

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Scott Colson
Chris Heaton
Boyd Corry
Peter Banks

KANAB CITY PLANNING COMMISSION

26 North 100 East
Kanab, UT 84741

August 5, 2025

NOTICE is hereby given that the Kanab Planning Commission will hold its regular Commission Meeting on the 5th day of August 2025, in the City Council Chambers at the Kanab City Office located at 26 North 100 East in Kanab. The Planning Commission meeting will convene at 6:30 PM and the agenda will be as follows:

Agenda Items:

1. Call to Order and Roll Call
2. Approval of meeting minutes from July 1, 2025
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

Administrative Decision Items:

1. Discuss and recommend to City Council a plat amendment for a boundary adjustment on parcel 39-1148, 39-1106, 39-1107 and 39-1108; located approximately at 312 W Pipe Springs Dr, 334 W Pipe Springs Dr and 329 W Johnson Dr [Applicant Iron Rock Engineering]
2. Discuss and recommend to City Council a plat amendment to join three lots into two on parcel 65-2096, 65,2097 and 65-2098 located approximately at 1750 S Lee Drive and 1782 S Lee Drive [Applicant Red Sands Geomatics]
3. Discuss approve or deny a site plan review for an accessory building on a commercial lot located at 48 N 200 W. [Applicant David Swindler]

Legislative Decision:

4. Discuss and recommend to City Council a vacation of easement for parcel 65-2096, 65,2097 and 65-2098 located approximately at 1750 S Lee Drive and 1782 S Lee Drive [Applicant Red Sands Geomatics]
5. **PUBLIC HEARING** Discuss and recommend a text amendment to Kanab City's Consolidated Fee Schedule and the Kanab City Subdivision Ordinance Chapter 2A and 2B. The purpose of the amendment is to update the ordinance with the new requirements in Utah State Code.
6. **PUBLIC HEARING** Discuss and recommend a text amendment to Kanab City's Land Use Ordinance Chapter 6 – Parking Requirements. The purpose of the amendment is to allow access for public parking spaces from a public street.

Work Meeting:

7. Discuss Land Use Ordinance regarding dog boarding in residential zones as a home occupation.

– A Western Classic –

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8. Discuss Land Use Ordinances Chapter 9 Site Plan Review, for tenant spaces and accessory buildings in a commercial zone.

Staff Report:

Commission Member Report:

Council Member Liaison Report:

Times listed for each item on the agenda may be accelerated as time permits or may be taken out of order as moved upon by the commission. If you are planning to attend this public meeting and due to a disability need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting, and we will try to provide whatever assistance may be required. Please contact the Kanab City Offices.

– A Western Classic –

Kanab City Planning & Zoning Commission Meeting
January 7, 2025
Kanab City Council Chambers
26 North 100 East
6:30 PM

Agenda Items:

1. Welcome new Planning Commission Members: Kerry Glover, Nate Lyman, Dennis Shakespear
 2. Call to Order and Roll Call

In attendance – Commission Members Ben Aiken, Marlee Swain, Russ Whitaker, Mark Gilberg, Nate Lyman, and Dennis Shakespear; Building/Land Use Administrator Janae Chatterley, City Attorney Kent Burggraaf

Not in attendance – Commission Members Terry Edwards and Kerry Glover; City Council Liaison Arlon Chamberlain

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
 4. **Nominate a new Planning Commission Chair and Pro Tem**

Chair Whitaker nominated Marlee Swain as chair. Commission Member Lyman seconded the motion. Motion passed.

Russ Whitaker – YES

Ben Aiken - YES

Marlee Swain – YES

Mark Gilberg – YES

Nate Lyman – YES

Dennis Shakespear - YES

Terry Edwards – Absent

Kerry Glover – Absent

Chair Whitaker

Russ Whitaker –

Ben Aiken - YES

Marlee Swain – YES

39 Nate Lyman – YES
40 Dennis Shakespear - YES
41 Terry Edwards – Absent
42 Kerry Glover – Absent
43
44 Janae Chatterley explained that Iron Rock Group submitted a petition to amend the City's design
45 standards for construction, specifically addressing cul-de-sac dimensions.
46

47 **Work Meeting:**

48
49 **Administrative Decision Items:**
50
51 **5. None Discuss and recommend to City Council a final site plan for Ventana Resort Village Phase 2**
52 **[Applicant Iron Rock Group/Mountain West Development]**

53 Ms. Chatterley explained that the planned development overlay for the project had already been
54 approved, and the development was being implemented in phases. Phase 2 consisted of three
55 building lots and one open space, including a hotel with 118 units, a commercial space featuring a
56 spa, office, and restaurant totaling 20,569 square feet, and 60 units of workforce housing. She
57 confirmed that the project met parking requirements, including a minor reduction allowed in the
58 development agreement, and staff recommended approval contingent upon final sign-off on plots
59 and subdivision improvements. She highlighted that the development adhered to ordinances and its
60 approved master plan.

61 Chair Whitaker expressed satisfaction with the project and its alignment with the plans.

62 Commission Member Aiken commented positively on the project's design and the inclusion of a
63 clubhouse at the resort.

64 Ms. Chatterley noted a typo in the staff report and clarified that the project aligned with the
65 development agreement and master plan. She explained that Phase 2 would feature both public and
66 private roads and public trails and summarized responsibilities: the City would maintain public
67 infrastructure while the HOA would maintain private roads and amenities such as the amphitheater
68 and trails. She also highlighted the developer's commitment to community contributions, such as
69 donating 1% of gross revenue from townhomes to youth programs.

70 Mr. Burggraaf emphasized the collaborative nature of the development agreement, explaining how
71 the developer balanced their goals with community needs, such as short-term rentals and attainable
72 housing. He noted that the attainable housing units were income-based rental apartments designed
73 to ensure affordability.

75 Commission Member Aiken reiterated his support for the project and its elements, expressing
76 appreciation for its community-oriented features.

77 Ms. Chatterley and Mr. Burggraaf answered questions, clarifying aspects of the development
78 agreement, infrastructure responsibilities, and community contributions.

79 Commission Member Aiken made a motion to send a positive recommendation to the city council
80 for the final site plan on phase two of Montana Resort Village based on the findings and conditions
81 of approval as outlined in the staff report for file 20241125. Commission Member Swain seconded.
82 Motion passed.

83 Russ Whitaker – YES

84 Ben Aiken - YES

85 Marlee Swain – YES

86 Mark Gilberg – YES

87 Nate Lyman – YES

88 Dennis Shakespear - YES

89 Terry Edwards – Absent

90 Kerry Glover – Absent

91

92 **6. Public Hearing Discuss, approve, or deny a preliminary plat for Ventana Resort Village Phase 2**
93 **[Applicant Iron Rock Group/Mountain West Development]**

94 Mr. Burggraaf provided an explanation about the differences between site plans and platting during
95 development processes. He noted that site plans focus on the development aspect, governed by
96 Chapter 9 of the land use ordinance, while platting determines property boundaries and is governed
97 by the subdivision ordinance. He clarified that while the processes might overlap, their end goals
98 differ, with platting culminating in the recording of property lots. He also highlighted that plats must
99 be finalized before lots can be sold.

100 Ms. Chatterley explained that this matter involved a preliminary plat under a new subdivision
101 ordinance. She clarified that while the Planning Commission reviews the preliminary plat, the final
102 plat will be handled by the newly established land use authority. She mentioned the phase's location
103 near the reservoir and described the lots and common areas included. She detailed the
104 requirements, such as title reports, surveyor approvals, and addressing corrections. She noted that
105 some red-line corrections were needed due to a new system causing delays but confirmed that the
106 preliminary plat met subdivision ordinance requirements. Staff recommended approval, contingent
107 on surveyor and engineer reviews.

108 Chair Whitaker and Ms. Chatterley discussed the technical corrections required, such as ensuring
109 markers and bounds are recorded properly for accurate surveying.

110 Ms. Chatterley reiterated that these corrections were part of the conditions for final approval.

111

112 Commission Member Swain made a motion to send a positive recommendation to the city council
113 for the preliminary plat on phase two and Ventana Resort based on the findings and conditions of
114 approval as outlined on the staff report for file number 20241125.1. Commission Member Aiken
115 seconded. Motion passed.

