on a parcel of land where livestock are kept or exchanged in corrals or yards on a year round basis, and where feed is brought to the yard, as contrasted to feed obtained through grazing the animals on the premises.

**LIVESTOCK, URBAN**

Rabbits, ducks, hen chickens, goats and bees.

**~~02-02-099~~ — LODGING HOUSE**

A building where lodging only is provided for compensation to five or more, but not exceeding fifteen persons, in contrast to hotels.

**~~02-02-100~~ — LOT**

A parcel or tract of land ~~within a subdivision~~ which is or may be occupied by a building or structure and the accessory buildings, structures or uses customarily incident thereto, including such open spaces as are arranged and designed to be used in connection with the building according to the zone within which the lot is located. Except for group dwellings and a guest house, not more than one dwelling structure shall occupy any one lot.

**~~02-02-101~~ — LOT LINE ADJUSTMENT**

The relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record.

**~~02-02-102~~ — LOT RIGHT-OF-WAY**

An easement of at least eight feet width, reserved by the lot owner as a private access to serve interior lots not otherwise located on a street.

**~~02-02-103~~ — LOT, CORNER**

A lot abutting on two intersecting streets where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees.

**~~02-02-104~~ — LOT, INTERIOR**

Any lot other than a corner lot

**~~02-02-105~~ — MAJOR STREET**

~~A street, existing or proposed, which serves, or is intended to serve, as a major traffic way, and is designated as a collector or arterial street on a Master Plan.~~

**~~02-02-106~~ — MAJOR STREET PLAN**

~~The major street plan of this municipality.~~

**~~02-02-107~~ — MANUFACTURED HOME**

~~A structure, transportable factory build housing unit constructed on or after June 15, 1976, according to the HUD Code, in one or more sections that;~~

- a. In the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet; and
- a.b. Is ~~which is~~ built on a permanent chassis and ~~is~~ designed ~~for to be used~~ as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

**02-02-108 — MAP, OFFICIAL**

The official map or maps drawn by municipal authorities and recorded in a County Recorder's office. Any map adopted by the City Council under the provisions of Section 17-27-7, Utah Code Annotated, 1953 as amended.

Official map does not:

1. Require a land owner to dedicate and constrict a street as a condition of development approval, except under circumstances requiring the dedication and improvement of a street is found necessary by the municipality because of a proposed development.
2. Require the City to immediately acquire property it has designated for eventual use as a public street.

The official map does allow:

1. The City to recommend that an applicant to meet with the Land Use Authority or anyone applying for a building permit to consider and accommodate the location of the proposed street and/or street easement in the planning of the development proposal.
2. Acquiring the property through purchase, gift, volunteer, dedication, or eminent domain; or
3. Requiring the dedication and improvement of the street if the street is found necessary by the City because of a proposed development and if the dedication and improvement are found necessary due to the developments impact the transportation system.

Any map adopted by the City Council under the provisions of Section 17-27-7, Utah Code Annotated, 1953 as amended.

**02-02-109 — MASTER PLAN**

A comprehensive plan that provides a long-range vision for the City of Naples. The Master Plan of this municipality.

**MATERIALS, ACCENT**

Approved materials that are allowed to cover 10-20% of the façade of a building used for trim elements.

**MATERIALS, PRIMARY**

Approved materials that are allowed to cover 50% or more of the façade of a building.

**MATERIALS, SECONDARY**

Approved materials that are allowed to cover 25-50% of the façade of a building.

**02-02-110 — METES AND BOUNDS**

The description of a lot or parcel of land by courses and distances.

**02-02-111 — MINOR STREET**

A street, existing or proposed, which is supplementary to a collector street, and of limited continuity, which serves, or is intended to serve, the local needs of a neighborhood.

**02-02-112 — MINOR SUBDIVISION**

A subdivision containing less than ~~ten (10)~~eight (8) lots with all lots having the required frontage on a dedicated public street and not traversed by a proposed street.

**MIXED USE VILLAGE CORES**

Commercial areas which have also incorporated residential uses. Mixed use village cores can be found only in the C zone in Naples City.

**02-02-113 — MOBILE HOME**

~~A moveable living unit at least ten feet in width designed to be transportable after fabrication on its own wheels, attached wheels, or lowboy, suitable for year-round occupancy and containing a flush toilet, sleeping accommodations, a tub or shower, kitchen facilities, plumbing and electrical connections provided for attachment to appropriate external systems. Pre-sectioned, modular or prefab housing not placed on a permanent foundation shall also be regarded as a mobile home whether or not such units meet the city's building and housing codes. A transportable factory built housing unit built before June 15, 1976, in accordance with a state mobile home code which existed prior to the HUD Code.~~

**02-02-114 — MOBILE HOME PARK**

A parcel of land which has been placed and improved for the placement of mobile homes for residential use with single control or ownership.

**02-02-115 — MOBILE HOME SUBDIVISION**

A parcel of land which has been planned and improved for the placement of mobile homes for residential use on single lots with private ownership of the lots.

**02-02-116 — MODERATE INCOME HOUSING**

Housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.

**MODERN VERNACULAR**

Design that modulates precedent with innovation and blends recognition with surprise through the use of materials and forms.

**MODULAR UNIT**

A structure for the purpose of human habitation, occupancy, or use that is built from sections that are manufactured in accordance with the State Construction Code and transported to a building site.

