



# MINUTES

Kane County Planning Commission  
& Land Use Authority Meeting  
76 North Main Street, Kanab  
**February 10, 2016**

CHAIRMAN: Tony Chelewski

MEMBERS PRESENT: Tony Chelewski, Robert Houston, Hal Hamblin, Danny Brown (new)

MEMBERS ABSENT: Wade Heaton, Dale Clarkson, Byard Kershaw

EX-OFFICIO MEMBER: Jim Matson

STAFF PRESENT: Shannon McBride, Land Use Administrator; Mary Reynolds, Assistant Administrator; Ryan Maddux, Building Official

5:30 PM Work Meeting

6:00 PM Meeting called to order by Tony Chelewski  
Pledge of Allegiance Tony Chelewski  
Prayer Harold Hamblin  
Announcements Tony Chelewski

### **Announcements/Updates:**

Tony Chelewski acknowledged Mary Reynolds (Asst. Administrator) for receiving an award with Shannon McBride last month [Extra Miler Award]. Tony said he called Mike Kemp; Mike has seen Rudy [Delapaz] only once this month. Rudy is currently grading some roads. All is fine at this time.

**Motion** was made by Hal Hamblin to approve the **January 13, 2016** minutes. Motion was seconded by Robert Houston. The Chair asked for any questions or comments. Motion passed unanimously.

**Administrative** **(1) Introduction of New Ex-Officio**  
**Tony Chelewski, Chairman**

Discussion: Commissioner Jim Matson was welcomed as the new ex-officio member.

**Administrative**                      **(2) Introduction of new Planning & Zoning member.**  
**Shannon McBride**

Discussion: Danny Brown was sworn in as a Planning & Zoning commission member on Monday, February 9, 2016 in the Clerk's Office (by Karla Johnson). He was introduced to the Commission and public. Mr. Brown will be serving a four-year term.

**Motion** was made by Robert Houston to go in and out of public hearing at the call of the Chair. Motion was seconded by Hal Hamblin. The Chair called for the question and the motion passed unanimously.

**Administrative**                      **(3) Public Election of Planning & Zoning officers**  
**Chairman and vice-chairman.**

Discussion: Even though three Planning & Zoning members were absent, the quorum decided to go forward with nominations for chairman and vice-chair.

Hal Hamblin nominated Tony Chelewski as (continuing) chairman for 2016.

**Motion** was made by Hal Hamblin to accept the nomination of Tony Chelewski as chairman of the Planning & Zoning commission for 2016. Motion was seconded by Robert Houston. The Chair called for the question and the motion passed unanimously.

Robert Houston nominated Wade Heaton for vice-chairman for 2016.

**Motion** was made by Robert Houston to accept the nomination of Wade Heaton as vice-chairman of the Planning & Zoning commission for 2016. The motion was seconded by Hal Hamblin. The Chair called for the question and the motion passed unanimously.

Chairman Chelewski called the commission into public hearing.

**Administrative**                      **(4) Temporary Use Permit**  
**Western Rock Products, Jeremy Leonard, Big Water Pit on SITLA**  
**parcel; temporary hot mix asphalt plant; Submitted by Western**  
**Rock Products**

Discussion: Applicant was not present (yet). Items were taken out of order to allow him more time to arrive. If they don't, Shannon can present the item to the commission at her discretion.

Jeremy Leonard arrived at 6:15 pm. Shannon referred to the staff report for the conditions set on the temporary permit. The gravel pit is near Big Water currently operating on a conditional use permit (which runs with the land).

Mr. Leonard explained the project with Brown Brothers Construction to reconstruct Lake Shore Drive at Lake Powell for the Federal Highway Administration. They will use the existing stockpiles that are there. Crushed asphalt is already available at the pit. Hal Hamblin asked about hours of operation and whether any equipment will be running 24 hours a day. Mr. Leonard said there will be a small generator that runs constantly (for a heater). Jeremy explained the generator will sit lower than road level which will shield the noise. Shannon said she went out to the pit in New Paria last time the issue came up and heard no noise at the pit (at approx. 10 pm).

Mr. Leonard said they will be cognizant and respectful of neighbors nearby; they are willing to mitigate any issues. Comments were made about the condition of the road, but as a public road the county is responsible, not the gravel pit. Jeremy said they will try to stay off of the paved roads if they can.

