

Agenda

Naples City Planning and Zoning Commission

January 18, 2024 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	Kevin Hiatt	Y N
Scott Adams (Vice-Chairman)	Y N	Brock Arnold (A)	Y N
Jessy McKee	Y N		Y N
Scott Major	Y N		

- Approval of Agenda – January 18, 2024
- Disclosures
- Approval of Minutes – November 16, 2023

PLANNING/DISCUSSION

1. Planning Commission Bylaws 02-04
 - Election of Chairman & Vice-Chairman
2. Planning Commission Bylaws 02-04
 - Planning Commission Meeting Schedule
3. Walker Hollow Subdivision
4. Commercial Design
 - Concept Approval
5. R3 Zone
6. Form Based Code
7. Training

ITEMS FOR FUTURE DISCUSSION

- Highway 40 Rezone
- Subdivision Ordinance- Hansen Group
- Pheasant Run

ADJOURN

The next Planning and Zoning meeting will tentatively be held on February 15, 2024

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 3rd 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 16, 2023

Commission Present: Chris Clark, Andrew Bentley, Scott Major, Kevin Hiatt, Brock Arnold

Commission Absent: Scott Adams, Jessy McKee

Others Present: Mike Davis, Gwen Harrison, Mayor Dean Baker, Kenneth Reynolds, Gregory Walker, Mary Walker, Cable Murray

Opening Ceremonies

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

Approval of Agenda Scott Major motions to approve the agenda. Brock Arnold seconds the motion.

All in favor:

Andrew Bentley	Aye
Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Major	Aye

Motion carried with all voting Aye. None opposed.

Disclosures Kevin Hiatt is family friends with the Walker Family

Approval of Minutes Brock Arnold motions to approve the September 21, 2023 minutes. Kevin Hiatt seconds the motion.

All in favor:

Andrew Bentley	Aye
Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Major	Aye

Motion carried with all voting Aye. None opposed.

PLANNING/DISCUSSION

**Walker Hollow Subdivision
Concept Plan**

Cable Murray presented the proposed Walker Hollow Subdivision concept. The proposed subdivision is located on 1500 South and will abut the west side of the airport. Would like to have 60' right of way opposed to 66' right of way. Chris Clark stated 60' would be typical for this situation. Andrew Bentley questioned if there would be a need for a second exit. Mike Davis stated that Jeremy Raymond has stated this exit would work. Chris Clark questioned if the leg on the back lots, for water, if that is legal. Staff will look into this. Cable Murray describes the secondary portion of the subdivision on 1750 South. Mr. Murray asks for clarification from the Planning Commission on if the stub road would count as road frontage on all sides. Or if it can be considered a private road or access. Kevin Hiatt stated he understands they are willing to meet any codes with the road and this would just allow for different frontages for the parcels. Andrew Bentley directs staff to do research on the stub road frontages. Scott Major questioned if a private road would be considered frontage. Mike Davis stated yes, once it is adopted by the city as a private road, it would count as frontage. Chris Clark questioned if a home owners association or entity would be required to take care of it, as it is a common drive.

Brock Arnold motions to approve the concept design of the Walker Hollow Subdivision as proposed. Scott Major seconds the motion.

All in favor:

Andrew Bentley	Aye
Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Major	Aye

Motion carried with all voting Aye. None opposed.

The Farm Subdivision

Mike Davis presented the Planning Commission with an update on The Farm Subdivision, regarding the pause on the work due to the current water moratorium.

Water Connection

Mike Davis presented a potential change to the signature block for Ashley Valley Water & Sewer on Naples City plats. With the current signature block, there is an assumption that once the plat is signed and approved by all, that water would be available, which was not the case. Mike Davis stated it could be an issue if lots are sold without the option of water. Brock Arnold questioned if as the planning commission, they could stop from selling lots. Scott Major stated the issue is with building, not the sale. Chris Clark stated in order to be a legal lot, public health codes require that it can provide water and sewer services, if available. It becomes a gray area because Ashley Valley says they will approve if you bring water rights, Naples City will say yes, and the Developer will go sell lots to people who can't build on them because there are no water rights. Gwen Harrison stated in the Subdivision Ordinance requires the plat be submitted to Ashley Valley Water & Sewer with our required signature block, with certain verbiage that can be construed as giving approval. The intention is to revise the signature block, as it is in the Land Use Ordinance in several chapters.