**02-02-117 — MOTEL**

Any building or group of buildings containing sleeping rooms designed for temporary use by automobile tourists or transients with garage attached or parking space conveniently located to each unit.

**02-02-118 — MOUNTAIN HOME DEVELOPMENT**

~~A subdivision in which the roads, travel easements, water lines, and open spaces are not dedicated to the public, but are retained as private facilities, and in which the dwellings or lots are designed to be occupied only during the months of April, May, June, July, August, September, and October.~~

**02-02-119 — NATURAL WATERWAYS**

Those areas, varying in width, along streams, creeks, gullies, springs, or washes which are natural drainage channels, ~~as determined by the Building Inspector,~~ and in which no buildings shall be constructed.

**02-02-120 — NETTED PEN**

Cage or structure, used for housing game birds.

**02-02-121 — NIGHTCLUB**

A place of entertainment open at night, usually serving food and liquor, having a floor show, and providing music and space for dancing.

**02-02-122 — NOMINAL FEE**

A fee that reasonably reimburses a municipality only for time spent and expenses incurred ~~in:~~

- ~~a. verifying that building plans are identical plans; and~~
- ~~b. reviewing and approving those minor aspects of identical plans that differ from the previously reviewed and approved building plans.~~

**02-02-123 — NONCOMPLYING STRUCTURE**

- ~~a. A structure that legally existed before its current land use designation; and~~
- ~~b. because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations excluding those regulations which govern the use of land.~~

**02-02-124 — NONCOMFORMING USE**

- ~~a. Land that legally existed before its current land use designation;~~
- ~~b. has been maintained continuously since the time the land use ordinance governing the land changed; and~~
- ~~c. because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.~~

**NOXIOUS WEED**

~~A weed which is considered to be harmful to the environment or animals.~~

**02-02-125 — NUISANCE**

~~To harm or cause injury or cause health and safety risk. Any item, thing, manner, condition whatsoever that is dangerous to human life or health or renders soil, air, water or food impure or unwholesome.~~

**02-02-126 — NURSERY FOR CHILDREN**

A building or structure where six or more children are regularly cared for during the day for compensation.

**02-02-127 — OFFICIAL MAP**

~~The official map or maps drawn by municipal authorities and recorded in a County Recorder's office that:~~

- ~~a. Shows actual and proposed rights-of-way, centerline alignments, and setbacks for highways and other transportation facilities;~~
- ~~b. Provides a basis for restricting development in designated rights-of-way or between designated setbacks to allow the government authorities time to purchase or otherwise reserve the land; and~~
- ~~c. A map adopted by this municipality pursuant to the municipal Land Use and Planning enabling legislation.~~

~~02-02-128~~ — OFFSITE FACILITIES

Facilities designed or located so as to serve other property outside of the boundaries of the subdivision, usually lying between the development and existing facilities.

~~02-02-129~~ — ONSITE FACILITIES

Facilities installed within or on the perimeter of the subdivision.

~~02-02-130~~ — OPEN GREEN SPACE

An open space suitable for relaxation or landscaping. It shall be unoccupied and unobstructed by buildings and/or hard surfaces such as asphalt, cement, and packed gravel, except that such open spaces may be traversed by necessary sidewalks.

~~02-02-131~~ — ORDINANCE OR LAND USE ORDINANCE

Title 2, revised Land Use and Planning Ordinance of Naples City, Utah.

~~02-02-132~~ — OVERSIZED FACILITIES

Facilities with added capacity designed to serve other property, in addition to the land within the boundaries of the subdivision.

~~02-02-133~~ — PARCEL OF LAND

A continuous quantity of land in the possession of, or owned by, or recorded as the property of the same claimant or person.

~~02-02-134~~ — PARK TREES

~~“Park Trees” are herein defined as~~ Trees, shrubs, bushes, and all other woody vegetation in public parks having individual names, and all areas owned by the City of Naples, or to which the public has free access as a park.

PARK ZONE (P-1)

City parks and recreation facilities throughout the City of Naples.

~~02-02-135~~ — PARKING LOT

An open area, other than a street, used for parking of more than four automobiles and available for public use, whether free, for compensation, or as an accommodation for clients or customers.

~~02-02-136~~ — PARKING SPACE

Space within a building, lot or parking lot for parking or storage of one automobile.

~~02-02-137~~ — PASTURE

Land intended as a source of vegetation for livestock grazing. Must be fenced and maintained to contain livestock. Vegetation must recover each year on its own or by irrigation. ~~The 20,000 Square Foot Rule of 02-21-002 shall be used as guidance.~~

**02-02-138 — PAYING GUEST**

Any person hiring a room in a dwelling unit for living, eating, or sleeping purposes.

**02-02-139 — PEN**

A small enclosure for animals, generally a small number of animals, a small area for storage.

**02-02-140 — PERMANENT MONUMENT**

Any structure of concrete, masonry, and/or metal, permanently placed on, or in, the ground, including those expressly placed for surveying reference.

**02-02-141 — PERSON**

An individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

**PERMIT, DESIGN**

A permit issued by the Planning Commission when the applicant has submitted all information required that demonstrates the applicant's intended design for buildings, surrounding grounds, roads, and circulation, lighting, landscaping, and any other component affecting the specific and overall character of the City, and such information has been determined by the Planning Commission to be in compliance with the Naples City Land Use Ordinance.

