



MINUTES

Kane County Planning Commission
& Land Use Authority Meeting
76 North Main Street, Kanab
December 14, 2016

CHAIRMAN: Tony Chelewski

MEMBERS PRESENT: Tony Chelewski, Hal Hamblin, Dale Clarkson, Danny Brown, Byard Kershaw

MEMBERS ABSENT: Wade Heaton, Robert Houston

EX-OFFICIO MEMBER: Jim Matson

STAFF PRESENT: Shannon McBride, Land Use Administrator; Kaylea Crosby, Administrative Asst.

5:30 PM Work Meeting

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

Announcements/Updates:

Tony Chelewski called Mike in regards to Rudy. Mike has only seen Rudy about 3 times this month. Mike told Tony they were not grading the roads. Tony said the natural gas/oil well company drilled down 6,000 feet and they hit something and couldn't get through, so the company pulled out and now they are gone. He said the Verizon tower went in and they are getting good service out in the Paria area.

Motion was made by Danny Brown to approve the **November 9, 2016** minutes. Motion was seconded by Dale Clarkson. The Chair asked for any questions or comments. Motion passed unanimously.

Motion was made by Hal Hamblin to go in and out of public hearing at the call of the chair. Motion was seconded by Dale Clarkson. The Chair called for the question and the motion passed.

Shannon thanked the committee for their service on behalf of Kane County and its citizens.

Chairman Chelewski called the commission into public hearing.

Administrative Public Hearing **(1.) Rural Unimproved Subdivision:**
Nels Bredahl & Arlea Rae Gibson, Wild Heart Subdivision, parcel # 4-5-2-6A; submitted by Iron Rock Engineering, presented by Chris Heaton

Shannon said there were some changes that had not been made, but looking at the plat, she recommends approval with the condition that Warren Monroe reviews the revisions that were made.

Chris Heaton said this RUS is located out by the landing strip (by Ken Smith's place). He said they are splitting the parcel into two parcels to possibly sell. He said the revisions were made today and Warren Monroe hasn't reviewed it yet.

Shannon said they are allowed a 50 foot easement because they submitted the application prior to the revisions being made in the ordinance, therefore they are grandfathered in.

Tony asked what they were doing with the piece that is at an angle, which is 5.06 acres.

Chris Heaton said he believes the owners are selling that to the property owners it is closest to.

Shannon said this would be a parcel line adjustment and it would be merged into another parcel equaling over 10 acres, so no split would occur and according to Utah State Code, pertaining to parcel line adjustments, the owners do not have to go through the planning commission.

Hal Hamblin asked if the little piece was a 5-acre or 10-acre (RUS).

Shannon said it will not be a 5-acre parcel on its own, it will be absorbed into the other parcel. Warren Monroe has not reviewed the final edits but she recommends approval after Warren Monroe's final review.

Chairman Chelewski called the commission out of public hearing.

Motion was made by Danny Brown to recommend conditional approval of the Wild Heart Rural Unimproved Subdivision, consisting of parcel 4-5-2-6A, to the Kane County Commissioners. The Wild Heart RUS can be requested to be placed on the Commission agenda after the plat has been revised to Warren Monroe's recommendations. 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
Public Hearing**

(2.) Lot Joinder:

Guy & Bonnie Getz with vacating a 15 foot utility easement, Zion View Mountain Estates, Revised Unit "A", lots 129 & 130, new lot 129; submitted by Iron Rock Engineering and presented by Chris Heaton

Shannon said Lori assured her the Lien Holder statement is on its way and that is the only condition left on this lot joinder. Shannon recommends approval of this project because it is the end of the year, (with the condition that they get the Lien Holder before it goes to commission meeting). She said everything else is in order, except for the Lien Holder statement. A sign has been posted on the property and all notices are in place due to an easement being vacated. Hal asked if there were any public utilities through this property.

Shannon said yes, and she has all three termination agreements from Garkane, South Central, and the Water Conservancy District.

Chairman Chelewski called the commission out of public hearing.

Motion was made by Hal Hamblin to recommend conditional approval for **vacating** a 15 feet utility easement and amending a subdivision plat (lot joinder) on behalf of Guy & Bonnie Getz, Zion View Mountain Estates, Revised Unit "A", lots 129 & 130, becoming new lot 129 to the Kane County Commissioners. Motion was seconded by Danny Brown. The Chair called for the questions. Motion passed unanimously.

Chairman Chelewski called the commission into public hearing.

**Administrative
Public Hearing**

(3.) Vacating an Easement & Realigning a Portion of Twisted Trails Road/Lot Line Adjustment:

Milton R. Farney, Zion View Mountain Estates, Unit E, lots 97 & 98, vacating an easement & realigning a portion of Twisted Trails Road; submitted by New Horizon Engineering

Shannon said the road is actually Twisted Trails Road and not Aspen Trails Road as verified by Lou Pratt so that change needs to be made public from the agenda posting.

Brent Carter said they just need to shift the road over 30 feet at the intersection to make it a 90 degree angle (T-angle) section. He said they have to vacate one side and dedicate it (30 feet) to the other side.

Shannon said there is a sign posted on the lot. She has received a few phone calls dealing with the road but she told the people it makes the road safer and they had no comments after hearing the facts.

Hal asked if Tom Avant has to review this a second time.

Shannon said yes. This still needs the final review before it can go to Commission. It will have to be passed by a unanimous vote with an ordinance. It will also have to be advertised for four weeks, but other than that this project is ready to go.

Chairman Chelewski called the commission out of public hearing.

