



Naples City Planning and Zoning Commission

August 21, 2025 at 7:30 p.m.
Naples City Council Room
1420 East 2850 South
Naples, Utah 84078

Agenda

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	Ryan Wolfinger	Y N
Brock Arnold (Vice Chairman)	Y N		
Jessy McKee	Y N		
Kevin Hiatt	Y N		

- Approval of Agenda – August 21, 2025
- Disclosures
- Approval of Minutes – April 17, 2025

PLANNING/DISCUSSION

1. Subdivision Ordinance- Boundary Line adjustment, Agreement, Establishment
2. Potential Grant Discussion

ITEMS FOR FUTURE DISCUSSION

- Commercial Zone

ADJOURN

The next Planning and Zoning meeting will tentatively be held on September 18, 2025

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
April 17, 2025

Commission Present: Chris Clark, Kevin Hiatt, Ryan Wolfinjer

Commission Absent: Scott Major, Brock Arnold, Jessy McKee

Others Present: Mike Davis, Gwen Harrison, Mayor Dean Baker

Opening Ceremonies

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

Approval of Agenda Kevin Hiatt motions to approve the agenda. Ryan Wolfinjer seconds the motion.
All in favor:

Chris Clark	Aye
Kevin Hiatt	Aye
Ryan Wolfinjer	Aye

Motion carried with all voting Aye. None opposed.

Disclosures **None**

Approval of Minutes Ryan Wolfinjer motions to approve the minutes of March 20, 2025. Kevin Hiatt seconds the motion.
All in favor:

Chris Clark	Aye
Kevin Hiatt	Aye
Ryan Wolfinjer	Aye

Motion carried with all voting Aye. None opposed.

Planning/Discussion
Highway 40 Rezone

Gwen Harrison presented the proposed rezone of Highway 40 to the Planning Commission. She informed the Commission that contact was made with the Sowards to double check that they had no reservations to their parcels being rezoned to Commercial. The Cook Family asked that the properties which include their houses remain RA-1, and the other properties be rezoned Commercial.

Kevin Hiatt motions to approve the rezone of the Highway 40 properties from Industrial and Downtown Commercial to Commercial. Ryan Wolfinjer seconds the motion.

All in favor:

Chris Clark	Aye
Kevin Hiatt	Aye
Ryan Wolfinjer	Aye

Motion carried with all voting Aye. None opposed.

ITEMS FOR FUTURE DISCUSSION

ADJOURN

Ryan Wolfinjer motions to adjourn, Kevin Hiatt seconds the motion.

All in favor:

Chris Clark	Aye
Kevin Hiatt	Aye
Ryan Wolfinjer	Aye

Motion carried with all voting Aye. None opposed.

The next Planning and Zoning meeting will tentatively be held May 15, 2025 in the Naples City Council Chambers @ 7:30 P.M.



Item No: 1

MEMO TO: Planning Commission FROM: Staff Date: August 21, 2025	Subject: Boundary Line adjustment, Agreement, Establishment
Staff Recommendation: Bring back for public hearing	
Background: Legislative update	
Options: ____ Bring back for public hearing ____ Bring back for further discussion	

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.

Chapter 17.115 SUBDIVISIONS

Sections:

- 17.115.010 General purpose.**
- 17.115.020 Definitions.**
- 17.115.030 Prohibited acts.**
- 17.115.040 Penalty.**
- 17.115.050 Validity.**
- 17.115.060 Scope of application.**
- 17.115.070 Enforcement and permits.**
- 17.115.080 Subdivision land use authority.**
- 17.115.090 Subdivision appeals.**
- 17.115.100 Subdivision applications.**
- 17.115.110 Acceptance of dedicated streets and public improvements.**
- 17.115.120 General improvement requirements.**
- 17.115.130 Improvement completion assurance.**
- 17.115.140 Orderly development required.**
- 17.115.150 Design standards, area and access requirements.**
- 17.115.160 Subdivision improvements.**
- 17.115.170 Inspection.**
- 17.115.180 Development costs.**
- 17.115.190 Exceptions.**
- 17.115.200 Boundary ~~Lot~~-line adjustments.**
- 17.115.210 Amending a subdivision.**

Prior legislation: Ords. 82-6, 11-127, 11-132, 12-142, 12-149, 13-151 and 13-157.

17.115.010 General purpose.

The purpose of this chapter is:

- (1) To promote health, safety, and general welfare of the residents of Naples City.
- (2) To promote the efficient and orderly growth of the city.
- (3) To provide standards for the physical development of subdivisions of land, construction of buildings and improvements within this city including, but not limited to, the construction and installation of roads, streets, curbs, gutters, drainage systems, water and sewer systems, design standards for public facilities and utilities, accesses to public rights-of-way, dedication of land and streets, granting easements or rights-of-way and to establish fees and other charges for the authorizing of a subdivision. [Ord. 24-258, 2024; Ord. 18-215, 2018; Ord. 17-197 § 1, 2017. LUO § 02-31-001.]

17.115.020 Definitions.

See Chapter 17.10 NCC, Definitions.

