



# Agenda

## Naples City Planning and Zoning Commission

January 19, 2023 at 7:30 p.m.

Naples City Council Room

1420 East 2850 South

Naples, Utah 84078

THIS IS A REGULARLY SCHEDULED PLANNING AND LAND USE MEETING

### OPENING CEREMONIES

#### STANDING BUSINESS

- Verification of Full Quorum & Designation of Voting Members:

| <u>Commissioner</u>            | <u>Voting</u> | <u>Commissioner</u> | <u>Voting</u> |
|--------------------------------|---------------|---------------------|---------------|
| Chris Clark (Chairman)         | Y N           | Scott Major         | Y N           |
| Andrew Bentley (Vice-Chairman) | Y N           | Kevin Hiatt (A)     | Y N           |
| Scott Adams                    | Y N           |                     |               |
| Jessy McKee                    | Y N           |                     |               |

- Approval of Agenda – January 19, 2023
- Disclosures
- Approval of Minutes –November 17, 2022

#### PLANNING/DISCUSSION

1. Planning Commission Bylaws 02-04
  - A. 02-04-003 Election (Legislative)
  - B. 02-04-007 2023 Planning Commission Meeting Schedule (Legislative)
2. Auto Parts Store
  - A. Introduction of Project
3. Discussion on Future Projects
  - A. Economic Development Projects
  - B. Land Use Ordinance Modifications

#### ITEMS FOR FUTURE DISCUSSION

- Rezone Highway 40 to Commercial

#### ADJOURN

*The next Planning and Zoning meeting will tentatively be held on February 16, 2023*

All persons residing within the area served by City of Naples are HEREBY NOTIFIED that the Naples Planning and Zoning Commission will meet on the 3<sup>rd</sup> Thursday of each month at 7:30pm. All persons concerned with any matter before the Naples Planning and Zoning Commission are invited to attend. If possible, call to get on the agenda, 435-789-9090 NOTE: In compliance with the Americans with Disabilities Act, Individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Land Use Administrator at 435-789-9090 at the Naples City Office, 1420 East 2850 South, Naples, Utah 84078 at least three days prior to the meeting.

**Naples Planning and Land Use**  
**Public Meeting**  
**November 17, 2022**

**Commission Present:** Chris Clark, Andrew Bentley, Kevin Hiatt

**Commission Absent:** Jacob Harrison, Jessy McKee, Scott Major, Scott Adams

**Others Present:** Gwen Harrison, Mike Davis, Dean Baker, Ken Reynolds

**Opening Ceremonies**

**Verification of full Quorum** Chris Clark verified a full quorum. All Commissioners will be voting in the meeting.

**Approval of Agenda** Andrew Bentley motions to approve the agenda for the November 17, 2022 meeting. Kevin Hiatt seconds the motion.

All in favor:

|                       |            |
|-----------------------|------------|
| <b>Chris Clark</b>    | <b>Aye</b> |
| <b>Andrew Bentley</b> | <b>Aye</b> |
| <b>Kevin Hiatt</b>    | <b>Aye</b> |

Motion carried with all voting Aye. None opposed.

**Disclosures** **None**

**Approval of Minutes** Andrew Bentley motions to approve the October 20, 2022 minutes. Kevin Hiatt seconds the motion.

All in favor:

|                       |            |
|-----------------------|------------|
| <b>Chris Clark</b>    | <b>Aye</b> |
| <b>Andrew Bentley</b> | <b>Aye</b> |
| <b>Kevin Hiatt</b>    | <b>Aye</b> |

Motion carried with all voting Aye. None opposed.