Training

Mike Davis presented that a joint training will take place on January 31, 2024.

Christmas Party

Mike Davis informs the Planning Commission of the Christmas Party.

ITEMS FOR FUTURE DISCUSSION

Highway 40 Rezone
R3 Zone
Subdivision Ordinance

ADJOURN

Brock Arnold motions to adjourn, Kevin Hiatt seconds the motion.

All in favor:

Andrew Bentley	Aye
Brock Arnold	Aye
Chris Clark	Aye
Kevin Hiatt	Aye
Scott Major	Aye

Motion carried with all voting Aye. None opposed.

The next Planning and Zoning meeting will tentatively be held January 18, 2024 in the Naples City Council Chambers @ 7:30 P.M.



Item No: 1

MEMO TO: Planning Commission FROM: Staff Date: January 18, 2024	Subject: Planning Commission Bylaws 02-04 Election
Staff Recommendation: Elect Chairman and Vice-Chairman for the 2024 year	
Background: Annual election of Chairman and Vice-Chairman for the Naples Planning Commission	
Options: _____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: 2

MEMO TO: Planning Commission

Subject:

FROM: Staff

Planning Commission Bylaws

Date: January 18, 2024

Meeting Schedule

Staff Recommendation:

Approve the proposed 2024 meeting schedule to keep Naples Planning Commission meetings on the 3rd Thursday of each month at 7:30 pm.

Background:

Naples Planning Commission meetings have previously occurred on the 3rd Thursday of each month at 7:30 pm in the Naples City Council Room

Options:

_____ Approve meetings to remain the 3rd Thursday of each month at 7:30 pm

_____ Change Planning Commission meeting date and time.

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Proposed 2024 Naples Planning Commission Meeting Schedule

Date: 3rd Thursday of each month

Time: 7:30 pm

Location: Naples City Council Room

Tentative Dates

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

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Item No: **3**

MEMO TO: Planning Commission FROM: Staff Date: January 18, 2024	Subject: Walker Hollow Subdivision
Staff Recommendation:	
Background:	
Options:	

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: 4

MEMO TO: Planning Commission FROM: Staff Date: January 18, 2024	Subject: Commercial Design
Staff Recommendation: Concept Design Approval	
Background: 	
Options: ☐ Reject concept design ☐ Approve concept design	

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: 5

MEMO TO: Planning Commission FROM: Staff Date: January 18, 2024	Subject: R3 Zone Ordinance
Staff Recommendation: Bring back for public hearing	
Background: After Building Inspector, Dale Peterson, reviewed the proposed ordinance, he suggested a few changes.	
Options: ☐ Reject proposed changes ☐ Bring back for public hearing ☐ Table	

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CHAPTER 02-11 R-3 RESIDENTIAL ZONE ~~R-3~~

Section	02-11-001	Purpose <u>and Intent</u>
Section	02-11-002	Permitted Uses
Section	02-11-003	Use Regulations
Section	02-11-004	Minimum Lot Area Requirements
Section	02-11-005	Minimum Width Requirements
Section	02-11-006	Off-street Parking Requirements
Section	02-11-007	Height Requirements
Section	02-11-008	Locations Requirements
Section	02-11-009	Special Provisions
Section	02-11-010	Open Space

02-11-001 PURPOSE AND INTENT

The R-3 Residential Zone has been established as a zone for family residential purposes with a higher density than both the R-1 and R-2 zones, to provide a setting for medium density residential living by commingling single-family homes, twin homes, duplexes, and multi-family dwellings, plus parks, playgrounds, schools, churches, and other community facilities to serve the residents of the zone.

This zone is characterized by more compact development and should be designed to include neighborhood design that incorporates open space with convenient pedestrian and bicycle access, and connectivity between adjacent property, among residential, office, and recreational areas of the City. Industrial uses are not permitted in this zone.

