

**Kanab City Planning & Zoning Commission Meeting**  
**April 1, 2025**  
**Kanab City Council Chambers**  
**26 North 100 East**  
**6:30 PM**

**Agenda Items:**

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

**In attendance** – Commission Members Ben Aiken, Russ Whitaker, Kerry Glover, Dennis Shakespear; Building/Land Use Administrator Janae Chatterley, City Attorney Kent Burggraaf, Council Liaison Arlon Chamberlain

**Not in attendance** – Commission Members Terry Edwards, Mark Gilberg, Nate Lyman, Marlee Swain;

**2. 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**

**Administrative Decision Items:**

**1. Continued Item - Discuss, approve, or deny a Conditional Use Permit for a Heavy Equipment Storage Area [Applicant Michael & McKenzie Little]**

Ms. Chatterley explained that the permit reflected concerns from previous meetings, including stormwater drainage, driveway approaches, fencing, and work hours.

Commission Member Glover and Tom from Iron Rock referenced prior suggestions related to driveway adjustments.

Michael Little, the applicant, confirmed he had placed the new driveway as advised.

The group reaffirmed that the agreed operation hours were from 7 AM to 10 PM.

Commission Member Aiken asked about lighting.

Mr. Little mentioned they might install low street-style lights for security, aiming to avoid disturbing neighbors.

Ms. Chatterley noted that lighting would need to follow the ordinance, requiring shielded, downlit fixtures under 20 feet.

Mr. Glover and Mr. Little agreed that a small, shielded light could be suitable.

Mr. Little asked if the city's public works director could sign off on drainage.

Ms. Chatterley confirmed that he could do so for now, although a full site plan review might require a more formal evaluation later.

Mr. Glover emphasized the importance of ensuring that runoff didn't affect adjacent residential properties, especially since current runoff came from the highway.

Ms. Chatterley clarified that the flow pattern must not change post-construction unless redesigned per stormwater standards.

Mr. Little described the ditch he had dug to retain water onsite before it could affect others.

Commission Member Shakespear expressed concerns about water runoff, especially with graveling the entire lot.

Mr. Little reiterated that his design held water within his property boundaries.

Ms. Chatterley reminded the group that the issue is not to change the natural drainage flow.

Mr. Glover pointed out broader drainage issues in the area, such as debris blocking city basins.

Ms. Chatterley responded that the basin likely needed to be cleaned out.

Mr. Shakespear noted he had not seen flooding prior to a recent nearby development.

Mr. Glover mentioned that asphalt and curb-and-gutter systems exacerbated the problem.

Mr. Shakespear stressed the need for preventative measures.

Commission Member Aiken summarized the drainage requirement: the stormwater plan must be signed off by the public works director. Operation hours were confirmed as 7 AM to 10 PM, and driveway alignment was noted as another condition.

Ms. Chatterley explained that fencing regulations required an 8-foot fence between commercial and residential lots.

McKenzie Little, the applicant, asked if they could extend the 8-foot fence along Rocky Road.

Ms. Chatterley clarified that fencing near intersections must allow at least 70% visibility.

Mr. Little asked if a new fence could be built beside an existing one.

Ms. Chatterley noted that a permit is needed for any fence over 7 feet.

Mr. Burggraaf brought up the potential for road damage from heavy equipment and suggested requiring an apron at the entrance.

Commission Member Glover and Commission Member Aiken discussed precedent from RV parks where aprons were mandated.

Ms. Chatterley explained that RV parks must have either concrete or asphalt aprons, typically around 30 to 50 feet long, especially to prevent tracking mud onto roads.

Mr. Little stated that he planned to use compacted crushed concrete and confirmed that public works had approved it as long as the mud wasn't tracked onto the road.

Chair Whitaker stated that this sounded sufficient.

Mr. Burggraaf noted that this would still be consistent with RV park standards.

Ms. Chatterley explained that if the property were further developed with a building, future requirements would include curb, gutter, and sidewalk extensions.

Commission Member Glover asked for clarification on the apron material.

Mr. Burggraaf recommended consistency with current ordinances—specifically asphalt or concrete, not crushed concrete.

Ms. Chatterley described how RV park standards had shifted to allow a road base within, but they required hardscape at entrances.

Chair Whitaker suggested a standard size of 20 feet by 12 feet.

Commission Member Glover noted that most RV parks connect directly to highways, whereas this site did not.

Ms. Chatterley and Mr. Burggraaf discussed various examples of how future conditions would require site upgrades regardless.

Commission Member Aiken expressed concern over an adjacent road that had deteriorated due to construction traffic.