**PERMIT, CONDITIONAL USE**

A permit issued by the Land Use Authority upon an applicant submitting a request for a different particular use, development or structure other than those specifically permitted in the Naples City Land Use Ordinance.

**PERMIT, OCCUPANCY**

A permit issued by the City Building Official before occupancy or use of any structure.

**PERMIT, VARIANCE**

A permit issued by the Appeal Authority upon an application submitting a request for a variance from the standards and guidelines in the Naples City Land Use Ordinance and the Naples City Code where the standards and guidelines present a real, substantial particular, and unnecessary hardship to the Applicant and not a mere inconvenience.

**02-02-142 — PLAN FOR MODERATE INCOME HOUSING**

A written document adopted by a city legislative body that includes:

- a. An estimate of the existing supply of moderate income housing located within the city;
- b. an estimate of the need for moderate income housing in the city for the next five years as revised biennially;
- c. a survey of total residential land use
- d. an evaluation of how existing land uses and zones affect opportunities for moderate income housing; and
- e. a description of the city's program to encourage an adequate supply of moderate income housing.

**02-02-143 — PLAT**

A map or other graphical representation of lands being laid out and prepared in accordance with section 10-9A-603, 17-23-17, or 57-8-13 of Utah Code Annotated.

**02-02-144 — PUBLIC HEARING**

A hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing during a public meeting.

**02-02-145 — PUBLIC MEETING**

A meeting that is required to be open to the public under Title 52, Chapter 4, Open and Public Meetings of Utah Code Annotated.

**02-02-146 — PLANNED UNIT DEVELOPMENT (PUD)**

A development in which the regulations of the zone in which the development is situated are waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed general requirements.

**02-02-147 — PLANNING COMMISSION**

Consists of five regular members who are residents of Naples City and shall be appointed by the Mayor and approved by the City Council. The Planning Commission makes recommendations to the legislative body on the general plan and land use regulations. The Planning Commission of Naples City, Utah.

**02-02-148 — PRELIMINARY PLAT**

A drawing, to scale, representing a proposal to subdivide a tract, lot, or parcel of land, and meeting the preliminary plat requirements of this ordinance. The second plat to be submitted in the approval process.

**02-02-149 — PRIMARY RESIDENCE**

The main dwelling a person uses a majority of the time during a calendar year. The act or fact of dwelling in a place for some time. Minimum lot size 8,000 sq. ft. and minimum dwelling size 750 sq. ft.

**02-02-150 — PRIVATE DRIVE**

Non-dedicated thoroughfare or road used exclusively for private access to and from private land and/or developments.

**02-02-151 — PROTECTION STRIP**

A strip of land, of less than the minimum required depth or width for a building lot, which prevents the access of other property owners to the street or utilities. No parcel of land may be created which is not a buildable lot.

**PROVIDE**

The action mentioned shall be followed. Lack of compliance, where it applies, may be grounds for denial of approval.

**02-02-152 — RECREATIONAL VEHICLE OR TRAVEL TRAILER**

A vehicle such as a recreational trailer, camper trailer, truck camper, travel-trailer, camp-car, other vehicle with or without motive power, designed and/or constructed to travel on the public thoroughfare, in accordance with the provisions of the Utah Vehicle Code, designed for the use of human habitation.

**~~02-02-153~~ — RECREATIONAL VEHICLE PARK, OR TRAVEL TRAILER PARK**

Any area or tract of land or a separate designated section within a mobile home park where lots are rented or held for rent to one or more owners or users of recreational vehicles for a temporary time.

**~~02-02-154~~ — RECORD OF SURVEY MAP**

A map of a survey of land prepared in accordance with Section 17-23-17 of Utah Code Annotated.

**RESIDENTIAL/AGRICULTURAL 1 ZONE (RA-1)**

The primary purpose is to provide a location where residential development associated with limited numbers of livestock can be maintained. Characterized by large lots or tracts of land interspersed by dwellings, barns, corrals, and agricultural service buildings used in connection with farming operations.

**RESIDENTIAL/AGRICULTURAL 2 ZONE (RA-2)**

The primary purpose is to provide a location where residential development associated with limited numbers of livestock can be maintained. Established to encourage good neighborhoods, housing, or area design thus ensuring substantial compliance with the intent of those regulations and other provisions.

**~~02-02-155~~ — RESIDENTIAL FACILITY FOR ELDERLY PERSONS**

A single-family or multiple-family dwelling unit that meets the requirements of General Plan, but does not include a health care facility as defined by Section 26-21-2 of Utah Code Annotated.

**RESIDENTIAL ZONE (R-1)**

Covers the portion of Naples which is primary suited for residential development, represented by a mixture of single-family, dwellings, schools, churches, and other community facilities designed to serve the residents of the zone.

**RESIDENTIAL ZONE (R-2)**

A zone for family residential purposes, somewhat more dense than the R-1 Residential Zone. Includes attractive lawns, trees, shrubs, both on the street and around the buildings.

**RESIDENTIAL ZONE (R-3)**

A zone for family residential purposes with a higher density than both the R-1 and R-2 zones. Designed to include neighborhoods that incorporate open space with convenient pedestrian and bicycle access which maintains connectivity between adjoining property.

