

**AGENDA
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' WORK MEETING
AND REGULAR MEETING
June 22, 2015
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH**

The items listed under Consent Agenda will be considered as a group and acted upon by one motion with no separate discussion of said items, unless the Commission so requests. In that event, the item will be removed from the Consent Agenda for separate discussion.

*The Commission **Work** meeting will begin at **9:00 am**, with the **Regular** Meeting directly following at approximately **10:00 am**

CALL MEETING TO ORDER: Commissioner Douglas K Heaton

PRAYER: Commissioner

PLEDGE OF ALLEGIANCE: Commissioner

WELCOME: Commissioner Douglas K Heaton

CITIZEN PUBLIC INPUT:

9:00 am:

WORK MEETING/ AGENDA:

Discussion on Notification and Determination of Improperly Subdivided Properties/Commission

10:00 am:

REGULAR MEETING:

CONSENT AGENDA:

Check Edit Reports

Approval of: June 8, 2015 Commission Meeting Minutes

REGULAR AGENDA:

1. Adopt Resolution R 2015-10, Notification and Determination of Improperly Subdivided Properties/Commission
2. Request of Road Closure through Kanab Canyon for 3 hours on August 22, for a half marathon/ Roads Superintendent Bert Harris
3. Request of Exclusive Use of Highway 89 Shooting Range for Western Legends Events-North Rim Regulators Cowboy Action Shooting Club/Don Kramer (club president)
4. Adopt Resolution R 2015-11, the Conflict of Interest Disclosure form / Attorney Rob VanDyke

5. Adopt Ordinance O 2015-7, Revisions to Land Use Ordinance, Chapter 7; Specifically Swimming Pools, Helipad, and Private Airstrip in Use Matrix/ LUA Shannon McBride
6. Adopt Ordinance O 2015-8, Lot Joinder, Philip & Cinthanie Crenshaw, Meadow View Heights, Plat F, Lots 333 & 334, New Lot 333; and Vacating a Right-of-Way Utility Easement/ LUA Shannon McBride
7. Adopt Ordinance O 2015-9, Rural Unimproved Subdivision, "Oak Hill Estates" Dalco, LLC, Brent & Bruce Williams, within NE 1/4 OF THE SE ¼, Sec. 23, Township 38 South, Range 6 West, SLB & M/ Shannon McBride
8. Adopt Ordinance O 2015-10, Rural Unimproved Subdivision for Flourishing Hills, LLC Charles Knudsen, Manager; Oak Ridge Estates, Parcels #1-7/ LUA Shannon McBride
9. Restructure of Recreation and Transportation SSD Board; and Appoint Recreation and Transportation SSD Board Members/ Commissioner Matson

Other Business:

- Reports
- Schedules
- Assignments

CLOSED SESSION:

- Discussing an individual's character, professional competence, or physical or mental health;
- Strategy sessions to discuss collective bargaining, pending or reasonably imminent litigation, or the purchase, exchange lease or sale of real property;
- Discussions regarding security personnel, devices or systems,
- Investigative proceedings regarding allegations of criminal misconduct.

Linda Millett

From: Jim Matson [jmatson@kanab.net]
Sent: Tuesday, May 26, 2015 5:22 PM
To: foreman@kane.utah.gov
Cc: Linda Millet
Subject: Re: Road closure for half marathon

Agenda item for the June 22nd Commission Meeting.

Jim

> On May 26, 2015, at 4:04 PM, Bert Harris <foreman@kane.utah.gov> wrote:
>
> I think that June 22nd would be soon enough.
>
> Bert
>
> -----Original Message-----
> From: Expressweb [<mailto:jmatson@kanab.net>]
> Sent: Saturday, May 16, 2015 10:37 AM
> To: foreman@xpressweb.com
> Cc: Doug Heaton; Dirk Clayson; Jim Matson; Millet Linda
> Subject: Re: Road closure for half marathon
>
> Bert,
>
> Will the June 22nd Commission meeting be soon enough?
>
> Linda, please note !
>
> Thanks - Jim Matson
>
> On May 16, 2015, at 7:35 AM, foreman@xpressweb.com wrote:
>
> Commissioners,
>
> I was contacted by Kortney Stirland, he asked if the road through
> Kanab Canyon can be closed for about 3 hours on Aug. 22 for safety
> reasons. They are having a half marathon and want to use that road as part of the route.
> I told him I would talk with the commission and if needed we could put
> this item on a commission meeting agenda.
> Let me know if I need to do anything further. Kortney said he would be
> willing to give more details if necessary.
>
> Thanks
>
> Bert
>