**PLANNING/DISCUSSION**  
**Rezoning Highway 40 to**  
**Commercial**

Mike Davis presented information for proposed rezoning Highway 40 to commercial. Mike Davis stated that information included shows all properties with frontage on Highway 40, indicating what they are currently zoned, and if there would be a conflict with the proposed rezoning change. Gwen Harrison stated items were marked that are not compliant with the zoning or if the buildings could not meet new zoning requirements. Chris Clark questioned if there is information regarding current commercial uses versus industrial uses already in place. Andrew Bentley questioned if there has been any more clarification from City Council as far as what they prefer for the corridor. Mayor Baker stated his thoughts are that industrial is moving and commercial is coming in. He stated he visited with every council member, stating it was something to look at. He doesn't want to kick out anything that is industrial now and thinks we would have a better chance with the properties zoned commercial if a developer comes in versus leaving it. Mayor Baker stated he has no problem leaving the properties alone off the highway. Ken Reynolds stated if we stress that commercial can be put in industrial, because current ordinance says it can, if we can do more of a campaign stating we like commercial. Councilman Reynolds questioned if we would have to go as far as changing the zone. Andrew Bentley stated if we did a public hearing on this, everyone would get a mailer, which would give the owners a chance in a public hearing so their voice can be heard. Mr. Bentley stated he would be okay moving forward with the understanding that if there is significant push back, then he would be less inclined to want that to move forward. Kevin Hiatt stated some of the properties are zoned industrial but currently being used as commercial, it is only a small handful that are actually industrial, the majority are already commercial businesses. He questioned if the

businesses currently commercial in an industrial zone are not taxed as commercial. Mayor Baker stated we are looking to get businesses that collect sales tax, and looking to encourage commercial into the highway frontage areas. Andrew Bentley questioned if there are people looking to tear down and start over or if they are looking to use the older buildings. Mayor Baker stated he understands they will look for raw ground and push more interest for developers and push for commercial if it was already zoned commercial. Chris Clark stated he is hung up on the process if the property is zoned commercial but they move out for a year. Mike Davis stated if the building sits vacant for a year, the building would become whatever the new zone is. Mayor Baker stated he would not be opposed if the building would sit for 2 years to keep it the industrial zone. Kevin Hiatt stated we are not telling the property owners anything is changing, until they've moved out for a year, then it would become commercial. Chris Clark stated this is where we get into trouble when someone submits an application because someone flipflops. We could have business owners or land owners who state they didn't know they had to keep up paperwork and then we are stuck with an industrial building, that conflicts with the ordinance. Andrew Bentley stated adding a historical industrial leeway for a decade, indicating it was industrial but looking to go commercial, and giving a 10 year historical industrial to allow things now, but if nothing is done in the decade, then it would change. Chris Clark stated that a statement in the non-conforming use ordinance, stating any properties adjacent to the highway that was industrial, giving the allowance to maintain industrial or whatever triggers the change to commercial use. Mayor Baker stated we are not looking at it changing a lot of industrial properties. Andrew Bentley stated the question lies if something is vacant at the moment. Chris Clark stated we do not need to do this as a blanket for every zone. Ken Reynolds stated property owners may be concerned if the tax bill for property taxes goes up by being rezoned. Mike Davis stated industrial and commercial are taxed the same, based off the assessed value.

**Industrial Zone  
Ordinance Changes**

Gwen Harrison presented the changes to the ordinances, including removing previous discussed meeting items, removing of highway 40 corridor, changes to development and construction drawings. Chris Clark stated the reference of front facades, list the materials that can be used in the industrial zone. Building massing and general tenants section can be removed. The Circulation guidelines is more applicable to a subdivision ordinance and can be removed.

**Motion**

Andrew Bentley motions to approve the Industrial Zone ordinance with the changes stated. Kevin Hiatt seconds the motion.

All in favor:

|                       |            |
|-----------------------|------------|
| <b>Chris Clark</b>    | <b>Aye</b> |
| <b>Andrew Bentley</b> | <b>Aye</b> |
| <b>Kevin Hiatt</b>    | <b>Aye</b> |

Motion carried with all voting Aye. None opposed.