The following words and phrases, as used throughout city ordinances, shall have the following meanings. Words and phrases not defined in this section or elsewhere in city ordinances (see Chapter 17.10 NCC) shall have the meaning defined in state law. Words and phrases not defined in city ordinances or state law shall have their plain meaning in common usage. As used herein, the following words and phrases shall mean:

“Affected entities” means a county; a municipality; a local district; a special service district under the Utah Special Service District Act; a school district; an interlocal cooperation entity established under the Interlocal Cooperation Act; an electrical, gas, or telephone utility as defined in Section [54-2-1](#), Utah Code Annotated 1953 (as amended); a property owner; a property owners’ association; or the Utah Department of Transportation (UDOT), if:

- (a) The entity’s services or facilities are likely to require expansion or significant modification because of an intended use of land;
- (b) The entity has filed with the city a copy of the entity’s general or long-range plan; or
- (c) The entity has filed with the city a request for notice during the same calendar year and before the city provides required notice to an affected entity.

“Alley” means a public thoroughfare at least 26 feet wide.

“Appeal authority” means the person or persons designated by ordinance enacted by the city to hear land use appeals.

“Applicant” means a person who submits a land use application.

“Association” means the same as that term is defined in Section [57-8a-102](#), Utah Code Annotated 1953, as amended.

“Block” means 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 city council.

“City” means Naples City, Utah.

“Common areas” means property that an association owns, maintains, repairs, or administers.

“Condominium” means a multi-unit development in which individual units are separately owned and each owner receives a recordable deed to the unit, together with an undivided interest in any common elements. A condominium development shall be regarded as a subdivision.

“Council” means the city council; the governing/legislative body of Naples City.

“Construction standards” means the standards and specifications adopted by this chapter.

“Cul-de-sac” means a turnaround on a dead-end street.

Developer. See “Applicant.”

“Development” means on land, in or under land or water, the placement or erection of any solid material or structure; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility, trail, or road.

“Easement” means 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 (city)” means the licensed engineer appointed by the city to be the city engineer, or the engineer appointed for a specific project.

“Facility owner” means, in the context of water conveyance, an individual, entity, mutual water company, or unincorporated organization:

- (a) Operating a water conveyance facility;
- (b) Owning any interest in a water conveyance facility; or
- (c) Having a property interest in real property based on the presence of the water conveyance facility located and operating on the real property.

“Fire authority” means the department, agency, or public entity with responsibility to review and approve the feasibility of fire protection and suppression services for the subject property.

“Half streets” means 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” means a lot which has all of the improvements required by this chapter completed.

“Improvement plan” means a plan, complete with civil engineering plans, to complete permanent infrastructure on the subdivision that is essential for the public health and safety, that is required for human occupation, or that is required by applicable law in connection with a subdivision application, and that an applicant must install in accordance with public installation and inspection specifications for public improvements and as a condition of recording a subdivision plat.

“Improvement (required)” means 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 land use authority for the necessary proper development of the proposed subdivision.

“Improvement warranty” (or “warranty”) means, in the context of completed improvements, an applicant’s unconditional warranty that the applicant’s installed and accepted landscaping or infrastructure improvement complies with the city’s written standards for design, materials, and workmanship, and will not fail in any material respect, as a result of poor workmanship or materials, within the improvement warranty period.

“Intervening property” means property located between the existing service facility and the property under development.

“Land use application” means an application required by the city and submitted by a land use applicant to obtain a land use approval; this does not mean an application to enact, amend, or repeal a land use regulation.

“Land use authority” means an individual, board, or commission appointed or employed by the city to make land use decisions.

“Land use authority” includes any appropriately authorized designees.

“Land use ordinance” means the land use ordinance of Naples City.

“Lot” means a parcel or tract of land which is or may be legally occupied by a building(s).

“~~Lot~~ Boundary line adjustment” means the process of combining two or more lawful existing lots into a fewer number of total lots than existed prior to the boundary line adjustment; or the moving of a boundary line between two or more lots where the total number of lots after the change remains the same.

“Lot right-of-way” means 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.

“Master plan” means the master plan of this City.

“Master street plan” means the master street plan of this city.

“Metes and bounds” means the description of a lot or parcel of land by courses and distance.

“Minor subdivision” means a subdivision containing four lots or less with all lots having the required frontage on a dedicated public street and not traversed by a proposed street.

“Official map” means the official map or maps adopted by this city pursuant to the municipal land use and planning enabling legislation.

“Off-site facilities” means 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” means facilities installed within or on the perimeter of the subdivision.

“Oversized facilities” means facilities with added capacity designed to serve other property, in addition to the land within the boundaries of the subdivision.

“Parcel of land” means a contiguous area of land with a separate or discrete legal description.

“Period of administrative control” means the period of control described in Section [57-8-16.5\(1\)](#), Utah Code Annotated 1953, as amended.

“Permanent monument” means any structure of concrete, masonry, and/or metal, permanently placed on, or in, the ground, including those expressly placed for surveying reference.

“Person” means an individual, individuals, tenants in common, joint tenants, a corporation, partnership, firm, limited partnership or association of individuals however styled or designated.

“Planning commission” means the planning commission of Naples City.

“Plat” means an instrument subdividing property into lots as depicted on a map or other graphic representation of land that a licensed professional land surveyor makes and prepares in accordance with Section [10-9a-603](#) or [57-8-13](#), Utah Code Annotated 1953, as amended.

“Protection strip” means 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 other property owners to the street or utilities.

“Public landscaping improvement” means landscaping that an applicant is required to install to comply with published installation and inspection specifications for public improvements that:

- (a) Will be dedicated to and maintained by the city; or
- (b) Are associated with and proximate to trail improvements that connect to planned or existing public infrastructure.