116 Russ Whitaker – YES

117 Ben Aiken - YES

118 Marlee Swain – YES

119 Mark Gilberg – YES

120 Nate Lyman – YES

121 Dennis Shakespear - YES

122 Terry Edwards – Absent

123 Kerry Glover – Absent

124

125 **Legislative Decision:**

126

127 **7. Discuss and recommend to the City Council a text amendment for the Kanab City Design
128 Standards. Petition for a proposed text amendment regarding the size of a cul-de-sac. [Applicant:
129 Iron Rock Group]**

130 Ms. Chatterley introduced a proposed text amendment submitted by the Iron Rock Group regarding
131 reducing the required cul-de-sac size in Kanab City's design standards. She explained that the
132 current ordinance requires a 96-foot diameter (48-foot radius) for cul-de-sacs, but the applicant
133 proposed reducing it to an 85-foot diameter (42.5-foot radius). She noted that the applicant also
134 suggested language changes and clarified the staff's preference for a rollback curb rather than the
135 proposed high back curb. This preference aligns with feedback from the fire chief, who highlighted
136 the turning radius requirements of current and prospective fire trucks. She mentioned that
137 adjustments had been made to reflect these recommendations and explained that the proposed
138 amendments affected only specific sections of the ordinance and checklist.

139 Tom Abant supported the rollback curb recommendation, noting it accommodates the larger
140 turning radius of the City's existing fire truck. He explained that the rollback curb would ensure
141 functionality for emergency vehicles and emphasized its importance in both residential and
142 manufacturing areas, where larger buildings and more equipment may require greater
143 maneuverability.

144 Chief Pierson expressed a preference for the existing ordinance's larger cul-de-sac size but
145 acknowledged that the proposed changes were functional if rollback curbs were included. He
146 emphasized that the amendments were a minimum adjustment to maintain functionality and
147 highlighted the need for flexibility in emergency situations.

148

149 Ms. Chatterley explained additional considerations, such as no on-street parking in private road cul-
150 de-sacs and granting the city enforcement authority for this requirement. She also clarified the
151 amendment's inclusion in the ordinance checklist and addressed minor language revisions.

152 Commission Member Aiken made a motion to send a positive recommendation to the city council to
153 adopt the changes to the Kanab City design standards identified in Exhibit A of the staff report for
154 text 25-001, with the amendment that it be changed from a high back to a rollback. Commission
155 Member Lyman seconded. Motion passed.

156 Russ Whitaker – YES

157 Ben Aiken - YES

158 Marlee Swain – YES

159 Mark Gilberg – YES

160 Nate Lyman – YES

161 Dennis Shakespear - YES

162 Terry Edwards – Absent

163 Kerry Glover – Absent

164

165 **8. Public Hearing Discuss and recommend to the City Council a development agreement for Hidden
166 Valley Neighborhood [Applicant: Iron Rock Group/Jeff Yates/Dirk Clayton]**

167 Ms. Chatterley provided an overview of development agreements, explaining that they are legally
168 binding contracts between the City and a developer to manage growth and ensure alignment with
169 public goals. She then detailed that such agreements include obligations for both parties,
170 infrastructure requirements, and terms tailored to the development. These agreements often
171 address elements like design plans, timelines, and contributions to public amenities. She clarified
172 that development agreements involve legislative decisions, providing more discretion than
173 administrative decisions. Public hearings are required for such agreements, allowing community
174 input. She presented the specifics of the Hidden Valley neighborhood proposal. The subdivision,
175 located near Chinley Drive and consisting of two parcels totaling 12.61 acres, would include 104
176 single-family and duplex-style residences, along with a clubhouse. A homeowners association would
177 maintain common areas, roads, and sidewalks. The developer requested several exceptions to city
178 codes, including reductions in open space, street design standards, setbacks, and lot sizes. For
179 example, they sought to reduce open space requirements from 20% to 10%, adjust road widths, and
180 lower minimum lot sizes to under 1500 square feet. Janae also described proposed changes to living
181 area minimums and explained that carports would encroach on front setbacks, reducing them to
182 just 2 feet.

183 Mr. Burggraaf clarified details about the requested exceptions, including the front setback distance
184 for carports and sidewalk placement. He noted that the developer requested sidewalks on only one
185 side of the road rather than both sides, as typically required. He also explained that the smaller

186 minimum living area of 720 square feet is currently only allowed in a specific zone created when an
187 annexed area was incorporated into the City. This zone was designed to accommodate existing
188 single-size trailer homes.

189 Ms. Chatterley provided additional details about the Hidden Valley neighborhood development
190 agreement. She explained that in multi-family zones, smaller square footages are allowed depending
191 on the number of units, with a minimum of 500 square feet for three or more units and 720 square
192 feet for two units. She highlighted the developer's request for an inverted road design instead of the
193 typical crowned road, which directs water toward the center rather than gutters. Additionally, the
194 developer sought approval for a lift station, typically discouraged in favor of gravity sewers, and
195 emphasized specific manufacturer requirements for lift stations if approved. Parking requirements
196 were also discussed, with the developer proposing one parking space on the parcel and an
197 additional space in a shared area rather than two on-site spaces.

198 Commission Member Lyman inquired about parking requirements.

199 Ms. Chatterley confirmed that while two parking spaces per unit would still be provided, one would
200 be off-site. She added that the fire department had requested no parking on the narrow roads in the
201 development to ensure emergency access. She also noted that the developer sought higher density
202 than typically allowed in single-family zones, aiming for 8.4 units per acre, closer to multi-family
203 zone standards of 15 units per acre. She raised concerns from public works about the lift station,
204 specifically its proposed location within the City's right-of-way on Chinle Drive, which could hinder
205 future road expansions. Public works also requested language in the agreement clarifying that the
206 City would not be responsible for replacing asphalt over private roads if repairs to water or sewer
207 lines were needed, with responsibility for resurfacing falling to the HOA.

208 Mr. Burggraaf elaborated on the financial implications of deviating from city ordinances for private
209 roads, emphasizing the need to avoid added costs for the City. He also clarified that while the
210 development agreement included renderings and conceptual designs, these visuals were not
211 binding and served only to provide a general idea of the proposed development. Instead, the
212 agreement's terms would determine the final outcome.

213 Ms. Chatterley summarized unresolved issues, including parking requirements for other uses, such
214 as short-term rentals, and inconsistencies between the current and previous development
215 agreements regarding storage units. She noted that additional input from public works and the fire
216 department had been incorporated into the red-lined agreement sent to the commission.

217 Mr. Burggraaf added that any motion made should be subject to final legal review to address
218 outstanding issues.

219 Mr. Burggraaf explained that the master plan for the development was simple, focusing primarily on
220 density and general layout. He emphasized that the conceptual images provided were not binding
221 and did not represent the final development. The development agreement sought deviations from

222 city ordinances to accommodate unique needs while maintaining flexibility. He clarified that the
223 ordinances typically allowed flexibility, and the agreement merely shifted that flexibility toward
224 specific exceptions requested by the developer.

225 Ms. Chatterley addressed Commission Member Gilberg's concern about flexibility, explaining that
226 the developer requested it primarily for stormwater design and parking layout. She noted that
227 parking spaces would be situated away from the homes but were not fully detailed in the current
228 conceptual plans. Additionally, she highlighted that the agreement included deviations for narrower
229 roads, private streets, and other design elements.

230 Commission Member Shakespear questioned the lack of detail in the master plan and raised
231 concerns about safety, particularly emergency access and accommodating elderly residents. He also
232 asked about buffer requirements between higher-density developments and adjacent properties.

233 Ms. Chatterley explained that while ordinances encouraged buffers, they were not explicitly
234 required, with setbacks typically serving that purpose. She noted that zone transitions often
235 included buffers, but such decisions were legislative and contingent on specific zone changes.

