

City of Naples

Naples City Council Meeting Agenda
September 24, 2020 - 7:30 p.m.
1420 East 2850 South
Naples, UT 84078

Opening Ceremonies

1. Approval of Agenda
2. Approval of Minutes - September 10, 2020 Regular Council Meeting
3. Approval of Corrected Minutes - June 27, 2019
4. Any Follow Up Matters
5. Approval of Bills
6. Approve Off-Premise Beer License - Local Consent - Naples 7-11
7. Request for Donation for Mayor's Halloween Walk - Shauna Jo Eves
8. Out of State Travel Approval - Lieutenant Cox
9. Proposed Change to Land Use Ordinance Chapter 02-16 Sign Regulations - Ordinance 20-227
10. Proposed Change to Land Use Ordinance Chapter 02-16 Sign Regulations - City Attorney
11. Proposed Change to Land Use Ordinance - Amending Sign Definitions - Ordinance 20-228
12. Approve Resolution 20-330 Amending FY 2020/2021 Budget
13. CIB Application Update
14. Other Matters/Future Council Matters
15. Motion to Adjourn

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

The undersigned, duly appointed City Recorder, does hereby certify that the above agenda was faxed or emailed to the Vernal Express. The agenda was also posted on the City's website www.naplescacityut.gov, and on the State Public Meeting Notice website <https://www.utah.gov/pmn/index.html> Nikki W. Kay

Naples City Council September 10, 2020 Minutes

The regularly scheduled meeting of the Naples City Council was held September 10, 2020, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

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

Others attending were Robin O'Driscoll, Joel Brown, Fernando Rivera, Dean John, Julie John, Daniel John, Chad John, Tabitha Wilson, Allen Hacking, Shaylee Hacking, Brandon Anderson, Aaron Averett, Sarah John, Marilyn Wallis, Joshua Bake, and Nikki Kay.

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

Mayor Baker presented the agenda for approval. He told the Council they would be removing items eleven and twelve from the agenda, both Land Use Ordinance changes. Kenneth Reynolds **moved** to approve the agenda with those changes. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

The minutes of the regular city council meeting of August 27, 2020 were presented for approval. Councilman Hall noted a grammatical error on page six that needed corrected. Dan Olsen **moved** to approve the minutes with correction. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

Mayor Baker asked if anyone had anything they wanted to follow up on from the previous meeting. Nothing was brought forward.

Nikki Kay presented the bills in the amount of \$23,677.56. Kenneth Reynolds **moved** to approve \$23,677.56. Robert Hall **seconded** the motion. The motion passed with the

DATE, TIME & PLACE OF MEETING

COUNCIL MEMBERS ATTENDING

OTHERS ATTENDING

OPENING CEREMONY

AGENDA APPROVED

MINUTES APPROVED

FOLLOW UP ITEMS FROM PREVIOUS MEETING

APPROVAL OF THE BILLS

DRAFT

DRAFT

following roll call vote:

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

A business license application was received from **Dexterity Bookkeeping** located at 1739 E 1500 S. Joshua Bake stated this business is located in an I-1 zone and is a permitted use. He stated Mr. Peterson has reviewed the application and recommended it for approval. Dan Olsen **moved** to approve the business license for Dexterity Bookkeeping. Kenneth Reynolds **seconded** the motion. The motion passed with all voting in the affirmative.

***APPROVE BUSINESS
LICENSES***

A business license application was received for **Careus Uinta LLC** located at 1368 S 1200 E. Joshua Bake reported this is an ownership change for the business formerly known as Anadarko. He said the business has been contacted by Dale Peterson and was recommended for approval. Robert Hall **moved** to approve the license for Careus Uinta LLC. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

***VERNAL AREA CHAMBER
OF COMMERCE UPDATE***

Joel Brown with the Vernal Area Chamber of Commerce came to give the Council an update on the Chamber's activities this past year. Mr. Brown introduced several of the Board of Directors in attendance. He thanked the Council for allowing them time to share what they have been doing these last few months. Mr. Brown stated the last six to eight months have been rough but they have learned how to try and adjust and adapt to still continue offering their different programs. Several of their sponsored activities included the Education Summit, 4th of July Parade, hosting the rural congressional district and Governor debates, the BTA bench project, cruising during COVID, the Basin Bash, Passport to Summer, and the Way Finding signs that should start to be installed soon. Mr. Brown expressed his thanks for the support from the City. Mayor and Council thanked Mr. Brown and the Chamber for all they do.

***PRESENTATION FOR
PROPOSED EAGLE SCOUT
PROJECT***

Dean John came before the Council to present his plans for an Eagle Scout Project. Dean stated he would like to build a mountain bike trail at the Naples Park. He had a map

showing the proposed trail and where it would cross the walking path in places. Dean asked Council if they would consider helping purchase signs to go along the walking path where riders would cross from the bike trail. Mayor Baker said he believes the County has a machine that can help cut the bike path and suggested Dean ask them for some help. Councilman Kitchen asked Dean to schedule a time to present this to the Recreation District. Councilman Kitchen asked Dean what his time frame was for the project. Dean stated he would like to have it done before the end of the year. Mayor Baker mentioned the City might have some funds in their capital park fund that could help with the signs. Councilman Kitchen suggested that Dean make some small handout sized maps for his presentation to the Recreation District. Dan Olsen **moved** to approve the project in the park. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Shaylee Hacking came before the Council to ask them about placing ADA Accessible playground equipment at Naples Park. Ms. Hacking told them about her son, Weston, who was born a twin but had a stroke in utero and was born blind and with cerebral palsy. She said he is getting bigger and is harder to carry and even though they have a wheel chair, when she takes other children to the park, it is hard to get to the equipment because it's not ADA accessible. Ms. Hacking explained her son loves to swing but he either has to be strapped in or have something where he can lay on his belly. She explained they started something called "Weston's Vision" to raise money to buy a swing that was something he could use. Ms. Hacking said they exceeded their goal and have raised about \$24,000. She stated they have been working on getting their 501(c)(3) status in order for donations to be tax deductible and were just accepted by the Friends of Charity. Ms. Hacking stated they have been talking with the Recreation District about the different parks and where they could place some equipment and found the Naples Park was more accessible with the current sidewalks. A concern was raised about the underground water lines at the park and working around those. The Council was supportive of the idea and asked Ms. Hacking to work with the Recreation District park supervisor, to plot it out and to have it engineered. Robert Hall **moved** to approve the concept as presented and to work out the details with those that need to be included. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

