

1 **Kanab City Planning and Zoning Commission Meeting**
2 **May 16, 2023**
3 **Kanab City Council Chambers**
4 **26 North 100 East**
5 **6:30 PM**
6

7 **Present:** Chair Boyd Corry; Commission Members Russ Whitaker; Ben Clarkson 6:36 PM arrival;
8 Heather Russell; Terry Edwards; Taylor Glover; Ben Aiken; Land Use/Building Administrator
9 Janae Chatterley; Land Use Coordinator/Building Inspector Colton Porter; City Council Liaison
10 Arlon Chamberlain; and City Attorney Kent Burggraaf.

11
12 **Not Present:** City Planner Bob Nicholson, Taylor Glover, Casey Glover, Terry Edwards
13

14 **Approval of Minutes:** Heather Russell made motion to approve the minutes from April 23,
15 2023, Russ Whitaker seconded.

16 Boyd Corry: Yes

17 Taylor Glover: N/A (Not Present)

18 Terry Edwards: N/A (Not Present)

19 Ben Aiken: Yes

20 Russ Whitaker: Yes

21 Ben Clarkson: Yes

22 Heather Russell: Yes

23 Casey Glover: N/A (Not Present)
24

25 Motion Carries.
26
27

28 **Public Comment:** None.
29

30 Planning Commission welcomed Casey Glover in as Alternate Member.
31

32 **5. Planning Commission review to approve or deny a Site Plan for the Kanab Center Building**
33 **located at 20 N 100 E**
34

35 Janae Chatterley stated Kane County has applied for a Building Permit to add a 140 square foot
36 vestibule to the south side of building B and renovate areas in the building. Due to the addition
37 of square footage to the building and the renovation being more than 50%, the request for a
38 Building Permit triggers Chapter 9 – Site Plan Review of the Land Use Ordinances. Renovations
39 will include the gymnasiums, break out rooms and bathrooms.
40

41 Planning Commission discussed with staff briefly before making a motion.

42 Russ Whitaker made motion to approve the Kane County building addition and renovations
43 with the conditions of approval and findings outlined in the staff report 2023011, Heather
44 Russell seconded the motion.

45 A roll call vote was taken.

46 Ben Aiken: Yes

47 Ben Clarkson: Yes

48 Heather Russell: Yes

49 Terry Edwards: N/A (Not Present)

50 Russ Whitaker: Yes

51 Taylor Glover: N/A (Not Present)

52 Boyd Corry: Yes

53 Casey Glover: N/A (Not Present)

54

55 Motion carries.

56

57 **6. Discuss and recommend to City Council a Development Agreement for parcel K-7-21-Annex**
58 **and K-7-1-Annex**

59

60 Janae Chatterley stated property owner Jeff Yates and Dirk Clayson represented by Jeff
61 Yates, requested a zone change to rezone parcel K-7-21-Annex and K-7-1-Annex from Rural
62 Residential (RR-1) to Commercial Zone (C-3). City Council made a motion to approve
63 Ordinance 3-1-23 O, An Ordinance Approving a Zone Change for Parcel K-7-21-ANNEX and K-
64 7-1-ANNEX from RR-1 to C-3 (700 South and 900 East) with the conditions that a
65 development agreement is agreed upon by June 13, 2023 between the City and the
66 Applicant. Motion passed unanimously by roll call vote.

67 Applicant Dirk Clayson addressed and discussed with the Planning Commission, the
68 conditions and agreements that were sought after in the development agreement with this
69 development. It was also discussed that the developer is not seeking to build a “traditional
70 mobile home park” were a privately owned mobile home is moved onto a rented lot.

71 Heather Russell asked applicant Dirk Clayson for clarification on the section that, she did not
72 intend to develop rental spaces that allow for an individual to place a privately owned
73 housing units on rental spaces such as a normal mobile home park. She was under the
74 impression that was the original intention was to have a mobile home park on the property?
75 Mr. Clayson replied that the RV park gives the reduced square footage and density that they
76 are trying to utilize. But they do not intend to allow privately owned homes that the
77 developer does not own. We are not looking to make a “traditional mobile home park”.

78 Ben Aiken made motion to send a positive recommendation to City Council to approve the
79 development agreement for parcel k-7-21Annex and k-7-1Annex, Russ Whitaker seconded
80 the motion.