Commission Member Glover agreed and noted that this made him hesitant to impose inconsistent conditions.

Commission Member Aiken commented that building an apron on a damaged road seemed questionable.

Mr. Little suggested including a future-triggered apron condition in the permit.

Commission Member Aiken proposed a 20-foot apron to be constructed when the road was repaved.

Ms. Chatterley approved but warned of ambiguity around the term "repaved."

Commission Member Glover emphasized the need for clarity.

Commission Member Burggraaf noted that such triggering conditions often become unenforceable. He advised avoiding vague conditions tied to city actions. Instead, he recommended requiring the apron before equipment rental activity begins. He explained that this would provide a clear standard, avoid administrative issues, and reduce risk for both the city and the business.

Mr. Little raised a concern about how to properly install an apron when the existing city road does not extend all the way to the intended property boundary. He asked whether the apron should align with where the road is supposed to be or with its current broken state.

Commission Member Shakespear and Commission Member Glover affirmed that it should extend to the current edge of the road.

Mr. Burggraaf clarified that coordination with public works would be necessary to ensure proper design and avoid issues such as snowplow damage.

The group agreed that the apron should taper properly into the road, even if the road is currently damaged or misaligned.

Commission Member Aiken pointed out the difficulty of installing a functional apron when the road itself is in disrepair. He stressed that requiring a new apron to connect to a broken road could undermine the new construction.

Commission Member Glover supported the idea that the city should be responsible for fixing its portion of the road if a new apron is being installed.

Mr. Burggraaf referenced past projects like Kanab Creek, where the city paid to realign and replace aprons when roads were redone.

Mr. Little stated that he would prefer to proceed and coordinate with the city rather than delay the project.

Commission Member Glover emphasized that the current condition of the road makes it impractical to require a full apron now without city cooperation.

Ms. Chatterley recommended that the condition for the apron not be based on who repairs the road but simply triggered when Chinle Drive is brought up to grade—whether by a developer or the city.

Commission Member Aiken agreed though he reiterated concerns about city responsibility and the ongoing deterioration of the road. He suggested removing the apron requirement to avoid setting up Mr. Little for future failure due to city infrastructure.

Mr. Burggraaf reminded everyone that vague triggering conditions often lead to unmanageable enforcement problems. He recommended either omitting the requirement or setting a clear, enforceable condition that an apron must be installed before rental operations begin, regardless of road status.

Commission Member Glover voiced concern about wasting Mr. Little's money on an apron that might later be ripped out.

Commission Member Shakespear asked whether the future responsibility for reconciling the apron with the road should fall to the city or whoever repairs the road.

Ms. Chatterley clarified that when the city improves a road, it generally handles apron replacement to match new grades, but developers may not do the same. She proposed that Mr. Little install the apron to the current grade and cut the edge for a clean transition, which would protect his work and reduce future issues.

Mr. Little agreed.

Ms. Chatterley suggested recording the apron requirement as "a 20-foot crushed concrete apron.

Commission Member Glover asked that public works' input also be included.

Mr. Burggraaf cautioned against making it too vague or reliant on external approvals, as it could reduce the enforceability of the permit.

Chair Whitaker proposed a simpler solution: rather than focus on the apron, they should require a "track out" surface to prevent mud and debris from being carried onto Chinle Drive.

Ms. Chatterley agreed and confirmed the trackout would suffice for their goals.

Commission Member Aiken and others accepted the new condition.

Commission Member Aiken made a motion to approve the conditional use permit for medium equipment storage at 802 East Chinle Drive based on the staff findings and conditions listed on the staff report, which include drainage to be approved by the public works director, working hours be from 7 AM to 10 PM, that the applicant adjust the lot line so that they can put a driveway, and that they use track outs to prevent debris from entering onto Chinle Drive. Commission Member Glover seconded the motion. Motion passed.

Russ Whitaker – YES

Ben Aiken – YES

Dennis Shakespear – YES

Kerry Glover – YES

Mark Gilberg – Absent

Marlee Swain – Absent

Nate Lyman – Absent

Terry Edwards – Absent

## **2. Discuss and recommend to the City Council a final plat for Ventana Resort Village, Phase 2 [Applicant: Iron Rock Group]**

Ms. Chatterley explained that while the plat had been reviewed since February and approved by the surveyor, there were still minor issues with the subdivision improvement plans that required final sign-off from the city engineer and public works director. Additionally, the development agreement needed to be signed, recorded, and updated, especially since some areas from Phase 3 and Phase 5 were being incorporated into Phase 2. She proposed conditional approval that would allow progress without formal plat recording until these issues were resolved.

Chair Whitaker questioned why they couldn't simply wait until everything was finalized.