Additionally, the zone has been established to promote the following:

1. High quality, innovative and creative development that includes a mixture of uses, heights and setbacks, varying densities and lot sizes and sufficient diversity of housing types to meet the full life cycle of housing needs for residents within the City of Naples;
2. Promote useable recreation areas, parks, playgrounds, trails, and open space.
~~Preservation of open space;~~
3. Recreational uses that meet or exceed the needs of the residents;
4. A pedestrian environment which encourages transit and bicycle usage; and
- ~~5.~~ 5. A desirable living environment with unique identity and character.

~~The R-3 zone will be designed to include neighborhoods, that incorporate open space with convenient pedestrian and bicycle access, which maintains connectivity between adjoining property, among residential, commercial, office, retail and recreational areas of the City.~~

~~In order to accomplish the objectives and purposes of this ordinance, and to stabilize and protect the essential characteristics of the zone, the following regulations shall apply in the R-3 Residential Zone:~~

02-11-002 PERMITTED USES

The following buildings, structures, and uses of land shall be permitted, upon compliance with the requirements set forth in this ordinance:

1. Single family detached [dwelling](#)
2. [Two family dwelling](#)
- ~~2.3.~~ [Multi-family dwellings, designed in row-type housing arrangement, each unit occupied by three or more separate households, each living independently, and sharing common walls, being connected in a row-type housing arrangement, containing no more than six \(6\) dwelling units per building, containing four \(4\) or less dwelling units placed at a ratio of not more than one multi-family unit to three \(3\) single family units. In a multi-phase development, this ratio shall never exceed 1:3 in a single phase. See Figure 1 to the right for an example.](#)
- ~~3.4.~~ Churches;
- ~~4. Government buildings or uses, non-industrial;~~
5. Parks, trails and/or playgrounds;
6. Recreation Centers;
7. Schools;
8. Temporary building for uses incidental to construction work. Such shall be removed upon the completion of the construction;
- ~~9. Public utility stations~~
- ~~10. Day-care nurseries, which have been approved by the appropriate state and local agencies. Day cares permitting more than 8 children are prohibited.~~
- ~~11.9.~~ Home occupations, in accordance with Chapter 13 this ordinance.
- ~~12.10.~~ Home gardens
- [11. Accessory buildings such as garages and sheds.](#)



02-11-003 USE REGULATIONS

Uses may be conducted in the R-3 Zone only in accordance with the following regulations:

1. Multi-family dwellings units shall be designed in a row-type housing arrangement, attached horizontally with a common wall, and shall not exceed 6 attached units per building. In no case shall dwelling units be stacked vertically.
2. Multi-family projects shall include a variety of unit sizes and shall include a variety of building colors and materials.
3. The maximum area of any lot that may be covered by structures is seventy-five (75) percent.
4. In no case shall there be more than 9 units per acre.

- ~~4.5.~~ There shall be no open storage of trash, debris, used materials or commercial goods or wrecked or neglected materials, equipment or vehicles in the Zone. No commercial materials, inventory, or equipment may be stored in the open.
- ~~2.6.~~ It shall be unlawful to park, store, ~~or~~ leave, or to permit the parking, storing, or leaving of any vehicle of any kind or part(s) thereof, which is in a wrecked, junked, dismantled, inoperative or abandoned condition, whether attended or not, upon any private or public property within the Zone for longer than seventy-two (72) hours, except that up to two such vehicles or parts thereof may be stored completely within an enclosed building.
- ~~3.7.~~ No commercial vehicle or commercial earth moving or material handling equipment shall be parked or stored on any lot or parcel in the Zone except in conjunction with temporary development or construction activities on the lot. Commercial vehicles shall include semi-trucks and trailers, trucks and trailers equaling or exceeding 12,000 lb. curb weight, delivery vehicles, dump trucks, back hoes, graders, loaders, farm implements, cement trucks, bulldozers, belly dumps and scrapers, forklifts or any similar vehicle or apparatus.

