

**Kanab City Planning & Zoning Commission Meeting**  
**June 4, 2024**  
**Kanab City Council Chambers**  
**26 North 100 East**  
**6:30 PM**

**Agenda Items:**

**1. Call to Order and Roll Call**

**In attendance** – Commission Members Russ Whitaker, Heather Russell, Ben Clarkson, and Taylor Glover; Building/Land Use Administrator Janae Chatterley, and City Attorney Kent Burggraaf

**Not in attendance** – Commission Members Terry Edwards, Casey Glover, Ben Aiken, Mark Gilberg, Marlee Swain; City Planner Bob Nicholson, City Council Liaison Arlon Chamberlain

**2. Approval of minutes from May 7, 2024 and May 21, 2024**

Commission Member Taylor Glover made a motion to approve the minutes. Commission Member Russell seconded. Motion passed.

Russell Whitaker – YES

Ben Clarkson – YES

Ben Aiken – Absent

Heather Russell – YES

Terry Edwards – Absent

Marlee Swain – Absent

Taylor Glover – YES

Casey Glover – Absent

Mark Gilberg – Absent

**3. Public Comment Period – Members of the public are invited to address the Planning Commission. Participants are asked to keep their comments to 3 minutes and follow rules of civility outlined in Kanab Ordinance 3-601**

No public comment was given.

**Work Meeting: None**

**Legislative Decision:**

**4. Public Hearing – Discuss and recommend to City Council a petition to amend Chapter 13 - Recreational Vehicle Park. [Applicant: Kanab City/Crazy Horse]**

Ms. Chatterley explained that the petition aimed to amend the ordinance to allow Yurts in the RV Park and to permit temporary structures as disability accommodations. She outlined specific changes, including allowing Yurts seasonally with short-term rentals and adherence to building codes. She also suggested adding tents to the ordinance to prevent non-conforming RV Parks.

Chair Whitaker inquired about the location of the Yurts on the property.

Ms. Chatterley indicated their position on the site plan towards the back of the property.

Chair Whitaker expressed approval of the Yurts and mentioned there was no need to address tents.

Ms. Chatterley noted that tents should be included in the ordinance to avoid non-conforming parks.

Commission Member Taylor Glover and Commission Member Clarkson discussed the previous cases involving tent spaces in RV parks, highlighting that existing parks had tent spaces for short-term stays.

Ava Page, the regional property manager of Crazy Horse, stated that they only allowed short-term stays of up to seven days for tent occupants, aligning with the seasonal use of the Yurts.

Commission Member Taylor Glover suggested going into a public hearing before further discussion.

Chair Whitaker agreed, leaving the floor open for any additional comments.

Commission Member Clarkson expressed no issues with the proposed changes, finding them sensible.

Commission Member Russell agreed and inquired about the popularity of the Yurts.

Commission Member Taylor Glover raised concerns about existing yurts meeting the proposed ordinance restrictions, including size and seasonal use, to ensure no violations.

Ms. Page confirmed that the existing Yurts met the 300-square-foot requirement and seasonal usage, aligning with the proposed changes.

Commission Member Taylor Glover confirmed with Ava Page that the current usage of Yurts was comfortable, even during the winter, although typically not beyond November.

Ms. Page mentioned that while they are often used during festivals, they do not see much use in December.

Ms. Chatterley noted that the seasonal use restriction could be removed

Ms. Page indicated that the yurts could be used year-round, with the main concern being to avoid permanent or extended stays, which she also opposed. She reiterated that she preferred short-term

stays, especially during events like the balloon festival, and did not favor anything beyond two or three nights.

Commission Member Taylor Glover pointed out that tents were not suitable for long-term use like RVs, which stay year-round. He inquired if Yurts would be set up seasonally and mentioned that Ms. Page's previous manager had used Yurts in another community.

Chair Whitaker clarified that Yurts were intended for short-term use only, not long-term stays.

Commission Member Clarkson and Chair Whitaker discussed the removal of the seasonal restriction, agreeing that market demand would dictate usage and that maintenance would ensure their condition.

Commission Member Taylor Glover supported the plan for temporary buildings earlier in the ordinance and suggested striking subcategory B.

Ms. Chatterley confirmed the removal and mentioned renumbering the sections for clarity.

Bobby Woods, a resident, highlighted the positive community impact and business generated by visitors to the park during events, emphasizing the importance of allowing Yurts to cater to this demand.

Commission Member Taylor Glover made a motion to send a positive recommendation to the City Council to adopt changes to the city code identified in Exhibit A of the staff report no. 20240604 with the amendment to strike the seasonal use dates. Commission Ben Clarkson seconded. Motion passed.

