

7:00 p.m.
Kamas City Hall
170 N. Main
Kamas, UT 84036

OPENING INVOCATION AND PLEDGE OF ALLEGIENCE

PUBLIC COMMENT

1 **MOTION:** Councilor Garry Walker moved to approve Resolution 2019-06, A Resolution
2 amending the budgets of the City of Kamas for the fiscal year beginning July
3 1, 2019, and ending June 30, 2020, and related matters.

4 Councilor Mike Crystal seconded the motion

5 Mayor McCormick asked for a roll call vote:

6 Councilor Walker voted “aye”

7 Councilor Crystal voted “aye”

8 Councilor McNeil voted “aye”

9 Councilor Blazzard voted “aye”

10 The vote was unanimous. Motion passed.

11
12
13 **ORDINANCE 2019-11, AN ORDINANCE TO AMEND SECTION 15.30.020,**
14 **APPENDIX B ALLOWED USE TABLE, IN THE KAMAS MUNICIPAL CODE**

15
16 Natalie Kautz read the following staff report: One of the items that City Council asked
17 Planning Commission and me to work on this year was the Allowed Use Table. The
18 Planning Commission has been working on certain uses each meeting during a work
19 session to ensure that the Use Table is indicative of the character of Kamas City.
20 Following the process outlined in 15.03.010, Amendments to the Land Use Code, the
21 required Public Hearing before Planning Commission was held on November 19, 2019.

22 **Evaluation:**

23 During a recent work session, the Planning Commission opted to propose an amendment
24 to the Allowed Use Table 15.30.020 for certain uses.

25 - *Bar, Tavern, Lounge* – Currently permitted in the GC, LI, MI Zones. Proposed to
26 change to not permit this in any zone in Kamas City. The Legal review provided by Rob
27 Patterson is in Dropbox for your review.

28 - *Institution of Higher Education; Schools, Private-Quasi Education; Schools, Public* –
29 Currently permitted in A40, A5, A1, RA, R1, MI Zones. Proposed change to PF Zone

30 - *Car wash* – Currently permitted in the ECC zone. Proposed Change to permit in ECC
31 and GC zones.

32 - *Light Industry* – Currently permitted in MI Zone. Proposed to remove this allowed use
33 entirely (essentially a duplicate as there is an entire Light Industry zone)

34 - *Theater, Concert Hall* – Currently permitted in ECC. Proposed to permit in ECC, GC,
35 LI zones

36 - *Theatre, Concert Hall* – Proposed to remove this allowed use entirely (essentially a
37 duplicate)

38
39 **Staff Recommendation:**

40 After allowing time for public comment, Planning Commission discussed the legal
41 review provided by Rob Patterson regarding bars and taverns and has forwarded a
42 positive recommendation for this amendment to City Council. <End of staff report>

43
44 Councilor Walker asked if we’re doing away with the Light Industry entirely.
45 Kautz explained just as an allowed use.

1 Mayor McCormick explained it's an allowed use in the manufacturing zone but we have
2 a light industry zone.

3
4 Councilor Walker asked where we propose the schools and private schools change to the
5 public facility zone, can't they pretty much do what they want. It seems like that is what
6 has happened in the past.

7 Mayor McCormick stated they would still need to meet our code.

8 Kautz explained they would still need to talk to the City and work with us.

9 Councilor Crystal asked if someone has asked about putting in a bar or tavern.

10 Kautz stated not officially.

11 Mayor McCormick explained we get a lot of "what if" questions. We get a lot of
12 interesting questions.

13 Councilor Walker stated according to our definitions the only one he knows of is out at
14 High Star. Does that fit under the definition of bar, tavern or lounge?

15 Kautz stated yes, they have several different types of licenses.

16 Mayor McCormick explained there will be more changes coming. The Planning
17 Commission is working on this continually.

18 Councilor McNeil stated he likes to see Light Industrial use in the manufacturing
19 removed.

20 Jeff Camp asked if there would be public input.

21 Mayor McCormick explained the public hearing for this was at the Planning Commission
22 meeting last week, but would allow comments.