Hal asked if the plant was secure; Jeremy said there was a gate. Shannon said they could review the previous records/conditions for temporary uses where the conditions are spelled out. No new conditions are being applied than what is in the ordinance (9-15-B). They will work Mon-Fri, but might have to work on weekends later on in the process. Shannon told him they could come in and request a change in the conditions of the permit when they need more time. At this time its 6 am-10 pm. Jeremy said they will abide by what the commission says.

Tony Chelewski asked about the location of the gravel pit. Jeremy explained they are near the Fish Hatchery; they have two phases (pit areas) off Ethan Allan Road. Shannon said the Big Water clerk was notified of this meeting, even though the pit is outside of Big Water. Shannon recommended the motion.

Shannon indicated this was a discretionary administrative item and did not need to be presented in public hearing. Therefore it was not necessary to go in and out of public hearing at the call of the chair.

**Motion** was made by Robert Houston to approve the Temporary Use Permit for Western Rock Products on SITLA (Materials Permit No. 502). Motion was seconded by Hal Hamblin. The Chair called for the question and the motion passed unanimously.

## **Legislative**

### **(5.) Revision to Land Use Ordinance, Chapter 1**

**Revise General Provisions, adding definition for “substantial parcel”; Submitted by Shannon McBride.**

Discussion: Shannon explained why this item was on the agenda. It came up as part of a discussion after the the clerk’s office needed the specific definition. The attorney said Planning & Zoning members could vote on a definition to make the definitions more complete, or it can be left as is. Shannon said it has never been used in Land Use prior to this. The item can be tabled or recommended to the County Commission for further discussion.

Chairman Chelewski called the commission out of public hearing.

**Motion** was made by Hal Hamblin to make a recommendation to the County Commission to discuss the definition of “substantial parcel” and whether it is necessary to revise Land Use Ordinance, Chapter 1 [to specify this definition]. Motion was seconded by Danny Brown. The Chair called for the question and the motion passed unanimously.

**Administrative**                      **(6.) Discussion of Rancher’s Involvement**  
**Regarding history of ranching on the monument; Submitted by**  
**Shannon McBride.**

Discussion: Shannon explained Land Uses recent participation in BLM meetings. The BLM is trying to obtain rancher’s histories by collecting stories, photos, etc. of rancher’s that have lived in Kane County for decades. They are creating a history book (of sorts) for ranching in Kane County. They want us to spread the word. If anyone knows someone who can contribute, please contact them.

Tony Chelewski said Dennis McDonald’s dad ran the ranch out by where he currently lives in New Paria. He ran it after his dad passed. He could probably contribute.

Hal Hamblin said Maude Brown (who is 95 yrs. old) has had a ranch out there for decades. They could bring the information to us (P&Z) or directly to the BLM.

Robert Houston said Silvan Johnson is another possibility (he lives in Johnson Canyon). Tony said Lloyd Chamberlain is another possibility. He was involved with the dam, but he went back and forth across a trail (cattle) to get to work.

There was a short discussion on some guys from Escalante [Garfield County] who brought sheep down through Cotton Canyon near Paria. Shannon indicated that is what they are looking for. Danny Brown asked about current stories and Shannon said any cultural information is important.

County Attorney Rob Van Dyke arrived 6:25 pm  
Deputy County Attorney Reid Mann arrived 6:30 pm

Shannon explained that the draft alternatives proposed for the Environmental Impact Statement on grazing on the monument is being looked at again. They will eventually be brought to the public for comment. We need the rancher’s help on that.

Commissioner Jim Matson offered information about the recent debate with BLM about “objects and values” (in the alternatives).

Mary Craven asked where the information could be brought regarding ranching history. Hal said he wanted the information brought to Shannon, first, to take to the BLM. They all agreed it was a good idea.

Shannon verified with County Attorney Rob Van Dyke that Western Rock Products could come back to Land Use to amend the conditions for their temporary use permit. Hal asked when the project would start and Jim Matson said the paperwork indicated it was the beginning of March.

**Motion** was made by Hal Hamblin to adjourn the meeting. The motion was seconded by Danny Brown.

Meeting was adjourned at: 6:35 pm

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Land Use Authority Chairman,  
Tony Chelewski

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Land Use Assistant Administrator,  
Mary Reynolds