Ms. Chatterley clarified that her enforcement mechanism was withholding plat recording until the conditions were satisfied. She emphasized that this phase included key infrastructure such as commercial buildings, workforce housing, and amenities like putt-putt golf and an amphitheater.

Commission Member Aiken confirmed they were essentially realigning items from different phases and asked whether the map updates would be costly.

Mr. Burggraaf explained it would likely be manageable through a minor amendment to the existing development agreement and that approval should be contingent upon this amendment being signed and recorded.

Commission Member Glover asked whether this could be completed in time for the next City Council meeting.

Ms. Chatterley noted the necessary public notice period made that unlikely. She explained that delaying approval would stop infrastructure work, while conditional approval allowed construction to move forward, though no building permits could be issued until all conditions were met.

Mr. Burggraaf added that, legally, infrastructure work should not proceed without the signed amendment, and conditional approval simply shifted the enforcement burden onto city staff.

Chair Whitaker expressed frustration over conflicting perspectives about whether to allow work to continue.

Mr. Burggraaf clarified that while conditional approval offered administrative flexibility, legally, work should halt until all conditions were satisfied. He stressed that developers must understand that no actual approval was granted until the conditions were fulfilled.

Chair Whitaker asked how long the developer had known about the required updates.

Ms. Chatterley responded that they had been aware of some issues since February, while others—such as phase boundary changes—had only been discovered the previous day. She also explained that recent changes to state code required improvement plans to be approved alongside platting, which complicated timelines.

Commission Member Glover asked for clarity on the exact conditions.

Ms. Chatterley listed them: final sign-off on improvement plans, an updated and recorded development agreement, and submission of the signed amendment involving the 10-ft trail.

Mr. Burggraaf emphasized that these conditions legally barred any work from proceeding until fulfilled.

Commission Member Aiken confirmed that this would allow the developer to begin meeting the conditions without having to return for another full planning meeting.

Mr. Burggraaf clarified that while the plat wouldn't require another review, the development agreement amendment still needed to come before the Planning Commission.

Mr. Burggraaf noted that the city could schedule a second meeting if needed, though this required additional planning and wasn't guaranteed.

Commission Member Glover noted that another Planning Commission meeting would be moot without a second City Council meeting.

Ms. Chatterley and Mr. Burggraaf agreed that the current recommendation with conditions would still prevent recording the plat—and therefore issuing permits—until everything was resolved.

Tom Avant from Iron Rock stated that the site plan discrepancy was assumed to fall within a minor change allowance and requested conditional approval. He explained that even conditional approval would help them meet financial obligations and avoid penalties. He supported holding a second meeting if necessary and noted that amending the existing development agreement amendment would be more efficient than starting a new one.

Chair Whitaker and Commission Member Glover agreed to proceed with a positive recommendation based on the outlined conditions, acknowledging it would help the developer while still maintaining legal safeguards.

Mr. Burggraaf agreed that updating the existing amendment with minimal changes was feasible and preferable.

Commission Member Glover made a motion to make a positive recommendation to the city council for the final plat on phase two of Ventana Resort Village based on the findings and conditions of approval as outlined in the staff report for file plan 25-001 with the additional findings and conditions. Dennis Shaekspear seconded the motion. Motion passed.

Russ Whitaker – YES

Ben Aiken – YES

Dennis Shaekspear – YES

Kerry Glover – YES

Mark Gilberg – Absent

Marlee Swain – Absent

Nate Lyman – Absent

Terry Edwards – Absent

**3. Discuss and recommend to City Council a plat amendment to the Kanab Creek Ranchos, Unit 3 for parcels 65-323 & 65-309 [Applicant Mike Stewart]**



Ms. Chatterley explained that the applicant wanted to combine two 0.7-acre lots into one 1-acre lot and vacate the public utility easement between them. She stated that no utilities were present in that area, and no objections had been raised by utility companies. The only condition was for minor survey corrections and an additional signature block. Staff recommended a positive recommendation for both the plat amendment and easement vacation.

Commission Member Aiken made a motion to send a positive recommendation to the city council for the plat amendment to the Kanab Creek Ranchos, Unit 3, affecting parcels 65-323 and 65-309 based on the findings and conditions of approval as outlined in the staff report number PLAN 25-006 with the additional findings and conditions. Commission Member Glover seconded the motion. Motion passed.

