

**Kanab City Planning and Zoning Commission Meeting**  
**June 19, 2018**  
**Kanab City Council Chambers**  
**26 North 100 East**  
**6:30 PM**

**Present:** Chair Pro Tem Celeste Meyeres; Commission Members Chris Heaton, Breck Judd, Arlon Chamberlain, Joan Thacher and Marty Ott; Land Use Coordinator Mike Reynolds; Attorney Jeff Stott; and Administrative Assistant Janae Chatterley.

**Not in Attendance:** Commission Members Melvin Watson and City Council Liaison Brent Chamberlain.

**Approval of Minutes:** A motion was made by Arlon Chamberlain and 2<sup>nd</sup> by Chris Heaton to approve the minutes from June 5, 2018 with the amendment to the date. Motion passed.

**Public Comment:** Michelle Galaria commented regarding potential for additional cross walks across the highway. She reported that she was hit last year in a crosswalk and that this was important to her, she discussed statistics and research for pedestrian vs vehicle accidents in crosswalk. By adding flashers and signs for the crosswalk the accidents are decreased. She would like to see more cross walks across the highway and advance signs and flashers. Celeste suggested that this is taken to the City Council to be heard.

**Review and Discussion to approve or deny color palette for the final site plan to develop Best Friends [motel] on parcel K-19-10 located at 36 N 300 W also referred as Best Friend's Base Camp project:**

Mike Reynolds presented a color and material palette that Best Friend's provided as a sample. Discussion between Commission members regarding clarification on railings and roof material and colors. Celeste Meyeres had a question on the color between Classic Dynasty Sand or Classic Dynasty that was provided in a memo, Josh Beazer confirmed that the color would be Classic Dynasty Sand and that the color Classic Dynasty was a typo. Chris Heaton recused himself as it is a conflict of interest. Joan Thacher expressed concern over the Classic Dynasty Sand color being similar to a white color and how the commission has not allowed other businesses to use white in their designs. Commission members discussed how Classic Dynasty Sand is not a pure white but more of a light tan color or sand color and would be considered an earth tone color. Request for current ordinance to be displayed, Jeff Stott explained that the current ordinances state that natural earth tones are preferred, blend in with the area, and design is to be a classic western.

A motion was made by Arlon Chamberlain and 2<sup>nd</sup> by Breck Judd to approve the color palette for Best Friends [motel] on parcel K-19-10 located at 36 N 300 W with the caveat that it meets our natural color guidelines, fits into the surroundings. The color and material approved is the Cedar Weathered, Weathered Steel, and stucco color of Dynasty Sand. Roll Call vote called, Breck Judd - yea, Marty Ott - yea, Joan Thacher – nay, Arlon Chamberlain, yea. Motion passed.

**Public Hearing to review and discuss to amend and clarify Kanab Land Use Ordinance 4-10 paragraph G and H designating the building location of an accessory guest house and/or a detached garage :**

Mike discussed the ordinance regarding the location of the guest house or detached accessory garage and where it could be placed on the property (side, rear, front). There is one sentence that eludes to the guest house on the side of the residence but only makes reference to the height. The ordinance does not specify exact locations for the guest house or detached garage, it only makes reference that it does not have to be in the rear like the other accessory buildings. The question comes up, is that the intent of the ordinance or does the commission have a preference to where the guest house or detached garage should be? Asking for the commission to provide determination if the ordinance should be reworded or just clarified.

Arlon Chamberlain made a motion to go in and out of public hearing at the discretion of the chair.

Scott Colson commented that he was the applicant that is the reason this came up. He felt that there wasn't a problem with this and didn't feel that the City needed regulating this, if people have enough room on their property and want to put a vacation rental on their property they should be allowed to do this. It makes sense to put it in the front of the property so visitors are not going through their back yard and personal space.

Josh Beazer seconds what Scott Colson said and added that as long as we are meeting the setbacks it shouldn't matter.

Arlon agrees with the public comments and that it should be allowed in the front of the property. Commission members did not have concern with the location of the guest house or detached garage. Commission members had concerns about making sure that the architecture matches the main house. Jeff Stott asked about clarification on the requirement of the height of the accessory building that is in the current ordinances.

Michelle Galaria made comment that she wanted to build a garage on the side of the house with a living space above the garage but they were not able to because it would be taller than the main residence.

Scott Colson commented that a neighbor has a building that is not in line with the main residence and that it looks nice.

Marty Ott discussed risk of buildings being taller than 40-foot heights.

Josh Beazer commented that those circumstances would be taken into account with building codes to mitigate the risk. He didn't understand why the city would limit this.

Chris Heaton suggested that we leave the height restrictions the same but allow that the location be in the front, side or rear at a height of 25 feet. Celeste clarified that if built on the side it could be taller but not to exceed 25 feet. Joan Thacher did not agree, Arlon agrees, Marty Ott likes the ordinance the way it is, Breck Judd agreed.