236 Fire Chief Brett Pierson discussed safety concerns regarding the long, narrow access road leading
237 into the development. While acknowledging potential challenges, he explained that the road's
238 current configuration and limited development mitigated immediate concerns. He emphasized the
239 need to maintain open roads for emergency access, particularly during fires or other emergencies,
240 and pointed out that the HOA would enforce no-parking rules on private streets. He added that the
241 agreement included provisions allowing city officers to enforce parking violations, which was
242 uncommon for private roads.

243 Mr. Burggraaf clarified that the development agreement placed primary responsibility for road
244 enforcement on the HOA while granting the city secondary authority to cite or tow vehicles if
245 necessary.

246 Chief Pierson reiterated the importance of wider roads for fire truck access but expressed cautious
247 optimism that the current plan could work given the limited development. He acknowledged the
248 balance between maintaining safety and keeping housing costs affordable.

249 Mr. Burggraaf asked about the design of the access road, and Ms. Chatterley confirmed it would
250 include a curb and gutter. Chair Whitaker expressed concern about approving a development plan
251 without a definitive design. He noted that while no specific exhibits had been adopted yet, the
252 developer might provide one, but flexibility would remain part of the agreement. Ms. Chatterley
253 added that the development agreement's standards would apply to future property owners, as the
254 agreement would transfer with the land.

255 Chair Whitaker questioned whether the development aligned with the City's master plan.

256 Ms. Chatterley explained that while the City's general plan provides guidance, decisions are not
257 bound to it, leaving flexibility in legislative decisions.

258 Mr. Burggraaf suggested hearing from the developer before opening the meeting to public
259 comments.

260 Dirk Clayson, representing the developer, presented the project's concept and background. He
261 explained that the C-3 zoning was chosen because it closely aligned with the development type,
262 which lacked a specific ordinance in Kanab City. The initial development agreement restricted the
263 project to single-family and duplex homes and excluded commercial uses like industrial and storage
264 facilities. The new development agreement proposed refinements, including site-built homes
265 instead of mobile homes, individual lot platting for traditional ownership, and alignment with the
266 "Envision Utah" plan to address housing shortages and affordability. He emphasized the project's
267 focus on attainable housing, incorporating smaller lots, diverse housing types, and shared common
268 spaces. He highlighted examples of successful smaller homes in the area and discussed the
269 importance of creating a neighborhood conducive to long-term community development.

270 Mr. Burggraaf noted an issue in the agreement's language that could undermine the enforceability
271 of the conceptual plan outlined in Exhibit B.

272 Mr. Clayson responded that while the flexibility requested allowed adjustments for features like
273 retention ponds and trails, the development would stay within the agreed density and exceptions.
274 He clarified that changes would not increase density or add new exceptions but might involve
275 adjustments in unit types or aesthetics based on market feedback during the project's anticipated
276 20-year timeline. He welcomed revisions to tighten the agreement's language if necessary.

277 Mr. Burggraaf raised concerns about language in the development agreement that could allow
278 changes to the road configuration and home placement without city approval. He suggested
279 rewording the agreement to ensure the City could evaluate modifications for public safety
280 compliance.

281 Ms. Chatterley pointed out the specific language in question, which mentioned flexibility for
282 drainage retention and design adjustments.

283 Mr. Burggraaf emphasized the importance of tightening this language before the agreement moves
284 forward.

285 Scott Gilbert discussed the flexibility needed for the development while ensuring that minimum
286 requirements such as road widths, setbacks, and unit density would remain intact. He explained that
287 the flexibility would primarily allow adjustments in unit types and configurations to meet market
288 demands. He also highlighted the affordability challenges in Utah, noting that median home prices
289 remain prohibitively high for many residents. He shared examples of similar attainable housing
290 projects in the region and emphasized the importance of balancing affordability with quality design.

291 Mr. Gilbert provided details about the proposed units, which include small duplexes with one- and
292 two-bedroom options ranging from 660 to 940 square feet, as well as larger 1,500-square-foot two-
293 level units. Each unit would have two covered parking spaces, and smaller lot sizes would make the
294 development feasible while keeping costs lower. He noted that adjustments to unit configurations
295 might occur over the project's timeline to reflect market trends.

296 Mr. Abant, the civil engineer for the project, elaborated on the zoning considerations. He explained
297 that the development used elements of mobile home park zoning, such as smaller lot sizes and
298 higher density, but with improvements like site-built homes on permanent foundations. This
299 approach allowed for traditional homeownership and financing options like FHA and VA loans, which
300 are typically unavailable for mobile homes. He clarified that the development agreement modifies R-
301 18 zoning requirements to align with the mobile home park model, allowing for affordable housing
302 without vertical construction.

303 Mr. Abant emphasized that the project aimed to provide affordable housing through smaller lots
304 and higher density, offering an alternative to costly single-family homes. He noted that the
305 development's density was comparable to R-18 duplex zoning but adapted to meet the specific
306 goals of this project. This approach, he explained, was crucial to achieving affordability while
307 maintaining quality and ownership opportunities.

308 Ms. Chatterley clarified that duplexes must begin with a 10,000-square-foot lot before being
309 subdivided, and Mr. Abant further explained how this density compares to the proposed
310 development. He noted that the road widths in the proposed plan were slightly narrower than
311 standard subdivision requirements, with 29 feet of right-of-way and 25 feet of asphalt, which aligns
312 more closely with private streets in planned developments. The plan also includes an inverted road
313 design to channel stormwater more efficiently, with maintenance handled by the HOA.

314 Mr. Burggraaf highlighted the lack of consensus among city engineers, public works, and the
315 developer regarding the feasibility and long-term suitability of a lift station versus a gravity-fed
316 sewer system. He recommended rewording or removing references to the lift station from the
317 development agreement to allow more time for analysis and collaboration. He noted that the
318 gravity-fed sewer option, while potentially beneficial to future developments, would require
319 significant financial investment and possible cost-sharing with the City.

320 Mr. Abant argued that a lift station might be the most practical and cost-effective solution, but he
321 acknowledged that further clarification and agreement with the City were necessary.

322 Ms. Chatterley added that public works preferred minimizing the number of lift stations in the area
323 to avoid long-term maintenance issues.

324 Mr. Clayson emphasized that a gravity-fed system would be prohibitively expensive and effectively
325 render the project unfeasible. He argued that pressurized sewer systems, like the ones used for
326 other developments in the area, offered several advantages, including fewer leaks, reduced odors,

327 and lower repair costs. He urged the City to trust the engineering expertise behind the lift station
328 design while accommodating any necessary city inspections and input.

329 Mr. Burggraaf acknowledged Mr. Clayson's points but reiterated that the City's public works director
330 had yet to agree on the matter. He stressed the importance of ensuring that the City retains
331 authority over its sewer infrastructure. He suggested either removing the lift station language from
332 the agreement or conditioning the agreement's approval to reach a consensus between the
333 developer, engineers, and public works before it proceeds to the city council.

334 Mr. Abant noted that comments regarding the lift station and sewer system options were received
335 that morning, which left limited time for thorough responses. He suggested removing the lift station
336 issue from the agreement for now, with plans to address it later through an addendum or separate
337 agreement once feasibility and costs are finalized. This approach would allow progress without
338 binding decisions on unresolved sewer infrastructure matters.

339 Ms. Chatterley and Mr. Burggraaf discussed the calculation and definition of open space.

340 Ms. Chatterley explained that the current agreement quantifies open space as a minimum of 10%,
341 but developers claim the design reflects closer to 40% when including shared common areas.
342 However, without a clear definition of open space in the agreement, the term remains somewhat
343 subjective. Mr. Burggraaf recommended referencing the City's Chapter 23 guidelines on open space
344 to ensure clarity and accountability.

345 Commission Member Shakespear inquired about setbacks, particularly for homes at the property's
346 edges.

347 Ms. Chatterley and Mr. Abant clarified that while a 10-foot rear setback applies to individual parcels,
348 these setbacks are based on the lot size rather than the overall property. They confirmed that even
349 with smaller lot sizes, a minimum 10-foot rear setback would still be required.

350 Mr. Abant assured the commission that setbacks would align with requirements, though the specific
351 configuration would vary based on individual lots.

352 Fire Chief Pierson raised concerns about the proximity of carports to the road, noting potential
353 issues with fire truck access and safety in the event of a collapse. He highlighted the importance of
354 maintaining adequate setback distances to ensure fire trucks can operate without risk to personnel
355 or equipment.