02-11-004 MINIMUM LOT AREA REQUIREMENTS

1. The minimum lot area for a single-family dwelling is ~~76,000~~ square feet, the residence must contain a minimum 1200 square feet of finished living area on the main floor and a minimum 20'x20' two-car attached garage.-
2. ~~The minimum lot area for a two-family dwelling is 8,000 square feet.~~ The minimum lot area for duplex or twin home is 9,000 square feet, plus 1,500 additional square feet of lot area for each additional dwelling unit above 2 units, with a maximum of 6 units per building.
- ~~3. The minimum lot area for a three-family dwelling is 9,000 square feet.~~
- ~~4. The minimum lot area for a four-family dwelling is 10,000 square feet.~~
- ~~5.3.~~ The minimum lot area for a church, school, or government building is 20,000 square feet.
- ~~4.~~ The minimum lot area for any other permitted use is 10,000 square feet.
- ~~6.—~~

02-11-005 MINIMUM WIDTH REQUIREMENTS

(MEASURED AT BOTH FRONT ¹ROAD RIGHT-OF-WAY AND SETBACK LINES)

1. The minimum lot width for a single-family dwelling is ~~60~~80 feet.
2. The minimum lot width for a two-family dwelling is 90 feet, minimum 45 feet for each dwelling.
- ~~3. The minimum lot width for a three- or four-family dwelling is 100 feet.~~
- ~~3.4.~~ The minimum lot width for any multi-unit dwelling utilizing zero side yard is 35 feet per unit at front property line.
- ~~4.5.~~ The minimum lot width for any other permitted use shall be 100 feet.

02-11-006 OFF-STREET PARKING REQUIREMENTS

1. A minimum of three (3) off-street parking places shall be provided for each dwelling unit. Driveways must be a minimum of thirty (30) feet long in order to keep sidewalks and streets clear of larger vehicles. See Chapter 02-15 Off-street Parking Regulations for more information on parking regulations.
2. Guest parking shall be provided at a ratio of 0.50 stalls per unit.
3. Guest parking shall be located within 200 ft of the dwelling unit.
4. Driveways shall not be counted towards the guest parking requirements.
5. Accessible parking spaces shall be provided in off-street parking areas and shall count towards fulfilling the minimum requirements for guest parking.
6. All landscaped areas abutting any paved surface shall be curbed. Boundary landscaping around the perimeter of the parking areas shall be separated by concrete curbs six inches higher than the parking surface.
- ~~4.7.~~ Clear Sight Triangle 02-14-20 must be observed.

02-11-007 HEIGHT REQUIREMENTS

~~Minimum—None~~

Maximum – Thirty-five (35) feet above grade. Church steeples are exempt from this requirement.

02-11-008 LOCATION REQUIREMENTS

MINIMUM SETBACKS FROM ²ROAD RIGHT-OF-WAY LINES:

1. Main buildings on INTERIOR (non-corner) LOTS:
 - Front: 24 feet
 - Side: 8 feet (20 feet minimum for both sides combined)
 - Rear: 20 feet
2. Main buildings on CORNER LOTS:

¹ Amended Feb 25, 2021

² Amended Feb 25, 2021

Front: 24 feet
Side: 20 feet on street-side, and 8 feet on interior side
Rear: 20 feet (8 feet for dwellings with attached garage or carport)

3. Main buildings on CUL-DE-SAC LOTS:

Front: 24 feet measured perpendicular to a straight line between the front lot corners, and no less than 20 feet from the turn-around or cul-de-sac right-of-way.

Side: 8 feet

Rear: 20 feet measured perpendicular from the rear wall of the home to the lot line. In no case shall any part of the home be closer than 5 feet to any lot line, and in no case shall any two homes on adjacent lots be closer than 10 feet.

4. Accessory buildings³:

Front: 24 feet

Side: 3 feet unless the accessory building is located within 5 feet of the rear of the main building, then the side setback is the same as the main building.

Rear: 3 feet.

One story detached accessory structures located 5 or more feet behind the main building are exempt from permit and location requirements provided that the floor area does not exceed 200 square feet.

Setbacks are measure from either the property line or the back of curb or sidewalk, whichever is furthest from public right-of-way. Porches may not be built in the setback area, but steps leading up to porches may be built in the setback area.

Regardless of orientation, the closest a main building may be to any property line is 8 feet.