***REQUEST TO CONSIDER
ADA ACCESSIBLE
PLAYGROUND
EQUIPMENT AT NAPLES
PARK***

DRAFT

Kenneth Reynolds **moved** to open a public hearing to discuss amending the 2020/2021 adopted budget. Dan Olsen **seconded** the motion. The motion passed with the following roll call:

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

Joshua Bake presented the proposed changes to the budget which included brining in the revenue and expenditures for the CARES Act money, to add revenues and expenditures for a police department grant, to add the expenditure for the new treasurer, and add revenue and expenditures for repairs to the salt shed. Joshua also reminded Council about the changes they wanted to make to the budget to cover the cost of the 500 East chip seal. Mayor Baker asked if anyone from the public had any questions or comments. With no comment from the public, Kenneth Reynolds **moved** to close the public hearing. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Council members received a copy of the Treasurer's agreement. Joshua stated the agreement has been reviewed by Mr. Judd and it was recommended for approval. Robert Hall **moved** to approve the Treasurer's contract. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

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

As per a motion at the beginning of the meeting these two items were removed from the agenda.

Joshua Bake explained the City received an appeal regarding a land use ordinance decision and that appeal was heard by hearing officer H. Craig Hall. Council members were each

***PUBLIC HEARING TO
OPEN AND AMEND THE
2020/2021 BUDGETS***



***APPROVE TREASURER'S
AGREEMENT***

***PROPOSED LAND USE
ORDINANCE CHANGES
TO CHAPTER 02-16 SIGN
REGULATIONS AND ALSO
AMENDING SIGN
DEFINITIONS***

***COUNCIL RESPONSE TO
THE NAPLES CITY LAND
USE APPEAL***

able to review the ruling on the appeal and give a response. Joshua's recommendation was to accept the verdict of the appeal officer and move forward with amending the Land Use Ordinance to clear up any gray area and discrepancies in the future. Kenneth Reynolds **moved** to accept the opinion of the hearing officer and to move forward with making those changes. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

It was noted with the changes in the statutory and elected officials of the City that the salary ordinance for statutory and elected officials needed to be amended. Ordinance 20-229 was presented for their approval. Dan Olsen **moved** to go adopt Ordinance 20-229. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

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

Joshua Bake presented the information from the meetings held with Vernal City and Uintah County regarding the CARES Act money received by the City. Joshua explained if the entities don't expend the money received it goes back to the Wasatch Front. It was decided that a grant program could be established to help local businesses that have been impacted by the current pandemic. Joshua said the City will expend approximately \$20,000 of the \$60,000 received, leaving \$40,000 to be used to help local businesses. Joshua said the three entities met to review the applications received and four local businesses were selected to receive \$10,000 each in grant money. He said they would like approval to expend money for three of the businesses right now and the fourth one is pending. The three businesses to receive grants were Spyco Oilfield Services, R & R Oilfield, and Hacking Paving & Excavating LLC. Councilman Kitchen wanted to know if the money has been received by the City and if there were funds to cover this expense. Joshua said the first round of money has been received and the funds are available. Gordon Kitchen **moved** to extend the grants to the three mentioned businesses in Naples City. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
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***APPROVE SALARY
ORDINANCE 20-229***

***APPROVE CARES ACT
SMALL BUSINESS
GRANTS***

DRAFT

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

Nikki Kay explained she was contacted by a person asking to be on the agenda to receive local approval to sell alcohol at an upcoming charity golf tournament. Nikki said she had not received any paper work from whoever called. It was decided to take a phone poll for approval if the paperwork is received in time. No other action was taken.

***APPROVAL LOCAL
CONSENT FOR ALCOHOL
SALES AT CHARITY GOLF
EVENT***

Mayor Baker reminded the Council of the next joint meeting with Vernal City and Uintah County to discuss the Special Service Districts. He said the meeting would be Monday the 14th at 4:30 at the Uintah Conference Center. Joshua said he got with Quinn Bennion at Vernal City and made sure the agenda for the meeting included each entity listed as presenting. He said the last meeting was very awkward when the Commissioners jumped right to a motion at the beginning. Councilman Hall wanted to know if Joshua could give a report on what has been happening at the meetings they've been to. Joshua said they met with the County Commissioners and discussed different things and that's when they wanted their proposals. Joshua said that is also when they received the packets regarding all of the Special Service Districts budgets and he stated their data did not match the numbers in each District budget. Joshua said the Commissioners asked for their proposals at that meeting and the Commissioners were told the cities needed the data in order to put together their proposals. Joshua Bake handed out the written proposal they wanted to present at the meeting and wanted to make sure the Council approved what they would be presenting. He said he hoped to have Council's informal approval. Joshua stated the Commissioners would receive the proposals before the meeting on Monday so they have time to look them over and then the public would be able to receive them on Monday. He said he hoped this would give a clear idea of where the City stands. Joshua pointed out the statement made on their proposal that said the Fire District is a top priority and should be preserved. Joshua said all of the cities are very adamant that is one that should not be touched. Joshua stated he thought the meeting with the Commissioners went pretty well and they had some good discussion. He said at their meeting the County had two proposals they handed out and one was to eliminate the Fire District and the other was to

***OTHER MATTERS OR
FUTURE COUNCIL
MATTERS***

DRAFT

DRAFT

eliminate the Recreation District but then said they were open to hear the different plans and to hear the different needs. Joshua reported on the meeting he and the Mayor had with Quinn Bennion and reported that Vernal City has a five-page memo they will be presenting at the meeting with the County. It was discussed that the Health Services District could be de-funded because they could possibly operate on interest in an account that was created by a sales tax that was implemented in the past. Councilman Hall said the issue is the District is not in control of that fund, the County is, and they can only use it as requested. Councilman Kitchen said Commissioner Haslem at one point proposed combining Fire and Impact to be in one and he realizes the reason he has suggested that is to keep Health separate because they have money only they can use. Councilman Kitchen said the Commissioners were asked what they have in mind and they stated they have nothing concrete yet but when they are presented with different options their response is very detailed about how it won't work so Councilman Kitchen believed they already know what they want to do and they have an agenda. Joshua commented on the question that Aaron Averett raised at the Commission meeting when he asked the Commissioners to let them see all the research they said they have been putting into this. Joshua felt like the response they gave back to Mr. Averett was "you wouldn't be able to understand it." Joshua asked Mr. Averett how he felt about the response he received. Mr. Averett said he told the Commissioners that he is an engineer and has to evaluate alternatives and have some criteria that says this is the best alternative and go forward with it. He said it's good to have three alternatives on the table. Mr. Averett said he also told the Commissioners that what they decide needs to be a permanent solution so they don't have to come back in ten years to solve this again. He said the reason you evaluate something for all the scenarios is so you can determine what that permanent solution needs to be. Joshua referred to the proposal they will be making. He said the City's proposal is more numbers based where Vernal City went with a more "story" base but Joshua felt like the City's numbers match up with Vernal's story. Joshua reviewed the numbers from the proposal and also the statements they wanted to emphasize. Mayor Baker asked if the Council members were good with the proposal. Council members were good with what was to be presented. Aaron Averett offered one last comment. He said there were months of public meetings and public surveys with a lot of input on getting rid of lights on Aggie Blvd. and this seems so much