Russ Whitaker – YES  
Ben Aiken – YES  
Dennis Shakespear – YES  
Kerry Glover – YES  
Mark Gilberg – Absent  
Marlee Swain – Absent  
Nate Lyman – Absent  
Terry Edwards – Absent

**Legislative Decision:**

**4. Discuss and recommend to the City Council a vacation of a public utility easement to the Kanab Creek Ranchos, Unit 3, for parcels 65-323 & 65-309 [Applicant Mike Stewart]**

Ms. Chatterley explained this was a standalone termination involving the rear of the lot, where the property owner wanted to build a shop. The easement on the northeast side would remain. Since no utilities existed in the area, staff recommended approval.

Commission Member Aiken made a motion to send a positive recommendation to the city council for the vacation of the public utility easements identified on the proposed plat map for parcels 65-323 and 65-309 based on the findings and conditions outlined in the report PLAN 25-007. Commission Member Glover seconded the motion. Motion passed.

Russ Whitaker – YES  
Ben Aiken – YES  
Dennis Shakespear – YES  
Kerry Glover – YES  
Mark Gilberg – Absent  
Marlee Swain – Absent

Nate Lyman – Absent  
Terry Edwards – Absent

**5. Discuss and recommend to the City Council a vacation of a public utility easement to the Kanab Creek Ranchos, Unit 1, for parcels 34-51 [Applicant Iron Rock Engineering & Tara Timpson/Josh Baird]**

Commission Member Glover made a motion to send a positive recommendation to the city council for the vacation of the public utility easements identified on the proposed plot map for parcels 34-51 based on the findings and conditions outlined in the staff report PLAN 25-008. Commission Member Shakespear seconded the motion. Motion passed.

Russ Whitaker – YES  
Ben Aiken – YES  
Dennis Shakespear – YES  
Kerry Glover – YES  
Mark Gilberg – Absent  
Marlee Swain – Absent  
Nate Lyman – Absent  
Terry Edwards – Absent

**6. Discuss and recommend to the City Council a vacation of a public utility easement on Parcel K-342-36, K-342-37 & K-342-38 located approximately at 1635 S Creekside Dr [Applicant: Iron Rock Engineering and Miller Family Trust]**

Ms. Chatterley reminded the commission that this was part of a plat amendment previously approved in March, contingent on the applicant formally requesting the vacation of these easements. She explained that the easements were in the middle of proposed new building lots, making them impractical for development. No utilities were present, and staff supported the request.

Commission Member Shakespear made a motion to send a positive recommendation to the city council for the vacation of public utility easements identified on the proposed plat for parcels K-342-36, K-342-37, and K-342-38 based on the findings and conditions outlined by the staff report PLAN 25-009. Commission Member Aiken seconded the motion. Motion passed.

Russ Whitaker – YES  
Ben Aiken – YES  
Dennis Shakespear – YES  
Kerry Glover – YES  
Mark Gilberg – Absent

Marlee Swain – Absent  
Nate Lyman – Absent  
Terry Edwards – Absent

**7. Discuss and recommend to the City Council a text amendment to Land Use Ordinance Chapter 20 – Commercial Zone, regarding residential use in a commercial zone. [Applicant Kanab City]**

Ms. Chatterley explained that the city council had requested a review of residential uses allowed in commercial zones, noting current allowances for single-family and multi-family residences, but with certain restrictions in the C1 zone—specifically requiring residential units above the main floor. She outlined possible options: removing residential use entirely, imposing a 300-foot setback from arterial or major collector roads, or extending the current mixed-use zoning requirements. She emphasized that commercial space in Kanab is limited and increasingly consumed by residential development. She also pointed out complications with dual-zoned properties, especially those zoned for both commercial (C2) and residential-agriculture (RA), which creates ambiguity in subdivision and zoning enforcement.

Commission Member Glover asked whether the city council had already discussed the issue.

Ms. Chatterley confirmed that they had and were open to changes, provided they were made thoughtfully. She walked through examples using city zoning maps, illustrating how some residential developments—like the Lofts—had taken over commercial areas. She discussed the implications of subdivision under RA versus commercial zoning, emphasizing how the minimum lot sizes and zoning laws affected development rights.

Mr. Burggraaf emphasized the importance of preserving commercial corridors, particularly along highways, suggesting the 300-foot setback as a compromise that protects frontage for commercial use while still permitting residential development farther back. He cited Sedona Valley and the Lofts as examples of areas where better planning might have preserved more commercial space.

Ms. Chatterley agreed and noted other examples where current zoning still permits residential use near highways. She explained that vacant lots could be used for apartments or townhomes unless explicitly restricted. She supported the idea of extending the C-1 zone's mixed-use rules and acknowledged past zoning changes in areas like Sedona.

Mr. Chamberlain agreed that maintaining commercial zones is financially important for the city and explained that some areas have been zoned in a patchwork of commercial, residential, and manufacturing uses through development agreements.