356 Mr. Abant agreed to work with the fire department to address these concerns, suggesting that
357 setback requirements for carports be reviewed and adjusted if necessary to meet safety standards.

358 Ms. Chatterley confirmed that storage units were intended as amenities exclusively for residents,
359 not for public rental.

360 Mr. Abant agreed, emphasizing that the storage units would be accessory uses for residents only.

361 Mr. Burggraaf suggested clarifying this in the development agreement to avoid confusion with
362 commercial storage facilities and to ensure that any additional commercial activities within the
363 development would meet infrastructure and parking requirements.

364 Mr. Abant confirmed that any elements not explicitly covered in the development agreement would
365 need to comply with city ordinances.

366 Mr. Burggraaf suggested refining the agreement's language to prevent any future
367 misunderstandings, particularly regarding commercial uses. He highlighted the importance of
368 clarifying that future commercial activities, such as floral shops or farmer's markets, would be
369 subject to additional infrastructure and parking requirements rather than assuming the existing
370 provisions would suffice.

371 Ms. Chatterley provided an overview of the original development agreement, which included a
372 modified land-use chart restricting certain C-3 zone uses while allowing others as amenities or
373 outright. She noted that the planning commission might not have been fully aware of the updated
374 land-use table, as it was finalized after initial reviews.

375 Mr. Abant proposed clarifying the language in section 4 of the agreement to address parking space
376 requirements explicitly for these uses.

377 Ms. Chatterley clarified that no changes had been made to the agreement except those requested
378 by the developer, and any revisions would still require Mr. Burggraaf's final legal review.

379 There was no input from the public.

380 Commission Member Aiken expressed general support for the project but raised concerns regarding
381 the lift station and its impact on expansion and other developments in the area. He emphasized the
382 importance of resolving the short-term rental issue to ensure the housing remains accessible to
383 locals rather than being bought for rental purposes.

384 Member Swain echoed these sentiments, emphasizing the need to preserve the project's goal of
385 providing affordable housing for the community.

386 Mr. Clayson explained their intention to limit short-term rentals through deed restrictions, allowing
387 only the developer to manage rentals as a temporary solution for unsold homes. He expressed
388 openness to including these restrictions in both the development agreement and deed restrictions
389 but stressed the need for flexibility to manage inventory and finances during the project's build-out.

390 Ms. Chatterley clarified the differences between CCNRs and development agreements, explaining
391 that while CCNRs can be unilaterally amended by the property owner, development agreements

392 require city council approval for changes, making them more binding. She noted that development
393 agreements would ensure that any changes align with the City's long-term goals.

394 Commission Member Aiken revisited the lift station issue, expressing concern that its location might
395 hinder future expansion.

396 Ms. Chatterley clarified that while lift stations are not generally allowed within city limits, they are
397 considered on a case-by-case basis and would still require approval during the subdivision
398 improvement plan phase.

399 Mr. Abant confirmed that the lift station line would run along Chinle Drive and agreed to clarify this
400 in the development agreement.

401 Commission Member Lyman raised the possibility of including expiration dates in the CCNRs to
402 ensure they remain relevant and enforceable.

403 Ms. Chatterley confirmed that CCNRs often include expiration dates, though older ones may not,
404 and courts sometimes intervene in such cases.

405 Chair Whitaker expressed confidence in the project's ability to attract buyers without the need for
406 short-term rentals, reiterating the importance of keeping the housing affordable for local residents.

407 Mr. Burggraaf raised concerns about the enforcement of CCNRs (Covenants, Conditions, and
408 Restrictions), emphasizing that the City does not enforce these. He noted that enforcement relies on
409 property owners and HOAs, which might not always be reliable. He cautioned against relying solely
410 on CCNRs for compliance, as developers could change them if they still owned the majority of the
411 properties.

412 Jeff Yates pointed out concerns about selective enforcement and fairness, referencing how similar
413 situations have led to inconsistencies in the past. He questioned whether imposing unique
414 restrictions on this development could expose the City to liability for unfair treatment.

415 Mr. Abant proposed a middle-ground solution to protect both the developers' financial interests and
416 the City's goals. He suggested limiting short-term rentals to no more than 10% of the development
417 at any time, regulated by requiring business licenses for such rentals.

418 Chair Whitaker suggested proceeding with a recommendation to prohibit short-term rentals
419 altogether for now. They proposed allowing the developers an opportunity to present their case to
420 the city council if they wanted to argue for a specific percentage or other exceptions.

421 Commission Member Aiken agreed with this approach, stating the commission was open to
422 flexibility but needed to address broader issues like road maintenance and public infrastructure
423 responsibilities. They revisited the details of the agreement, ensuring clarity on the HOA's
424 responsibility for road asphalt and the City's responsibility for the road base.

425 Mr. Burggraaf summarized eight key amendments needed for the development agreement.

426 Ms. Chatterley confirmed that the agreement already specified two parking spots per unit but noted
427 that some language adjustments may still be needed. She also clarified that commercial activity
428 language could either be removed or clarified further to avoid future misunderstandings.

429 Commission Member Aiken made a motion to send a positive recommendation condition on legal
430 review to accept the development agreement for parcel cases 7-1-ANNEX and K-7-21-ANNEX, as
431 shown in Exhibit A of the staff report, including the listed amendments. Commission Member Swain
432 seconded. Motion passed.

433 Russ Whitaker – YES

434 Ben Aiken - YES

435 Marlee Swain – YES

436 Mark Gilberg – YES

437 Nate Lyman – YES

438 Dennis Shakespear - YES

439 Terry Edwards – Absent

440 Kerry Glover – Absent

441

442 **Staff Report:**

443 Ms. Chatterley informed the new members that the City has a budget for attending conferences or
444 seminars. She explained that the City covers expenses such as seminar fees, lodging, and meals for
445 out-of-town events, while some seminars are available online for convenience.

446

447 Mr. Kent Burggraaf added that the availability of online options makes participation more
448 convenient.

449 **Commission Member Report:**

450 **Commission Member Liaison Report:**

451 **Adjournment:**

452

453 Commission Member Swain made a motion to adjourn the meeting. Commission Member Aiken
454 seconded. Motion passed.

455 Russ Whitaker – YES

456 Ben Aiken - YES

457 Marlee Swain – YES

458 Mark Gilberg – YES

459 Nate Lyman – YES

460 Dennis Shakespear - YES

461 Terry Edwards – Absent
462 Kerry Glover – Absent
463

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Kanab City Planning Commission Staff Report File #20250805

Date:	August 1, 2025
Meeting Date:	August 5, 2025
Agenda Item:	Discuss and recommend to City Council a plat amendment to the Kanab Creek Ranchos, Unit 2
Subject Property Address:	312 W Pipe Springs Dr, 334 W Pipe Springs Dr and 329 W Johnson Dr
Applicant:	Amy Black, Trustee
Applicant Agent:	Iron Rock Engineering
Zoning Designation:	MH-KCR
General Plan Designation:	Medium Density Residential
Parcel #:	39-1106; 39-1107; 39-1108; 39-1148
Applicable Ordinances:	Subdivision Ordinance, Chapter 2

Attachments:

Exhibit A: Subject Property

Exhibit B: Amended Plat

Summary:

Iron Rock Engineering applied to amend the plat for Kanab Creek Ranchos Subdivision, Unit 2, parcels 39-1106, 39-1107, 39-1108 and 39-1148, located approximately at 312 W Pipe Springs Dr; 334 W Pipe Springs Dr; and 329 W Johnson Dr. The plat amendment consists of adjusting the lot line between the four lots. The current zone is MH-KCR.

Applicable Regulation(s):

Plat Amendments are addressed in Utah Code, Title 10, Chapter 9a, Part 6, and the Kanab City Subdivision Ordinance, Chapter 2, upon application that includes a Sketch Plan and Narrative. Chapter 2-4 specifically address the plat amendment process and requirements.