Linda Millett

From: Karla Johnson [clerkkj@kane.utah.gov]
Sent: Monday, June 08, 2015 4:18 PM
To: ldmillett@kane.utah.gov
Subject: FW: Kane County Clerk / Auditor visitor email

-----Original Message-----

From: Don Kramer [mailto:moonglowranch@gmail.com]
Sent: Thursday, June 04, 2015 8:39 AM
To: clerkkj@kane.utah.gov
Cc: dowens@kane.utah.gov
Subject: Kane County Clerk / Auditor visitor email

*Comm. Mtg.
6-22-15*

A visitor to <http://kane.utah.gov/> has sent the following message:

From: Don Kramer
Email: moonglowranch@gmail.com
Regarding: Clerk / Auditor

Phone: (435) 644-3577

Regarding : Clerk / Auditor

Message:

I am president of North Rim Regulators Cowboy Action shooting club. Every year we have a cowboy shoot during Weestern Legends. I need to get permission from the commission to have exclusive use of the shooting range during WesternLegends in August.

THANK YOU

Sent On: 06/04/15
At: 08:38 AM

Current Page: /contact.cfm?
Sender's IP: 216.169.75.91

KANE COUNTY COMMISSION AGENDA REQUEST:

Regular or Work Meeting

Date of Commission Meeting Requested: June 22, 2015

Dept. /Business Name: Planning & Zoning

Topic/Re: Revisions to Land Use Ordinance, Chapter 7;
specifically - swimming pools, helipad and private airstrip in
use matrix

Dept. Head/Owner: Shannon McBride

Meeting Requested by: Shannon McBride

Contact name & #: Shannon 644-4966 or Mary -4951

Notes: Chapter 7 attached as WORD document

CHAPTER 7. COMMERCIAL ZONES (C-1, C-2)

ARTICLE A. C-1 ZONE

SECTION:

- 9-7A-1: Purpose
- 9-7A-2: Development Restrictions in a Commercial Zone
- 9-7A-3: Maximum Building Heights
- 9-7A-4: Codes and Symbols
- 9-7A-5: Uses Table

9-7A-1: Purpose.

The purpose of the C-1 Zone is to provide for light commercial areas located in or near residential zones to meet the day to day needs of area residences.

9-7A-2: Development Restrictions in a Commercial Zone.

- 1) Minimum yard setback requirements shall be established in permitted use, Conditional Use or Planned Unit Development approval; except no commercial building shall be located closer than 50 feet to any Residential Zone boundary, or to any street line which continues into a Residential Zone, and no such building shall encroach on any easement. Any commercial lots abutting commercial lots shall have a front setback of no less than 25 feet, a side setback of no less than 5 feet and a rear setback of no less than 20 feet.
- 2) Residential Zone: All uses listed in the residential matrix are allowed in the C-1 Zone with their appropriate designation of permitted or conditional unless otherwise changed in the commercial matrix.

9-7A-3: Maximum Building Heights.

C-1, Zones - 35 feet permitted; above 35 feet conditional.

9-7A-4: Codes and Symbols.

- 1) The C-1 table describes uses of land or buildings that are allowed in the zone. Conditional Uses are indicated by a "C" in the column. Conditional Uses require a permit, review and approval by the Land Use Authority.
- 2) If a use is not allowed in a given zone, it is either not named in the use list or is indicated in the appropriate column by a dash, "-". Any use not named in this table which may be considered harmonious with the zone and current allowed uses can be considered for proposed inclusion into the ordinance by the Kane County Planning Commission in a public hearing and approval of the County Commission.

9-7A-5: Uses Table.

Refer to Section 9-7B-5 of this chapter.