**Request for Rezone from C to R3  
Ken & Lisa McBride  
Planning/Discussion**

Gwen Harrison presented the proposed information submitted. Mr. McBride is looking to keep the top approximate 4.5 acres commercial, continue Weatherby Drive through to the next property, on the east side of the property to put single family homes next to the existing single-family homes and increase in density as they move to the west, looking at two-story townhomes, up to fourplexes. Chris Clark questioned with what they are proposing how the density with what they are planning relates to our ordinance, as it stands, what is the balance and what are they seeking. The picture indicated in the ordinance shows the dwellings interspersed. Chris Clark stated they do not necessarily have to intersperse the dwellings; they would just have to meet the ratio. Kevin Hiatt stated the ordinance states the single-family homes will need to be interspersed with the multi-family dwellings, each phase cannot exceed the 1:3 ratio. Andrew Bentley stated if they do it all in one phase, it will meet the 1:3 ratio requirement. Ken Reynolds stated he has issues with it not being narrowed down specific. Chris Clark stated this is the most detail received, Mr. McBride needs to submit numbers of dwellings and what they are wanting to change in the ordinance. Andrew Bentley stated it would be unfortunate to rezone

and not be able to give Mr. McBride the numbers he wants. Kevin Hiatt stated it would be a waste to rezone it if he doesn't like what the ordinance is changed to.

### **Grants/Economic Development**

Mike Davis presented the information for an economic development grant, to help businesses, and asked for items the Planning Commission would like to see for our city. Mike Davis suggested sing upgrades. Chris Clark stated he would like to see beautification of properties, including pavement, parking, landscaping, updating front façades. Andrew Bentley stated fencing upgrade, revitalization, or bringing business that provide sales tax. Chris Clark stated food truck hook ups for water and power. Andrew Bentley stated upgrading roofing on businesses. Mayor Baker suggested a small community center.

### **ITEMS FOR FUTURE DISCUSSION**

Proposed changes to R3.

### **ADJOURN**

Commissioner Clark asks for a motion to adjourn.

Kevin Hiatt motions to adjourn, Andrew Bentley seconds the motion.

All in favor:

|                       |            |
|-----------------------|------------|
| <b>Chris Clark</b>    | <b>Aye</b> |
| <b>Andrew Bentley</b> | <b>Aye</b> |
| <b>Kevin Hiatt</b>    | <b>Aye</b> |

Motion carried with majority voting Aye. None opposed.

**The next Planning and Zoning meeting will tentatively be held December 15, 2022, in the Naples City Council Chambers @ 7:30 P.M.**



Item No: 1-A

|                                                                                                            |                                                                                       |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <b>MEMO TO:</b> Planning Commission<br><br><b>FROM:</b> Staff<br><br><b>Date:</b> January 19, 2023         | <b>Subject:</b><br><br>Planning Commission Bylaws<br><br>Ordinance 02-04-003 Election |
| <b>Staff Recommendation:</b><br><br>Elect Chairman and Vice-Chairman for the 2023 year                     |                                                                                       |
| <b>Background:</b><br><br>Annual election of Chairman and Vice-Chairman for the Naples Planning Commission |                                                                                       |
| <b>Options:</b><br><br>_____ Elect Chairman and Vice-Chairman                                              |                                                                                       |

Note: All proposed ordinance changes included in this document are NOT considered legal until legislative action has occurred and are accepted by Naples City Council in a public meeting by ordinance.