**~~02-02-156~~ — RESIDENTIAL FACILITY FOR PERSONS WITH A DISABILITY**

- a. A residence in which more than one person with a disability resides; and
- b. (i) is licensed or certified by the Department of Human Services under ~~\_\_\_\_\_~~ Title 62A, Chapter 2, Licensure of Programs and Facilities; or
- (ii) is licensed or certified by the Department of Health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

**~~02-02-157~~ — SANITARY SEWER AUTHORITY**

The department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems.

## SATELLITE COMMERCIAL

Areas are self-contained commercial areas used for retail space sparated from other commercial zones by intervening zones of other types.

## SHALL

Compliance with a guideline using this term is MANDATED.

### **02-02-158 — SHED**

Roofed area used to protect feed and or equipment.

### **02-02-159 — SHOPPING CENTER**

Multi-entitry commercial complex under single ownership or control which leases space to various commercial establishments.

## SHOULD

Compliance with a guideline using this term is important to the Design Review Committee, but MAY NOT be required.

### **02-02-160 — SIGN**

A presentation or representation of words, letters, figures, designs, pictures, or colors, publicly displayed so as to give notice relative to a person, a business, an article or merchandise, a service, an assemblage, a solicitation, or a request for aid; also the structure or framework or any natural object on which any sign is erected, or is intended to be erected, or exhibited, or which is being used or is intended to be used for sign purposes.

## SIGN, BILLBOARD

A freestanding ground sign located on industrial, commercial, or residential property if the sign is designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located.

### **02-02-161 — SIGN, BUSINESS**

An on-premises sign which directs attention to a use conduct, a commodity sold, or service performed on the premise.

### **02-02-162 — SIGN, DEVELOPMENT**

An on-premises sign identifying a construction project or subdivision development. The sign may contain the name of the project, name and address of the construction firms, architect, and developer.

### **02-02-163 — SIGN, DIRECTIONAL**

An on-premises incidental sign designed to guide or direct pedestrians or vehicle traffic.

### **02-02-164 — SIGN, FLAT**

Any sign attached to a building or other structure that projects less than eighteen inches beyond the building, but extends parallel or substantially parallel thereto.

| **02-02-165** — SIGN, FLOODLIGHTED

Any sign illuminated in the absence of daylight only by devices which reflect or project light upon it.

| **02-02-166** — SIGN, FREE-STANDING

A sign which is supported by one or more columns, uprights, or braces in or upon the ground.

| **02-02-167** — SIGN IDENTIFICATION AND INFORMATION

An on-premise sign displayed to indicate the name or nature of a building or use, including all professional and business buildings, home occupations, apartment complexes and public and semi-public buildings. Temporary and development signs are classified in this category only.

| **02-02-168** — SIGN, ILLUMINATED

A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.

| **SIGN, MONUMENT**

A freestanding sign that is low to the ground.

| **02-02-169** — SIGN, NAME PLATE

A sign indicating the name of a person or persons residing on the premises.

| **02-02-170** — SIGN, OFF-PREMISE

A sign which directs attention to a use, product, commodity or service not related to the premise on which it is located.

| **02-02-171** — SIGN, ON-PREMISE

See Sign, Business

| **02-02-172** — SIGN, PROJECTING

Any attached sign extending in whole or in part more than eighteen inches beyond the building line.

| **02-02-173** — SIGN, ROOF

Any sign erected upon or supported by the roof or parapet of a building.

| **02-02-174** — SIGN, STRUCTURE

Any structure which supports any sign, as defined in this code. A sign structure may be a single pole or poles or an integral part of a building.

| **02-02-175** — SIGN, TEMPORARY

An on-premise sign which is intended to advertise community or civic projects, real estate for sale or lease, on a temporary basis. Such signs shall not be erected earlier than thirty-days prior to date of beginning of event, and shall be removed within thirty days after event is concluded.

**02-02-176** — SIGN, WALL

A sign which is affixed to an exterior wall of a building or structure and which projects not more than eighteen inches from the building or structure wall, and which does not extend more than four feet above the parapet, eaves, or building facade of the building on which it is located.

**02-02-177** — SITE DEVELOPMENT STANDARDS

Established regulations concerning lot areas, yard setbacks, building height, lot coverage, open green space and any other special regulations deemed necessary to accomplish the purpose of this ordinance.

**02-02-178** — SPECIAL ZONE

~~An entity established under the authority of Title 17A, Special Zones, and any other governmental or quasi-governmental entity that is not a county, municipality, school zone, or unit of the state.~~

**SPECIAL RESIDENTIAL ZONE (R-S)**

Typically higher density than other residential areas in the city, and should be built in a way that is friendly to neighboring residences by being architecturally consistent.

**02-02-179** — SPECIFIED PUBLIC UTILITY

An electrical corporation, gas corporation, or telephone corporation, as those terms are defined in Section 54-2-1 of Utah Code Annotated.

**02-02-180** — STABLE

Roofed area used to protect feed and or equipment.

**02-02-181** — STABLE, PRIVATE

A detached, accessory building for the keeping of horses owned by the occupants of the premises, and not kept for re-numeration, hire, or sale.

**02-02-182** — STABLE, PUBLIC

A stable other than a private stable.