Russell Whitaker – YES

Ben Clarkson – YES

Ben Aiken – Absent

Heather Russell – YES

Terry Edwards – Absent

Marlee Swain – Absent

Taylor Glover – YES

Casey Glover – Absent

Mark Gilberg – Absent

**5. Public Hearing – Discuss and recommend to City Council a Zone Change for Parcel K55-3 from RR-1 [Single Family Zone] to R-1-10 [Single Family Zone] approximately located at 180 N 400 W. [Applicant: Steven Glodowski]**

Ms. Chatterley clarified that the current zoning was rural residential, and the proposed change would allow for 10,000 square-foot lots. The application indicated a plan to build residential homes within two years. The property currently had a home and a guest house under construction. She

highlighted that most surrounding properties were also zoned RR-1, with some commercial zones nearby.

Commission Member Taylor Glover asked why previous zone change requests were denied.

Ms. Chatterley explained that the main reasons were the lack of transition between RR-1 and the proposed zones and concerns about building on the creek side, which could cause land sloughing. The public hearing notices were sent out, and the applicant, along with some surrounding property owners, were present.

Steven Glodowski, the applicant, explained that the previous requests for R-1-8 and R-1-20 zoning were denied due to transition concerns. He noted that the R-1-10 zoning would only allow for a total of three lots on the property due to road frontage requirements, meaning two additional lots could be created.

Commission Member Clarkson asked about the maximum total structures allowed.

Mr. Glodowski stated that the property could have up to two main homes and two guest homes, resulting in a potential total of six structures if subdivided into three lots.

Ms. Chatterley added that guest houses must be half the size of the main living area.

Commission Member Russell disclosed that her property bordered Lydia and Ben's property, but it did not create a conflict of interest.

Steven Glodowski clarified that the intent was to build single-family residences, not transient lodging, and potentially sell the lots. If the zone change was not approved, only one main home and one guest home would be allowed on the 1.87-acre property, adhering to current ordinances.

Ms. Chatterley confirmed that under current zoning, only two residences could be built on the property, and a guest house must be no more than 50% of the size of the main living area.

Commission Member Russell expressed concerns about the lack of clarity on the intended use of the property if the zone change was granted. She noted that the history of the neighborhood included properties being used for transient lodging and was worried that more rental properties could outnumber permanent residences.

Ms. Chatterley clarified that anyone could currently use their property for short-term rentals under existing zoning regulations.

Commission Member Russell elaborated that transient lodging already existed in the neighborhood and questioned if the new structures would also be used for short-term rentals. She emphasized the negative impact on the neighborhood's character if more transient lodgings were added,

referencing recent social media activity suggesting the property owners' intent to continue developing rental properties.

Mr. Glodowski responded by saying that while short-term rentals were possible, the owners were open to selling the lots as well. He pointed out that the current structures and those proposed would be significant in size, adding value to the neighborhood.

Commission Member Russell emphasized the quiet and quaint nature of the neighborhood, stating that additional rental properties would disrupt this balance. She argued that granting the zone change would lead to more transient lodging than permanent residences, which would negatively change the character of the area. She cited previous city council decisions denying similar zone changes for being too commercial in nature.

Commission Member Clarkson asked about the road access to the property.

Ms. Chatterley explained that the road had been developed and turned over to the city. A hammerhead turnaround was installed to meet fire code requirements. If the road were extended, additional hammerheads might be required depending on the layout of the new lots.

Commission Member Clarkson noted that while his question about access wasn't directly related to the zone change, it was important to understand property improvements and subdivision requirements.

Ms. Chatterley explained that road improvements were part of the development process and adhered to subdivision requirements.

Chair Whitaker stated his comfort with maintaining the RR-1 zoning and asked if there were any other comments.

Commission Member Taylor Glover expressed a desire to hear from others, as the public hearing was still open.

Kevin Bunting, a neighboring property owner, mentioned a good relationship with Steven Glodowski but expressed discomfort with the potential commercial nature of the development if it turned into vacation rentals. He voiced concerns about drainage and the appearance of unfinished work, emphasizing the need for more guidelines to ensure the project enhanced the neighborhood.

Mr. Glodowski attempted to address Kevin Bunting's concerns but was reminded by Ms. Chatterley to direct his comments to the Planning Commission rather than engage in a back-and-forth discussion.

David Russell, a neighboring property owner, voiced strong opposition to the zone change. He emphasized that the addition of transient lodging would negatively impact the neighborhood's quaint and quiet character. He shared concerns about increased traffic, the difficulty of accessing the highway, and the potential for more rental properties to outnumber permanent residences. He concluded that the proposed changes did not fit the community.

Commission Member Taylor Glover asked about previous planning commission considerations regarding road widths and access.