“Review cycle,” as used and further defined in NCC 17.115.100(3), means the occurrence of:

- (a) The applicant’s submittal of a complete subdivision land use application;
- (b) The city’s review of that subdivision land use application;
- (c) The city’s response to that subdivision land use application, in accordance with this section; and
- (d) The applicant’s reply to the city’s response that addresses each of the city’s required modifications or requests for additional information.

“State engineer’s inventory of canals” means the state engineer’s inventory of water conveyance systems established in Section [73-5-7](#), Utah Code Annotated 1953.

“Street” means a thoroughfare which has been dedicated and accepted by the city council, which the city has acquired by prescriptive right or which the city owns, or offered for dedication on an approved plat, or a thoroughfare of at least 32 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, collector” means 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, major” means 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 72 feet wide.

“Street, marginal access” means 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, minor” means 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 60 feet wide.

“Street, private” means 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 city and maintained by the applicant or other private agency.

“Subdivider” means the person submitting a subdivision application to subdivide land under this chapter.

“Subdivision” means any land that is divided, subdivided, or proposed to be divided into two or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

(a) Subdivision includes:

- (i) The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
- (ii) Except as provided below, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

(b) Subdivision does not include:

- (i) A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
- (ii) A boundary line agreement recorded with the office of the county recorder between owners of adjoining parcels adjusting the mutual boundary in accordance with Section [10-9a-524](#) Utah State Code Annotated 1953 (as amended) if no new parcel is created;
- (iii) A recorded document, executed by the owner of record revising the legal descriptions of multiple parcels into one legal description encompassing all such parcels or joining a lot to a parcel;
- (iv) A joining of one or more lots to a parcel;
- (v) A road, street, or highway dedication plat; or
- (vi) A deed of easement for a road, street, or highway purpose.

“Subdivision ordinance review” means review by the city to verify that a subdivision application meets the criteria of the city’s ordinances.

“Subdivision plan review” means a review of the applicant’s subdivision improvement plans and other aspects of the subdivision application to verify that the application complies with municipal ordinances and applicable installation standards and inspection specifications for infrastructure improvements.

Subdivision Review Committee. A committee that consists of the land use administrator, city engineer, building inspector, a member of the planning commission, and other selected city staff shall serve as members of the SRC.

“Underground facility” means infrastructure or equipment that is buried or placed below ground level for use in the storage or conveyance of any of the following:

- (a) Water;
- (b) Sewage, including sewer laterals;
- (c) Communications, including electronic, photonic, telephonic, or telegraphic communications;
- (d) Television, cable television, or other telecommunication signals, including transmission to subscribers of video or other programming;
- (e) Electric power;
- (f) Oil, gas, or other fluid and gaseous substances;
- (g) Steam;
- (h) Slurry; or

- (i) Dangerous materials or products.

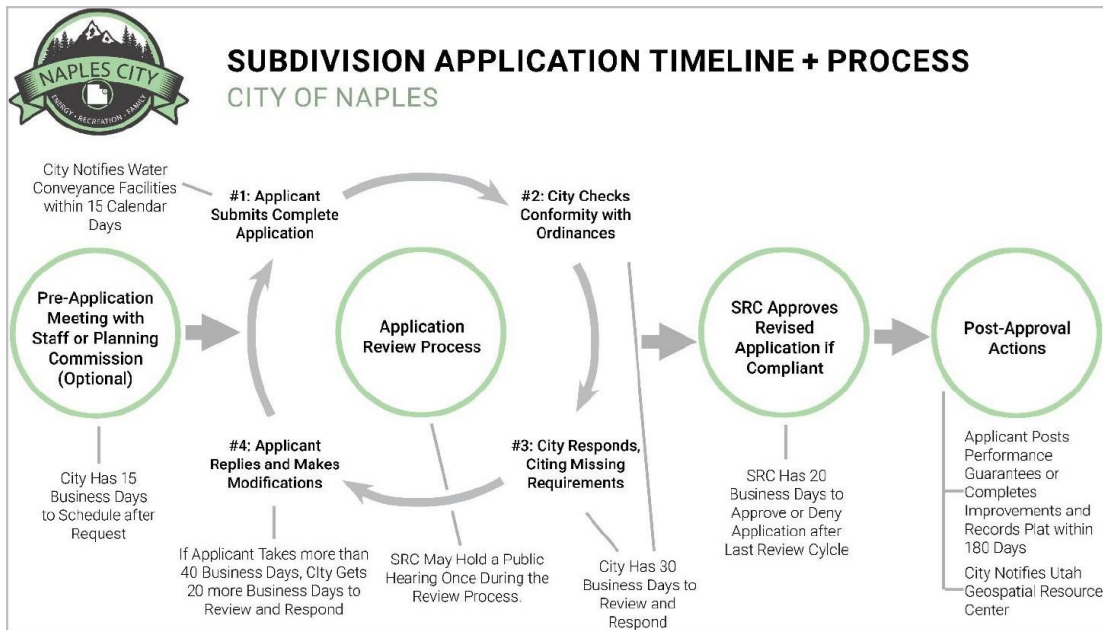
“Utilities” includes culinary water lines, pressure and gravity irrigation lines, ditches, sanitary and storm sewer lines, electric power, gas and telephone transmission lines, cable and data transmission lines, underground conduits, and junction boxes.