Motion was made by Byard Kershaw to recommend conditional approval (after having Tom Avant's final review of the plat for accuracy) to the Kane County Commissioners, to amend the Zion View Estates, Unit E, lots 97 & 98 subdivision plat and **vacating** a portion of Twisted Trails Road and realigning the road for enhanced safety and adjusting the lot lines for lots 97 & 98 on behalf of Milton Farney. The motion was seconded by Danny Brown. The Chair called for the question and the motion passed unanimously.

Chairman Chelewski called the commission into public hearing.

**Administrative
Public Hearing**

(4.) Lot Joinder:

Alan & Debora Rice and Vacating Two 15-foot utility easements, Strawberry Valley Estates, Unit 4, lots 4, 5, & 6, new lot 5; submitted by New Horizon Engineering with Brent Carter holding Power of Attorney

Brent said there are three lots 4, 5, & 6 and they just want to join them along with vacating two utility easements. He said they have the three easement termination agreements from the utility companies (Garkane, South Central and the Kane County Water Conservancy District).

Shannon said it is a unique situation where one utility easement is behind the other lot, facing the other direction; therefore this requires vacating two utility easements. She verified with Lou Pratt about the discrepancies on the road and Brent's survey markers. The discrepancy fell under the Water Conservancy District, (Sally Shackelford sent a picture for clarification) and information about the issues pertaining to the road and easements. The sign has been posted and all notices are in place and everything is in order to recommend approval of this project.

Chairman Chelewski called the commission out of public hearing.

Motion was made by Dale Clarkson to recommend approval for **vacating** two 15 foot utility easements and amending a subdivision plat, in Strawberry Valley Estates, Unit 4, joining lots 4, 5, & 6 becoming new lot 5 on behalf of Alan & Debora Rice, Trustees of "The Alan & Debora Rice Trust 5-27-11" to the Kane County Commissioners. 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
Public Hearing**

(5.) Lot Joinder:

Michael G. & Mary McClendon and vacating a 15 foot utility easement Meadow View Heights, Plat E, lots 240 & 241, new lot 240; submitted by New Horizon Engineering with Brent Carter holding Power of Attorney

Shannon said they need to postpone this project because they don't have a Lien Holder statement. She said she feels bad for the clients because their tax changes will not change for another year, she decided to go ahead and recommend approval (with the condition) the Lien Holder statement is received before it goes to Commission.

Chairman Chelewski called the commission out of public hearing.

Motion was made by Byard Kershaw to recommend to the Kane County Commissioners, with the condition, the Lien Holder statement is submitted, for **vacating** a 15 feet utility easement and amending a subdivision plat, on behalf of Michael & Mary McClendon, in Meadow View Heights, Plat E, lots 240 & 241, becoming new lot 240. The motion was seconded by Danny Brown. The Chair called for the question and the motion passed.

Chairman Chelewski called the commission into public hearing.

**Administrative
Public Hearing**

(6.) Lot Joinder:

Terry & Marie Barrett, Swains Creek Pines, Unit 3, lots 451 & 452, new lot 452; submitted by New Horizon Engineering with Brent Carter holding Power of Attorney for this project

Brent said they just want to join their two lots into one.

Shannon said there are no utility easements so this does not need to go to Commission.

Chairman Chelewski called the commission out of public hearing.

Motion was made by Danny Brown to recommend approval of the Lot Joinder, on behalf of Terry & Marie Barrett, Swains Creek Pines, Unit 3, lots 451 & 452; becoming new lot 452. The motion was seconded by Dale Clarkson. The Chair called for the question and the motion passed unanimously.

Chairman Chelewski called the commission into public hearing.

Administrative

(7.) Approval of the 2017 Kane County Planning Commission Meeting Schedule

Chairman Chelewski called the commission out of public hearing

Motion was made by Hal Hamblin to recommend approval of the 2017 Kane County Planning Commission Meeting Schedule. The motion was seconded by Byard Kershaw. The Chair called for the question and the motion passed unanimously.

Shannon said to look over the suggestions Danny submitted for the January P&Z mtg. She said this would require changing the Land Use Ordinance or creating a new zone and she will coordinate and talk with Reid Mann about the suggestions.

Danny Brown said that in some counties they completely shunned the solar panels and power plants. He said instead of saying no solar panels he believes in limiting the amount of solar power plants in Kane County. He said the studies he has done found that solar power companies flood the market with power plants when they find an area that is open to expansion. He said they buy everything up before they get shut down with ordinance changes or restrictions. He said out of the companies that declared bankruptcy (solar power plants) none of them cleaned up afterwards. He said he did not find anything in his research that was positive with the clean up. He said Kane County has a lot more to offer than solar panels, so they are not completely focused on panels, but multiple forms of power. If it is alright with Reid, he would like to see these suggestions placed on January's agenda for limitations on solar power plants.

Shannon asked if we could put it on next month's meeting.

Hal said he would like Kane County roads and access to state roads to be declared open range to be put on next month's meeting. He said he would like to put it in county and state ordinances. He said he will put it in a form that Danny did.

Shannon asked if they should implement it into the Resource Plan and the Chapter 27 of the Land Use Ordinance. Both would need to be advertised for a public hearing. They agreed both items should be placed on the January 11 agenda.

Motion was made by Dale Clarkson to adjourn the meeting. Motion was seconded by Hal Hamblin. The Chair called for the question and the motion passed unanimously.

Meeting was adjourned at 6:45 pm

Land Use Authority Chairman,
Tony Chelewski

Administrative Assistant,
Kaylea Crosby