23
24 Jeff Camp explained he owns from Center and Main to Aristocrats and is in the process
25 of trying to redo that corner. They don't know what businesses want to come in there.
26 During the RUDAT input last week one of the things listed was a bar is needed in town.
27 We shouldn't rule this out given how hard it is to find a tenant in this town. This won't
28 allow a bar anywhere in town.

29 Mayor McCormick stated where this property is a bar probably wouldn't be allowed
30 because it's too close to the church.

31 Camp stated it's for Main Street in general.

32
33 Mayor McCormick explained a restaurant can come in and sell alcohol, this is different
34 than a bar. Camp stated don't eliminate the possibility for businesses.

35
36 Brendan Coyle stated he has aspirations for a future business here in Kamas and it could
37 be along the lines of a place that serves alcohol. If you limit the ability for businesses to
38 move in here you are not only limiting economic opportunity you are also limiting the
39 people moving to the valley. There was a lot of excitement at the visioning meeting the
40 other day. Coyle would hate to see the opportunities closed off.

41
42 Mayor McCormick explained it doesn't limit the sale of alcohol.

43 Coyle stated he understands, but when there are licenses that are held with very strict
44 requirements, if alcohol sales bump up this can put the business in a sticky situation.

45 Coyle asked if the "what if" question from the public brought this up.

1 Mayor McCormick stated there could have potentially been some “what if” questions, not
2 necessarily from the public.

3 Coyle asked when the public hearing was held. Mayor McCormick told him last week.
4 Coyle feels to make a decision like this for Kamas that has an opportunity to really define
5 the future, it would be a mistake at this time.
6

7 Councilor Walker appreciates the concerns. In the vision we have talked about in the past
8 these items have been discussed extensively and this is not in our vision. Maybe the view
9 of the community has changed somewhat since then, but he is not aware that it has.

10 Coyle asked Councilor Walker if he was at the visioning last week. Councilor Walker
11 told him he was there and didn’t feel there was a representation of the total community.
12

13 Mayor McCormick stated at the Planning Commission meeting the comment was, there
14 is a bar up the highway a couple miles and if someone wants to go, they can go there.

15 Coyle stated that would encourage driving to that bar and driving home from that bar.

16 Mayor McCormick stated nobody is encouraging anyone to drive after drinking alcohol.
17 One might suggest you take a designated driver with you. We are not advocating that at
18 all.

19 Councilor McNeil agreed with Councilor Walker that the majority of the constituents of
20 this council are not in favor, that isn’t their vision. That may change, but currently the
21 view of the constituents of this council is not to have a bar.

22 Kautz explained with the locations of the various churches and preschools. The 600-foot
23 requirement make locations very limited.
24

25 **MOTION:** Councilor Allen McNeil moved to approve Ordinance 2019-11, An Ordinance
26 to amend Section 15.30.020, Appendix B Allowed Use Table, in the Kamas
27 Municipal Code as presented.

28 Councilor Mike Crystal seconded the motion

29 Mayor McCormick asked for a roll call vote:

30 Councilor Walker voted “aye”

31 Councilor Crystal voted “aye”

32 Councilor McNeil voted “aye”

33 Councilor Blazzard voted “aye”

34 The vote was unanimous. Motion passed.
35
36

37 **ORDINANCE 2019-12, AN ORDINANCE TO AMEND SECTION 15.02,**
38 **DEFINITIONS, IN THE KAMAS MUNICIPAL CODE**
39

40 Natalie Kautz read the following staff report: One of the items that City Council asked
41 Planning Commission and me to work on this year was the Allowed Use Table. As I was
42 working through the allowed uses in each zone, it became apparent that certain
43 definitions needed to be amended along with the Allowed Use Table.

44 Following the process outlined in 15.03.010, Amendments to the Land Use Code, the
45 required Public Hearing before Planning Commission was held on November 19, 2019.