Ms. Chatterley explained that the road was kept the same width to match the existing road and meet city standards, even though some buildings were on city right-of-way.

Commission Member Taylor Glover expressed disappointment with the current state of development, feeling it had not improved the neighborhood as initially represented. He noted concerns about road access and potential further subdivision, emphasizing the need for a logical, community-enhancing plan. He stated that the project did not appear finished and had not sustained the neighborhood's quality.

Ms. Chatterley clarified that while the buildings were complete and had certificates of occupancy, state code does not allow the city to hold a certificate of occupancy for the completion of landscaping on private property. Ms. Chatterley also clarified that the current ordinances do not require landscaping on single-family residences.

Commission Member Taylor Glover acknowledged this but remained concerned about the overall appearance and impact on the neighborhood.

Commission Member Clarkson highlighted the emotional nature of zone change discussions and emphasized that granting a zone change would allow any use permitted under the new zoning, regardless of the current applicant's intentions. He stressed the importance of considering long-term impacts and the potential for future developments that might negatively affect the community. He concluded that the area already had appropriate density, and increasing it further would likely exacerbate existing issues.

Commission Member Russell made a motion to send a negative recommendation to the City Council for file 2024022 to assign zone RR-1 to parcel K55-3 based on the findings as outlined in the report. Commission Member Clarkson seconded. Motion passed.

Russell Whitaker – YES

Ben Clarkson – YES

Ben Aiken – Absent

Heather Russell – YES

Terry Edwards – Absent

Marlee Swain – Absent

Taylor Glover – YES  
Casey Glover – Absent  
Mark Gilberg – Absent

**Administrative Decision Items:**

**6. Discuss, approve or deny a Conditional Use Permit for an extended stay in an RV Park. [Applicant: Crazy Horse]**

Ms. Chatterley explained that the ordinances were changed a few years ago to allow for extended stays in RV Parks. One RV Park had received a conditional use permit about seven months ago, and Crazy Horse was working towards obtaining theirs. Crazy Horse had widened their spaces to meet the spacing requirements for extended stays, and they already had the necessary recreation areas, laundry, and bathrooms. The changes were to bring them into compliance with the ordinances, and they met the requirements for a conditional use permit, as detailed in the staff report. Staff recommended approval of the permit with conditions for the Yurts and extended stays.

Chair Whitaker asked if the intention was to put in 23 yurts.

Ms. Chatterley clarified that there were currently three yurts on freestanding decks.

Commission Member Taylor Glover confirmed that the matter at hand was approving the conditional use permit to allow long-term stays in accordance with the recent ordinance changes. This would help with housing for seasonal workers and address the cost-of-living issues. He noted that the yurts were a separate issue that had already been handled.

Ms. Chatterley agreed, explaining that extended stays had not been allowed in RV parks before, but recent changes made it possible.

Commission Member Taylor Glover acknowledged that Crazy Horse had been in operation for a long time and that the ordinance changes addressed the evolving needs for long-term stays. The intention was to allow residents to stay without having to move every 30 days.

Commission Member Russell made a motion to approve the conditional use permit for the extended stay option in the Crazy Horse RV Park based on the staff's findings and conditional conditions listed in the staff report file no. 2024023, and the findings in Chapter 8 Section 8-6B. Commission Member Taylor Glover seconded. The motion passed.

Russell Whitaker – YES  
Ben Clarkson – YES  
Ben Aiken – Absent  
Heather Russell – YES

Terry Edwards – Absent  
Marlee Swain – Absent  
Taylor Glover – YES  
Casey Glover – Absent  
Mark Gilberg – Absent

**7. Discuss, approve or deny a Site Plan Review for Coral Cliff Dental office for addition to existing building and construction of a new building. [Applicant: Iron Rock Engineering/Peter Banks]**

Ms. Chatterley introduced the proposal for a dental office extension on parcel K-17-9, which included adding new tenants and office buildings. The parcel was zoned C-1, and the request required a site plan review under various chapters of the land use ordinances. The project included two phases: Phase One involved an addition of staff and procedure areas, and Phase Two involved adding more commercial tenant space. The site plan met the parking requirements through reductions allowed by adding motorcycle parking, a bicycle rack, and utilizing frontage on the highway.

Matt Henke, the project architect, explained that the project aimed to improve the property and open up commercial opportunities. He highlighted that the future phase would enhance the downtown area by engaging more with the street and providing additional commercial spaces.

Commission Member Clarkson expressed support for the project, noting the need for more commercial space downtown. He appreciated the plan's potential to add quality space for various businesses.