“Variance” means an authorization by the planning commission, acting as the land use authority pursuant to state law, relative to a specific parcel of land for a modification of a zone’s standard height, bulk, area, width, setback, or separation requirement; as distinguished from a conditional use, the allowing of a use not listed as permitted in a zone, or any other change in zoning requirements.

“Vicinity plan” means a map or chart showing the relationship of streets within a proposed subdivision to streets in the surrounding area.

“Water conveyance facility” means a ditch, canal, flume, pipeline, or other watercourse used to convey water used for irrigation or storm water drainage and any related easement for the ditch, canal, flume, pipeline or other watercourse. “Water conveyance facility” does not mean a ditch, canal, flume, pipeline, or other watercourse used to convey water used for culinary or industrial water, or any federal water project facility. [Ord. 24-258, 2024; Ord. 18-215, 2018; Ord. 17-197 § 1, 2017. LUO § 02-31-002.]

17.115.100 Subdivision applications.



Prior to subdividing/developing any tract of land, the applicant shall comply with the requirements of this chapter.

(1) Pre-Application Meeting/Concept Plan Review.

(a) A party intending to submit a subdivision application under this chapter may request a pre-application meeting with city staff for the purpose of reviewing any element of the party’s proposed subdivision application. The applicant may alternatively attend the next regularly scheduled planning commission meeting for review of their proposed subdivision application; or may elect to attend both opportunities for review. The proposed application need not be complete for purposes of this meeting and may – if the party desires – be limited to a concept plan.

(b) If a party requests a pre-application meeting with city staff, the city shall schedule the meeting within 15 business days after the request. The meeting shall be scheduled at the earliest convenient opportunity, and, at the option of the party requesting the meeting, shall occur within 20 business days after scheduling.

(c) City staff shall conduct the meeting, provide feedback on materials as requested by the party, and shall provide or have available on the city website the following at the time of the meeting:

- (i) Copies of applicable land use regulations;
- (ii) A complete list of standards required for the project; and

(iii) Relevant application checklists.

(2) Form and Contents of a Subdivision Application. The city shall not approve, nor shall a party record, any plat or other creating instrument for a new subdivision unless the party has properly applied under this chapter and received an approval from the land use authority. To be considered complete, a subdivision application must include at least the following elements:

(a) Contact information, including name, phone, and email, of the applicant, the owners of the land to be subdivided, the applicant's engineer, and the applicant's surveyor.

(b) An approved land use application that describes how the property will be used after it is subdivided.

(i) If the intended use is permitted by right under city ordinances, the land use application must include citations to the specific ordinance(s) that the applicant believes authorizes the intended use.

(ii) If the intended use requires a conditional use permit or is otherwise conditioned on city approval, the land use application must include an approved, city-issued permit authorizing the intended use. Should an applicant seek a use permit concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the use permit is issued.

(iii) If the intended use is prohibited under city ordinances and requires a variance or rezone, the land use application must include an approved, city-issued variance or rezone authorizing the intended use. Should an applicant seek a variance or rezone concurrently with a related subdivision application, the subdivision application shall be considered incomplete until the variance is issued or the rezone occurs.

(c) An improvement plan, created in accordance with applicable portions of NCC 17.115.110, 17.115.120, 17.115.130, 17.115.150 and 17.115.160, for all public improvements proposed by the applicant or required by City ordinances. In addition to the requirements in NCC 17.115.110, 17.115.120, 17.115.130, 17.115.150 and 17.115.160, the improvement plan must contain:

(i) An engineer's estimate of the cost of completing the required improvements.

(ii) A tentative plan by which the applicant proposes to handle 125 percent of a two-hour, 100-year storm water drainage for the subdivision.

(iii) Utilities. Information showing availability or plans for providing utilities to the development.

(iv) A soil report: a soil report prepared by a registered civil engineer, based upon adequate test boring or excavations (if required by this chapter).

(A) The applicant shall provide complete information about any potential geologic problems within the development area, including but not limited to expandable soils, potential slide or slough areas, high ground water, etc. If no geologic problems exist in the development area, the applicant and their surveyor/engineer shall so certify to the SRC.

(B) The SRC shall determine from the application the possible need for environmental impact analysis, which would take into account the soil, slope, vegetation, drainage and other geological characteristics of the site. If the site requires substantial cutting, clearing, grading or other earthmoving operations in construction of structures or roads in the proposed development or if geologic conditions warrant, the SRC shall require the applicant to provide soil erosion and sedimentation control plans or stabilization plans and specifications prepared by a registered civil engineer.

(v) A traffic study, if one is required by an applicable UDOT access management plan (such as if a subdivision touches a road built or maintained by UDOT).

(vi) A plan to comply with the city's master street plan, the general plan, and master park plan.

(vii) Any other study or report reasonably necessary to ensure compliance with city design standards and improvement requirements.

(d) A plat. The plat must be drawn to scale, in detail, and in accordance with generally accepted surveying standards and acceptable filing standards of the county recorder's office. The plat must include at least the following elements:

(i) The proposed name of the subdivision, which shall be shown on the plat and must be a unique subdivision name

within Uintah County.

(ii) Sufficient information to locate accurately the property shall be shown on the plat.

(iii) The lot or unit reference; block or building reference; street or site address; street name or coordinate address; acreage or square footage for all parcels, units, or lots; and length and width of the blocks and lots intended for sale.