Each dwelling unit shall front upon an access road whether it be a city or private road, and shall have a front and rear yard. .

02-11-009 SPECIAL PROVISIONS

1. ~~1.~~ Plans showing proposed off-street parking layout and landscaping for the development ~~churches and schools~~ shall be submitted to and approved by the city Planning Commission ~~building official~~ prior to the issuance of a building permit. Said plans shall provide that all land not covered by buildings or by off-street parking space shall be landscaped as lawn, trees, shrubs, gardens, or

³ Amended Feb 24, 2022

ground cover and otherwise landscaped and maintained in accordance with good landscaping practice.

2. A bond or other financial guarantee shall be required, guaranteeing landscaping, streets, sidewalk, trails, curb, gutter, lighting, and other improvements within a year of occupancy. See 02-31 Subdivisions for the procedures of bonds.
- ~~3. At least eighty percent of the lot area not covered by buildings or parking shall be maintained as landscaped area and shall be kept free from refuse and debris.~~
4. All residential dwellings shall be connected to a public sewer system.
5. The design for curb and gutter shall be either high back or modified high back ~~according to UDOT standards.~~
6. All dwellings shall be supplied with culinary water, and plumbed in accordance with the current edition of International Plumbing Code in Utah.
- ~~7. All new residential developments shall have curb, gutter, and a minimum 5 foot wide sidewalk, all of which adhere to ADA standards. A minimum 4 foot wide green strip is required between the sidewalk and the street. The green strip shall be maintained by the developer and/or property owner. Naples City may plow snow into piles on the green strip on occasion in order to keep the streets clear of snow.~~
8. Street lights and street signs shall not be located in the ~~green strip and not in the sidewalk, as to avoid impeding pedestrian flow.~~
9. A six-foot-high sight obscuring fence/wall shall be installed for all dwellings, which extends directly from the unit enclosing the entire back yard from each adjoining lot or dwelling unit, to delineate between common and private space. Fencing shall be uniform in design and construction.
10. Clustering of dwelling units is encouraged to allow for larger open spaces. Housing units and open space should be distributed in a manner that does not unduly separate the usable open space from residents.
11. The Land Use Administrator may approve variation from applicable development standards of the Naples City Land Use Ordinances, if found that the following conditions are met:
 - a. The granting of the variation will not adversely affect the rights of adjacent landowners or residents.
 - b. The variation desired will not adversely affect the public health, safety, or general welfare; and

a.c. The granting of the variation will not be opposed to the general spirit and intent of the subdivision code.

02-11-010 OPEN SPACE

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Permanent Open Space shall be landscaped and shall ~~or natural area or farmland which is established to~~ provide and preserve recreational, agricultural or other uses in the R-3 Zone as approved by the City. The development as a whole shall include a minimum 20% open space. Recreation/Open Space will be recorded as a lot or lots in subdivisions or as common areas on ~~in condominium~~ plats and shall be located according to environmental conditions and infrastructure needs. All open spaces shall be maintained with perpetual open space or conservation easements. Privately owned open space shall be preserved and properly maintained by the owners or ~~through taxing districts~~, owners' associations with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City Council. Open space may not include private lot or individually owned yard areas. ~~Park strips located within city right of ways are permitted as open space.~~ All privately owned open spaces which are accessible to the public either free of charge or through payment of a fee may be included in the required open space of the Zone.

1. Open space may include parks, playgrounds, sidewalks, non-motorized pathways, trails, and outdoor amenities may be computed into the open space requirement.
2. Open space excludes private balconies, decks, patio areas, recreation buildings, indoor amenities, vehicle parking, street, and streetscape sidewalks.
3. Open space should be clustered to create the most beneficial and efficient use of space.
4. All pathways and trails shall be paved or constructed of asphalt or concrete, or when approved by the city, an alternate hard surface may be used.



Item No: 6

MEMO TO: Planning Commission FROM: Staff Date: January 18, 2024	Subject: Form Based Code
Staff Recommendation:	
Background: Form base code is required in the Downtown Commercial Ordinance under the special regulations. In 2016, it was “suspended indefinitely, but not to exceed one (1) year.”	
Options:	

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.