more important than that. It is something that determines our future. Councilman Kitchen said the Commissioners claim they have had some public hearings. Mayor Baker thought they have but they didn't treat it the same way the City does.

With no other business before the Council, Kenneth Reynolds **moved** to adjourn the meeting at 9:13 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 24th DAY OF SEPTEMBER 2020

BY: _____

ATTEST: _____

DRAFT

Heidi Lundberg presented the proposed changes to chapter 02-02-24-005 of the Land Use Ordinance. Heidi stated this change was to bring the R-1 rear setbacks to agree with all other residential zones. Dennis Long **moved** to accept Ordinance 19-221. Robert Hall **seconded** the motion. The motion passed with the following vote:

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

***APPROVE CHANGE TO
CHAPTER 02-02-24-005 R-1
LOCATIONS - ORDINANCE
19-221***

Resolution 19-315, adopting the budget for FY 2019/2020, was presented to Council for their approval. Nikki stated the only change she made to the proposed budget was the \$100,000 that was appropriated in the municipal building project fund for the updated facade of the city office. Robert Hall **moved** to approve Resolution 19-315. Dan Olsen **seconded** the motion. The motion passed as follows:

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

***APPROVE RESOLUTION
19-315 ADOPTING FY
2019/2020 BUDGET***

Council members received Ordinance 19-222 amending the salaries for elected and statutory officials. Dennis Long **moved** to approve Ordinance 19-222. Robert Hall **seconded** the motion. The motion passed with a roll call vote:

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

***ORDINANCE 19-222
AMENDING THE
SALARIES FOR ELECTED
AND STATUTORY
OFFICIALS***

Chief Watkins address the discussion of a personal use policy and stated this policy comes about because of recent legislation regarding the personal use of public property by employees. Chief Watkins stated the new legislation makes it so an employee could be involved with a crime by using public property without an appropriate use policy being in place. Chief Watkins wanted Joshua Bake to be a part of this discussion and said Mr. Bake has not had the opportunity to

***REVIEW RESOLUTION 19-
316 PERSONAL USE
POLICY***

DRAFT

Heidi Lundberg presented the proposed changes to chapter 02-02-24-005 of the Land Use Ordinance. Heidi stated this change was to bring the R-1 rear setbacks to agree with all other residential zones. Dennis Long **moved** to accept Ordinance 19-221. Robert Hall **seconded** the motion. The motion passed with the following vote:

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

**APPROVE CHANGE TO
CHAPTER 02-02-24-005 R-1
LOCATIONS - ORDINANCE
19-221**

missing

Heidi Lundberg presented the findings and discussion from the Planning Commission to the Council regarding Phase 4 of the Farm Subdivision 2014. She said the Planning Commission has received and reviewed the concept, preliminary, and final for Phase 4. Heidi said the Commission and staff are recommending final approval for Phase 4 of the Subdivision. She stated that Cliff Grua was in attendance if anyone had questions. Mayor Baker asked if they were looking at paving that phase in the next couple of weeks? Cliff Grua said they will pave 2, 3, and 4. He said that will also complete the 1820 South access. Cliff said they are excited about how it is progressing. Mayor Baker said after it is approved by Council they will look at releasing the developer agreement. Councilman Long wanted to know if any of the lots are sold. Mr. Grua said they haven't sold any in that phase yet. Mayor Baker reminded Mr. Grua that before a certificate of occupancy can be given for any homes in that phase the sidewalks have to be in place for the whole phase. Mr. Grua stated he is aware of that. Mr. Grua said they hold off on that as long as they can in order to keep the sidewalk from getting broken as during construction. Dennis Long **moved** to approve the final plans for Phase 4. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

**MOTION TO APPROVE
THE FARM SUBDIVISION
2014 PHASE 4 FINAL
PLANS**

Resolution 19-315, adopting the budget for FY 2019/2020, was presented to Council for their approval. Nikki stated the only change she made to the proposed budget was the \$100,000 that was appropriated in the municipal building project fund for the updated facade of the city office. Robert Hall **moved** to approve Resolution 19-315. Dan Olsen **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
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**APPROVE RESOLUTION
19-315 ADOPTING FY
2019/2020 BUDGET**

DRAFT

Report Criteria:

Invoices with totals above \$0.00 included.

Only unpaid invoices included.