ARTICLE B. C-2 ZONE

SECTION:

- 9-7B-1: Purpose
- 9-7B-2: Development Restrictions in a Commercial Zone
- 9-7B-3: Maximum Building Heights
- 9-7B-4: Codes and Symbols
- 9-7B-5: Uses Table

9-7B-1: Purpose.

The purpose of the C-2 Zone is to provide for heavy commercial areas not appropriate near or in residential zones to meet larger commercial uses.

9-7B-2: Development Restrictions in a Commercial Zone.

- 1) No commercial building shall be located closer than 50 feet to any Residential Zone boundary or to any street line which continues into a Residential Zone, and no such building shall encroach on any easement. Any commercial lots abutting commercial lots shall have

a front setback of no less than 25 feet, a side setback of no less than 5 feet and a rear setback of no less than 20 feet.

- 2) Residential Zone: All uses listed in the residential matrix are allowed in the C-2 Zone with their appropriate designation of permitted or conditional unless otherwise changed in the commercial matrix.

9-7B-3: Maximum Building Heights.

C-2, Zones - 50 feet maximum height

9-7B-4: Codes and Symbols.

- 1) The C-2 Table describes uses of land or buildings that are allowed in the zone. Conditional Uses are indicated by a “C” in the column. Conditional Uses require a permit, review and approval by the Land Use Authority.
- 2) If a use is not allowed in a given zone, it is either not named in the use list or is indicated in the appropriate column by a dash, “-“. Any use not named in this table which may be considered harmonious with the zone and current allowed uses can be considered for proposed inclusion into the ordinance by the Kane County Planning Commission in a public hearing and approval of the County Commission.

9-7B-5: Uses tables.

Uses	C-1	C-2
Accessory uses and buildings customarily incidental to permitted uses	P	P
Accessory uses and buildings customarily incidental to conditional uses	C	C
Animal Shelter, Commercial	C	C
Appliance sales and service	P	P
Archery shop/range, conducted in enclosed buildings	P	P

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Airstrip, privateadd to private airstrip	C	C
Athletic Club	P	P
Art needlework shop; art shop; art supply	P	P
Automatic car wash	C	P
Automobile fuel filling station	C	P
Automobile or recreation vehicle sales	C	P
Automobile or recreation vehicle, ATV's, or side by sides sales, lease, rental, service, new or used, conducted entirely within an enclosed building	C	P
Auto parts sales (Indoor)	P	P
Awning sales/repair	P	P
Baby formula service; baby diaper service; sitter Agency	P	P
Bakery, retail sales	P	P
Bank	P	P
Barber shop	P	P
Bath and massage (not part of medical or health spa)	C	C
Beauty shop	P	P
Beauty shop for pets, dog grooming	P	P
Bed and Breakfast	P	P
Beer outlet, Class A, Class B	P	P
Bicycle shop	P	P
Billiards or pool hall	C	P
Bowling alley; commercial skating	C	P
Boxing arena	C	P
Building material sales	C	P
Bus terminal	C	C
Café, cafeteria, catering establishment, restaurant (not a drive-thru)	P	P
Campground	C	C
Candy, confectionery, nut shop	P	P
Carbonated and purified water sales	P	P
Carpet and/or rug cleaning	P	P
Cemeteries	C	C
Churches	P	P
Clothes cleaning, dyeing, pressing, dry cleaners	P	P
China and/or silver shop	P	P
Clothing store	P	P
Coal/fuel sales office	C	P