Commission Member Aiken supported expanding mixed-use zoning across all commercial zones to allow flexibility while preserving commercial use on street frontages. He expressed concern about

limiting apartment construction amid a housing shortage exacerbated by Airbnb conversions. He favored mixed-use buildings that combined storefronts with residential units above.

Ms. Chatterley responded that staff had previously studied the availability of multi-family-zoned lots and found very few vacant ones. She explained that existing single-family homes on multi-family lots would need to be demolished to redevelop into multi-family housing under current ordinances. She also noted that internal accessory dwelling units (IADUs) were mandated by state law and discussed zoning restrictions related to building conversions.

Mr. Burggraaf reiterated that the proposed 300-foot rule was intended to strike a balance between protecting commercial frontage and enabling residential development farther back. He clarified that residential development within the first 300 feet should only be allowed if it included commercial use on the main level.

Commission Member Aiken confirmed that he supported this compromise and cited the Lofts as a case where a mix of commercial frontage with apartments behind would have worked well under the proposed policy.

Ms. Chatterley agreed, noting that the new proposal would allow mixed-use near the road and residential development behind it, assuming all setback and design standards were met. She reviewed additional city code requirements related to landscaping, lot coverage, and building placement.

Mr. Burggraaf explained that while the 300-foot requirement wouldn't guarantee commercial development, it preserved the option by preventing residential buildings from blocking highway frontage. He and Ms. Chatterley emphasized that landscaping requirements and lot coverage limits would influence how much could be built and where.

Commission Member Aiken supported allowing developers to designate a commercial portion for sale and use the rear of the property for residential purposes.

Ms. Chatterley and Mr. Burggraaf noted that many of these restrictions were already outlined in Chapter 18 and clarified how minimum landscaping and maximum building footprint regulations would apply.

Chair Whittaker indicated support for the direction presented.

Ms. Chatterley noted that the commission needed to be clear about which specific changes they supported.

Commission Member Aiken reiterated his support for maintaining residential use in commercial zones, provided it respected commercial frontage and followed mixed-use guidelines.

Mr. Burggraaf proposed that the commission combine options to require either a 300-foot setback for purely residential development or allow mixed use within that setback area.

Chair Whittaker and Commission Member Aiken agreed with that proposal.

Ms. Chatterley clarified that the combination of those options would require updating zoning maps and charts and reorganizing relevant code sections for clarity.

Mr. Burggraaf warned that even with the 300-foot rule, a developer might not place commercial units near the road, instead opting for landscaping or open space.

Ms. Chatterley confirmed that this was possible under Chapter 18, though developers would still have to meet certain percentage requirements for landscaping and building size.

Commission Member Glover expressed some hesitation and suggested that further discussion with a larger group might bring more insight. However, he ultimately agreed to send the proposal to the city council.

Chair Whittaker decided to move forward with the recommendation, stating there wasn't much more to discuss.

Mr. Burggraaf supported this decision, noting that it would allow the city council to address all of Chapter 20 at once.

Mr. Chamberlain added that in some cities, hotels are required to include retail space on the ground floor.

Ms. Chatterley noted she had also heard suggestions that hotels should include restaurants.

Commission Member Aiken remarked that people often underestimate the challenges of running a year-round business in a seasonal town.

Ms. Chatterley pointed out that mixed-use development helped support ground-floor commercial by using upper-level residential revenue.

Mr. Chamberlain added that residents living above shops often patronized them, which helped commercial areas thrive.

Chair Whittaker asked for any final comments.

Ms. Chatterley confirmed they needed a formal motion to send the matter to city council.

Commission Member Aiken referenced the appropriate ordinance number.

Ms. Chatterley clarified the correct section and noted that the motion should reference the changes discussed in the meeting.

Commission Member Aiken made a motion to send a positive recommendation to the city council to adopt changes to the Kanab City Land Use Ordinance Chapter 20 design standards identified in Exhibit A of the staff report 420250401.2. Commission Member Glover seconded the motion. Motion passed.

Russ Whitaker – YES

Ben Aiken – YES

Dennis Shakespear – YES

Kerry Glover – YES

Mark Gilberg – Absent

Marlee Swain – Absent

Nate Lyman – Absent

Terry Edwards – Absent

**8. Discuss and recommend to the City Council a text amendment to Land Use Ordinance Chapter 20 – Commercial Zone, regarding used materials and merchandise being stored at a height more than the height of the fence or wall referenced in section 20-7(A). [Applicant Kanab City]**

Ms. Chatterley explained that the proposed text amendment to Chapter 20 was initiated after discovering a restriction that materials cannot be stored higher than the fence height, which conflicted with Chapter 4. She merged this amendment with an ongoing discussion in the city council to avoid the applicant paying fees for something already being addressed. She clarified that the changes included updating language based on feedback, particularly to define what a "miscellaneous equipment rental facility" entails, leaving room for interpretation but offering more guidance to staff.