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-22250 WORKMENS COMPE	1084	Utah Local Gov't Ins. Trust	Workers Comp	1585740	09/11/2020	1,036.99
10-22500 HEALTH INSURANCE	410	HealthEquity, Inc.	HSA Monthly Fees	FM7KYN2	09/12/2020	18.00
10-22500 HEALTH INSURANCE	490	Judd, Dennis L.	D. Judd dental insurance	490-820	08/30/2020	85.48-
10-22500 HEALTH INSURANCE	740	Public Employees Health Prog	Health & Dental Insurance	123179640	09/20/2020	17,726.60
10-22500 HEALTH INSURANCE	740	Public Employees Health Prog	COBRA - Patton #595934	595934-10	09/10/2020	1,469.57
10-22500 HEALTH INSURANCE	1084	Utah Local Gov't Ins. Trust	Health Insurance Premium	1585738	09/11/2020	200.03
Total :						20,365.71
10-47-133 HEALTH INSURANCE	490	Judd, Dennis L.	D. Judd dental insurance	490-820	08/30/2020	85.48
10-47-310 PROSECUTING ATT	490	Judd, Dennis L.	Prosecuting Attorney	490-820	08/30/2020	3,706.92
10-47-330 CITY ATTORNEY - CI	490	Judd, Dennis L.	Civil Attorney	490-820	08/30/2020	3,902.08
10-47-610 MISCELLANEOUS C	490	Judd, Dennis L.	Copies, phone calls, etc.	490-820	08/30/2020	50.00
Total CITY ATTORNEY:						7,744.48
10-48-610 MISCELLANEOUS C	172	Crossroads Accounting Professio	Council re: financial matters	24184	08/31/2020	190.00
Total INDEPENDENT AUDITOR:						190.00
10-49-513 PUBLIC EMPLOYEE	1084	Utah Local Gov't Ins. Trust	Bond 71461638	1585739	09/11/2020	820.40
Total LIABILITY INSURANCE:						820.40
10-50-611 CLEANING SUPPLIE	899	Staples Credit Plan	Urinal screens	2638541661	09/10/2020	18.73
Total GENERAL GOVERNMENT BUILDINGS:						18.73
10-51-240 OFFICE SUPPLIES A	899	Staples Credit Plan	Paper & air duster	2638541661	09/10/2020	74.12
10-51-650 EQUIP/ETC. PURCH	655	Northeastern Utah Office	Desk	90933	09/10/2020	1,759.00
Total SUPPLIES/EQUIPMENT:						1,833.12
10-52-310 BOARD MEMBERS E	29	Adams, Scott	Board Members Expense	29-920	09/15/2020	75.00
10-52-310 BOARD MEMBERS E	127	Bentley, Andrew	Board Members Expense	127-920	09/15/2020	150.00
10-52-310 BOARD MEMBERS E	216	Clark, Christopher J	Board Members Expense	216-920	09/15/2020	150.00

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-52-310 BOARD MEMBERS E	772	Ray, Amber	Board Members Expense	772-920	09/15/2020	75.00
Total PLANNING AND ZONING:						450.00
10-54-251 FUEL & OIL	808	Rocky Mountain Lube & Muffler	Oil change #6059	599369	09/03/2020	50.45
10-54-334 K-9 EXPENSES & EQ	448	Intermountain Farmers Assoc.	Dog bite spray	1014158048	09/11/2020	8.09
Total POLICE DEPARTMENT:						58.54
10-55-800 CARES ACT EXPENS	1147	Vernal Winnelson Company	Bathroom remodel	47069701	09/10/2020	7,109.52
10-55-800 CARES ACT EXPENS	1147	Vernal Winnelson Company	Mask	47182301	09/09/2020	54.29
10-55-800 CARES ACT EXPENS	1147	Vernal Winnelson Company	Bathroom remodel	47190001	09/15/2020	472.68
10-55-800 CARES ACT EXPENS	1153	Wal-Mart Super Center	Training TV's	6815	09/14/2020	996.00
10-55-800 CARES ACT EXPENS	1210	Zion's First National Bank	Moving carts	140931	09/03/2020	56.08
10-55-800 CARES ACT EXPENS	1211	Zion's First National Bank	Laptop charger & adapters	114005065977	08/31/2020	49.80
10-55-800 CARES ACT EXPENS	1211	Zion's First National Bank	Apple air-pods, HDMI cable, TV w	114299870970	09/03/2020	619.87
10-55-800 CARES ACT EXPENS	1211	Zion's First National Bank	TV's for training	5182028-9294	09/03/2020	1,309.07
Total EMERGENCY PREPAREDNESS:						10,667.31
10-58-330 EDUCATION AND TR	1210	Zion's First National Bank	IRC Training	1210-91520	09/15/2020	50.00
Total BUILDING INSPECTOR:						50.00
10-59-224 COMMUNITY AWARD	814	Roofing World Home Improvemen	Plywood	414709	09/08/2020	135.47
10-59-310 ECONOMIC DEVELO	941	The Retail Coach, LLC	Retail Recruitment Plan	3447	09/14/2020	12,000.00
Total EDUCATION & PROMOTION:						12,135.47
10-60-250 EQUIPMENT REPAIR	677	Outback Rental	Pressure washer parts	SO-001219	09/09/2020	31.36
10-60-250 EQUIPMENT REPAIR	677	Outback Rental	Pressure washer parts	SO-001220	09/09/2020	10.35
10-60-262 "C" ROAD MAINTENA	856	Searle Trucking, LLC	Road salt	91520-1	09/15/2020	4,867.50
10-60-275 STRIPING OF STREE	487	Jones Paint & Glass, Inc.	Paint	VNI0070304	09/16/2020	224.94
10-60-275 STRIPING OF STREE	677	Outback Rental	Equipment rental - pressure wash	38776	09/15/2020	101.15
10-60-610 MISCELLANEOUS S	341	Fastenal Company	Adhesive mounting pad	UTVER89367	09/16/2020	11.00
10-60-610 MISCELLANEOUS S	1211	Zion's First National Bank	Business cards - road dept	JQ16N06A185	09/08/2020	28.87

GL Acct No	Vendor	Vendor Name	Description	Invoice Number	Invoice Date	Invoice Amount
10-60-650 EQUIP. ETC. PURCH	899	Staples Credit Plan	Chair	2638541661	09/10/2020	119.99
Total HIGHWAYS:						5,395.16
Grand Totals:						59,728.92

Report Criteria:

Invoices with totals above \$0.00 included.

Only unpaid invoices included.



Item No. _____

MEMO TO: City Council FROM: Planning and Zoning/Staff	Subject: Land Use Ordinance Change – Amending Chapter 02-16 Sign Regulations	
Recommendation: Approve the recommended changes amending Chapter 02-16 Sign Regulations in the Land Use Ordinance.	Date: 07/22/2020	
	Fiscal Impact: N/A	
	Funding Source: N/A	
Background: For the past year, the Planning Commission has been working on amending the sign ordinance. Tables and charts were added to help simplify the ordinance and make it easier to read. A representative from Reagan Signs attended several meetings with the Planning Commission and suggested language for the billboard section; which the Planning Commission agreed with and added to the Land Use Ordinance changes.		
Attachments: -Ordinance 20-227 Amending Chapter 02-16 Sign Regulations		
Recommended Motion: Make a motion to approve the proposed changes to chapter 02-16 Sign Regulations in the Land Use Ordinance and adopt ordinance 20-227 Amending Chapter 02-16 Sign Regulations.		

Naples City Ordinance No. 20-227

An ordinance amending the Naples City Land Use Ordinance 02-16 Sign Regulations

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

WHEREAS, the Naples City Planning Commission has conducted duly noticed and open public meetings and hearings, considered the revisions to the Naples City Land Use Ordinance and Subdivision Ordinance on July 16, 2019; September 17, 2019; November 19, 2019; January 21, 2020; February 18, 2020; April 21, 2020; June 16, 2020; and July 21, 2020; and

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

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

WHEREAS, the Naples City Council has in a duly noticed open meeting on September 10, 2020, considered the recommended changes.