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Construction equipment and supply trailer, temporary	C	C
Construction field office, temporary	C	C
Construction of buildings to be sold and moved off the premise	-	C
Contractors' equipment storage yard	C	P
Convenience store with gasoline sales	C	P
Copy store, blueprinting, Photostatting, duplicating	P	P
Costume rental	C	P
Dams and reservoirs	-	C
Dance hall; dancing	C	P
Delicatessen	P	P
Department store	P	P
Dramatics school	P	P
Drapery-curtain store	P	P
Dressmaking	P	P
Drive-ins; refreshment stand, eating and/or drinking place (non-alcoholic)	P	P
Drive-it-yourself agency, car, equipment rental	C	P
Drug store	P	P
Dry goods store	C	P
Egg candling, sales or processing	C	P
Electrical appliances and fixtures, electronic instruments sales, repair and/or service	P	P
Employment agency or employment office	P	P
Express office	P	P
Flea market, or swap meet .	C	C
Fix-it shop, repair shop, for household items	P	P
Flooring, carpet, repair and sales	P	P
Florist shop	P	P
Freight or trucking yard or terminal	-	C
Frozen food locker	C	P
Frozen food locker incidental to a main grocery store or food business	P	P
Fountain equipment supply, restaurant supply	C	P
Fruit, fruit juice store; fruit and/or vegetable stand, or store; natural foods/health store	P	P
Fur sales, storage; repair	P	P
Furniture sales and/or repair	P	P
Garage; public	C	P

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Gift shop; hobby	P	P
Golf courses	C	P
Greenhouse, nursery; plant materials; soil & lawn service	P	P
Grocery stores	P	P
Gunsmith	P	P
Hardware store, including the sale of lumber	P	P
Health food store	P	P
Heating ventilating, air conditioning; equipment (HVAC) sales/repair	C	P
Helipad (private)	C	C
Hospital supplies	C	C
Hotel, motel, inn	C	P
Household cleaning/repair, house equipment displays	P	P
Ice cream shop; ice sales	P	P
Ice manufacture, storage, and wholesale ice sales	P	P
Ice vendor units and/or reach-in ice merchandise units electric ice makers; ice storage, not more than five (5) tons capacity	P	P
Indoor Storage Facility for Boats, Automobiles and RVs: Minimum 1 Acre lot, Paved Ingress and Egress Required	C	P
Insulation sales, wholesale	C	P
Interior decorating store	P	P
Jewelry store	P	P
Kennel	C	C
Laundry, automatic self-help-laundry agency	P	P
Liquor and beer sales; places for the drinking of liquor or beer	C	C
Lithographing, including engraving, photo engraving	P	P
Lumber yard	P	P
Manufactured home sales and storage	C	P
Material sales yard, outside, with sale of rock, sand, gravel, and the like as an incidental part of the main business but excluding concrete mixing	C	C
Meat processing plant	C	C
Medical/ Chiropractic/ Dental clinic	P	P
Medical/dental laboratories	C	P
Military surplus store	C	P
Miniature golf course	C	P
Monument sales, retail	P	P
Mortuary	P	P
Motorboat and wave runner sales	C	P

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Music store	P	P
News stand; magazine shop; book store	P	P
Night club/social club	C	C
Novelty shop, variety store (non-sexually oriented business)	P	P
Nurses' agency	P	P
Office, business or professional	P	P
Office supply; office machines sales, repair	C	P
Oil burner shop	C	P
Optometrist; oculist	P	P
Ornamental iron, sales only	P	P
Outdoor Storage Facility for Boats, Automobiles and RVs: Minimum 1 Acre lot, Paved Ingress and Egress Required, Privacy fencing required.	C	P
Package handling/shipping	C	P
Painter/paint store	P	P
Parking lot incidental to a use conducted on the premises	P	P
Parking lot not incidental to a use conducted on the premises	C	C
Parks, swimming pools and other recreation areas	C	P
Pawn Shop	C	P
Pest extermination operation	-	C
Pet shop/enclosed building	C	P
Photographer or photography shop, sales and service	P	P
Plumbing shop/retail	P	P
Popcorn and/or nut shop	P	P
Printing, including engraving, photo engraving	C	P
Printing and small paper reproduction service	P	P
Private club	C	C
Private school	C	C
Public buildings	C	C
Public, quasi-public, and private service utility lines, pipelines, power lines, roads and etc.	P	P
Radio and television sales and repair	P	P
Radio and television station	C	C
Real Estate agency	P	P
Radio/television wireless transmitting towers	C	C
Reception center and/or wedding chapel	C	P
Recreational center, recreational camp, facilities or area that is private and/or commercial	C	C