Naples City Ordinance No. 16-177

An ordinance amending the Naples City Form Based Code making changes to the Transportation and Circulation Standards and to suspend the Naples City Form Based Code.

WHEREAS, the Naples City Planning Commission has considered proposed revisions and suspension to the Naples City Form Based Code; and

WHEREAS, the Naples City Planning Commission has conducted duly noticed and open public meetings and hearings, considered the revisions and suspension to the Naples City Form Based Code on January 19, 2016; and

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

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

WHEREAS, the Naples City Council has in a duly noticed open meeting on January 28, 2016, considered the recommended changes and suspension;

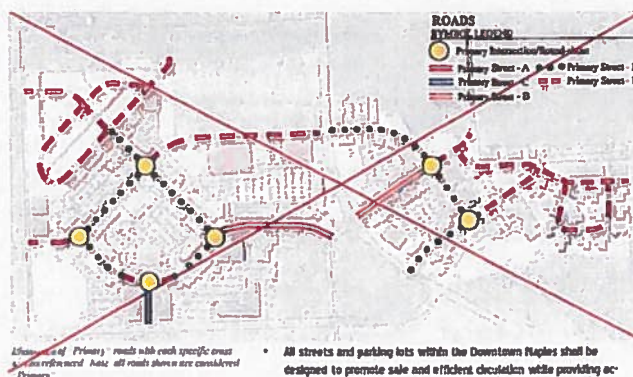
NOW THEREFORE, be it ordained by the Naples City Council that:

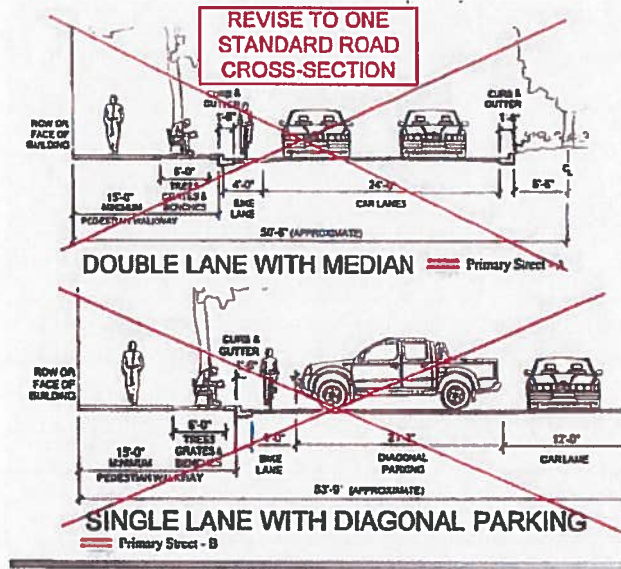
1. The Naples City Form Based Code is amended as follows (additions are underlined, deletions have a strikethrough):

TRANSPORTATION AND CIRCULATION STANDARDS:

- See Attachment A

~~All roads or streets labeled as "primary" shall be installed exactly as it is shown with the center line staked as closely as possible to the intended alignment shown herein with no more than 5 feet of variance.~~





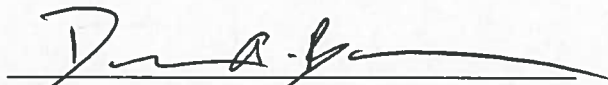
- The Naples City Form Based Code is to be suspended indefinitely, but not to exceed one (1) year.

-- End of Ordinance Change --

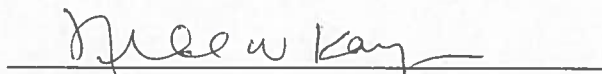
The revisions to the Ordinance set forth herein become effective upon filing in the office of the City Recorder, and posting. These changes supersede prior inconsistent sections of the Naples City Land Use Ordinances as of the effective date of this Ordinance.

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

DATED this 11 day of February 2016.


