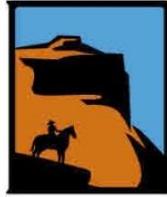


Mayor
Robert Houston
City Manager
Joe Decker
Treasurer
RaeLene Johnson



City Council
Kent Burggraaf
Cheryl Brown
Kirt Carpenter
Brent Chamberlain
Joe B. Wright



KANAB CITY PLANNING COMMISSION STAFF REPORT- June 2, 2015

I. APPLICATION- Request for Zone Change: Parcel K-16-2A, RM-7 to C1

William E. Erickson, authorized representative of GJ and BK LLC, is requesting a zone change for Parcel K-16-2A, located on a vacant parcel, located at approximately 61 West 100 South. The Parcel is currently zoned RM-7 and the applicant wishes for a zone change to C1. The applicant has indicated that there are no specific development plans for the Parcel at this time. However, they are preparing to sell the property and believe that due to its proximity to the other commercial uses, it should also be commercial.

II. STAFF ANALYSIS

Section 1-17 of the Kanab City Land Use Ordinance states:

The City Council may, from time to time, on its own motion or pursuant to an application, amend the number, shape, boundaries or area of any zoning district, or any regulation of or within any zoning district or any other provisions of the zoning ordinances. Any such proposed amendments shall first be submitted to the Planning Commission for recommendations.

The Land Use Ordinance does not include specific guidance regarding what factors must influence the decision to amend zoning designations.

The Kanab City General Plan, recently adopted on February 24, 2015 states that “the Plan shall act as an advisory document for all re-zones, improvement programs, and ordinance changes concerning development.”

As noted above, Parcel K-16-2A is immediately adjacent to other C1-zoned properties. Other nearby zoning includes R-1-8 Residential parcels (See attached map). The Future Land Use Map of the Kanab City General Plan currently designates this parcel as Medium Density Residential/ High Density Residential (MDR/HDR). However due to its proximity to other commercial uses, Staff believes that C1 is a more appropriate zoning designation for this parcel. Staff does not foresee any significant detrimental effects upon the surrounding area by designated the parcel as C1. Although, the Future Land Use Map clearly defines this parcel as MDR/HDR, the General Plan is intended to offer general guidance for future land use decisions and not prescribe the specific zoning designations for each and every parcel in the City. Furthermore, Section 4.4 of the General Plan focuses on downtown revitalization. Currently, there is a

relatively small area in which the downtown can thrive. Small, incremental expansion of the downtown

would help the area to reach its potential as a commercial and cultural hub for the City and greater region.

The application does note that “when applying for a zone change and the proposed zoning classification does not match the General Plan Future Land Use Map classification then a Application for General Plan Amendment will be required to be submitted and approved prior to submitting a Zone Change Request.” This provision in the application is not supported by the Kanab City Land Use Ordinance and is likely to be changed soon. Staff has consulted with Legal Counsel and has determined that by amending the zoning for Parcel K-16-2A to C1, the City would be in compliance with the ordinances which the City has adopted.

III. FINDINGS

- 1. The parcel resides immediately adjacent to other C1-zoned parcels.**
- 2. Re-zoning the parcel as C1 does not appear to cause significant detrimental effects upon the surrounding area.**
- 3. Adopting the zoning ordinance as proposed follows the intent of the Kanab City General Plan.**

IV. STAFF RECOMMENDATION:

That the Kanab City Planning Commission recommend to the Kanab City Council, an amendment to Exhibit G: City of Kanab Zoning Map of the Kanab City Land Use Ordinance, changing the zoning designation of Parcel K-16-2A from RM-7 residential to C1 commercial.



KANAB
UTAH

Application for Zone Change

On-Line Version

76 North Main
Kanab, Utah 84741
Phone: (435) 644-2534
Fax: (435) 644-2536
www.Kanab.Utah.Gov

KCfrmAZC-Ver-1.0.20

Application:

Application is hereby made to the City Council of Kanab City, Utah, to amend the Kanab City Zoning Map by reclassifying the following property:

Applicant Information:

(Bill)

Name (GJ) + BK LLC ^{doing business as} Arkens Lodge Phone (435) 644-2625
 Address 29 W. Center P.O. Box _____
 City Kanab State UT Zip Code 84741

Acres:

.25 Acres Existing Zone RM 7
 Proposed Zone ② commercial land
 No acreage charge for total acres under 1.
 Parcel ID ① K-16-2A RM 7

NOTE: When applying for a Zone Change and the proposed zoning classification does not match the General Plan Future Land Use Map classification then a Application for General Plan Amendment will be required to be submitted and approved prior to submitting a Zone Change Request.