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

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

CHAPTER 02-16 SIGN REGULATIONS

Section 02-16-001	Home Occupation Signs
Section 02-16-002	Signs in Residential Zones
Section 02-16-003	Clearance
Section 02-16-004	~~Location of Signs~~ <u>Billboards</u>
<u>Section 02-16-005</u>	<u>Off-Premise Signs</u>
<u>Section 02-16-006</u>	<u>Political Signs</u>
<u>Section 02-16-007</u>	<u>Event Signs</u>
<u>Section 02-16-008</u>	<u>Temporary Signs</u>
<u>Section 02-16-009</u>	<u>Sign Regulations</u>
Section 02-16-010 ~~05~~	Height of Sign
Section 02-16-011 ~~06~~	Sign Area
Section 02-16-001 ~~28~~	Sign Removal
<u>Section 02-16-013</u>	<u>Sign Maintenance</u>
Section 02-16-001 ~~49~~	Permits Required
~~Section 02-16-015~~ ~~0~~	~~Illuminated Signs~~
Section 02-16-01 ~~64~~	Violation
Section 02-16-01 ~~72~~	Compliance with Utah State Code

(For Definitions see Chapter 02-02¹)

02-16-001 HOME OCCUPATION SIGNS

The following regulations apply to home occupation signs:

- A. Home occupation signs shall not exceed 2 square feet in sign area.
- B. Home occupation signs shall not be internally illuminated or self-lit.
- C. A home occupation shall not have more than 1 sign attached to each of the following:
 - 1. Home
 - 2. Mailbox stand
- D. Home occupation signs shall not be placed anywhere except on the home and/or mailbox stand.
- E. If the sign is attached to the mail-box stand, then it shall follow applicable federal regulations.

02-16-002 SIGNS IN RESIDENTIAL AREAS

No advertising sign of any kind shall be allowed in any agricultural or residential zone (A-1, RA-1, RA-2, R-1, R-2, or R-3), except for the following:

- 1. On-premise signs pertaining to the sale or lease of real property, with a maximum sign area of 10 square feet.
- 2. Home Occupation Signs
- 3. Event and temporary signs no larger than 32 square feet and no more than 3 per parcel.
- 4. Perforated vinyl signs

02-16-003 CLEARANCE

Signs shall not restrict the safe traffic of pedestrians, bicyclists, or automobiles. All signs shall have a minimum ~~direct horizontal~~ distance of 12 feet and a minimum vertical distance of 12 feet between any overhead power lines and any part of the sign. All vertical distances are measured from the elevation surface level of the nearest street, hereafter called the "ground level." All free-standing signs (supported by a pole or structure, and not attached to a building) shall follow both of the following regulations:

- 1. No part of the sign shall be closer than 150 horizontal feet from any sidewalk, the curb, bicycle path, street, curb, property line, or driveway/parking lot entrance.
- 2. The sign shall either have a maximum height of four-five feet, or a minimum height of fourteen-ten feet between the ground level and the bottom of the sign unless the sign is at least 20 feet from the curb, then the maximum height shall be 30 feet and no minimum height.
- 3. No part of any sign shall be permitted to extend across any property line.

¹ Amended 08/24/2017

2.4. No sign shall be located on public property or within any right-of-way.

02-16-004

LOCATION OF SIGNS BILLBOARDS

No new billboard shall be erected in Naples City. Existing billboards may be allowed to relocate only in the I-1 and C zones, and only if at least one of the following conditions is met:

~~The reasonable visibility of the billboard from the adjoining street is being blocked by an adjacent structure, fence, or wall.~~

~~The reasonable visibility of a commercial use from the adjoining street is being blocked by the billboard.~~

Existing billboards may be relocated, removed, or altered according to the terms of Utah Code Annotated and the following:

1. Credits for removal/relocation:
 - a. Prior to the removal of any existing billboard, the owner shall obtain a permit for the demolition of the sign structure.
 - b. The owner of the removed existing billboard shall have a credit of thirty-six (36) months from the date the demolition permit is issued to secure a permit for erection of the relocated existing billboard.
2. If the owner of the existing billboard does not secure a permit for relocation within the timeframe, the existing billboard credit shall expire.

Billboards may be permitted with the City pursuant to the provisions of Utah Code Annotated and the following:

1. Location restrictions:
 - a. Relocated billboards with or without electronic message centers must be located within one hundred (100) feet of Highway 40 right-of-way, and on a parcel that is directly abutting it.
 - b. In total, there shall be no more than 4 billboards including those with electronic message centers along Highway 40 within the Naples City boundaries.
 - c. Must be located within the Industrial (I-1, I-2) or Commercial (C, C1) zones.

A. Billboard Requirements

- a. No setback is required from the property line adjacent to Highway 40. A two (2) foot setback from all other property lines must be met. No part of the billboard shall overhang the property line of a public right-of-way.
- b. Sign area may only exceed 10% of the current sign area but shall not exceed 672 square feet.
- c. Maximum billboard length shall not exceed 48 feet
- d. Maximum billboard height shall not exceed 40 feet above the ground or twenty-five feet above the grade of adjacent road or highway, whichever is greater.
- e. Billboards shall be a minimum of five hundred lineal feet from any

- other billboard on the same side of the right-of-way.
- f. Poles or other structural supports may be mono or dual poles.
- g. A non-conforming billboard must conform to current sign regulations once relocated.

B. Illumination/Digital Standards

- a. Shall display full color messages or images only and the use of single-color text and images is prohibited.
- b. Each message/advertisement displaced on an electronic message center shall remain static for a minimum of eight (8) seconds. Animation, flashing, starburst or other similar frame effects are prohibited.
- c. Electronic message centers shall have a true pixel pitch between one millimeter (1mm) and sixteen millimeters (16mm).
- d. No electronic message center shall utilize a white or solid background for greater than or equal to fifty percent (50%) of the sign area.
- e. All permitted electronic message centers shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurements.
- f. Sign illumination levels for electronic message centers shall never, at maximum display intensity, exceed 0.3 foot-candle over ambient lighting conditions when measured at the distance based on the formula of square foot of area of sign times one hundred. Light cutoff devices shall minimize light above the sign.
- g. The illumination of an electronic message center shall be measured with an illuminance meter set to measure foot-candles accurate to at least two (2) decimals. Illuminance shall be measured with the electronic message center off, and again with the electronic message center displaying a white image. All measurements shall be taken perpendicular to the face of the electronic message center at the distance determined by the total square footage of the electronic message center as set forth.

