

Kanab City Planning and Zoning Commission Meeting

June 20, 2017

Kanab City Council Chambers

26 North 100 East

6:31 PM

**Present:** Chair Pro Tem Melvin Watson, Commission Members Joan Thacher, Marty Ott, Celeste Meyeres, Arlon Chamberlain, Land Use Coordinator Mike Reynolds, Jeff Stott of Kanab City Legal Council and Secretary Katherine Ohlwiler.

**Not in Attendance:** Chairperson Mike Downward, Commission Member Curtis Cutler, City Council Liaison Brent Chamberlain.

**Approval of Minutes:** Joan Thacher made a motion to approve the minutes of June 6, 2017 with the noted changes. Celeste Meyeres 2<sup>nd</sup> the motion. Motion passed.

**Public Comment Period:** Natalie Button expressed that she found there is a future land use map and her area is classified as low density and medium density and she would like that area to stay RA.

Jim Sorenson expressed his concerns for allowing duplexes in single family residences.

**Public Hearing and Discussion for a zone change to Parcel K-17-42A-ANNEX from RA to RR-1 (1-acre min lot size) on 2.44 acres. Parcel K-17-42A-ANNEX is located in the approximate area of 450 E 1100 S:** Joan Thacher made a motion to go into Public Hearing. Celeste Meyeres 2<sup>nd</sup> the motion. Motion passed.

Natalie Button explained that this Public Hearing is personal to her. Her family built and bought in that area with hopes the spaces would stay open. The Future Land Use Map bugs her because it takes away from that. She feels like a minimum of two acres in this zone would keep the area open. She thinks people shouldn't move in and change things and zones shouldn't change. She talked about the P-Street designation, being a minimum of two acres or larger. Their street is considered a P-Street, she doesn't see how it could be rezoned with that street designation. She gave the Commission a paper signed by the neighbors of that area saying they don't want lots to be less than two acres.

Gwen Brown expressed that everyone that lives down there paid for the road, power and water to be put in and now someone else wants to come in and they shouldn't be able to change what they built. She wondered what the purpose for zoning is if anytime someone wants to come in and have something rezoned they go ahead and rezone it.

Dave Brown explained that the City required them to pay for the road and water line and the rule was that it was going to stay two acres. He explained that he has a lot of money invested in the road there and for someone to come to the City and ask for it to be changed and for the City to let them, he finds that wrong.

Scott Colson explained that they bought this piece of property and talked to almost everybody in the room about what he intended to do with the property and they were excited to have them as neighbors. He explained that there are a few lots around them that are less than the two-acre minimum. The

subdivision at the end of the street has thirty lots one acre or larger. Scott Colson expressed that as long as he conforms to the standards of the City he ought to do with his property what he wishes.

Becky Glover addressed the parcels that are less than two acres – some houses are in green belt. Houses have been there since before the road was put in. The P-Road has just been chip sealed and has never been up to code. Until the road is up to code she is not sure how you could make a zoning change.

Dave Brown explained he doesn't want to see two acre lots turn into one acre lots.

Gwen Brown wondered why these zones can be changed at the drop of a hat.

Joan Thacher made a motion to go out of Public Hearing. Arlon Chamberlain 2<sup>nd</sup> the motion.

Mike Reynolds explained that the purpose of zoning is to see where the town will grow. If someone purchases land and want to change the zone, they are perfectly in their rights to try to apply and do so. Jeff Stott explained the purpose of the P-Street is to allow access in remote areas. The citizens build it then they hand it over to the City to maintain after it is up to code. Mike Reynolds explained that there is nothing in the current ordinances that would prohibit them from changing zones.

Joan Thacher made a motion to table the zone change until more information is found on the P-Street. Arlon Chamberlain 2<sup>nd</sup> the motion. Marty Ott, Joan Thacher, Arlon Chamberlain all voted aye while Celeste Meyeres voted opposed.

Joan Thacher made a motion to table the action item, a review and recommendation on a request for a minor subdivision [two lots] on parcel K-17-42A-ANNEX. Arlon Chamberlain 2<sup>nd</sup> the motion. Motion passed.

**Public Hearing and Discussion for a zone change to Parcel K-7-16A-ANNEX from a RR-1 to a R-1-15 zone located at 762 South Hillside Drive Kanab, UT. [Applicant Shelli Church]:** Joan Thacher made a motion to go into Public Hearing. Marty Ott 2<sup>nd</sup> the motion. Motion passed.