46 **Evaluation:**

1 During a recent work session, the Planning Commission opted to propose an amendment
2 to the Definition of Accessory Building, Occupied. The current definition allows an
3 occupied accessory building to include the phrase “dwelling”. In August 2019, Kamas
4 City Council approved an Accessory Apartment ordinance that does not permit
5 apartments to be detached from the primary dwelling. Amending the ordinance to remove
6 the “dwelling” language would align with the new ordinance 15.35 that was recently
7 passed.

8 **Staff Recommendation:**

9 After receiving public comment, the Planning Commission forwards this amendment
10 proposal to the City Council with a positive recommendation. *<End of staff report>*
11

12 Councilor McNeil commented when comparing side by side the accessory building
13 occupied is not found in the code. The term used in the code is accessory structure
14 occupied. We have a definition that’s not even found in the code. We need to change the
15 term to accessory structure occupied so it matches the Use Table and the code.
16 When you look at accessory building occupied and accessory building unoccupied the
17 occupied says dwelling unit or home office. Unoccupied says not a dwelling unit, so
18 presumably any use that’s not a dwelling unit. This could be home office if we’re talking
19 unoccupied. As we’re changing this, we’re making the two terms exactly the same. If you
20 have a home office you can have it occupied or unoccupied according to the code.
21 We also don’t have a definition for home office. We also use dwelling unit in our code
22 and don’t have a definition. We are dealing with old code that has a lot of problems. We
23 need to keep up on what we find wrong as we’re amending this.
24

25 Natalie explained another thing is the occupied accessory structure is only listed in our A-
26 40 zone, which we don’t have. There’s nothing zoned A-40.

27 Councilor McNeil stated if we did have it, would that make sense that we only allow
28 home office and A-40. Councilor McNeil doesn’t think it does.

29 Kautz explained the Planning Commission would look at this to see which zones make
30 sense.

31 Councilor McNeil feels we need to make the changes now. The reason it was allowed in
32 A-40 before is because the dwelling unit component was for a caretaker unit.

33 We need to look at this before we adopt this ordinance.
34

35 Mayor McCormick asked Councilor McNeil if he’s saying we’re using accessory
36 structure through out the ordinance but our definition is accessory building?

37 Councilor McNeil told him yes, that’s right.
38

39 Councilor Walker agrees with Councilor McNeil that all the changes need to be made all
40 at once and then brought back.
41

42 Councilor McNeil asked if we’re just talking about home office, in unoccupied it
43 wouldn’t make sense.

44 Scott Kettle stated if we’re talking about something in A-40 then we would want to allow
45 occupied.

46 Councilor McNeil agreed.

1 Mayor McCormick wants to propose we add an A-40 zone in our code so if we do
2 annexations that are not a particular project, we can use that instead of A-5.

3
4 **MOTION:** Councilor Allen McNeil moved to send Ordinance 2019-12 back to Planning
5 Commission to discuss those items brought up.
6 Councilor Mike Crystal seconded the motion
7 Mayor McCormick asked for a roll call vote:
8 Councilor Walker voted “aye”
9 Councilor Crystal voted “aye”
10 Councilor McNeil voted “aye”
11 Councilor Blazzard voted “aye”
12 The vote was unanimous. Motion passed.
13
14

15 **ORDINANCE 2019-13, AN ORDINANCE TO AMEND SECTION 15.20,**
16 **PLANNED UNIT DEVELOPMENT, IN THE KAMAS MUNICIPAL CODE**
17

18 Natalie Kautz read the following staff report: With the recently passed Moderate Income
19 Housing ordinance, the development trend to meet the criteria outlined by Kamas City
20 has been to propose townhomes in addition to single family homes in a Planned Unit
21 Development (PUD). Kamas City restricts PUDs currently to 100 acres or more in the
22 development.