Item No: 1-B

|                                                                                                                                                                                                                |                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <b>MEMO TO:</b> Planning Commission<br><br><b>FROM:</b> Staff<br><br><b>Date:</b> January 19, 2023                                                                                                             | <b>Subject:</b><br><br>Planning Commission Bylaws<br><br>Ordinance 02-04-003 Election |
| <b>Staff Recommendation:</b><br><br>Approve the proposed 2023 schedule to keep Naples Planning Commission meetings on the 3 <sup>rd</sup> Thursday of each month at 7:30 pm.                                   |                                                                                       |
| <b>Background:</b><br><br>Naples Planning Commission meetings have previously occurred on the 3 <sup>rd</sup> Thursday of each month at 7:30 pm in the Naples City Council Room                                |                                                                                       |
| <b>Options:</b><br><br><input type="checkbox"/> Approve meetings to remain the 3 <sup>rd</sup> Thursday of each month at 7:30 pm<br><input type="checkbox"/> Change Planning Commission meeting date and time. |                                                                                       |

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## **Proposed 2023 Naples City Planning Commission Meeting Schedule:**

Date: 3<sup>rd</sup> Thursday of each month

Time: 7:30 pm

Location: Naples City Council Room

### Tentative Dates:

- January 19
- February 16
- March 16
- April 20
- May 18
- June 15
- July 20
- August 17
- September 21
- October 19
- November 16
- December 21

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Item No:   **2**  

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <b>MEMO TO:</b> Planning Commission<br><br><b>FROM:</b> Staff<br><br><b>Date:</b> January 19, 2023                                                                                                                                                                                                                                                                        | <b>Subject:</b><br><br>Auto Parts Store |
| <b>Staff Recommendation:</b>                                                                                                                                                                                                                                                                                                                                              |                                         |
| <b>Background:</b><br><br>An Auto Parts Store is looking to build at 1101 South 1500 East. The property is currently zoned as commercial. The auto parts store is a permitted use for the zone. Land Use Staff has been in discussion with the business owners and believe they intend to meet all requirements for the zone and that it would be beneficial to the city. |                                         |
| <b>Options:</b><br><br>_____<br><br>_____                                                                                                                                                                                                                                                                                                                                 |                                         |



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Item No:   **3-A**  

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| <b>MEMO TO:</b> Planning Commission<br><br><b>FROM:</b> Staff<br><br><b>Date:</b> January 19, 2023                                                                                                                                               | <b>Subject:</b><br><br>Economic Development Projects |
| <b>Staff Recommendation:</b>                                                                                                                                                                                                                     |                                                      |
| <b>Background:</b><br><br>At the last Planning Commission meeting, it was discussed that we keep a running list of projects/items the Planning Commission would support for economic grants that become available. Included are items suggested. |                                                      |
| <b>Options:</b><br><br>_____<br><br>_____                                                                                                                                                                                                        |                                                      |

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## **Proposed Economic Developments Projects:**

- Beautification projects, including
  - Pavement
  - Parking
  - Landscaping
  - Front facade upgrades
  - Fencing Upgrades
- Sign upgrades to install and
- Roofing upgrades
- Hookups for Food truck
  - Water
  - Power
  - Waste
- Revitalization
- Items that encourage commercial businesses to operate in Naples City

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Item No:   **3-B**  

|                                                                                                                                                                                                                                                                           |                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <b>MEMO TO:</b> Planning Commission<br><br><b>FROM:</b> Staff<br><br><b>Date:</b> January 19, 2023                                                                                                                                                                        | <b>Subject:</b><br><br>Land Use Ordinance Modifications |
| <b>Staff Recommendation:</b>                                                                                                                                                                                                                                              |                                                         |
| <b>Background:</b><br><br>It is suggested that we keep a running list of projects/items the Planning Commission would like to address in the Land Use Ordinance. Included are items suggested by Dale Peterson, Building Inspector and the Land Use Administration Staff. |                                                         |
| <b>Options:</b><br><br>_____<br><br>_____                                                                                                                                                                                                                                 |                                                         |

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## **Land Use Ordinance Modifications**

Suggestions from Dale Peterson:

- 02-13 Home Occupation
- 02-11 R3 Residential Zone

Suggestions from Land Use Administration Staff

- 02-33 Street Trees
- 02-17 Airport Zone
- 02-26 Commercial Zone

Suggestions from Planning Commission:

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