Analysis

City staff has reviewed the application, sketch plan and narrative provided by the applicant. Staff has determined:

- The application meets the requirements of the subdivision ordinance.
- Sensitive lands have not been identified.
- The subdivision is consistent with the General Plan and Future Land Use Map.
- Parcel is zoned MH-KCR.

– A Western Classic –

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

- The proposed streets conform to the guidelines found in the Transportation Master Plan.

The owner of record contained within the plat is Bronnie Black; Amy Black, Trustee; L. Allen Anderson; Kristine Hunter. A title report has been submitted to Kanab City. The applicant has paid the amended plat fee required. Any impact fees will be collected through the building permitting process.

Public Hearing will be held with City Council on August 12, 2025.

Proposed Findings:

1. This application was initiated by the applicant's agent, Iron Rock Engineering.
2. The property included within the amended plat boundaries is zoned MH-KCR.
3. The Future Land Use Map designation for these properties on the City's General Plan as Medium Density Residential.
4. The applicant is requesting to adjust the lot line between the four lots.
5. Easements will not be vacated.
6. The proposed plat amendment meets the subdivision and zoning standards in the City's Ordinance listed above.
7. The Kanab City Planning Commission is the body responsible for making subdivision plat amendment recommendations to the City Council, upon application.

Staff Recommendation:

After reviewing the application and analyzing the proposed plat amendment, staff recommends that the Planning Commission send a positive recommendation for approval of the proposed plat amendment to the Kanab City Council with the conditions of approval below.

Conditions of Approval:

1. No Conditions

Recommended Motion:

I move to send a positive recommendation to City Council for the plat amendment to the Kanab Creek Ranchos, Unit 2, affecting parcel 39-1106, 39-1107, 39-1108 and 39-1148 based on the findings and conditions of approval as outlined in the staff report #20250805.

– A Western Classic –

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Alternate motion:

I move to send a positive recommendation to City Council for the plat amendment to the Kanab Creek Ranchos, Unit 2, affecting parcel 39-1106, 39-1107, 39-1108 and 39-1148 based on the findings and conditions of approval as outlined in the staff report #20250805, with the additional findings and conditions: .

I move to send a negative recommendation to City Council for the plat amendment to Kanab Creek Ranchos, Unit 2, affecting parcel 39-1106, 39-1107, 39-1108 and 39-1148 demonstrating the applicant has not met the standards outlined in the Kanab City ordinances: .

– A Western Classic –

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Exhibit A: Subject Property

— A Western Classic —



Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Exhibit B: Amended Plat

— A Western Classic —

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Kanab City Planning Commission Staff Report

File #PLAN25-043

Date:	August 4, 2025
Meeting Date:	August 5, 2025
Agenda Item:	Discuss and recommend to City Council a plat amendment to the Kanab Creek Ranchos, Unit 3
Subject Property Address:	1750 S Lee Dr. & 1782 S Lee Dr.
Applicant:	Robert Ledoux & Madeline Sandoval
Applicant Agent:	Red Sands Geomatics
Zoning Designation:	R-1-8
General Plan Designation:	Medium Density Residential
Parcel #:	65-2096; 65-2097 & 65-2098
Applicable Ordinances:	Subdivision Ordinance, Chapter 2

Attachments:

Exhibit A: Subject Property
Exhibit B: Amended Plat

Summary:

Red Sands Geomatic applied to amend the plat for Kanab Creek Ranchos Subdivision, Unit 3, parcels 65-2096; 65-2097 and 65-2098, located approximately at 1750 South Lee Dr. and 1782 South Lee Drive. The plat amendment consists of adjusting the lot line between the three lots. The current zone is R-1-8.

Applicable Regulation(s):

Plat Amendments are addressed in Utah Code, Title 10, Chapter 9a, Part 6, and the Kanab City Subdivision Ordinance, Chapter 2, upon application that includes a Sketch Plan and Narrative. Chapter 2-4 specifically address the plat amendment process and requirements.

Analysis

City staff has reviewed the application, sketch plan and narrative provided by the applicant. Staff has determined:

- The application meets the requirements of the subdivision ordinance. There are some minor changes that need to be addressed on the Plat per the City Surveyor (attached).
- Sensitive lands have not been identified.
- The subdivision is consistent with the General Plan and Future Land Use Map.
- Parcel is zoned R-1-8.

– A Western Classic –

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

- The proposed streets conform to the guidelines found in the Transportation Master Plan.

The owner of record contained within the plat is Robert Ledoux and Madeline Sandoval. A title report has been submitted to Kanab City. The applicant has paid the amended plat fee required. Impact fees will be collected through the building permitting process.

Public Hearing will be held with City Council on August 12, 2025.

Proposed Findings:

1. This application was initiated by Red Sands Geomatics.
2. The property included within the amended plat boundaries is zoned R-1-8.
3. The Future Land Use Map designation for these properties on the City's General Plan as Medium Density Residential.
4. The applicant is requesting to adjust the lot line between the three lots.
5. An application has been received to vacate easements between property lines.
6. The proposed plat amendment meets the subdivision and zoning standards in the City's Ordinance listed above.
7. The Kanab City Planning Commission is the body responsible for making subdivision plat amendment recommendations to the City Council, upon application.

Staff Recommendation:

After reviewing the application and analyzing the proposed plat amendment, staff recommends that the Planning Commission send a positive recommendation for approval of the proposed plat amendment to the Kanab City Council with the conditions of approval below.

Conditions of Approval:

1. The vacation of easement is approved by City Council.
2. Redlines from City Surveyor are approved prior to recording the plat.
3. The owner is responsible for securing the appropriate building and/or grading permits prior to any construction activity or infrastructure for the development.

Recommended Motion:

I move to send a positive recommendation to City Council for the plat amendment to the Kanab Creek Ranchos, Unit 3, affecting parcel 65-2096; 65-2097 and 65-2098 based on the findings and conditions of approval as outlined in the staff report #PLAN25-043.

– A Western Classic –

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Alternate motion:

I move to send a positive recommendation to City Council for the plat amendment to the Kanab Creek Ranchos, Unit 3, affecting parcel 65-2096; 65-2097 and 65-2098 based on the findings and conditions of approval as outlined in the staff report #PLAN25-043, with the additional findings and conditions: .

I move to send a negative recommendation to City Council for the plat amendment to Kanab Creek Ranchos, Unit 3, affecting parcel 65-2096; 65-2097 and 65-2098 demonstrating the applicant has not met the standards outlined in the Kanab City ordinances: .