81 A roll call vote was taken.

82 Taylor Glover: N/A (Not Present)

83 Terry Edwards: N/A (Not Present)

84 Ben Aiken: Yes

85 Russ Whitaker: yes

86 Ben Clarkson: yes

87 Heather Russell: yes

88 Boyd Corry: Yes

89 Casey Glover: N/A (Not Present)

90

91 Motion Carries.

92

93 **7. Discuss and recommend to City Council text amendment to Kanab City Land Use**
94 **Ordinance Chapter 4-16: Maximum Height of Fences, Walls, and Hedges**

95 Janae Chatterley stated that City Council has requested for the Planning Commission to
96 review Chapter 4-16 Maximum Height of Fences, Walls, and Hedges. They have suggested
97 that the following be reviewed:

98 • Create an intent or purpose for the section,

99 • Clean up and clarify the side and front yard fencing requirements for corner lots and
100 interior lots,

101 • Discuss the setback requirement for a fence along the street side of a corner lot.

102 On March 21, 2023, we discussed the possible amendments in the Planning Commission
103 meeting to direct staff on what amendments were needed to the section. Bob Nicholson,
104 City Planner provided a presentation on the pros and cons of the setback for a fence. A
105 public notice has been posted as required per the state code.

106 On April 18, 2023, the Planning Commission discussed the ordinance and the setbacks again.
107 The Planning Commission requested additional amendments to clean up the text in the
108 ordinance. Staff discussed the setback with Public Works Director, Jake Dutton who
109 expressed concern if there is not a minimal setback for fences in areas where a sidewalk has
110 been installed or a setback where a potential sidewalk would be installed in the future. The
111 concern is maintaining, repairing, or replacing a sidewalk with a fence directly butting up to
112 the back side of the sidewalk. Staff researched other city's fencing ordinances (Logan, UT;

113 Mapleton, UT; Ivins, UT; Santa Clara, UT; Nephi, UT;) most ordinances required a setback
114 from sidewalks or property line and had text discussing “clear sight areas” at intersections
115 and driveways. Staff has provided a new amendment to the fencing ordinance for Planning
116 Commission to review.

117 Public comment: Dirk Cayson made the point about property owners want to be able to use
118 all the property that they own and it should be on the city to account for future
119 maintenance.

120

121 The planning commission discussed at length about setbacks for fencing and clear line of
122 sight for corner lots and driveways. Staff and Planning Commission also discussed including
123 a diagram for the fencing regulations.

124 Heather Russell made motion to send positive recommendation to city council to adopt
125 changes to city code identified in exhibit A of the staff report 20230418-1 with the following
126 changes: zero setback, sight vision added to the clear view driveways and include diagrams,
127 Russ Whitaker seconded the motion.

128

129 A roll call vote was taken.

130 Ben Aiken: Yes

131 Ben Clarkson: Yes

132 Heather Russell: Yes

133 Terry Edwards: N/A (Not Present)

134 Russ Whitaker: Yes

135 Taylor Glover: N/A (Not Present)

136 Boyd Corry: Yes

137 Casey Glover: N/A (Not Present)

138

139 Motion Carries.

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144 **Staff Report:** Janae Chatterley stated only one meeting may be needed in June. The first
145 Planning Commission meeting falls on so it will be canceled and Janae will not be available for
146 that first meeting in August.

147

148 **Commission member report:** Boyd Corry discussed the available trainings and workshops that
149 the Utah Land Use offer.

150

151 **Council Member Liaison Report:** Arlon stated that the City Council went over the construction
152 standards, approved Civil Science to start an impact fee analysis, and approved Casey Glover as
153 an alternate member for the Planning Commission.

154

155 Ben Clarkson made a motion to adjourn; Ben Aiken seconded the motion.

156

157 A roll call vote was taken.

158 Ben Aiken: Yes

159 Ben Clarkson: Yes

160 Heather Russell: Yes

161 Terry Edwards: N/A (Not Present)

162 Russ Whitaker: Yes

163 Taylor Glover: N/A (Not Present)

164 Boyd Corry: Yes

165 Casey Glover: N/A (Not Present)

166 Motion Carries.

167

168 Meeting adjourned.

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