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Recreational vehicle park	-	C
Recreation vehicles, rentals, leases, sales and service, outdoor and indoor	C	P
Rental Shops such as equipment, household appliances, etc.	C	P
Retail shops	C	P
Rock/Souvenir shops	P	P
Roofing sales	P	P
Second-hand shop, antiques, conducted within a building or enclosure	P	P
Seed/feed store	C	P
Sewing machine shop	P	P
Sign painting shop	C	P
Shoe shop; shoeshine; shoe repair	P	P
Solar Power Panels producing 25 KW or under	P	P
Solar Power Panels producing over 25 KW	C	C
State liquor store	C	C
Stationary and Greeting card sales	P	P
Storage unit sales office – not located on site of storage units	P	P
Storage units – unattended self-storage, no sales office, non-hazardous materials	-	C
Storage units – self-storage or services storage, attended with sales office, non-hazardous materials	C	C
Storage units – hazardous materials	-	-
Substation	C	C
<u>Swimming pool, not accessory use</u>	<u>C</u>	<u>C</u>
Tailor Shop	P	P
Taxidermist	P	P
Taxi stand	P	P
Terminal, parking and maintenance facilities	C	C
Temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work	P	P
Theater, indoor	P	P
Theater, outdoor, providing: A solid fence or masonry wall with a minimum height of six feet shall be constructed on all sides;	C	C

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<p>Driveways and parking areas shall be provided with properly maintained dustless surfaces;</p> <p>Automobile off-street storage areas for automobiles awaiting entrance to theater shall have capacity of at least fifteen percent of the number of auto parking spaces provided inside the theater;</p> <p>Minimum area for single screen theater shall be ten acres and the minimum area for a two screen theater shall be twelve acres.</p>		
Tire shop, sales and repair	P	P
Tobacco shop	-	-
Towel and linen supply store	P	P
Transfer company	C	C
Travel bureau	P	P
Truck and heavy equipment, repair facility, truck stop, and truck wash	-	C
Used Car Lot	C	P
Variety store, notions	P	P
Veterinary	C	P
Veterinary-providing operations are completely enclosed within an air-conditioned and soundproof building	P	P
Wallpaper store	C	P
Warehouse	C	C
Wholesale business	C	P

KANE COUNTY COMMISSION AGENDA REQUEST:

Regular or Work Meeting

Date of Commission Meeting Requested: June 22, 2015

Dept. /Business Name: Planning & Zoning

Topic/Re: Lot Joinder, Philip & Cinthanie Crenshaw, ^{Meadow}Mountain View Heights, Plat F, Lots 333 & 334, new Lot 333; and vacating a right-of-way utility easement.

Dept. Head/Owner: Shannon McBride

Meeting Requested by: Shannon McBride

Contact name & #: Shannon 644-4966 or Mary 4951

Notes: Application and map attached.

Fee: 17970
Paid: 65000 (SM)
List of Prop. Owners: Yes

REQUEST FOR LOT JOINDER WITHIN A SUBDIVISION PLAT

Property Owner's Name: Crenshaw Family Trust

Date: Dec 4-2014 Address: _____

Phone: _____ Cell Phone: 702-280-5602 Fax: 48-652-9664

City: _____ State: _____ Zip Code: _____

Location and Legal Description of Subdivision Plat:

Meadow View Heights Plat F
Lot 333A + 334

Reason for Lot Joinder Request:

Home is on both lots currently + want to add garage

I (We) certify that the proposed subdivision plat will conform to the Kane County Subdivision Ordinance and that no changes will be made without prior approval.

Signature of Owner / Trustee: [Signature]

Signature of Owner / Trustee: [Signature]

Note: Once lots are joined they may not be re subdivided

Planning Commission Action: Approve _____ Deny _____

Comments: _____

Planning Commission Chairman _____ Date: _____

KANE COUNTY COMMISSION AGENDA REQUEST:

Regular or Work Meeting

Date of Commission Meeting Requested: June 22, 2015

Dept. /Business Name: Planning & Zoning

Topic/Re: Rural Unimproved Subdivision: ~~Oak Ridge~~ "Oak ^{Hill} Ridge Estates" Dalco, LLC, Brent and Bruce Williams, within
NE 1/4 & SE 1/4, Sec. 23, Township 38 South, Range 6 West, SLB & M.