**02-02-183** — STACK YARD

An area to pile hay or grain for feed storage.

**STREETSCAPE**

The visual elements of street design.

**02-02-184** — STORY

The space within a building, other than a cellar, included between the surface of any floor and the surface of the ceiling next above.

**02-02-185 — STORY, HALF**

A story with at least two sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the floor immediately below it.

**02-02-186 — STREETS**

Means a public right-a-way, including a highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public easement, or other way. A thoroughfare which has been dedicated and accepted by the Council, which the municipality has acquired by prescriptive right or which the municipality owns, or offered for dedication on an approved final plat, or a thoroughfare of at least 28 feet in width, which has been abandoned for private use or made public by right of use and which affords access to abutting property, including highways, roads, lanes, avenues and boulevards.

**STREET, COLLECTOR**

A street, existing or proposed, which is the main means of access to the major street system and are at least 53 feet wide of asphalt.

**STREET, COLLECTOR MINOR**

A street, existing or proposed, which is the main means of access to the major street system and are at least 40 feet wide of asphalt.

**02-02-187 — STREET, MAJOR**

A street, existing or proposed, which serves or is intended to serve as a ~~or major~~ traffic way and is designated on the master street plan as a controlled access highway, major street, parkway, collector arterial or other equivalent term to identify those streets comprising the basic structure of the street plan. Major streets are at least 80 feet wide of asphalt.

**02-02-188 — STREET, COLLECTOR**

~~A street, existing or proposed, which is the main means of access to the major street syste~~

**STREET, MARGINAL ACCESS**

A minor street which is parallel to and adjacent to a limited access major street and provides access to abutting properties and protection from through traffic.

**STREET PLAN, MAJOR**

The major street plan of this municipality.

**02-02-189 — STREET, MINOR**

A street, existing or proposed, which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local needs of a neighborhood.

**02-02-190 — STREET, MARGINAL ACCESS**

~~A minor street which is parallel to and adjacent to a limited access major street and provides access to abutting properties and protection from through traffic.~~

~~02-02-191~~ — STREET, PRIVATE

A thoroughfare within a subdivision which has been reserved by dedication unto the subdivider or lot owners to be used as private access to serve the lots platted within the subdivision and complying with the adopted street cross section standards of this municipality and maintained by the subdivider or other private agency.

~~02-02-192~~ — STREET TREES

~~“Street Trees” are herein defined as~~ Trees, shrubs, brushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City of Naples.

~~02-02-193~~ — STRUCTURE

Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

~~02-02-194~~ — STRUCTURAL ALTERATIONS

Any change in supporting members of a building, such as bearing walls, columns, beams, or girders.

~~02-02-195~~ — SUBDIVIDER

Any person laying out or making a land division for the purpose of first sale, or first selling for himself, or others, a subdivision, or any part thereof.

~~02-02-196~~ — SUBDIVISION

Any land that is divided, re-subdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Use As defined in U.C.A. 10-9a-103 (5257) of Utah Code Annotated.

~~02-02-197~~ — SWIMMING POOL

Any artificial or semi-artificial container, whether indoors and whether above or below the surface of the ground or both used or intended to be used to contain a body of water for swimming by any person or persons, together with all permanent structures, equipment, appliances, and other facilities used or intended for use in an about the operation, maintenance, and use of such pool.

~~02-02-198~~ — SWIMMING POOL, FAMILY

A swimming pool used and intended to be used solely by the owner, operator, or lessee thereof, and is family and by guests invited to use it without payment of any fee or consideration.

~~02-02-199~~ — TAVERN

Any business establishment operating under a class “C” beer license.

~~02-02-200~~ — THEATER, INDOOR PICTURE

A building or part of a building devoted to the showing of moving pictures on a paid admission basis.

~~02-02-201~~ — THEATER, OUTDOOR DRIVE-IN

An open lot or part thereof, with its appurtenant facilities devoted primarily to the showing of moving pictures on a paid admission basis to patrons seated in automobiles.

~~02-02-202~~ — TREE TOPPING

~~“Tree Topping” is herein defined as the s~~Severe cutting back of limbs to stubs larger than three (3) inches in diameter within the tree’s crown to such a degree so as to remove the normal canopy and disfigure the tree.

~~02-02-203~~ — UNIFORM BUILDING CODE (U.B.C.)

~~The current edition of the Uniform Building Code, as adopted by Naples City.~~

~~02-02-204~~ — UNINCORPORATED

The area outside of the incorporated area of a city or town.

~~02-02-205~~ — URBAN LIVESTOCK

~~Urban livestock shall be defined as rabbits, ducks, hen chickens, goats and bees. See Supplementary Regulations 02-14-025 for the regulations concerning urban livestock.~~

~~02-02-206~~ — USE

The specific purposes for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. This and other verbs presented in the imperative mood indicate that the action shall be followed, where applicable. Other examples are include, develop, delineate.

~~02-02-207~~ — USE, ACCESSORY

A subordinate use customarily incidental to and located upon the same lot occupied by the main use and devoted exclusively to the main use of the premises.

~~02-02-208~~ — USE, PERMITTED

Any use lawfully occupying land or buildings, as authorized in the zone regulations and for which no conditional use permit is required.