– A Western Classic –

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Exhibit A: Subject Property

— A Western Classic —



Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Exhibit B: Amended Plat

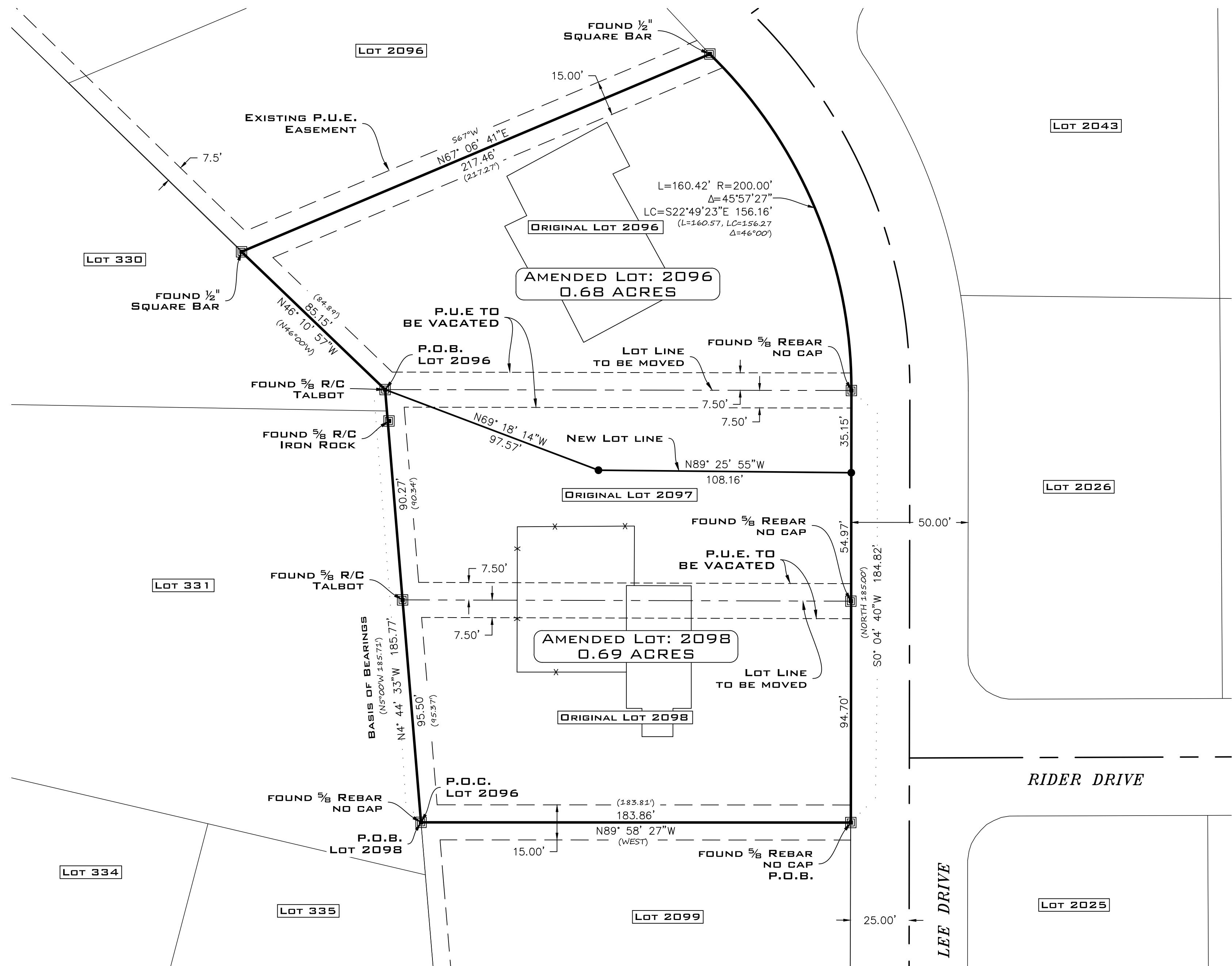
— A Western Classic —



AMENDED LOTS 2096, 2097, AND 2098

KANAB CREEK RANCHOS UNIT NO. 3

WITHIN SECTION 5, TOWNSHIP 44 SOUTH, RANGE 6 WEST, SALT LAKE BASE AND MERIDIAN
PARCELS: 65-2096, 65-2097, & 65-2098



LEGEND

MONUMENT AS DESCRIBED
SET #5 REBAR & RED PLASTIC CAP MARKED
RED SANDS GEOMATICS 12480028
(UNLESS NOTED)

FOUND EXISTING CORNER AS DESCRIBED

BOUNDARY LINE
NEW PROPERTY LINE
FENCE LINE
ADJACENT PROPERTY LINE
STREET CENTER LINE
PROPERTY LINE TO BE REMOVED
EASEMENT AS DESCRIBED
EASEMENT TO BE TERMINATED
REBAR AND CAP MARKED AS SHOWN
P.O.B. POINT OF BEGINNING
RECORD DIMENSIONS

CITY ENGINEER

I HEREBY VERIFY THAT THIS OFFICE EXAMINED THIS AMENDED SUBDIVISION PLAT AND HEREBY RECOMMENDS APPROVAL ON THIS 20 DAY OF 20.

KANAB CITY ENGINEER

PUBLIC WORKS DIRECTOR

I HEREBY VERIFY THAT THIS OFFICE EXAMINED THIS AMENDED SUBDIVISION PLAT AND HEREBY RECOMMENDS APPROVAL ON THIS 20 DAY OF 20.

KANAB CITY PUBLIC WORKS DIRECTOR

CITY SURVEYOR

I HEREBY VERIFY THAT THIS OFFICE EXAMINED THIS AMENDED SUBDIVISION PLAT AND HEREBY RECOMMENDS APPROVAL ON THIS 20 DAY OF 20.

KANAB CITY SURVEYOR

CITY ATTORNEY

I, MICHAEL J. STEWART, ATTORNEY FOR KANAB CITY, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE SHOWN SUBDIVISION AMENDMENT PLAT AND SAID PLAT MEETS THE REQUIREMENTS OF KANAB CITY AND IS HEREBY RECOMMENDED FOR APPROVAL, THIS 20 DAY OF 20.

PLANNING & ZONING APPROVAL

ON THIS 20 DAY OF 20, THE KANAB CITY PLANNING AND ZONING, DOES HEREBY CERTIFY THAT THE SHOWN PLAT HAS BEEN APPROVED BY SAID COMMISSION, AND IS HEREBY RECOMMENDED TO THE KANAB CITY COUNCIL FOR APPROVAL, WITH ALL COMMITMENTS AND OBLIGATIONS PERTAINING THERETO.

CHAIRMAN KANAB CITY PLANNING COMMISSION

CITY COUNCIL APPROVAL

ON THIS 20 DAY OF 20, THE KANAB CITY COUNCIL, HAVING REVIEWED THE ABOVE PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF KANAB CITY, AND BY AUTHORITY OF SAID COUNCIL, HEREBY APPROVE SAID PLAT FOR RECORDING.

ATTEST: KANAB CITY RECORDER KANAB CITY MAYOR

CERTIFICATE OF RECORDING

I, KANE COUNTY RECORDER, COUNTY RECORDER OF KANE COUNTY, UT DO HEREBY CERTIFY THAT THE SHOWN SUBDIVISION AMENDMENT PLAT WAS FILED FOR RECORD IN MY OFFICE ON THIS THE 20 DAY OF 20.

BOOK 12480028 PAGE 1 FEE 0 DATE 2025 TIME 10:00 AM
RECORDED AT THE REQUEST OF: RED SANDS GEOMATICS

KANE COUNTY RECORDER

NOTARY ACKNOWLEDGMENT

STATE OF KANE COUNTY, UTAH, on the 20 day of 2025, REBELL and BERYL J. LEDOUX, personally appeared before me, and duly acknowledged to me that he/she did execute the same.

NOTARY PUBLIC FULL NAME: REBELL
COMMISSION NUMBER: 12480028
MY COMMISSION EXPIRES: 2026
A NOTARY PUBLIC COMMISSIONED IN UTAH

NOTARY PUBLIC (SIGNATURE)

NO STAMP REQUIRED (UTAH CODE 46-1-16(6))

NOTARY PUBLIC FULL NAME

STATE OF KANE COUNTY, UTAH, on the 20 day of 2025, ROBERT F. LEDOUX and BERYL J. LEDOUX, personally appeared before me, and duly acknowledged to me that he/she did execute the same.

NOTARY PUBLIC FULL NAME: ROBERT F. LEDOUX
COMMISSION NUMBER: 12480028
MY COMMISSION EXPIRES: 2026
A NOTARY PUBLIC COMMISSIONED IN UTAH

NOTARY PUBLIC (SIGNATURE)

NO STAMP REQUIRED (UTAH CODE 46-1-16(6))



RED SANDS
GEOMATICS
LAND SURVEYING, LIDAR, & GIS

PERSONALIZED PROFESSIONAL SOLUTIONS
262 E 200 S KANAB, UTAH REDSANDSGEOMATICS.COM

SURVEYOR'S CERTIFICATE

I, MICHAEL J. STEWART, A PROFESSIONAL LAND SURVEYOR, LICENSE NUMBER 12480028, HOLD THIS LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT AND HAVE COMPLETED THIS PLAT OF THE PROPERTY DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-27A-608. I CERTIFY THAT I HAVE COMPLETED THE SURVEY SHOWN HEREON IN ACCORDANCE WITH SECTION 17-23-17 AS OUTLINED IN SECTION 17-27A-608(6)(B)(I)(A), AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT. I FURTHER CERTIFY THAT BY AUTHORITY OF THE HEREON OWNERS, I HAVE MADE THIS PLAT OF:
"AMENDED LOTS 2096, 2097, AND 2098, KANAB CREEK RANCHOS UNIT NO. 3"