(iv) Where the plat submitted covers only a part of the applicant's tract, or is part of a larger vacant area, a separate ~~lot line adjustment plat~~ boundary line adjustment document, minor subdivision plat, or record of survey depicting the remainder parcel(s) shall be submitted for approval to ensure that the remainder parcel(s) conform to the required zoning standards of the applicable zone.

(v) Parcel information for both new and remaining parcels including but not limited to the following: distances, bearings, legal description, closure of parcels, the square footage of each parcel, the frontage length of each lot along a dedicated city street, parcel numbers, parcel addresses, or other similar information related to the subdivision of the parcel.

(vi) The names and addresses of the applicant, the engineer or surveyor of the subdivision, and the owners of the land immediately adjoining the land to be subdivided as shown in the records of the county recorder.

(vii) A contour map at appropriate intervals.

(viii) The boundary lines of the tract to be subdivided, showing all fences, ditches, canals, 100-year floodplain, and existing structures within 100 feet of the boundary line.

(ix) The location, widths and other dimensions of proposed streets, alleys, easements, parks, and other open spaces and lots, with proper labeling of spaces to be dedicated to the city or held in common.

(x) The location, principal dimensions and names of all existing or recorded streets, alleys, rights-of-way, and easements, both within the proposed subdivision and within 600 feet of the boundary thereof, whether recorded or claimed by usage; the location of and dimensions to the nearest existing benchmark or monuments, and section line; the location and principal dimensions for all water courses, public utilities, and other important features and existing structures within the land adjacent to the tract to be subdivided, including exceptional topography, airports and air approaches to the airport.

(xi) The location of existing bridges, culverts, surface or subsurface drainage ways, irrigation lines, ditches, utilities, public buildings, and pumping stations within the subdivision or within 300 feet thereof.

(xii) Proposed off-site and on-site water facilities, sanitary sewers, storm drainage facilities, and fire hydrants.

(xiii) Any known existing irrigation lines shall be physically located, shown on the plat, and the existing recorded easement width shall be shown on the plat. If a recorded easement does not exist and is assumed to be prescriptive, then a width shall be agreed upon by the irrigation line ownership and the recorded width shown on the plat for recording purposes. Acceptance and approval of the easement width and location shall be submitted in writing to Naples City, signed by the irrigation company ownership, or a signature block shown on the plat.

(xiv) Each sheet of the plat shall contain the sheet number, and north arrow.

(xv) Boundary lines of adjacent tracts of land, showing fences, ownership and property monuments.

(xvi) All underground utilities and other utility facilities.

(xvii) If any portion of the proposed subdivision is within 300 feet of an agriculture protection area, the notice language found in Section [17-41-403\(4\)](#), Utah Code Annotated 1953.

(xviii) If any portion of the proposed subdivision is within 1,000 feet of an industrial protection area, the notice language found in Section [17-41-403\(4\)](#), Utah Code Annotated 1953.

(xix) If any portion of the proposed subdivision is within 1,000 feet of a critical infrastructure materials protection area, the notice language found in Section [17-41-403\(4\)](#), Utah Code Annotated 1953.

(xx) If any portion of the proposed subdivision is within 1,000 feet of a mining protection area, the notice language found in Section [17-41-403\(4\)](#), Utah Code Annotated 1953.

(xxi) If any portion of the proposed subdivision is within 1,000 feet of a vested critical infrastructure materials operation

(extracting, excavating, processing, or reprocessing sand, gravel, or rock aggregate where that use is not permitted by city ordinances), the notice language found in Section [10-9a-904](#), Utah Code Annotated 1953.

(xxii) A rendered elevation showing the facade if the new construction is in the C, C-1, I-1, or I-2 zone.

(xxiii) Signature blocks for all persons required to sign the plat in the approved form. Signature blocks must be in the language provided by or approved by the city.

(xxiv) If the subdivision includes a condominium, the requirements found in Section [57-8-13](#), Utah Code Annotated 1953, as amended.

(e) Certifications, including:

(i) An affidavit from the applicant certifying that the submitted information is true and accurate.

(ii) The signature of each owner of record of land described on the plat, signifying their consent to the subdivision application and their intent to dedicate portions of the plat to the public as described in the application.

(iii) A title report or title insurance policy for the land to be subdivided verifying property ownership.

(iv) A tax clearance certificate from the state indicating that all taxes, interest, and penalties owing on the land have been paid.

(v) Certification that the surveyor who prepared the plat:

(A) Holds a license in accordance with Chapter 58-22 Utah Code Annotated 1953; and either:

1. Has completed a survey of the property described on the plat in accordance with state requirements and has verified all measurements; or

2. Has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and

(B) Has placed monuments as represented on the plat.

(vi) A notary public's acknowledgment of each owner's dedication in the approved form.

(vii) Letters of approval from the culinary water authority, the sanitary sewer authority, the local health department, the relevant gas and electric companies, the local fire department, and the local public safety answering point.

(f) Binding dedication documents, including:

(i) As applicable, formal, irrevocable offers for dedication to the public of streets, city uses, utilities, parks, easements, or other spaces.

(ii) If the plat is to be part of a community association, signed and binding documents conveying to the association all common areas.

(g) Other documents, including:

(i) Copies of any materially relevant agreements with adjacent property owners to the proposed subdivision.