~~02-02-209~~ — UTILITIES

Includes culinary water lines, pressure and gravity irrigation lines, sanitary and storm sewer lines, electric power, gas and telephone transmission lines, underground conduits and junction boxes.

~~02-02-210~~ — VARIANCE

A waiver of specific regulations of this ordinance granted by the City Council~~Appeal Authority~~ in accordance with the provisions set forth in this ordinance.

~~02-02-211~~ — VICINITY PLAN

A map or chart showing the relationship of streets within a proposed subdivision to streets in the surrounding area.

**02-14 Supplementary Regulations has the following changes:**

**02-14-003     ADDITIONAL MAIN BUILDING REGULATIONS**

Every main building shall be located and maintained on a “lot” ~~as defined in the section 02-02~~, and every lot shall have the required frontage on a “street,” ~~as defined in section 02-02~~. See Chapter 02-02 for definitions

**02-14-025     URBAN LIVESTOCK**

Urban livestock shall be a permitted use in the following Residential Zones: R-1 and R-2. Urban livestock ~~are defined in Definitions 02-02-205~~, and are regulated as follows:

**02-16 Sign Regulations has the following changes:**

**CHAPTER 02-16     SIGN REGULATIONS**

(For Definitions see Chapter 02-02-161 to 177)

**02-16-007     TEMPORARY SIGNS *(see 02-02-175 for definition)***

**02-26 Commercial Zone has the following changes:**

**02-26-010     DEFINITIONS – See Chapter 02-02 Definitions**

- ~~—~~                 **Should** ~~compliance with a guideline using this term is important to the Design~~  
~~Review Committee, but MAY NOT be required.~~
- ~~—~~                 **Shall** ~~compliance with a guideline using this term is MANDATED.~~
- ~~—~~ **Consider** ~~used when suggesting a range of alternative design solutions. Compliance is recommended by not required.~~
- ~~—~~ **Encouraged** ~~compliance with a guideline using this term is important to the~~  
~~Planning Commission, but is not required.~~
- ~~—~~ **Provide** ~~The action mentioned shall be followed. Lack of compliance, where it~~ ~~applies,~~  
~~may be grounds for denial of approval.~~
- ~~—~~ **Use** ~~This and other verbs presented in the imperative mood indicate that the action shall be followed,~~  
~~where applicable. Other examples are include, develop, delineate.~~
- ~~—~~ **Alley** ~~A walk cutting through massed trees, or a formal procession of trees,~~ ~~originally in~~  
~~French seventeenth century gardens.~~
- ~~—~~ **Bosque** ~~a grove of trees, particularly a thickly planted block forming part of the~~  
~~architecture of a garden.~~
- ~~—~~ **Clerestory** ~~A portion of an interior rising above adjacent rooftops and having~~  
~~windows admitting daylight to the interior.~~
- ~~—~~ **Stewardship** ~~The protection, management, care and guardianship of a property.~~
- ~~—~~ **Fenestration** ~~The design and placement of windows in a building.~~
- ~~—~~ **Streetscape** ~~The visual elements of street design.~~

- **Modern Vernacular** Design that modulates precedent with innovation and blends recognition with surprise through the use of materials and forms.
- **Business Parks** are self-contained commercial areas used for office space separated from other commercial zones by intervening zones of other types.
- **Satellite Commercial** areas are self-contained commercial areas used for retail space separated from other commercial zones by intervening zones of other types.
- **Mixed-Use Village Cores** are commercial areas which have also incorporated residential uses. Mixed-use village cores can be found only in the C zone in Naples City.
- Commercial Village Cores** are those areas designated as C-1 in the Naples City Land Use Ordinance.

## **02-27 Downtown Commercial Zone has the following changes:**

### **02-27-010 DEFINITIONS – See Chapter 02-02 Definitions**

- ~~**Should** compliance with a guideline using this term is important to the Design Review Committee, but MAY NOT be required.~~
- ~~**Shall** compliance with a guideline using this term is MANDATED.~~
- ~~**Consider** used when suggesting a range of alternative design solutions. Compliance is recommended by not required.~~
- ~~**Encouraged** compliance with a guideline using this term is important to the Planning Commission, but is not required.~~
- ~~**Provide** The action mentioned shall be followed. Lack of compliance, where it applies, may be grounds for denial of approval.~~
- ~~**Use** This and other verbs presented in the imperative mood indicate that the action shall be followed, where applicable. Other examples are include, develop, delineate.~~
- ~~**Alley** A walk cutting through massed trees, or a formal procession of trees, originally in French seventeenth century gardens.~~
- ~~**Bosque** a grove of trees, particularly a thickly planted block forming part of the architecture of a garden.~~
- ~~**Clerestory** A portion of an interior rising above adjacent rooftops and having windows admitting daylight to the interior.~~
- ~~**Stewardship** The protection, management, care and guardianship of a property.~~
- ~~**Fenestration** The design and placement of windows in a building.~~
- ~~**Streetscape** The visual elements of street design.~~
- ~~**Modern Vernacular** Design that modulates precedent with innovation and blends recognition with surprise through the use of materials and forms.~~
- ~~**Business Parks** are self-contained commercial areas used for office space separated from other commercial zones by intervening zones of other types.~~
- ~~**Satellite Commercial** areas are self-contained commercial areas used for retail space separated from other commercial zones by intervening zones of other types.~~
- ~~**Mixed-Use Village Cores** are commercial areas which have also incorporated residential uses. Mixed-use village cores can be found only in the C zone in Naples City.~~
- ~~**Commercial Village Cores** are those areas designated as C-1 in the Naples City Land Use Ordinance.~~