02-16-005 OFF-PREMISE SIGNS

Off-premise signs which advertise a business within Naples City, which is not along U.S. Highway 40, 500 South or 1500 East, may be erected within 120 feet of the centerline of U.S. Highway 40, 500 South or 1500 East only if all of the following conditions are met:

1. At least two of such off-premise businesses are advertised on the sign, or at least one such off-premise business and the on-premise business.
2. The sign is directional in that it informs the public in which direction the advertised business is located.
3. Both the property where the sign is erected and the businesses which the

sign advertises are in any of the following zones: I-1, C, and C-1.

~~No part of any sign shall be permitted to extend across any property line.~~

02-16-006 POLITICAL SIGNS

All political signs must comply with state law.

02-16-007 EVENT SIGNS

An on-premise sign which is intended to advertise a community or civic projects, on a temporary basis. Such signs shall not be erected earlier than thirty-days prior to the date of beginning of event and shall be removed within seven (7) days after the event is concluded.

02-16-008 TEMPORARY SIGNS

Temporary advertising in all zones may be permitted by the Land Use Administrator for up to thirty (30) days use, provided that such sign is not placed in a public right-of-way and will not create a safety hazard to the public. A permit is required.

02-16-009 SIGN REGULATIONS

AWNING/CANOPY SIGNS. These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>12 ft</u>
<u>Minimum Height</u>	<u>8 ft</u>
<u>Maximum Sign Copy</u>	<u>40% of Awning</u>
<u>Setbacks</u>	<u>May project into building setbacks 3 ft</u>
<u>Illumination</u>	<u>External or Internal</u>
<u>Number of signs allowed</u>	<u>Up to 5</u>
<u>Allowed Zones</u>	<u>C, C1, I1, I2</u>
<u>Permit Needed</u>	<u>Yes</u>

BANNER SIGNS. These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>18 ft</u>
<u>Minimum Height</u>	<u>8 ft</u>
<u>Maximum Sign Copy</u>	<u>32 sq ft</u>
<u>Setbacks</u>	<u>15 ft from property lines</u>
<u>Illumination</u>	<u>No</u>
<u>Number of signs allowed</u>	<u>Up to 5 per Building/Parcel</u>
<u>Allowed Zones</u>	<u>P, C, C1, I1, I2</u>
<u>Permit Needed</u>	<u>No</u>

BLADE SIGNS. These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>30 ft</u>
<u>Minimum Height</u>	<u>8 ft above sidewalk</u>
<u>Maximum Sign Copy</u>	<u>12 sq ft</u>
<u>Setbacks</u>	<u>May project 4 ft into ROW</u>
<u>Illumination</u>	<u>External</u>
<u>Number of signs allowed</u>	<u>Up to 5 per building/business</u>
<u>Allowed Zones</u>	<u>C, C1, I1, I2</u>
<u>Permit Needed</u>	<u>Yes</u>

EVENT SIGNS. These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>12 ft</u>
<u>Minimum Height</u>	
<u>Maximum Sign Copy</u>	<u>32 sq ft</u>
<u>Setbacks</u>	<u>Out of clear view triangle</u>
<u>Illumination</u>	<u>None</u>
<u>Number of signs allowed</u>	<u>Up to 3</u>
<u>Allowed Zones</u>	<u>C, C1, I1, I2, P</u>
<u>Permit Needed</u>	<u>No</u>

FREE STANDING/POLE. These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>30 ft</u>
<u>Minimum Height</u>	<u>8 ft</u>
<u>Maximum Sign Copy</u>	<u>72 sq ft</u>
<u>Setbacks</u>	<u>15 ft from curb</u>
<u>Illumination</u>	<u>Internal</u>
<u>Number of signs allowed</u>	<u>Up to 5</u>
<u>Allowed Zones</u>	<u>C, C1, I1, I2</u>
<u>Permit Needed</u>	<u>Yes</u>

MONUMENT SIGNS. These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>10 ft</u>
<u>Minimum Height</u>	
<u>Maximum Sign Copy</u>	<u>100 sq ft</u>
<u>Setbacks</u>	<u>15 ft from the curb</u>
<u>Illumination</u>	<u>External or Internal</u>
<u>Number of signs allowed</u>	<u>Up to 5 per Development</u>
<u>Allowed Zones</u>	<u>C, C1, I1, I2, P</u>
<u>Permit Needed</u>	<u>Yes</u>

NAME PLATE SIGN. These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>n/a</u>
<u>Minimum Height</u>	<u>n/a</u>
<u>Maximum Sign Copy</u>	<u>2 sq ft</u>
<u>Setbacks</u>	<u>On building</u>
<u>Illumination</u>	<u>External</u>
<u>Number of signs allowed</u>	<u>Up to 5 per Addressed Building or 1 per business</u>
<u>Allowed Zones</u>	<u>R1, R2, R3, RA1, RA2, C, C1, I1, I2, P</u>
<u>Permit Needed</u>	<u>No</u>

PERFORATED VINYL SIGNS (one-way vision). These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>n/a</u>
<u>Minimum Height</u>	<u>n/a</u>
<u>Maximum Sign Copy</u>	<u>n/a</u>
<u>Setbacks</u>	<u>n/a</u>
<u>Illumination</u>	<u>Indirect internal</u>
<u>Number of signs allowed</u>	<u>n/a</u>
<u>Allowed Zones</u>	<u>R1, R2, R3, RA1, RA2, C, C1, I1, I2</u>
<u>Permit Needed</u>	<u>No</u>

TEMPORARY SIGNS (Lawn, A-frame, sandwich board, etc). These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>8 ft</u>
<u>Minimum Height</u>	
<u>Maximum Sign Copy</u>	<u>32 sq ft</u>
<u>Setbacks</u>	<u>On property, out of clear view triangle</u>
<u>Illumination</u>	<u>None</u>
<u>Number of signs allowed</u>	<u>Up to 3 per parcel</u>
<u>Allowed Zones</u>	<u>C, C1, I1, I2, P</u>
<u>Permit Needed</u>	<u>No</u>

TRAFFIC CONTROL SIGNS. Traffic signs as required by law, prescribed in the manual of Uniform Traffic Control, erected by a Public agency are approved in all zones.