Mayor

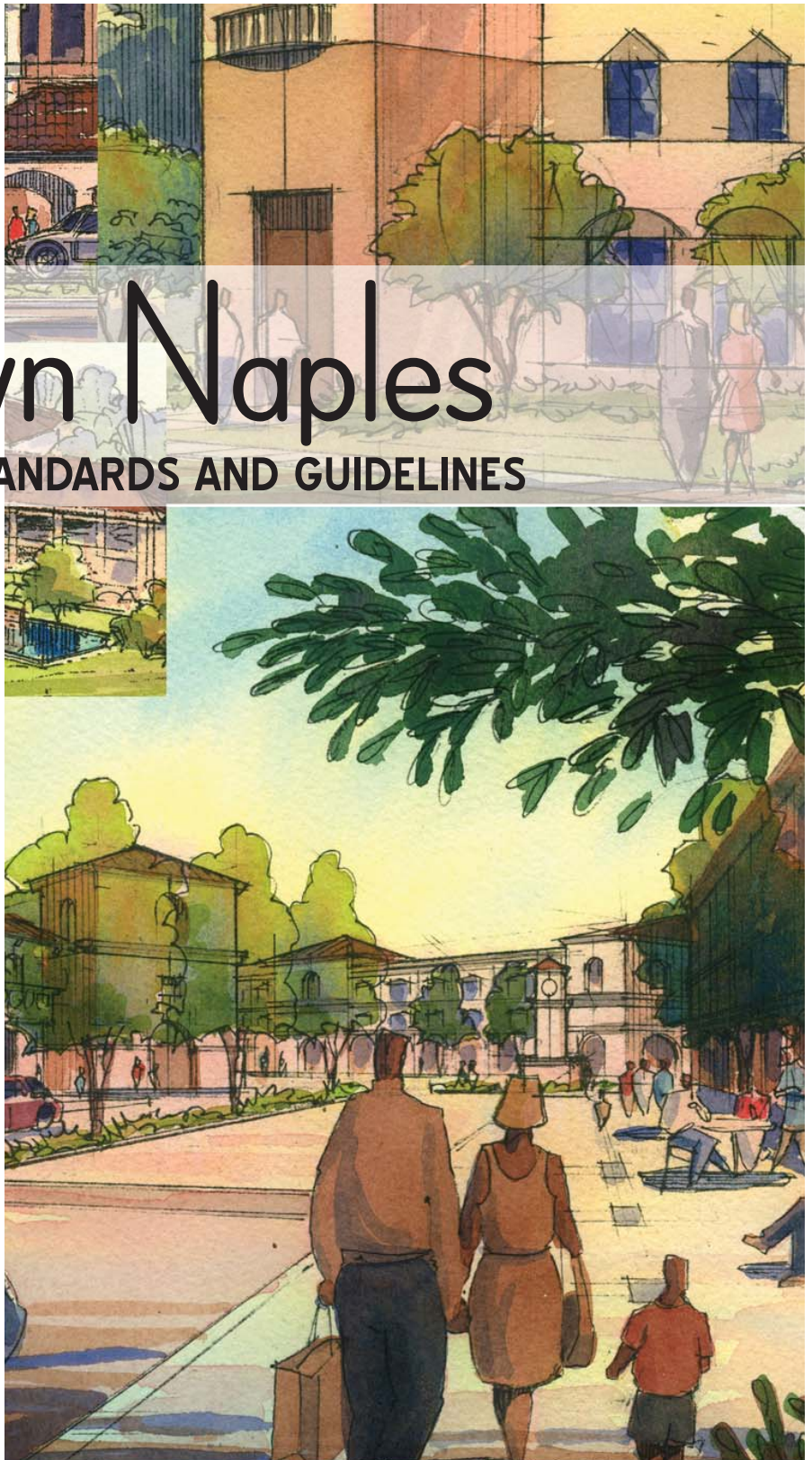
Attest:


City Recorder



Downtown Naples

FORM BASED DESIGN STANDARDS AND GUIDELINES



NAPLES CITY

"people serving People"



Item No: 7

MEMO TO: Planning Commission FROM: Staff Date: January 18, 2024	Subject: Planning Commission Training
Staff Recommendation:	
Background: A joint Planning Commission training will be held on January 31, 2024, 5:30 pm at the Vernal City Offices	
Options:	

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