Commission Member Glover noted that the activity in question was more about storage than rental, as no one was physically renting at the location.

Ms. Chatterley responded that it was still part of a rental business, just with offsite offices or possibly online operations.

Mr. Little expressed a desire to retain the term "miscellaneous equipment" since it's currently permitted and allows flexibility. He noted he might expand to have a storefront later and didn't want a zoning change that would prevent that.

Chair Whitaker pointed out that Little's current location was nearly full.

Ms. Chatterley added that moving the business to a C-3 zone would align it better with current ordinances, as the previous use was grandfathered in and not permitted under the current C-2 rules.

Commission Member Aiken acknowledged that some parts of the business had been grandfathered in.

Ms. Chatterley reiterated that relocating to C-3 would be more compliant and stable with the ordinances, even though they could change in the future.

Commission Member Glover asked whether the use would still require a conditional permit under C-3.

Ms. Chatterley explained that labeling the use as "equipment rental facility and storage" under permitted use in C-3 would allow storage and rental without further conditions. She added that while currently allowed in manufacturing zones, adding it to C-3 would require a conscious decision by the planning commission.

Commission Member Aiken commented on the complexity of defining what qualifies as large versus small equipment, highlighting that what's large for one person may be normal for another.

Ms. Chatterley suggested using commonly recognized distinctions like "compact" and "heavy" construction equipment as defined in existing resources.

Commission Member Glover stated that large equipment like sky lifts wouldn't be appropriate in the proposed area.

Mr. Little expressed a preference for using the "miscellaneous" label to avoid allowing heavy equipment use and to stay within a lighter category.

Commission Member Glover agreed, acknowledging the difficulty in defining the line between light and heavy equipment.

Ms. Chatterley suggested defining limits based on weight, as construction equipment is typically classified by that.

Mr. Little proposed separating heavier equipment storage from residential areas and limiting smaller equipment to those areas.

Ms. Chatterley asked who the typical customers were, and Commission Member Aiken and Mr. Little responded that they served both homeowners and contractors.

Ms. Chatterley noted this suggested a lighter use rather than major commercial-scale projects.

Mr. Little mentioned his forklift was not huge but still heavy at 30,000 pounds.

Commission Member Glover expressed concern about parking and maneuvering large equipment in that area, emphasizing the potential disruption.

Ms. Little explained they leaned toward the "miscellaneous" label because their inventory included hand tools and bounce houses, reflecting the variety.

Commission Member Aiken supported allowing such usage in C-3 as long as the size was limited.

Ms. Chatterley mentioned a reference from California that distinguishes "compact" from "heavy" equipment.

Mr. Little emphasized he didn't want to limit future growth and cited the occasional need for one large machine like an excavator.

Commission Member Glover reiterated concerns about road wear from heavy traffic and equipment, pointing out that the state-maintained highway could handle it better than side roads.

Ms. Little asked about the city's handling of road damage.

Ms. Chatterley stated that developers like hotels were responsible for repairing any damage caused by their projects.

Mr. Little asked about his own frontage.

Ms. Chatterley replied that she'd have to consult recent plans but noted that general policies required repairs before issuing final approvals.

Mr. Burggraaf explained that construction sites are easier to enforce because they can be required to make repairs before receiving their Certificate of Occupancy, which is not the case for ongoing businesses.

Commission Member Glover agreed, saying city roads weren't built to the same specs as state roads, leading to more wear from large equipment.



Ms. Chatterley suggested setting limits within the conditional use permit, like allowing only two pieces of equipment under 50,000 pounds, rather than changing the general use chart.

Ms. Little pointed out that they wouldn't need a conditional use permit if the use chart were changed.

Ms. Chatterley clarified that modifying the use chart affects all similar properties, not just the applicant's, potentially allowing unlimited large equipment at other locations.

Chair Whitaker and others agreed that setting a 50,000-pound cap was a reasonable limit.

Mr. Burggraaf suggested combining height and weight limits for better clarity.

Ms. Chatterley noted that both specifications were easily found online or through equipment providers.

Commission Member Aiken and others discussed how even compact equipment can be collapsed for storage, making height less useful as a metric.

Ms. Chatterley proposed handling the limitation in a conditional use permit instead, which would attach to the land and limit the number and type of equipment regardless of future ownership.