(h) Copies, including:

(i) One electronic copy of the plat in PDF format and AutoCAD format (DWG or DXF), with a projection assigned to the file(s) and with the proper metadata that describes what coordinate system/projection the data is assigned to.

(ii) A PDF document of the complete application (including the plat and all other plans and supporting documents required by this section).

(iii) Three eight-and-one-half-inch by 11-inch printed copies of the complete application, delivered to the city office, for review.

(iv) A copy of the plat drawn on Mylar and three 24-inch by 36-inch paper copies for signing and recording. The applicant may wait to produce this recording-form copy until the subdivision review committee has completed two review cycles,

but in such case, the SRC need not approve the application until this copy has been produced and reviewed.

(i) Payment of nonrefundable fees as required by the Naples City consolidated fee schedule for each step of the development process. In addition, the city may require the applicant to pay for the cost of any legal, engineering, or consulting review of the application incurred by the city.

(j) Notwithstanding the application requirements of this section, the land use authority may, in its sole discretion, waive any of the specific requirements found in this section as to an application on a case-by-case basis.

(3) Application Review.

Table 17.15.100(3) – Review Cycles, Hearings, and Timelines by Subdivision Use Type

Use Type	Max Review Cycles	Max Public Hearings	City Turnaround Deadline**
1 – 2 Family Residential*	4	1	30 Business Days
All Other Uses	6	2	30 Business Days
*Includes single-family, duplexes, and townhomes.			
**Describes the total time (per review cycle) the City may take to complete both Phase No. 2 and Phase No. 3.			

(a) The land use authority shall review all subdivision applications in accordance with the requirements of this section before approving or denying those applications.

(b) The review process begins when an applicant submits a complete application.

(i) The land use authority shall not review an incomplete subdivision application, except to determine whether the application is complete.

(ii) If the land use authority determines that an application is incomplete, it shall notify the applicant of the incompleteness, highlighting any insufficiencies and explaining that the application will not be reviewed until it is complete.

(iii) Within 15 calendar days after receiving a complete subdivision application under this chapter, the city manager or designee shall provide written notice of the proposed subdivision to the facility owner of any known water conveyance facility located, entirely or partially, within 100 feet of the subdivision plat.

(A) To determine whether any water conveyance facility is located within 100 feet of a proposed subdivision, the city manager or designee shall review information:

1. From the facility owner under Section [10-9a-211](#), Utah Code Annotated 1953, using mapping-grade global positioning satellite units or digitized data from the most recent aerial photo available to the facility owner;
2. From the state engineer's inventory of canals; or
3. From a licensed surveyor who has consulted with a representative of an existing water conveyance facility that services an area near the land the application concerns.

(iv) To give water conveyance facilities time to provide feedback on subdivision applications, the land use authority shall not approve a subdivision application under this chapter sooner than 20 calendar days after the applicant submits a complete application. This waiting period does not apply to revised applications the applicant may submit during the application review process.

(A) A water conveyance facility owner's failure to provide comments to the land use authority about a subdivision application does not affect or impair the land use authority's authority to approve the subdivision application.

(c) After the applicant submits a complete application, the land use authority shall review and provide feedback to the applicant in a series of "review cycles."

(i) A review cycle consists of the following phases:

(A) Phase No. 1. The applicant submits a complete application (or, if after the first cycle, submits a revised version of the complete application).

(B) Phase No. 2. The land use authority reviews the application in detail and assesses whether the application conforms to local ordinances.

(C) Phase No. 3. The land use authority responds to the applicant, citing any missing requirements or areas of noncompliance and providing a detailed list of necessary revisions to the applicant. For any required modification or addition to the application or request for more information, the land use authority shall be specific and include citations to ordinances, standards, or specifications that require the modification or addition and shall provide the applicant with an index of all requested modifications or additions.

(D) Phase No. 4. The applicant revises the application, addressing each comment or requirement the land use authority made. The applicant must submit both revised plans and a written explanation in response to the city's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any. This written explanation must be comprehensive and specific, including citations to applicable standards and ordinances and an index of requested revisions or additions for each required correction. If the applicant fails to respond to a comment made by the land use authority in its review, the review cycle is not complete and will remain open until the applicant addresses all comments.

(d) The land use authority (and other city representatives or agents) shall adhere to the maximum number of review cycles and the review deadlines described in Table 17.115.100(3), except as described below. If no further revisions are needed, the land use authority may end the review process early and approve or deny the application.

(i) This provision notwithstanding, for any subdivision application that affects property within an identified geological hazard area, the city is exempt from limits on the number of permitted review cycles and the city's deadlines for reviewing and responding (Phases No. 2 and No. 3).

(ii) If the applicant makes a material change to the application not requested by the city at any point in the review process, the land use authority may restart the review process, but only with respect to the portion of the application that the material change substantively affects.

(iii) If an applicant takes longer than 40 business days to submit a revised application and respond to the city's requests for modifications and additions (Phases No. 1 and No. 4), the city shall have an additional 20 business days to review and respond to the revised application (Phases No. 2 and No. 3 of the next review cycle or issuing an approval decision).

(iv) If an applicant takes longer than 180 calendar days to submit a revised application and respond to the city's requests for modifications and additions (Phases No. 1 and No. 4), the application shall, at the option of the land use authority, expire. If an application expires, the applicant must restart the subdivision application process.