MICHAEL J. STEWART, UT L.S. 12480028

DATE

SURVEY NARRATIVE

THE PURPOSE OF THIS AMENDED PLAT IS TO CONSOLIDATE 3 LOTS INTO 2, THIS AMENDMENT WAS REQUESTED BY THE OWNERS. ALL OTHER LOTS AND DIMENSIONS REMAIN UNCHANGED. I HAVE CONDUCTED A FIELD SURVEY OF THE SHOWN PROPERTY AND HAVE DISCOVERED DIFFERENCES IN RECORDED BEARINGS AND DISTANCES WHICH ARE SHOWN FOR INFORMATIONAL AND RETRACEMENT PURPOSES ONLY. IT IS THE INTENT OF THIS AMENDMENT TO ONLY CHANGE THE ABOVE MENTIONED LOTS AND TO LEAVE EVERYTHING ELSE AS IT HAS BEEN RECORDED, RELIED UPON, AND CONVEYED IN DEEDS AND OTHER LEGAL DOCUMENTS, THUS PRESERVING THE INTEGRITY AND BONA FIDE RIGHTS OF ADJACENT OWNERS (UTAH STATE CODE: 17-27A-6). EASEMENTS AFFECTED BY THIS AMENDMENT ARE DEPICTED HEREON. THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON THE BELOW STATED COORDINATE SYSTEM AND CAN BE MEASURED TO THE SOUTHEAST CORNER OF LOT 2097 SHOWN HEREON, N 4° 44' 33" W 185.77'. THE GPS COORDINATE SYSTEM USED IN FIELD MEASUREMENTS WAS THE UTAH COORDINATE SYSTEM 1983 SOUTH ZONE, US SURVEY FEET, SCALED TO GROUND WITH NO LOCALIZATION APPLIED. ORIGINAL BEARINGS HAVE BEEN ROTATED TO MATCH SAID COORDINATE SYSTEM. AS PER THE REQUEST OF THE KANE COUNTY RECORDER, A METES A BOUNDS DESCRIPTION IS PROVIDED.

LEGAL DESCRIPTION

ALL OF LOTS 2096, 2097, AND 2098 OF KANAB CREEK RANCHOS UNIT NO. 3, MORE PARTICULARLY DESCRIBED AS-FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2098; THENCE, ALONG THE SOUTH LINE OF SAID LOT, NORTH 89° 58' 27" WEST 183.86 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 2098; THENCE, ALONG THE WESTERLY LINES OF SAID LOTS THE FOLLOWING TWO (2) COURSES: NORTH 04° 44' 33" WEST 185.77 FEET; THENCE NORTH 46° 10' 57" WEST 85.15 FEET, TO THE NORTHWEST CORNER OF SAID LOT 2096; THENCE, ALONG THE NORTH LINE OF SAID LOT 2096, NORTH 67° 06' 41" EAST 217.46 FEET, TO THE WESTERLY RIGHT-OF-WAY OF LEE DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE; THENCE, ALONG SAID RIGHT-OF-WAY AND CURVE TURNING TO THE RIGHT 160.42 FEET, WITH A CENTRAL ANGLE OF 45° 57' 27", HAVING A RADIUS OF 200.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 22° 49' 23" EAST 156.16 FEET; THENCE, CONTINUING ALONG SAID RIGHT-OF-WAY, SOUTH 00° 04' 40" WEST 184.82 FEET TO THE POINT OF BEGINNING, CONTAINING 1.38 ACRES (MORE OR LESS).

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE RESPECTIVE OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY EXECUTE THE SAME TO CONSOLIDATE LOTS 2096, 2097, AND 2098 OF KANAB CREEK RANCHOS UNIT NO. 3 INTO LOTS 2096, 2097, AND 2098 OF KANAB CREEK RANCHOS UNIT NO. 3, THE UNDERSIGNED HEREBY DEDICATE ALL OF AMENDED LOT 2096, AS SET FORTH HEREIN, TO ROBERT F. LEDOUX AND BERYL J. LEDOUX, HUSBAND AND WIFE AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP; AND ALL OF AMENDED LOT 2098, AS SET FORTH HEREIN, TO MADELINE SANDOVAL AND LISA ANN STRAUBER, AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP; AND UNDERSIGNED HEREBY CONVEY THE TRACT AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. IN WITNESS WHEREOF, WE HAVE SET OUR HAND THIS THE 20 DAY OF 2025.

ROBERT F. LEDOUX BERYL J. LEDOUX
MADELINE SANDOVAL LISA ANN STRAUBER

LOT 2096 LOTS 2097 & 2098
OWNERSHIP: ROBERT & BERYL J LEDOUX MADELINE SANDOVAL & LISA ANN STRAUBER
1750 S LEE DR 1768 S LEE DR
KANAB, UT 84741 KANAB, UT 84741

REV. #	DATE	DESCRIPTION
#1	7/28/25	CITY COMMENTS

SHEET

1 OF 1



July 28, 2025

Kanab City
Attn: Janae Chatterley
Land Use Coordinator
26 North 100 East
Kanab, UT 84741
435-644-2543

Project KCR No 3 Amended Lots 2096, 2097, and 2098
Project No. Plan 25-043
Application Date July 14, 2025

Dear Janae Chatterley

This letter is in response to the review of the above-mentioned project.

Item 1: I completely agree that the legal should match, however, this is how the Kane County Recorder wants to see the legal on these amended plats. That is noted in my narrative.

Item 2: This distance measures 184.818' and CAD rounds it to .82' The distances don't stack due to the rounding. I have corrected the problem.

Item 3: Corrected

Item 4: Corrected

Item 5: Corrected

Item 6: Corrected

I appreciate the review of the above-mentioned project, if there are any questions or concerns please contact me.

Cordially,

Mike Stewart, PLS
435-899-8539
Red Sands Geomatics

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Kanab City Planning Commission Staff Report

File: PLANSPR25-006

Date:	August 4, 2025
Meeting Date:	August 5, 2025
Agenda Item:	Planning Commission review to approve or deny a Site Plan for an accessory building at 48 N 200 W
Subject Property Address:	48 N 200 W
Applicant:	David Swindler
Applicant Agent:	

Exhibit A: Civil Set

Summary:

David Swindler is requesting a site plan review for an accessory building. The accessory building will be located at the rear of the property and used to hold storage items and vehicles.

Applicable Regulation(s):

Site Plan Review for new commercial buildings are regulated through the Kanab Land Use Ordinances, Chapter 9. Other Land Use Ordinances that are regulated through the Site Plan Review process are Chapter 4-18 Curb, Gutter and Sidewalk and Chapter 6 Parking Requirements.

Analysis:

Staff have reviewed the request for the initial phase. Staff have determined that:

- The application meets the requirements of Chapter 9 – Site Plan review, Chapter 4-18 Curb, Gutter and Sidewalk and the landscaping requirements as these are existing.
- The requirements of Chapter 6 for the parking requirements are not effected with the accessory building there is not an additional need for parking spaces and will not reduce the minimum required spaces for the type of business.
- This building is existing and sits right on the property line, there is not any existing landscaping or the ability to add landscaping on the frontage of the property. The rest of the areas are hardscaped.

Proposed Findings:

1. Application for a Site Plan Review was submitted by the applicant.
2. No changes to landscaping.

– A Western Classic –

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

3. The owner is responsible for securing the appropriate development permits for construction prior to any construction activity.

Staff Recommendation:

After reviewing the application, the site plan meets the requirements outlined in Chapter 9 and referenced chapters. Staff recommend approval with the following conditions:

Conditions of Approval:

Staff recommend this motion be subject to additional conditions, as follows:

- a. The owner is responsible for securing the appropriate building and/or grading permits prior to any construction activity or infrastructure for the development.

Recommended Motion:

I move that we approve the site plan for the accessory building located at 48 N 200 W based on staff's analysis, findings, recommendation and the condition(s) listed in the report, PLANSPR25-006.