Scott Colson asked for clarification on the ordinance that the only place that it is restricted is the side of the house. Mike Reynolds confirmed.

Josh Beazer asked why we are restricting the size of the garage. Mike Reynolds and Jeff Stott explained that it would depend on the if it is detached or attached, the location and the parameters of the ordinance.

Charlie Saba asked, what is the cities interest in whether the building is on the size, height, or location. Mike Reynolds responded that it has to do with the community appearance.

Scott Colson commented about the buildings built on the east side of town, that these are larger garages with smaller homes and that it looks fine and meets the owner's need and if there is a point of the restriction what is it or if there is a restriction just to restrict.

Michelle Galaria asked about building an accessory building or a home on the same lot while living in a current dwelling. Jeff Stott confirmed that this could be done. Mike clarified that they could be living in the primary house and building a larger house that would become the primary residence.

Breck Judd makes a motion to recommend to City Council to clarify Land Use Ordinance 4-10 Paragraph H to remove the words in the first sentence to read, *should have the same color scheme and materials of the primary residence*. Chris Heaton seconded. Roll call vote was called Arlon Chamberlain - yea, Joan Thacher - yea, Marty Ott - nay, Chris Heaton - yea, and Breck Judd – yea. Motion carries.

Out of Public Hearing.

**Public Hearing to review and discuss to amend Kanab Land Use Ordinance chapter 9, chapter 20 and any other chapters related to design standards in the commercial zones:** Mike Reynolds presented a red-line version that was edited by Jeff Stott of Chapter 20. Celeste recommends that in Section 20-8 C2 be changed having the lot number rather than the business name.

Joan Thacher makes a motion to go in and out of Public Hearing at discretion of the chair, motion second by Chris Heaton

Celeste recommends that in Section 20-8 D removing the second word "requirement" to read *Lot and site requirements are subject to the following*

Celeste requested clarification on Section 20-8 Db, requested it be change to *when possible driveway should be shared between adjoining properties*. Clarification was requested on privacy walls. Jeff explained the regulations were explained in another chapter and we could reference it in this section.

Celeste requested clarification on Section 20-8 Df regarding the strikeout of parking in the side of the building. Jeff Stott explained that rear parking is required unless it is not feasible. Commission members agreed that is what they want and business owners have the ability for side parking when not feasible.

Michelle Galaria commented on possible rear or roof top parking.

Celeste requested clarification on Section 20-8 Dj and if a change is made does all of the building have to come in compliance with the new design standards. Jeff Stott explained that only the change that was being done would have to be in compliance. Requested to take out the word "any"

Celeste requested clarification on Section 20-8 Dj1 requested that it say *No high glass or mirrored metal products shall be permitted on the building surface unless for trimming or decorative that consists of 10 percent of the building*.

Commission requested on Section 20-8 Dj1 to have the unapproved materials changed to be allowed but only at 50% of the surface.

Commission requested on Section 20-8 D2 be changed to *Awning shall not be vinyl, aluminum, or have a high gloss appearance*.

Discussion on Section 20-8 D3 and the color palette for the design standards. Requested that *except for black* is removed and that *black can not be the predominant color* is added. Commission members discussed whether to use the color palette or the picture as the example to provide in the guidelines. Breck commented that some of the colors currently being used are not on the color palette or picture and that the downtown district still looks good and significant changes have been made. He would like to be less restrictive and guide the future on the colors to be used.

Scott Colson commented that he agrees with Breck and there are two paths we can take to be restrictive or not because you can take out specific colors which would be less restrictive or use specific colors that would be very restrictive.

Josh Beazer commented that he does not see the problem with the current ordinances. That the builders would still need to come to the planning commission for approval.

Mike commented that whether we choose the chart or the picture then builders can use this as a guide for when they come to the planning commission for approval and know that they have a high chance of approval since it is within the recognized chart and it is more efficient.

Jeff Stott commented that the easiest thing would be any colors goes but the problem is when you add the western theme. He would like something consistent throughout the guidelines that provides a clear message to the applicant and pulls the discretion away from the planning commission. The color is the most talked about and gets the most separated vote.

Joan Thacher discussed the delays the applicants have to get approval on site plans and to provide the guidelines on which colors to use makes the process more efficient.

Janae Chatterley commented that a color palette may be needed in the guidelines to outline colors that could be used for main colors and trim colors that coordinate with each other so that builders are not trying to utilize multiple colors that do not coordinate.

Celeste tabled the discussion for this meeting and will be continued in future meetings.

Out of Public Hearing

**Staff Report:** Mike Reynolds reminded commission that Raelene Johnson will be retiring at the end of the month

**Commission Member Report:** None.

**Council Member Liaison Report:** Brent Chamberlain was not in attendance, Mike Reynolds reminded the commission that the City Council will be voting on The Night Sky Ordinance at the next city council meeting.

Motion made by Joan Thacher to adjourn the meeting.

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Chairperson

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Date