WALL SIGNS. These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>Same as building it's located on</u>
<u>Minimum Height</u>	
<u>Maximum Sign Copy</u>	<u>200 sq ft or 10% of building façade, whichever is larger</u>
<u>Setbacks</u>	<u>May project off building no more than 12"</u>
<u>Illumination</u>	<u>External or Internal</u>
<u>Number of signs allowed</u>	<u>No more than 200 sq ft (or 10%) of combined sign coverage on façade</u>
<u>Allowed Zones</u>	<u>C, C1, I1, I2</u>
<u>Permit Needed</u>	<u>Yes</u>

WINDOW SIGNS. These signs shall conform to the following standards:



<u>Maximum Height</u>	<u>n/a</u>
<u>Minimum Height</u>	<u>n/a</u>
<u>Maximum Sign Copy</u>	<u>20% of total window space</u>
<u>Setbacks</u>	<u>n/a</u>
<u>Illumination</u>	<u>Indirect internal</u>
<u>Number of signs allowed</u>	<u>20% of each window</u>
<u>Allowed Zones</u>	<u>R1, R2, R3, RA1, RA2, C, C1, I1, I2</u>
<u>Permit Needed</u>	<u>No</u>

<u>Permitted Signs</u>										
<u>SIGN TYPE</u>	<u>ZONES</u>									
	<u>R1</u>	<u>R2</u>	<u>R3</u>	<u>RA1</u>	<u>RA2</u>	<u>C</u>	<u>C1</u>	<u>I1</u>	<u>I2</u>	<u>P</u>
<u>Awning/Canopy</u>	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>Banner</u>	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Blade Sign</u>	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>Event</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Free Standing/Pole</u>	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
<u>Monument</u>	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Name Plate</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Perforated Vinyl</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Temporary</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Traffic Control</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Wall</u>	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Window</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-

02-16-011005 HEIGHT OF SIGN

The maximum height shall not exceed thirty (30) feet, measured from the elevation surface level of the nearest street.

02-16-011106 SIGN AREA

For each parcel, the combined total sign area for free standing signs is as follows:

For freestanding signs that indicate a single business, the maximum allowed sign area for one (1) sign is half (0.5) a square foot of sign area per linear foot of street frontage. This shall never exceed sixty (60) square feet.

For freestanding signs that indicate multiple businesses, the maximum allowed sign area for one (1) sign is eight-tenths (0.8) of a square foot of sign area per linear foot of street frontage. This shall never exceed thirty (30) square feet per business, or one hundred and twenty (120) square feet for the entire sign, whichever is smaller. For example, a property with four or more businesses and 100 feet of street frontage would be allowed a sign area of 80 square feet. However, a property with only 3 businesses and 200 feet of street frontage would only be allowed a sign area of 90 square feet.

For flat signs that are either painted or attached to the building and do not project more than eighteen (18) inches from the building wall, a maximum of twenty-five percent (25%) of a wall area up to a total of 200 square feet is permitted in the I-1, I-2, C and C-1 zones.

Both free standing and attached flat signs may be utilized by a business provided that each sign type conforms to the above limitations. In determining the sign area, the blocked area of the sign, including the area between the letters, shall be counted as part of the sign area.

~~02-16-007~~ TEMPORARY SIGNS

~~Temporary advertising in all zones may be permitted by the building official for up to seven (7) days use, provided that such sign is not placed in a public right-of-way and will not create a safety hazard to the public. A permit is required.~~

02-16-00812 SIGN REMOVAL CITY OFFICIAL AUTHORITY

If a sign not in legal existence at the time this chapter is adopted does not conform with the requirements of this chapter, or if the construction, design, manner or use, or method of anchoring or supporting any sign makes such sign unsafe, the City Building Official shall proceed in any manner he/she deems necessary to cause the removal of the sign or the rebuilding of the sign to conform with the requirements of this chapter and the international building code. Costs of removal shall be charged to the sign owner and the land-owner where the sign is located.

02-16-13 SIGN MAINTENANCE

- a. All signs, including billboards, shall be maintained in good condition. Signs not maintained in good condition shall be considered neglected and shall be repaired.
- b. Illuminated signs shall remain fully functional.
- c. When a building sign is removed, the face of the building beneath the sign shall be restored to its original pre-sign condition.
- d. Those signs meeting the definition of Abandoned Sign in section 02-02 shall be removed.

02-16-01409 PERMITS REQUIRED

~~Regardless of cost, n~~No sign shall be erected or placed within the City of Naples without first making application for and obtaining a sign permit through the Naples City Land Use Administrator and a building permit unless otherwise stated. ~~therefore, except temporary window and political posters, and temporary on-premise signs pertaining to the sale of real property.~~ In addition to the requirements of this chapter all preexisting off-premise signs designed to be read or comprehended from U.S. Highway 40 or 45 shall comply with the regulations established by the State of Utah. Construction or placement of a sign shall not

commence until all approvals have been obtained and the ~~sign-building~~ permit given.

All permanent signs must have a stamped engineered setup and placement plan. The plans are part of the sign permit requirements.

Signs not requiring a permit:

- Temporary window signs;
- Political signs;
- Temporary on-premise signs pertaining to the sale of real property;
- Perforated vinyl signs;
- Home occupation signs; and
- Signs under three (3) square feet

02-16-01~~50~~ ILLUMINATED SIGNS

The following regulations apply to illuminated signs:

- A. For externally illuminated, all luminaires shall be mounted at the top of the sign and aimed downward. The luminaires shall be designed, fitted and aimed to shield the lamp and its reflective surfaces from off-site view and to place the light output onto and not beyond the sign. At no point on the face of the sign shall the illumination exceed 30-vertical footcandles during hours of darkness.
- B. For internally illuminated signs or digital signs, they shall have a dark field and light message and the combined output of the light sources shall not exceed 500 initial lamp lumens per square foot of sign face per side.
- C. Signs shall be dimmed automatically from 30 minutes after sunset to 30 minutes before sunrise to 10% or less of their daylight luminance setting.
- D. Oscillating or strobe lighting shall not be permitted.

02-16-01~~61~~ VIOLATION

Any persons or entity violating this ordinance shall be ~~guilty of a Class C misdemeanor for the first offense and a Class B misdemeanor for each subsequent violation~~ finned \$50 each day. Each day a sign remains in violation after notice from the City, ~~shall be a separate and additional offense. In addition, if any fine or other penalty is imposed, the violator shall be charged the cost of removal of the illegal sign. (See the Consolidated Fee Schedule for more information.)~~

02-16-0172 COMPLIANCE WITH STATE CODE

Outdoor advertising within the 660' control corridor along US Highway 40 shall adhere to Utah State Code. (See UCA 72-7-501 through 516 for more details.)