Property Location: Indicate approximate property location using (East-West, / North - South) street address

② Sits behind Arkens Lodge and next house property. Sits between 31 S. 100 W. and (65 S. 100 W. (Bentley property) across from Best Western

Existing Use of Property

① house + land - mostly vacant
② vacant property -



KANAB
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Use of Adjacent Property

- ① monthly rental income
- ② vacant lot

Development Time Table: State the time table for development.

N/A - no plans at this time.

Intended Use of Property:

We are getting ready to sell property in next yr. or two. It surrounds Aikens lodge and because of location should be zoned commercial. Its to close to downtown to be anything but commercial.

Describe All Sensitive Lands Impacts: (Refer to Kanab City Land Use Ordinance - Sensitive Lands Section)

Developers Address: Same As Applicant

Name _____ Phone _____

Address _____ P.O. Box _____

City _____ State _____ Zip Code _____



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KCfrmAZC-Ver-1.0.20

Adjacent Property Owner(s) - continued

Adjacent Property Owner(s) Notification:

A list of names, street addresses and mailing addresses for owners of property within 140 feet from the outer boundary of the subject property. (Note: this includes property owners across the street and in the rear of the subject property. In determining the 140 feet, the width of any intervening street or alley shall not be included. To add additional Adjacent Property Owner press the button below.

Name Shirley Bentley 65 S, 100 W, Kanab, UT Phone _____ 0
Rockin V restaurant
 Mailing Address Cedar Post Pawn shop

Street Address _____

P.O. Box _____

City Kanab State UT Zip Code 84741

Owner/Manager: 1st listed Owner/Manager - Same As Applicant

Provide information for Owner(s)/Manager(s) below. Use button to add additional owner(s)/manager(s).

Name m. Gregory Cloward Phone _____ 0
William E. Erickson

Address 343 S. 100 W. P.O. Box _____

City Kanab State UT Zip Code 84741



KANAB
UTAH

76 North Main
Kanab, Utah 84741
Phone: (435) 644-2534
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Application for Zone Change

On-Line Version

KCfrmAZC-Ver-1.0.20

Fees:

Fees Required _____ Deposit Req'd _____

The calculated fees that are shown above are required before processing of this application can begin. After submitting this form the applicant will have an opportunity to pay the required fees/deposits by either making payment on-line , by mail or by hand delivery to the Kanab City Office in the form of a check or money order.

NOTE: Additional deposits will be required when initial deposits are fully expended. Any unused portion of deposits will be refunded to applicant upon completion of the project.

Contact Information:

Applicant must provide at least one email address for correspondence with City Administrative Staff.

Primary Email wikens@kanab.net 2nd Email - optional _____

Signature of Property Owner(s) within the Subject Property:

Each Owner(s) of property within this requested Change Amendment must enter his/her name and date. Owner(s) understand that this change application may require a public hearing before the Kanab City Planning Commission and/or the Kanab City Council. If a publication notice is required (Refer to Utah State Land Use Code for the requirements).

NOTE: Filling in Signature Name and Date and submitting form will serve as a valid signature. Form will be date and time stamped when submitted.

Warning - once form has been submitted the form information can not be edited. If you need to change any information please contact the Kanab City Office.

Signature W.E. Erickson Date (mmddyyyy) 5/13/15 0

For City USE ONLY

Accepted _____ Date (mmddyyyy) _____



KANAB
— UTAH —

76 North Main
Kanab, Utah 84741
Phone: (435) 644-2534
Fax: (435) 644-2536
www.Kanab.Utah.Gov

Application for Zone Change

On-Line Version

KCfrmAZC-Ver-1.0.20

Exhibits:

These items maybe required before processing of Application can begin:

A. Development Plan - Two (2) copies of a development plan with necessary sketches drawn to scale showing the subject property and the surrounding properties within 140 feet of subject property and where pertinent, the use or uses, dimensions and locations of proposed and existing structures (including signs), area to be reserved for vehicular and pedestrian circulation, parking, public uses, landscaping and other open spaces.

Refer to the Kanab City Land Use Ordinance and the Kanab General Plan for additional information.

You must submit these Exhibits by email, mail or hand delivery to the Kanab City Office.

Exhibits:

These items are required before processing of Application can begin:

B. Covenants and Deed Restrictions - if there are any covenants or deed restrictions in effect relative to any of the subject property.

You must submit these Exhibits by email, mail or hand delivery to the Kanab City Office.