Ms. Little asked about including a storefront under the permit.

Ms. Chatterley confirmed that a storefront could be included and was generally already allowed under existing categories like construction trade and storage.

Commission Member Aiken summarized that the proposal was to permit small and medium equipment rentals under 50,000 pounds in both C-2 and C-3 zones.

Commission Member Glover reiterated that he considered 15,000–26,000 pounds more appropriate for medium size.

Mr. Burggraaf added that while 50,000 pounds might technically be midsize, it was more aligned with heavy-duty classifications.

Commission Member Glover shared concerns about frequent use and road damage from repeated transport of such heavy equipment.

Mr. Little agreed, noting the residential context of their area.

Ms. Chatterley explained that developers are usually responsible for road damage, and Mr. Little inquired about applying this logic to his area.

Ms. Chatterley reiterated that any damage near the hotel project would be repaired and that this principle extended to sidewalks as well.

Mr. Burggraaf pointed out the difference in leverage between new construction and ongoing businesses when it comes to enforcing repairs.

Commission Member Glover emphasized that road standards weren't sufficient to handle frequent heavy loads.

Ms. Chatterley acknowledged this and noted that Chinle Drive would eventually need improvements.

Commission Member Glover stated he would be more comfortable handling limitations through a conditional use permit to prevent future overuse by others.

Commission Members agreed to explore making both C-2 and C-3 conditional for medium equipment rentals.

Ms. Chatterley warned that requiring conditional permits could affect even small rental businesses, like those renting carpet cleaners.

Commission Member Aiken suggested creating a new category for small equipment rentals that would be permitted by default while requiring conditional use for medium-sized equipment.

Mr. Burggraaf proposed using a 15,000-pound limit as the threshold between small and medium, possibly also including a height limit.

Mr. Little agreed but noted the challenge of categorizing mixed equipment types.

Commission Member Glover stressed the difficulty of applying weight-based rules across such a wide range of equipment.

Mr. Little mentioned that a 50,000-pound limit would allow most of his equipment, including compact rollers, to remain compliant.

Commission Member Glover suggested setting the upper weight limit for small equipment at 15,000 pounds, as medium equipment typically ranges from 14,000 to 26,000 pounds.

Ms. Chatterley acknowledged the input while working through her notes and formatting.

Chair Whitaker expressed agreement with the proposed criteria, supporting a height limit of 14 feet and recognizing that some equipment can't be compressed lower.

Commission Member Glover noted that a height restriction wouldn't significantly affect the classifications for small and medium equipment.

Mr. Little mentioned a physical limitation on their current site, prompting a lighthearted exchange about visibility and storage practices in other areas like Colorado City.

Ms. Chatterley asked if the height requirement should be located in Section 20-7.

Commission Member Aiken recommended rounding the limit to 15 feet to avoid issues with borderline measurements.

Ms. Chatterley confirmed the phrasing for the height limit and clarified that it wouldn't force equipment to be that tall. She proposed placing the 15-foot height limit into multiple sections, and Chair Whitaker supported including it with the weight limits for clarity.

Mr. Little asked whether the planning commission's decisions would go to the city council next.

Ms. Chatterley clarified that the conditional use permit was under the commission's authority, but it would be contingent on text amendments approved by the city council.

Chair Whitaker and Mr. Burggraaf confirmed that the permit wouldn't be finalized that evening due to its dependency on council approval.

Commission Member Glover offered praise for the process so far.

Mr. Little expressed relief and appreciation that the discussions had been consolidated.

Commission Member Glover recalled previous discussions from an earlier meeting.

Ms. Chatterley noted that she was capturing all the necessary changes in her notes and would adjust the formatting afterward.

Commission Member Aiken suggested proceeding with a motion, and Ms. Chatterley clarified that it would apply to Chapter 20.

Commission Member Glover confirmed, and Ms. Chatterley reminded the group that the conditional use permit would be a separate motion. She then asked for clarification on how to classify heavy equipment—whether it should be permitted, conditional, or prohibited.

Commission Member Aiken responded that heavy equipment should not be allowed in commercial zones.

Ms. Chatterley confirmed that the restriction would apply across all commercial categories.

Commission Member Aiken agreed, emphasizing clarity.

Ms. Chatterley noted that although the CPD (Commercial Planned Development) zone might typically allow such uses, it was rare in their jurisdiction.

Commission Member Aiken accepted that.

Ms. Chatterley referenced a specific section in the draft related to the additional amendments for Chapter 20 and offered to enlarge it for visibility.