(e) After the last review cycle is complete, the land use authority shall approve or deny the application within 20 days. If the land use authority has not approved or denied the application within 20 days after the fourth or final review, the applicant may request a final decision. After such a request, the city shall, within 10 days:

(i) For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Section [10-9a-508](#)(5)(d), Utah Code Annotated 1953, to review and approve or deny the final revised set of plans; or

(ii) For a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to the designated appeal authority.

(f) After the land use authority provides comments in the fourth or final review cycle, the city shall not require further modifications or corrections unless those modifications or corrections are needed to protect public health and safety or to enforce state or federal law or unless the review cycle reset due to the applicant making a material change that the land use authority did not request.

(i) With the exception of modifications or corrections that are needed to protect public health and safety, that are needed to enforce state or federal law, or that arise from the review cycle being reset, the city waives noncompliant subdivision-related requirements that the land use authority does not identify during the review process.

(ii) The applicant shall make reasonable changes, unless prohibited otherwise by a contract or deed, to the subdivision application to accommodate water conveyance facilities to the extent required by Section [73-1-15.5](#), Utah Code Annotated 1953.

(g) The land use authority may conduct only one public hearing during the review period for a subdivision application.

(i) The purpose of this public hearing is to ask questions of the applicant and receive commentary on the technical aspects of the application from affected entities, interested parties, and the public.

(ii) If the land use authority elects to hold a public hearing, the hearing must occur before the end of Phase No. 3 of the last review cycle. Scheduling issues shall not extend the review and approval deadlines in this chapter.

(h) Other sections of this chapter notwithstanding, the land use authority shall approve or deny a subdivision application under this chapter after reviewing a complete subdivision application as described in this section. This singular application and review process includes the combined elements of traditional "preliminary" and "final" applications, as those terms are used in Section [10-9a-604.2](#), Utah Code Annotated 1953. For purposes of applying Sections [10-91-604.1\(3\)\(a\)](#) and [10-91-604.1\(9\)\(b\)](#), Utah Code Annotated 1953, this chapter describes a "preliminary" review and approval, with "final" approval happening automatically when the plat is recorded.

(4) Approval and Post-Approval Actions.

(a) The land use authority shall approve any complete subdivision application made under this chapter that complies with applicable city ordinances.

(b) The land use authority shall issue all approvals in writing and shall certify the approved plat, either by signing the plat directly or by attaching a signed certification to the plat.

(c) Phased Developments. If the subdivision application is for a phased development, the applicant shall obtain approval in phases. Each individual phase of a subdivision must have an approval from the land use authority.

(d) Recording and Improvements. The applicant shall record the approved plat with the county recorder's office within 180 calendar days after the city approves the application; provided, that the applicant has completed any public improvements or posted any performance guarantee required by city ordinances or described in the approved improvement plan. The applicant shall not record the approved plat until such improvements are completed or guaranteed in compliance with city ordinances and the approved improvement plan.

(i) An approved plat not properly recorded within the timeline specified in this subsection is void, unless the planning commission approves an extension.

(e) City staff shall submit to the Utah Geospatial Resource Center (so the subdivision can be included in the 911 database), within 30 calendar days after the land use authority approves an application, either:

(i) An electronic copy of the approved plat; or

(ii) Preliminary geospatial data that depict any new streets and situs addresses proposed for construction within the bounds of the approved plat.

(5) Notice to Affected Entities.

(a) Within 15 calendar days after receiving a complete subdivision application under this chapter, city staff shall provide written notice of the proposed subdivision to the facility owner of any known water conveyance facility located, entirely or partially, within 100 feet of the subdivision plat, as determined using information:

(i) From the facility owner under Section [10-9a-211](#), Utah Code Annotated 1953, using mapping-grade global positioning satellite units or digitized data from the most recent aerial photo available to the facility owner;

(ii) In the state engineer's inventory of canals; or

(iii) From a surveyor under Section [10-9a-603\(6\)\(c\)](#), Utah Code Annotated 1953.

(b) To give water conveyance facility owners time to provide feedback on subdivision applications, the land use authority shall not approve a preliminary (or related final) subdivision application under this chapter sooner than 20 calendar days after the applicant submits a complete application. This waiting period does not apply to revised applications the applicant may submit during the application review process.

(i) A water conveyance facility owner's failure to provide comments to the land use authority about a subdivision application does not affect or impair the land use authority's authority to approve the subdivision application. [Ord. 24-258, 2024; Ord. 18-215, 2018; Ord. 18-211 § 1, 2018; Ord. 17-186 § 1, 2017; Ord. 16-181 § 1, 2016; Ord. 14-162 § 1, 2014. LUO § 02-31-010.]

17.115.200 Boundary Lot-line adjustments, establishments.

(1) The land use authority for a ~~lot~~-boundary line adjustment is the land use administrator.

~~(4)~~(2) Property boundary adjustments including parcel boundary adjustments, lot line adjustments, and boundary line agreements shall follow the process identified in §10-9a-523 and §10-9a-524 of Utah State Code (as amended).