**02-28 Industrial Zone has the following changes:**

**02-28-012 DEFINITIONS – See Chapter 02-02 Definitions**

- ~~Should~~ compliance with a guideline using this term is important to the Design Review Committee, but MAY NOT be required.
- ~~Shall~~ compliance with a guideline using this term is MANDATED.
- ~~Consider~~ used when suggesting a range of alternative design solutions. Compliance is recommended but not required.
- ~~Encouraged~~ compliance with a guideline using this term is important to the Planning Commission, but is not required.
- ~~Provide~~ The action mentioned shall be followed. Lack of compliance, where it applies, may be grounds for denial of approval.
- ~~Use~~ This and other verbs presented in the imperative mood indicate that the action shall be followed, where applicable. Other examples are include, develop, delineate.
- ~~Alley~~ A walk cutting through massed trees, or a formal procession of trees, originally in French seventeenth-century gardens.
- ~~Bosque~~ a grove of trees, particularly a thickly planted block forming part of the architecture of a garden.
- ~~Clerestory~~ A portion of an interior rising above adjacent rooftops and having windows admitting daylight to the interior.
- ~~Stewardship~~ The protection, management, care and guardianship of a property.
- ~~Fenestration~~ The design and placement of windows in a building.
- ~~Streetscape~~ The visual elements of street design.
- ~~Modern Vernacular~~ Design that modulates precedent with innovation and blends recognition with surprise through the use of materials and forms.
- ~~Business Parks~~ are self-contained commercial areas used for office space separated from other commercial zones by intervening zones of other types.
- ~~Satellite Commercial~~ areas are self-contained commercial areas used for retail space separated from other commercial zones by intervening zones of other types.
- ~~Mixed Use Village Cores~~ are commercial areas which have also incorporated residential uses. Mixed use village cores can be found only in the C zone in Naples City.
- ~~Commercial Village Cores~~ are those areas designated as C-1 in the Naples City Land Use Ordinance.

**02-30 Mobile Home Park Regulations has the following changes:**

**02-30-004 DEFINITIONS – See Chapter 02-02 Definitions**

**Mobile Home**

A moveable living unit at least ten (10) feet in width designed to be transported after fabrication on its own wheels, attached wheels, or lowboy, suitable for year-round occupancy and containing a flush toilet, sleeping accommodations, a tub or shower bath, kitchen facilities, plumbing and electrical connections provided for attachment to appropriate external systems. The term, mobile home, shall not include conventional houses, which are manufactured elsewhere, and moved into an area for use as permanent housing.

**Travel Trailer/Camper**

The term "travel trailer" or "camper" shall mean any trailer, R.V. unit or camper used or maintained primarily as a temporary dwelling for travel, vacation, or recreational purposes.

**Travel Trailer Court**

The term "travel trailer court" shall mean an area or tract of land used to accommodate two (2) or more travel trailer, camper, or R.V. units. Mobile homes shall not be allowed in travel trailer courts on either a temporary or permanent basis.

**Mobile Home Parks**

An area or tract of land dedicated to use as an area for parking and utilization of mobile homes.

**02-31 Subdivisions has the following changes:**

**02-31-002 DEFINITIONS - (See Chapter 02-02 ~~d~~Definitions)**

As used herein, the following words when capitalized shall mean:

**Alley**

A public thoroughfare at least 26 feet wide.

**Applicant**

The holder, or written authorized representative, of fee title to land or buildings or to property, whether a person, partnership, corporation, or other entity recognized by law, including any assignee, or successor in interest.

**Block**

A piece of land which is designated or shown as a block on any recorded subdivision plat or official map or plat adopted by the council.

**City**

Naples City

**Council**

The governing/legislative body of the Naples City.

**Construction Standards**

The standards and specifications adopted by this ordinance.

**Cul-de-sac**

Turnaround on a dead end street.

**Developer**

(See Applicant)

**Easement**

An interest in land owned by another person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose (such as to cross it for access to a public road).

**Engineer**

The licensed engineer appointed by the municipality to be the municipal engineer, or the engineer appointed for a specific project.

**Final Plat**

A map or chart of the land division, which has been accurately surveyed, and such survey marked on the ground so that streets, alleys, blocks, lots, and other divisions thereof, can be identified and which meets the requirements of this ordinance.

**Half Streets**

The portion of a street within a subdivision comprising one half the minimum required right of way on which improvements are constructed and in accord with one half of an approved typical street cross section.

**Improved Lot**

A lot which has all of the improvements required by this ordinance completed.

**Improvement**

Work, objects, devices, facilities, or utilities required to be constructed or installed in a subdivision. Such improvements shall include, but are not limited to, street construction to required standards, grading, landscaping, water facilities, sewer facilities, streets, trees, sidewalks, curbs and gutters, drainage facilities, street signs, street lights, traffic control or other safety devices, fire hydrants, utilities and such other facilities, or construction required by the subdivision ordinance, subdivision regulations, or by the planning commission and/or city council for the necessary proper development of the proposed subdivision.