--End of Ordinance Changes--

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

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

DATED this ____ day of _____, 2020.

Mayor

Attest:

City Recorder

Naples City Ordinance No. 20-228

An ordinance amending the Naples City Land Use Ordinance 02-02 Definitions

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

WHEREAS, the Naples City Planning Commission has conducted duly noticed and open public meetings and hearings, considered the revisions to the Naples City Land Use Ordinance and Subdivision Ordinance on July 16, 2019; September 17, 2019; November 19, 2019; January 21, 2020; February 18, 2020; April 21, 2020; June 16, 2020; and July 21, 2020; and

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

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

WHEREAS, the Naples City Council has in a duly noticed open meeting on September 10, 2020, considered the recommended changes.

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

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

SIGN, ABANDONED

A sign that remains after the termination of a business or use, or a sign that exhibits fading or peeling paint, missing letters, chips or cracks or damage, and other evidence of neglect for a period in excess of 90 (ninety) days or a neglected sign in excess of 180 days. Termination of a business shall include ceasing operations, failure to obtain or renew a business license with the City, declaring bankruptcy, or failing to renew, update, or reinstate the business with the State of Utah. Signs meeting this definition shall be removed.

SIGN, ADVERTISING

Any sign that identifies the occupant of real property or building and the nature of the business or that advertises a business or its products.

SIGN, AWNING

An awning attached to a building for advertisement, identification or promotional purposes.

SIGN, BLADE

A projecting sign that is mounted on a building façade or storefront pole or attached to a surface perpendicular to the normal flow of traffic.

SIGN, BANNER

A sign made of any non-rigid material, with or without a rigid frame on which a sign is painted or printed.

SIGN, BILLBOARD

A freestanding ground sign, larger than 288 square feet, located on industrial, commercial, or residential property if the sign is designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located.

SIGN, EXISTING BILLBOARD

One of the existing off-premise signs legally located within Naples City as the effective date of (January 1, 2020) which are each identified by a valid Utah Department of Transportation Outdoor Advertising Permit.

SIGN, ELECTRONIC MESSAGE CENTER

An off-premise sign face capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means.

SIGN, NEGLECTED

A sign that exhibits fading, or peeling paint, missing letters, chips or cracks or damage, or other evidence of lack of proper care in excess of 90 (ninety) days. Signs meeting this definition shall be repaired. Signs not repaired within 180 days of notice shall be considered abandoned and shall be removed.

SIGN, ON-PREMISE

~~See Sign, Business~~ A sign which directs attention to a use conduct, a commodity sold, or a service performed to the premise on which it is located.

SIGN, TEMPORARY EVENT

An on-premise sign which is intended to advertise community or civic projects, ~~real estate for sale or lease~~, on a temporary basis. Such signs shall not be erected earlier than thirty-days prior to date of beginning of event and shall be removed within ~~thirty-seven~~ (7) days after event is concluded.

SIGN, TEMPORARY

Small informational signs such as lost pet signs, neighborhood or religious activities signs, political signs, advertising signs for daily specials, etc. These signs must be located within the

sign owner's property and may not be affixed to utility poles, fences, sign poles, or trees and may not be in the right-of-way.

SIGN, WINDOW

A sign affixed to the inside of a window and intended to be viewed from the exterior of the structure.

--End of Ordinance Changes--

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

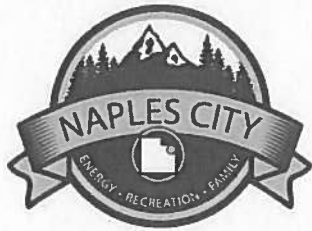
The changes set forth herein shall be inserted in and incorporated into the Naples City Subdivision Ordinance.

DATED this ____ day of _____, 2020.

Mayor

Attest:

City Recorder



Item No. _____

MEMO TO: City Council FROM: Planning and Zoning/Staff	Subject: Land Use Ordinance Change – Amending Sign Definitions	
Recommendation: Approve the recommended changes amending sign definitions	Date: 07/22/2020	
	Fiscal Impact: N/A	
	Funding Source: N/A	
Background: While amending the sign regulations there is the need to add and amend different sign definitions mentioned in the sign regulations chapter.		
Attachments: -Ordinance 20-228 Amending Chapter 02-02 Definitions		
Recommended Motion: Make a motion to approve the proposed changes to chapter 02-02 Definitions in the Land Use Ordinance and adopt ordinance 20-228 Amending Chapter 02-02 Definitions.		

02-16-004 **LOCATION OF SIGNS**

No New billboards shall be erected in Naples City. Existing billboards may be allowed to relocate only in the I-1 and C zones and only if such relocation is required or mandated by superseding State Law.

This ordinance shall not grant nor be interpreted to grant any rights to billboard owners that are greater than or exceed rights required or mandated by superseding State Law.

Any billboard which is relocated may not exceed the square footage of the sign face of the existing billboard and may not exceed the height or other dimensions of the prior billboard. The relocated billboard may not be constructed until the prior billboard has been removed. A billboard which is not lawfully in existence and use at the time of an application for relocation, may not be relocated, and shall be removed.

~~No new billboard shall be erected in Naples City. Existing billboards may be allowed to relocate only in the I-1 and C zones, and only if at least one of the following conditions is met:~~

- ~~1. The reasonable visibility of the billboard from the adjoining street is being blocked by an adjacent structure, fence, or wall.~~
- ~~2. The reasonable visibility of a commercial use from the adjoining street is being blocked by the billboard.~~

Off-premise signs which advertise a business within Naples City, which is not along U.S. Highway 40, 500 South or 1500 East, may be erected within 120 feet of the centerline of U.S. Highway 40, 500 South or 1500 East only if all of the following conditions are met:

1. At least two of such off-premise businesses are advertised on the sign, or at least one such off-premise business and the on-premise business.
2. The sign is directional in that it informs the public in which direction the advertised business is located.
3. Both the property where the sign is erected and the businesses which the sign advertises are in any of the following zones: I-1, C, and C-1.
- 3.4. The sign complies with 02-16-005 and 02-16-006 and all other provisions of this ordinance

No part of any sign shall be permitted to extend across any property line.