23 Our Mayor recommended changing the PUD restriction in size to a Major Subdivision
24 instead of an acreage size. There are eight proposed amendments to the PUD code that
25 address changing the size to a major subdivision, requiring the applicant to prove that
26 their application meets 40% of the goals of Kamas City’s General Plan, that the mayor is
27 involved in the pre-application meeting, to provide digital copies of plans instead of 11”
28 x 17” copies, to change the name of Questar Gas to Dominion Energy, and to clarify the
29 amendment process of a PUD development agreement.

30 Following the process outlined in 15.03.010, Amendments to the Land Use Code, the
31 required Public Hearing before Planning Commission on November 19, 2019.

32 **Evaluation:**

33 Changing the size of a PUD to a major subdivision could meet these goals outlined in the
34 Kamas City General Plan:

35 A) Establish architectural, landscape and aesthetic design standards that complement the
36 rural atmosphere of the community.

37 B) Assure adequate utilities and capacities within the utilities for projected business use.

38 C) Require buffering of incompatible (i.e. residential) land uses.

39 D) Allow for easy access to major transportation routes.

40 E) Encourage a family-oriented, clean, fun and friendly community that is a great place to
41 live.

42 Further, in the “Land Use Vision,” the General Plan states the goal is to provide “high-
43 quality, well-planned residential areas with open spaces that support and compliment the
44 unique rural quality and character of the city.”

45 The table outlining these proposed amendments is in Dropbox for your review.

46 **Planning Commission Recommendation:**

1 After allowing time for public comments, the Planning Commission is forwarding a
2 positive recommendation to the City Council for the proposed amendments outlined in
3 Ordinance 2019-13.

4 Councilor McNeil feels when we're talking about 40% of the goals and objectives
5 outlined in the General Plan it's hard to put an objective standard to subjective criteria. In
6 our General Plan we have a section named Goals and Policies of the Community Vision
7 and maybe that's what we're talking about here where it says goals and objectives. If this
8 is what we're talking about then we should specifically reference this. It's not a good idea
9 to say you have to meet 40% of the criteria. On Item 7 we should get rid of the second
10 part starting at "and furthers..." or add different wording.

11
12 Councilor McNeil stated in 15.20.030 Minimum Size, there's a typo. We need to change
13 the word are to area.

14 Councilor McNeil doesn't think most of the time people are coming in with an already
15 existing major subdivision and asking for PUD classification. He feels we meant to say is
16 "The minimum site area that is eligible for classification to the PUD zone shall be equal
17 to the minimum site area required for a major subdivision."

18 Scott Kettle explained a major subdivision is 6 lots or more. We're saying if you want 4
19 lots, we won't apply the PUD, but if it's above 6 then we'll allow the PUD. What
20 Councilor McNeil just said works for this.

21
22 Councilor McNeil feels in Item 8 we should not specify the specific utility companies and
23 put Public Utility providers.

24 Kautz explained it's nice to be able to have a list for people so they know who this
25 means. If we just say public utility providers, they won't know who to go to.

26 Councilor McNeil feels we can still give them a list of public utilities. We can just create
27 a list at an administrative level without amending our code.

28 Scott Kettle explained in a lot of places it's not required to have the signatures but we do
29 require it here. It helps notify them.

30 Mayor McCormick feels we need to list public utilities. It's important to notify them that
31 something is happening.

32 Scott Kettle explained when they don't require them to sign the plat, they are still
33 required to get a letter stating they will provide service to them.

34 Councilor McNeil explained he's talking about the notice provision, not getting the
35 signatures. His comment is just that if you need to notify the public utility providers in
36 the area then we can give them a list.

37 Councilor Walker is in an agreement to just give them a list instead of amending the code
38 every time there's a change.

39 Kautz confirmed we're taking out Dominion, Rocky Mountain Power and All West
40 Communications.

41 Mayor McCormick feels changing it to public utilities is the right thing to do.

42 Councilor McNeil feels instead of using a lot of different terms like owner, developer,
43 and applicant we stick with the word applicant. Keep it consistent.

44 Kim Peacock asked the council if they approve this Ordinance to change the number to
45 2019-12 to keep the numbering in order.