Commission Member Taylor Glover raised concerns about the parking requirements. He noted that while the current proposal met the requirements, the broader issue of parking downtown needed to be addressed. He highlighted past exemptions in the ordinance that allowed reductions for motorcycle parking and bicycle racks but noted that many downtown businesses already faced parking shortages. He emphasized the importance of revisiting the ordinance to ensure sufficient parking in the future.

Ms. Chatterley clarified that the site plan was locked in once construction began within a year, meaning they wouldn't need another site plan review for Phase Two if it started within that timeframe.

Commission Member Taylor Glover continued to express his concerns about potential parking issues, especially during events like the film festival. He mentioned that on-street parking had been reduced over the years due to various changes and emphasized the need for a more thorough review of parking requirements to avoid future problems.

Matt Henke explained that the project met the parking requirements with 24 total stalls for Phase One and additional stalls planned for Phase Two. He noted that reductions were based on the use of the facilities and specific requirements for on-street parking and other provisions.

Commission Member Taylor Glover reiterated the importance of addressing parking in the downtown area, citing examples of how previous changes had already impacted parking availability. He stressed that while the current project was a positive development, the overall parking ordinance needed to be revisited to ensure long-term viability and avoid conflicts.

Commission Member Clarkson agreed, emphasizing the need to balance property development with community impact, particularly regarding parking and access. He supported the project but recognized the need for a broader discussion on parking requirements.

Commission Member Taylor Glover made a motion to approve the site plan for an additional and new commercial building located near 181 West Center Street based on staff's findings and the conditions listed in report no. 2024018. Commission Member Russell seconded. Motion passed.

Russell Whitaker – YES

Ben Clarkson – YES

Ben Aiken – Absent

Heather Russell – YES

Terry Edwards – Absent

Marlee Swain – Absent

Taylor Glover – YES

Casey Glover – Absent

Mark Gilberg – Absent

**Work meeting:**

**8. Discuss accessory building definition and the interpretation that a main residence is required prior to an accessory building being allowed on a property.**

Ms. Chatterley introduced the topic of accessory buildings and the frequent questions about constructing sheds or shops on vacant lots. She explained that the current definition requires an accessory building to be incidental to a main building or use on the same lot. This means that without a main building, an accessory building is not permitted, which has caused confusion and issues for property owners.

Commission Member Clarkson asked if guest homes or similar structures were considered accessory buildings.

Ms. Chatterley confirmed they were but clarified that a guest home would need to meet the minimum square footage requirements for residences based on building codes.

Mr. Burggraaf supported changing the definition, highlighting the inconsistency with rural practices where people might want to build barns or sheds on vacant lots. He cited examples of properties without primary residences that maintained accessory buildings without issue.

Chair Whitaker asked for specific language changes.

Ms. Chatterley explained she was seeking general approval to explore this change, suggesting that additional standards might be needed.

Commission Member Clarkson voiced concerns about potential issues, referencing past problems where vacant lots with accessory buildings became eyesores or fire hazards. He suggested considering a size limit for accessory buildings to mitigate these risks.

Commission Member Taylor Glover supported the idea of allowing accessory buildings but agreed with the need for size limits to prevent abuse. He suggested that limits could be proportional to the lot size, ensuring compatibility with neighborhood standards.

Ms. Chatterley proposed amending the definition in Chapter 1 and adding standards in Chapter 4, including size and height restrictions, to ensure accessory buildings remain secondary to any future primary structures.

Commission Member Taylor Glover expressed concerns about potential non-compliance, mentioning that many people might use these buildings improperly.

Ms. Chatterley acknowledged these concerns but noted that current ordinances already prohibit living in RVs or sheds, which would be enforced through nuisance regulations.

Commission Member Clarkson and Taylor Glover agreed that the changes should allow some flexibility while maintaining community standards and preventing future issues. Ms. Chatterley confirmed she would draft the necessary changes and present them in a future meeting.

**Staff Report:**

**Commission Member Report:** No report was given.

**Council Member Liaison Report:**

Ms. Chatterley provided updates on recent zoning changes and approvals. She informed the commission that the zone change for Purple Sage was approved as a C-1, and the minor subdivision was also approved. The zone change for the elementary school was approved at a C-1, with an additional 0.56 acres added to allow for potential expansion through the state. This condition was added to address concerns about the size of the lot within the C-1 zone. The townhomes were approved, as well as the vacation of easement and plat amendments. She noted that the approvals went through smoothly.

**Adjournment:**

Commission Member Taylor Glover made a motion to adjourn the meeting. Commission Member Clarkson seconded. Motion passed.

Russell Whitaker – YES

Ben Clarkson – YES

Ben Aiken – Absent

Heather Russell – YES

Terry Edwards – Absent

Marlee Swain – Absent

Taylor Glover – YES

Casey Glover – Absent

Mark Gilberg – Absent