**Intervening Property**

Property located between the existing service facility, and the property under development.

**Lot**

A parcel or tract of land which is or may be legally occupied by a building(s).

**Lot Right-of-Way**

An easement of at least eight feet width, reserved by the lot owner as a private access to serve interior lots not otherwise located on a street.

**Major Street**

(See Street, Major)

**Master Street Plan**

The master street plan of this municipality.

**Master Plan**

The master plan of this municipality.

**Metes and Bounds**

The description of a lot or parcel of land by courses and distance.

**Minor Street**

(See Street, Minor)

**Minor Subdivision**

A subdivision containing 8 lots or less<sup>†</sup> with all lots having the required frontage on a dedicated public street and not traversed by a proposed street.

**Official Map**

The official map or maps adopted by this municipality pursuant to the municipal Land Use and planning enabling legislation.

**Off Site Facilities**

Facilities designed or located so as to serve other property outside of the boundaries of the subdivision, usually lying between the development and existing facilities.

**On Site Facilities**

Facilities installed within or on the perimeter of the subdivision.

**Oversized Facilities**

Facilities with added capacity designed to serve other property, in addition to the land within the boundaries of the subdivision.

**Owner**

(See Applicant)

**Parcel of Land**

A contiguous area of land with a separate or discrete legal description.

**Permanent Monument**

Any structure of concrete, masonry, and/or metal, permanently placed on, or in, the ground, including those expressly placed for surveying reference.

**Person**

An individual, individuals, tenants in common, joint tenants, a corporation, partnership, firm, limited partnership or association of individuals however styled or designated.

**Planning Commission**

The Planning Commission of Naples City.

**Preliminary Plat**

A drawing, to scale, representing a proposal to subdivide or develop a tract, lot, or parcel of land, and meeting the preliminary plat requirements of this ordinance.

**Protection Strip**

A strip of land, of less than the minimum depth required by the Land Use ordinance for a building lot, which prevents the access of property other owners to the street or utilities.

**Streets**

A thoroughfare which has been dedicated and accepted by the council, which the municipality has acquired by prescriptive right or which the municipality owns, or offered for dedication on an approved final plat, or a thoroughfare of at least 40 feet in width, which has been abandoned or made public by right of use and which affords access to abutting property, including highways, roads, lanes, avenues, alleys and boulevards.

**Street, Major**

A street, existing or proposed, which serves or is intended to serve as a major traffic way and is designated on the master street plan as a controlled access highway, major street, parkway, collector, arterial or other equivalent term to identify those streets comprising the basic structure of the street plan. Major streets are at least 80 feet wide.

**Street, Collector**

A street, existing or proposed, which is the main means of access to the major street system. Collector streets are at least 66 feet wide.

**Street, Minor**

A street, existing or proposed, which is supplementary to a collector street, and of limited continuity, which serves, or is intended to serve, the local needs of a neighborhood. Minor streets are at least 40 feet wide.

**Street, Marginal Access**

A minor street which is parallel to and adjacent to a limited access major street and which provides access to abutting properties and protection from through traffic.

**Street, Private**

<sup>†</sup> Amended from 9 lots or less on 12/10/09

A thoroughfare within a subdivision which has been reserved by dedication of the Applicant or lot owners to be used as private access to serve the lots platted within the subdivision and complying with the adopted street cross-section standards of this municipality and maintained by the Applicant or other private agency.

**Subdivision**

Use U.C.A. 10-9a-103 (52).

**Utilities**

Includes culinary water lines, pressure and gravity irrigation lines, ditches, sanitary and storm sewer lines, electric power, gas and telephone transmission lines, cable and data transmission lines, underground conduits and junction boxes.

**Vicinity Plan**

A map or chart showing the relationship of streets within a proposed subdivision to streets in the surrounding area.

**Land Use Ordinance** alphabetize

The Land Use ordinance of Naples City.

**02-32 Buffers has the following changes:**

**Section: 02-32      Buffers**

**Definitions:** ~~A strip or area that consist of walks and plants, which include pre-cast walls, masonry walls and burms. With trees, shrubs, stone, rocks and other landscaping materials at least ten feet in width to form a hardy screen dense enough and high enough both to interrupt vision and to diffuse the transmission of sound. See Chapter 02-02 Definitions.~~

**02-33 Naples City Tree Ordinance has the following changes:**

**02-33-002      DEFINITIONS – See Chapter 02-02 Definitions**

**Street Trees:** “Street Trees” are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the City of Naples.

**Park Trees:** “Park Trees” are herein defined as trees, shrubs, bushes, and all other woody vegetation in public parks having individual names, and all areas owned by the City of Naples, or to which the public has free access as a park.


**Tree Topping:** “Tree Topping” is herein defined as the severe cutting back of limbs to stubs larger than three (3) inches in diameter within the tree’s crown to such a degree so as to remove the normal canopy and disfigure the tree.

--End of Ordinance Changes--

The revisions to the Ordinance set forth herein become effective upon filing in the office of the City Recorder, and posting. These changes supersede prior inconsistent sections of the Naples City Land Use and Subdivision Ordinances as of the effective date of this Ordinance.

The changes set forth herein shall be inserted in, and incorporated into the Naples City Subdivision Ordinance.

DATED this 24 day of AUGUST, 2017.

  
\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Recorder