Exhibits:

These items are required before processing of Application can begin:

C. Legal Description of subject property. Certified by a licenced land surveyor in the State of Utah.

You must submit these Exhibits by email, mail or hand delivery to the Kanab City Office.

**IMPORTANT EXPLANATIONS
ACTIONS ON REVERSE SIDE**

2014



KANE COUNTY AUDITOR
76 N. MAIN ST.
KANAB, UT 84741
www.kane.utah.gov

NOTICE OF PROPERTY VALUATION AND TAX

ACCOUNT NUMBER	PARCEL NUMBER	ACRES	TAX AREA
----------------	---------------	-------	----------

0012602	K-16-2A	0.25	02
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PARTIAL LEGAL DESCRIPTION FOR TAX IDENTIFICATION

BEG AT A PT 11.0 RODS E OF THE SW COR OF LOT 2 BLOCK
PLAT "A" OF THE OFFICIAL SURVEY OF KANAB TOWNSITE &
TH N 10.0 RODS; TH E 4.0 RODS; TH S 10.0 ROD...

MAILING ADDRESS

0012602 K-16-2A
GJ & BK LC
AIKEN LODGE
79 W CENTER
KANAB, UT 84741

470

PROPERTY ADDRESS

OWNER
GJ & BK LC

MARKET VALUE OF YOUR PROPERTY

Property Type	Last Year's Market Value	This Year's Market Value
NON-PRIMARY LAND <i>Vacant Lot</i>	12,762	12,762
Total Property Value	12,762	12,762

CURRENT & PROPOSED TAXES

THESE VALUES DO NOT INCLUDE PERSONAL PROPERTY

Taxing Entities	Taxes Last Year	Tax This Year if No Budget Change	Tax if Proposed Budget Approved	Change In Taxes	Change In %	A Public Tax Increase Hearing Will Be Held August 12, 2014 7:00 PM Kane County Courthouse 76 N Main, Kanab, UT
KANE SCHOOL DISTRICT	44.46	49.99	49.99	0.00	0%	
COUNTY GENERAL FUND	41.94	42.18	42.18	0.00	0%	
KANAB CITY	19.58	18.40	19.69	1.29	7%	
STATE SCHOOL LEVY	19.59	18.11	18.11	0.00	0%	
KANE CO WATER CONS.	8.22	8.33	8.33	0.00	0%	
LOCAL A & C	5.59	7.38	7.38	0.00	0%	
COUNTY HEALTH	4.88	4.95	4.95	0.00	0%	
COUNTY LIBRARY	0.84	0.86	0.86	0.00	0%	
MULTI COUNTY A & C	2.02	0.17	0.17	0.00	0%	
COUNTY G. O. BOND	0.00	0.00	0.00	0.00	0%	
Total Property Tax	147.12	150.37	151.66	1.29	0.9%	Last Property Review Year 2010

THIS IS NOT A BILL DO NOT PAY ----- THIS IS NOT A BILL DO NOT PAY

For additional forms & information go to www.kane.utah.gov
and click on Public Retrieval or Board of Equalization.

If you choose to appeal the market value of your property, you must file an appeal with the Kane County Board of Equalization. For information about the appeal process please visit the Kane County Assessor at 180 W 300 North, Kanab, UT 84741 or call us at 435 644-4926.

Documentation and/or evidence supporting a differing opinion of market value is required.

***** APPEALS MUST BE RECEIVED *****
***** by September 15, 2014 *****

Board of Equalization hearings will be September 23 & 24 by appointment only. If this property has been sold please forward this notice to the new owner.
Please report any change of address to the Kane County Recorder at 435 644-2360. Your actual tax notice will be mailed to you in late October.

Special service district fees, and circuit breakers, veterans, and blind abatements will not show on this notice.
Register to receive emergency notifications and alerts at www.kane.utah.gov/reverse911



KANAB

Parcel K-16-2A

Legend

- Road
- Municipal Boundary
- Parcel Boundary

Zoning Districts

Commercial

- C1 (Downtown Area)
- C2 (Mixed Commercial)
- C3 (Highway Related)

Manufacturing

- M1 (Business Park)
- M2 (Light Manufacturing)

Residential

- RA (Residential Agriculture)
- RR-1 (1 unit / acre)
- R-1-8 (1 unit / 8,000 sq. ft.)
- RM-7 (7 units / acre)
- RM-9 (9 units / acre)
- RM-15 (15 units / acre)
- KCR-720 (Kanab Creek Ranchos)
- Planned Development Overlay
- Parcel with multiple zones