~~(2) Property owners may adjust their lot lines and record the amendment without a subdivision amendment. Such a petition shall include:~~

~~(a) A record survey map and a metes and bounds description showing the adjustment.~~

~~(b) An explanation of the reason for the adjustment.~~

~~(c) Signatures from all the parcel owners involved in the adjustment.~~

~~(d) Signatures from the city attorney, Ashley Valley Water and Sewer, a licensed surveyor, and an engineer representing Naples City if engineering work is required.~~

~~(e) A map indicating the present lot boundaries and the boundaries as they will be upon completion of the lot line adjustment.~~

~~(f) A legal description of both affected properties describing the lots as they will exist after the lot line adjustment.~~

~~(g) Any other information the land use administrator requests.~~

(3) Poorly drawn or illegible plans shall be sufficient cause for rejection. The lack of any information required by this title or as outlined in §10-9a-523 and §10-9a-524 of Utah State Code (as amended) shall be cause for the Land Use Authority determination of an incomplete submittal and shall prohibit the Land Use Authority from considering any material, items, or other information related to the application. The Land Use Authority shall notify the applicant of the required information lacking from the application in writing.

~~(3)~~(4) If the adjustments will not result in a violation of a land use ordinance or an adverse development condition, the land use administrator shall approve the petition. The ~~lot~~-boundary line adjustment shall not result in a remnant piece of land that did not exist previously. ~~Lot~~Boundary line adjustments that are recorded and do not meet the above conditions shall be considered a violation of this chapter.

~~(4) If the adjustment is approved, the land use administrator shall sign the record of survey map and accompanying metes and bounds description, and the petitioner shall record the document in the county recorder's office.~~

(a) Upon approval the legal descriptions from the applicant shall be recorded at the Uintah County recorder's office as an amendment to existing parcels or subdivision plat as appropriate. The lot line adjustment shall not be considered complete until this action is taken and a copy is received by the city. [Ord. 24-258, 2024. LUO § 02-31-020.]

~~(a)~~(5) An aggrieved party may appeal the decision of the Land Use Authority regarding property boundary adjustments to the Appeal Authority outlined in Chapter 17.30.

17.115.210 Amending a subdivision.

(1) Amendments as Further Subdivisions. A petition to amend an existing subdivision such that lots are further subdivided for additional development shall proceed as an application for a new subdivision under NCC 17.115.100.

(2) Vacating a Subdivision. The city council may vacate a subdivision or a portion of a subdivision by enacting an ordinance to that effect that describes the subdivision or the portion being vacated and recording that ordinance in the county recorder's office.

(3) Immaterial Corrections. A property owner or agent of a property owner may correct minor typographical or clerical errors in a document of record by filing with the county an affidavit or other appropriate instrument. This provision does not apply to changing

the name of a subdivision, which requires a material amendment described in the following provisions.

(4) Material Subdivision Amendments.

(a) A fee owner of land in a platted subdivision may request a material subdivision amendment, so long as the amendment does not result in additional lots, by filing a written petition with the city council. This petition must meet all the requirements for a subdivision application specified in NCC 17.115.100(2), with the following changes:

(i) The plat (or the record of survey map, if applicable) should:

(A) Depict only the portion of the subdivision that is proposed to be amended;

(B) Include a plat name distinguishing the amended plat from the original plat;

1. Subdivision names must be unique within county records.

(C) Describe the differences between the amended plat and the original plat;

(D) Include references to the original plat; and

(E) Meet all the other plat requirements specified in NCC 17.115.100(2).

(ii) The petition must include the name and address of each property owner affected by the petition and the signature of each of those property owners who consent to the petition.

(iii) The petitioner must include with the petition envelopes addressed to each property in the subdivision.

(b) Upon receipt of an amendment petition, the city council (or city staff, as delegated) shall provide notice of the petition to:

(i) Each utility provider that services a parcel of the subdivision. The city shall not approve an amendment petition until at least 10 calendar days after noticing these utility providers. The city may notify the utility providers in any effective manner (email, mail).

(ii) Each property owner in the subdivision. The city shall notify these property owners by mail.

(c) The city council shall hold a public hearing, before approving an amendment petition, and within 45 calendar days after the day on which the petition is submitted if:

(i) A property owner objects in writing to the amendment within 10 days of the city notifying the property owner by mail; or

(ii) Not every property owner in the subdivision has signed the revised plat.

(d) Notwithstanding subsection (4)(c) of this section, the city council needs not hold a public hearing if notice has been given to adjoining property owners in accordance with any applicable local ordinance and the petition seeks to:

(i) Join two or more of the petitioner's contiguous lots;

(ii) Subdivide one or more of the petitioner's lots;

(iii) Adjust the ~~lot~~ boundary -lines of adjoining lots or between a lot and an adjoining parcel if the fee owners of each of the adjoining properties join in the petition, regardless of whether the properties are located in the same subdivision;

(iv) On a lot owned by the petitioner, adjust an internal lot restriction imposed by the local political subdivision; or

(v) Alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not owned by the petitioner or designated as a common area.

(e) If the city council approves the amendment petition, it must be signed by the city council and signed, acknowledged, and dedicated by each owner of record of the portion of the plat that is amended. Then the petitioner shall record the plat, subject to the completion or guarantee of any improvements, as described in NCC 17.115.110, 17.115.120, 17.115.130 and 17.115.160.

(f) Any amendment petition the city council approves must identify and preserve any easements owned by a culinary water authority and sanitary sewer authority for existing facilities located within the subdivision. [Ord. 24-258, 2024. LUO § 02-31-021.]



Item No: __2__

MEMO TO: Planning Commission FROM: Staff Date: August 21, 2025	Subject: Potential Grant Discussion
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.