46

1 **MOTION:** Councilor Allen McNeil moved to approve Ordinance 2019-13 and changing
2 that to 2019-12, An Ordinance to amend Section 15.20, Planned Unit
3 Development, with the following changes: In 15.20.020 Item 7, to eliminate
4 “and furthers at least 40 % of the goals and objectives outlined in the Kamas
5 City General Plan.” In 15.20.030 Item 2, C, revising the first sentence to “The
6 minimum site area that is eligible for classification to the PUD zone shall be
7 equal to at least the minimum site area required for a major subdivision.” In
8 Section 15.20.030 Item 8, Notice, we remove Rocky Mountain Power,
9 Dominion Energy, All West Communications and replace with “Public Utility
10 Providers”. In the entire ordinance we change owner, developer, or
11 owner/developer to “the applicant”.
12 Councilor Monica Blazzard seconded the motion
13 Mayor McCormick asked for a roll call vote:
14 Councilor Walker voted “aye”
15 Councilor Crystal voted “aye”
16 Councilor McNeil voted “aye”
17 Councilor Blazzard voted “aye”
18 The vote was unanimous. Motion passed.
19
20

21 **COUNCIL REPORTS**

22
23 Councilor Walker had nothing to report.
24

25 Councilor Crystal reported he heard a lot of positive things about the community
26 visioning session.
27

28 Councilor McNeil agreed with Councilor Crystal and feels people are really excited and
29 we could use it as a springboard for future discussions.
30

31 Councilor Blazzard reported on the social media followers. The Kamas Valley Business
32 Association had a meeting on the 7th. They talked about their goals and what business
33 owners want to get out of it. They are sending out a survey to see what the value of this is
34 to the local businesses.
35

36 Mayor McCormick reported the community visioning was a success. There will be a few
37 committees formed. The council can work on code and other things but there is a lot of
38 things that are community driven. If this is all going to work the Planning Commission
39 and City Council need to be open to ideas. We all agreed to have this visioning session,
40 there were things that don’t fit our vision right now, but could in time.

41 Councilor Blazzard feels the comments afterwards are people want to do something.

42 Mayor McCormick feels we need to manage the momentum of this.

43 Mayor McCormick cautioned the council if they are involved in any committees, make
44 sure we involve all of the members of community. Long-term and short-term residents,
45 because they all have value.
46

1 **APPROVAL OF THE NOVEMBER 12, 2019 CITY COUNCIL MEETING**
2 **MINUTES**
3

4 **MOTION:** Councilor Mike Crystal moved to approve the City Council meeting minutes
5 dated November 12, 2019.
6 Councilor Monica Blazzard seconded the motion.
7 The vote was unanimous. Councilors Garry Walker, Mike Crystal, Allen
8 McNeil, and Monica Blazzard voted aye. Motion passed.
9

10
11 **APPROVAL OF THE INVOICE REGISTER DATED NOVEMBER 21, 2019**
12

13 **MOTION:** Councilor Allen McNeil moved to approve the invoice register dated
14 November 26, 2019.
15 Councilor Mike Crystal seconded the motion.
16 The vote was unanimous. Councilors Garry Walker, Mike Crystal, Allen
17 McNeil, and Monica Blazzard voted aye. Motion passed.
18
19

20 Mayor McCormick reminded the council of the city Christmas party next week.
21

22 Councilor Crystal thanked Scott Kettle for the work he did on 100 South. The 100 South
23 residents are happy.
24
25

26 **ADJOURN**
27

28 **MOTION:** Councilor Mike Crystal moved to adjourn at 8:05 p.m.
29
30

31 *The content of the minutes is not intended, nor are they submitted, as a verbatim*
32 *transcription of the meeting. These minutes are a brief overview of what occurred at*
33 *the meeting.*
34
35

36 Approved on the 10th day of December 2019.
37
38
39
40

41 _____
42 Matt McCormick
Mayor

Kim Peacock
City Recorder