Arlon Chamberlain made a motion to go out of Public Hearing. Celeste Meyeres 2<sup>nd</sup> the motion. Motion passed. Celeste Meyeres made a motion to recommend to City Council a Zone Change to K-7-16A-ANNEX from RR-1 to R-1-15 zone. Joan Thacher 2<sup>nd</sup> the motion. Motion passed.

**Review and recommendation on a request for a Minor Subdivision [two lots] on Parcel K-7-16A-ANNEX from a RR-1 to a R-1-15 zone:** Nielsen Estates is the name of the Subdivision. Arlon Chamberlain made a motion to recommend to City Council the minor subdivision on Parcel K-7-16A-ANNEX located at 762 S Hillside Drive with the condition that City Council approves the zone change. Celeste Meyeres 2<sup>nd</sup> the motion. Motion passed.

**Public Hearing and Discussion for revisions and amendments to the Kanab City Land Use Ordinance Chapter 6-7A allowing areas used solely for the purpose of displaying vehicles and boats for sale or rent need not be hard surfaced:** Celeste Meyeres made a motion to go in and out of Public Hearing at the call of the Chair. Joan Thacher 2<sup>nd</sup> the motion. Motion passed.

Jim Sorenson expressed if these areas are for the public to come and look he is concerned about handicap accessibility. Mike Reynolds explained that this is only for display of vehicles.

Out of Public Hearing. Celeste Meyeres made a motion to recommend to City Council approval of the revision and amendment to the Kanab City Land Use Ordinance adding, "Areas used solely for the purpose of displaying vehicles and boats for sale or rent need not be hard surfaced, however any areas designated for customer or employee parking shall be hard surfaced" to the end of Chapter 6-7A. Marty Ott 2<sup>nd</sup> the motion. Motion passed.

**Public Hearing and Discussion on a Conditional Use Permit in conjunction with a site plan on Parcel K-10-11 located at 116 South 100 East to allow parking alongside the lot between 100 East [Hwy 89] and Main St. [Applicant Norris Church]:** Joan Thacher made a motion to go in and out of Public Hearing at the call of the Chair. Arlon 2<sup>nd</sup> the motion. Motion passed. Out of Public Hearing.

Arlon Chamberlain made a motion to approve the Conditional Use Permit for the property at 116 South 100 East with the following findings:

1. That the proposed use is necessary or desirable and will contribute to the general well-being of the community.
2. That the use will not be detrimental to the health, safety, or welfare of persons residing, or working in the vicinity, or injurious to property or improvements in the vicinity.
3. That the proposed use will comply with the regulations of this Ordinance.
4. That the proposed use is in harmony with the intent and purpose of the Kanab City Master Plan or that the plan shall have first been amended through public hearing.

Joan Thacher 2<sup>nd</sup> the motion. Motion passed.

**Action Item: Administrative Review and vote to approve a site plan for landscaping only with agreement that Curb, Gutter and Sidewalk will be installed within one year from this date alongside the lot located on [HWY 89] at 116 S 100 E, between 100 E [HWY 89] and Main St. [Applicant Norris Church]:** Arlon Chamberlain made a motion to approve the site plan for the property of 116 S 100 E with the agreement of the installation of curb and gutter and sidewalk from one year from the date the ordinance change is approved by City Council. Marty Ott 2<sup>nd</sup> the motion. Motion passed.

**Public Hearing and Discussion to Discuss and Recommend revisions and amendments to the Kanab City Land Use Ordinance Chapter 1-6 (Definitions), 15-2 (Minimum Floor Area), 14, 16, 17 and 19 to clearly define Two Family Dwelling:** Jeff Stott explained that years ago you could divide your house into two dwellings and as long as the owner lived there you could have another family come and live there too. Then that was removed and the owner doesn't have to live on the same property. Two things that need to be figured out: How many total dwelling units are allowed on a property? Does a guest house count as one of those two dwellings? Are there design standards that can control how the duplexes would look?

Arlon Chamberlain made a motion to go in and out of Public Hearing at the call of the Chair. Celeste Meyeres 2<sup>nd</sup> the motion. Motion passed.

Jim Sorenson explained that his neighbor across the street built a duplex and he thought he lived in a residential neighborhood. Mr. Sorenson thinks that residential neighborhoods need to stay residential neighborhoods but at the same time this town needs housing so how do you balance that.

Out of Public Hearing.

The Commission directed Jeff Stott to write up definitions for duplexes and two-family dwelling units. Arlon Chamberlain made a motion to continue this discussion until next meeting. Joan Thacher 2<sup>nd</sup> the motion. Motion passed.

**Staff Report:** None.

**Commission Member Report:** There will be talk of the URMMA Training next meeting.

**Council Member Liaison Report:** None.

Joan Thacher adjourned.

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Chairperson

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Date