Dept. Head/Owner: Shannon McBride

Meeting Requested by: Shannon McBride

Contact name & #: Shannon 644-4566 or Mary - 4951

Notes: 1 Mile East of Lutherwood Rd from Tod's Junction
on Hwy 89.

Fee: 600.00 Sur
Paid: 1355

APPLICATION FOR RURAL UNIMPROVED SUBDIVISION

Owner/Applicant DALCO LC, BRUCE R. WILLIAMS } MANAGING MEMBERS
Phone BRENT 435-233-0122 BRUCE 435-691-4541
Address 2775. 2050 W. Fax: _____
City CEDAR State UTAH Zip 84720
E-Mail _____

Registered Engineer or
Surveyor N. BRENT CARTER
Address 4163 N. MORGAN DR Fax _____
City ENOCH State UTAH Zip 84721
Email bcarter@mail2engineer.com

Name of Subdivision: _____

Location and Legal Description:
1 MILE EAST ON LUTHERWOOD ROAD FROM TOD'S JUNCTION
ON HIGHWAY 89.
WITHIN NE 1/4 & SE 1/4 SEC 23, T38S-R6W, SUB 4 M

Number of Lots 6 Minimum Lot Size 10.00 AC

Attached Documents:
Record of Survey Map: Y N Agreement of Understanding: Y N
Culinary Water Authority Approval: Y N N/A* Sanitary Sewer Authority Approval: Y N N/A
N/A*
Land In Agricultural Use (FAA) Status Letter: Y N N/A+ FAA Non-Compliance Notice: Y N N/A+

(*Must show documentation that no system exists or is planned)
(+Not required for if land is not Land In Agricultural Use, FAA)

Additional Comments: _____

I HEREBY CERTIFY THE ABOVE INFORMATION TO BE TRUE AND ACCURATE

Signature: [Signature] : As Managing/member Dalco LC.
Printed Name: D. Brent Williams

Signature [Signature] : As managing /member Dalco LC
PRINTED NAME Bruce R. Williams

KANE COUNTY COMMISSION AGENDA REQUEST:

Regular or Work Meeting

Date of Commission Meeting Requested: June 23, 2015

Dept. /Business Name: Planning & Zoning

Topic/Re: Rural Unimproved Subdivision for Flourishing Hills, LLC
Charles Knudsen, manager; Oak Ridge Estates, parcels #1-7

Dept. Head/Owner: Shannon McBride

Meeting Requested by: Shannon McBride

Contact name & #: Shannon 644-4966 or Mary -4951

Notes: Application and map attached.

MAY 19 2015

Kane County Land Use Ordinance December 2013-Revised 1/27/2014

Fee: 600
Paid: 1887 (Sum)

1501E

APPLICATION FOR RURAL UNIMPROVED SUBDIVISION

Owner/Applicant Flourishing Hills, LLC
Phone (435) 212-0303
Address P.O. Box 2448 Fax: _____
City Cedar City State Utah Zip 84721
E-Mail _____

Registered Engineer or
Surveyor N. Brent Carter
Address 4103 N. Morgan Dr. Fax _____
City Enoch State Utah Zip 84721
Email bcarter@mail2engineer.com

Name of Subdivision: Oak Ridge Estates

Location and Legal Description:
East 1/2 of the SE 1/4 Section 23, T38S-R6W, S.L.B.+M

Number of Lots 7 Minimum Lot Size 10 AC

Attached Documents:
Record of Survey Map: Y N Agreement of Understanding: Y N
Ordinary Water Authority Approval: Y N N/A+ Sanitary Sewer Authority Approval: Y N
 N/A+
Land In Agricultural Use (FAA) Status Letter: Y N FAA Non-Compliance Notice: Y N N/A+

(*Must show documentation that no system exists or is planned)
(+Not required for if land is not Land In Agricultural Use, FAA)

Additional Comments:

I HEREBY CERTIFY THE ABOVE INFORMATION TO BE TRUE AND ACCURATE

Signature: Charles Knudson, Manager Flourishing Hills, LLC
Printed Name: Charles Knudson, Manager Flourishing Hills, LLC