Commission Member Aiken made a motion to send a positive recommendation to the city council to adopt changes to the Kanab City design standards identified in Exhibit A of the staffing report for 420250401 with the following amendments: adding the line allowing equipment and separating small, medium and heavy equipment in the table. Commission Member Glover seconded the motion.

Russ Whitaker – YES

Ben Aiken – YES

Dennis Shakespear – YES

Kerry Glover – YES

Mark Gilberg – Absent

Marlee Swain – Absent

Nate Lyman – Absent

Terry Edwards – Absent

**9. Discuss and recommend to the City Council a text amendment to Land Use Ordinance Chapter 21 – Manufacturing Zone, regarding outdoor storage areas on the property referenced in section 21-5(C). [Applicant Kanab City]**

Ms. Chatterley explained that the current ordinance requires site-obscuring fencing around storage areas, but many existing manufacturing businesses—such as batch plants—use chain-link fences that don't comply. She noted that the proposal would modify the language to require compliance with Chapter 4-16, which outlines acceptable fencing materials. This change would accommodate existing chain-link fences while ensuring that some type of boundary is maintained.

Mr. Burggraaf noted that the city, including its yard, would be considered non-compliant under the existing rules, as would some properties on Highway 89A. He mentioned that the batch plants and other businesses would all require updates to their fencing if the code wasn't amended.

Commission Member Aiken asked whether a residential home already existed within 100 feet of Garkane's property.

Ms. Chatterley confirmed that was possible and recalled discussions about the historical use of the site, noting it may have been previously owned by the city.

Mr. Chamberlain clarified that the city had only operated a substation in the area.

Ms. Chatterley added that while most of the area around the city yard is zoned for manufacturing, there is at least one residential-agriculture property nearby.

Commission Member Aiken commented on the contrast between commercial and manufacturing zones, highlighting that manufacturing areas can include uses like junkyards or vehicle storage. He pointed out that uses like auto repair, crematories, and even florists are allowed in manufacturing zones and might not all require the same fencing standards.

Ms. Chatterley acknowledged these examples and emphasized that the fencing requirement applied only to outdoor storage areas, not all uses.

Mr. Burggraaf reiterated that the requirement was about storage visibility, not the nature of the business itself.

Commission Members Aiken and Glover discussed towing yards and salvage areas where vehicles in various conditions are stored, noting that visual impact depends on proximity to residential properties.

Chair Whittaker remarked that it's the homeowner's choice to build next to such uses.

Mr. Chamberlain added that Garkane's shed placement helps obscure some views, although certain sections remain exposed.

Ms. Chatterley and Mr. Burggraaf discussed the visual clutter around the city yard and acknowledged that while some storage is temporary, it can be unsightly. They clarified that the proposed change would still allow chain-link fencing but require slats to obscure the view if needed.

Ms. Chatterley recommended specifying that the new rule applies only to new outdoor storage so established sites wouldn't be forced to comply retroactively.

Mr. Burggraaf agreed and noted that any ordinance change would apply only prospectively unless the city wanted to compensate owners for lost rights.

Commission Member Aiken agreed with adding language to prevent residents from complaining after choosing to live near an existing use.

Ms. Chatterley gave an example from the lighting ordinance, where residents misunderstood retroactivity and flooded staff with complaints.

Commission Members Aiken and Glover expressed general agreement with the redline addition referring to Chapter 4-16. Aiken emphasized that this would stop people from putting up unsightly fences like pallets.

Ms. Chatterley clarified that site-obscuring fences wouldn't be required, just fences made from approved materials.

Commission Member Glover confirmed that the only change being proposed was the reference to the fencing ordinance.

Ms. Chatterley stated that the addition came up during a previous conversation and acknowledged that a few private businesses might be affected, especially along Highway 89A. However, she clarified that annexed businesses would be grandfathered in if their use was previously allowed in the county.

Commission Member Aiken made a motion to send a positive recommendation to the city council to adopt changes to the city design standards Land Use Ordinance Chapter 21 identified in exhibit A of the staff report, including the proposed amendments to clarify that fencing requirements apply to new outdoor storage areas, even though such applicability is already implied under existing law.

**Work Meeting:**

**Staff Report:**

**Commission Member Report:**

Mr. Chamberlain stated that the matters discussed had already been addressed in the city council, including the three lots in the Creekside subdivision. He noted they had gone through the same process previously and didn't see anything new, suggesting the commission proceed and pass it along again.

**Council Member Liaison Report:**

**Adjournment:**

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

Russ Whitaker – YES

Ben Aiken – YES

Dennis Shakespear – YES

Kerry Glover – YES

Mark Gilberg – Absent

Marlee Swain – Absent

Nate Lyman – Absent

Terry Edwards – Absent