Alternate motion:

I move that we deny the site plan for the accessory building located at 48 N 200 W (i.e., demonstrating the applicant has not met the standards outlined in the Kanab City ordinances):

– A Western Classic –

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Exhibit A:

Civil / Construction Set

— A Western Classic —

To Kanab Planning and Zoning Commission:

We would like to put in a new steel building on C1 lot K-20-6, address 48 N 200 W in Kanab. This building will be used as a garage with no habitation, plumbing, or electricity. The building is being purchased from Sunwise Solutions as a fully engineered structure and ready to assemble.

As per the manufacturer's specs, a concrete pad with rebar reinforcement and an outer perimeter will be poured. It will have a 12x12 inch footing with a 4 inch slab.

The site map is enclosed showing the proposed location of the new 30x25 ft garage structure. No other site modifications will be done. Since this structure is to house our existing vehicles, there will be no change to the incoming or outgoing traffic.

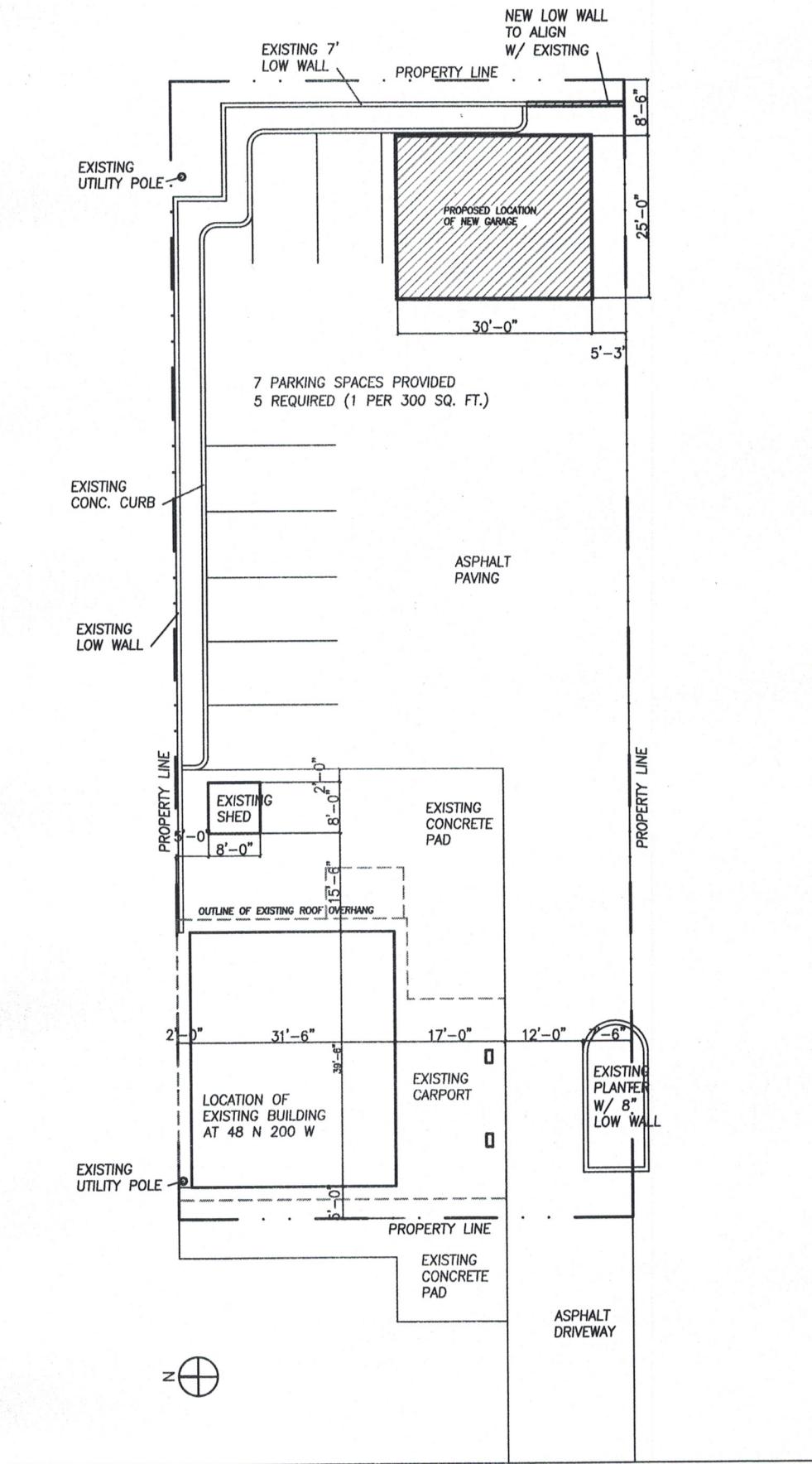
If you have any further questions or concerns, don't hesitate to reach out.

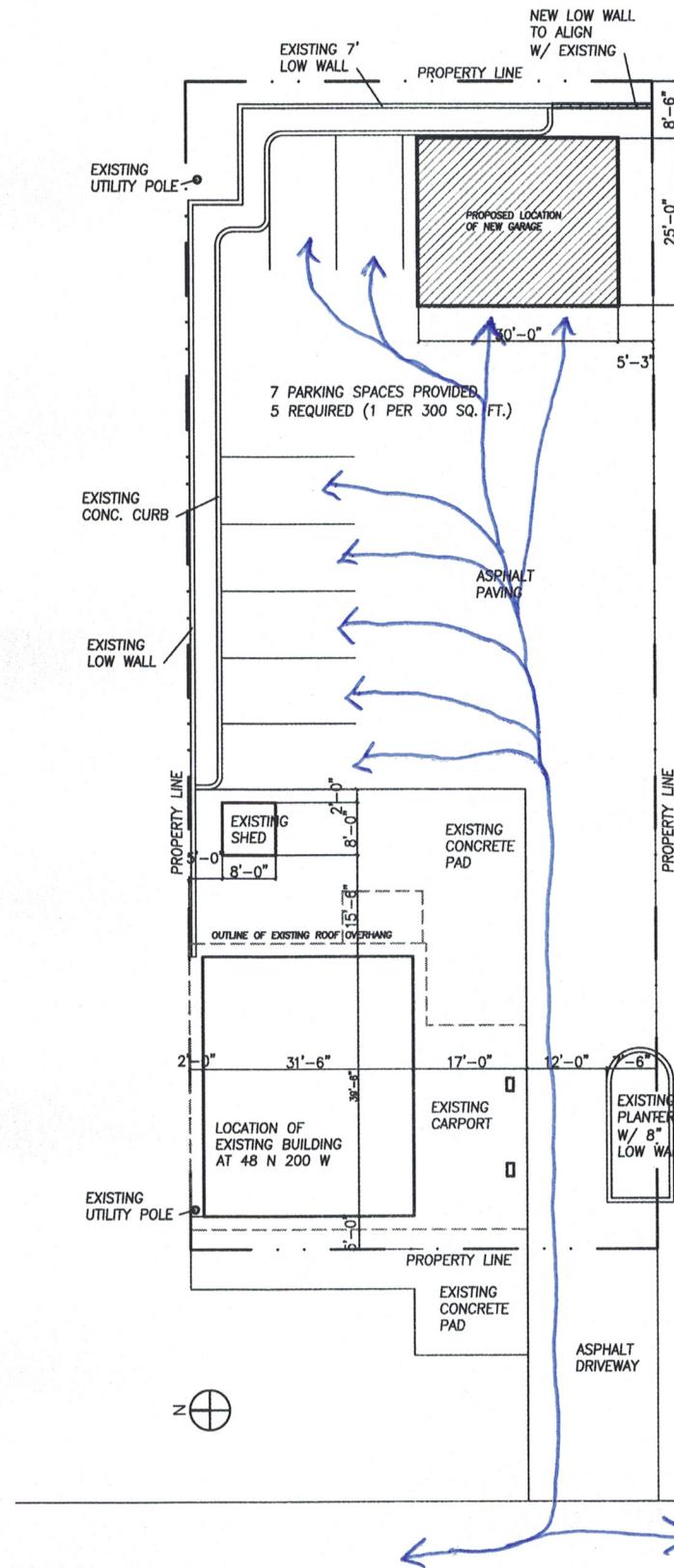
Best Regards,

David Swindler

Cell: 208-789-5899

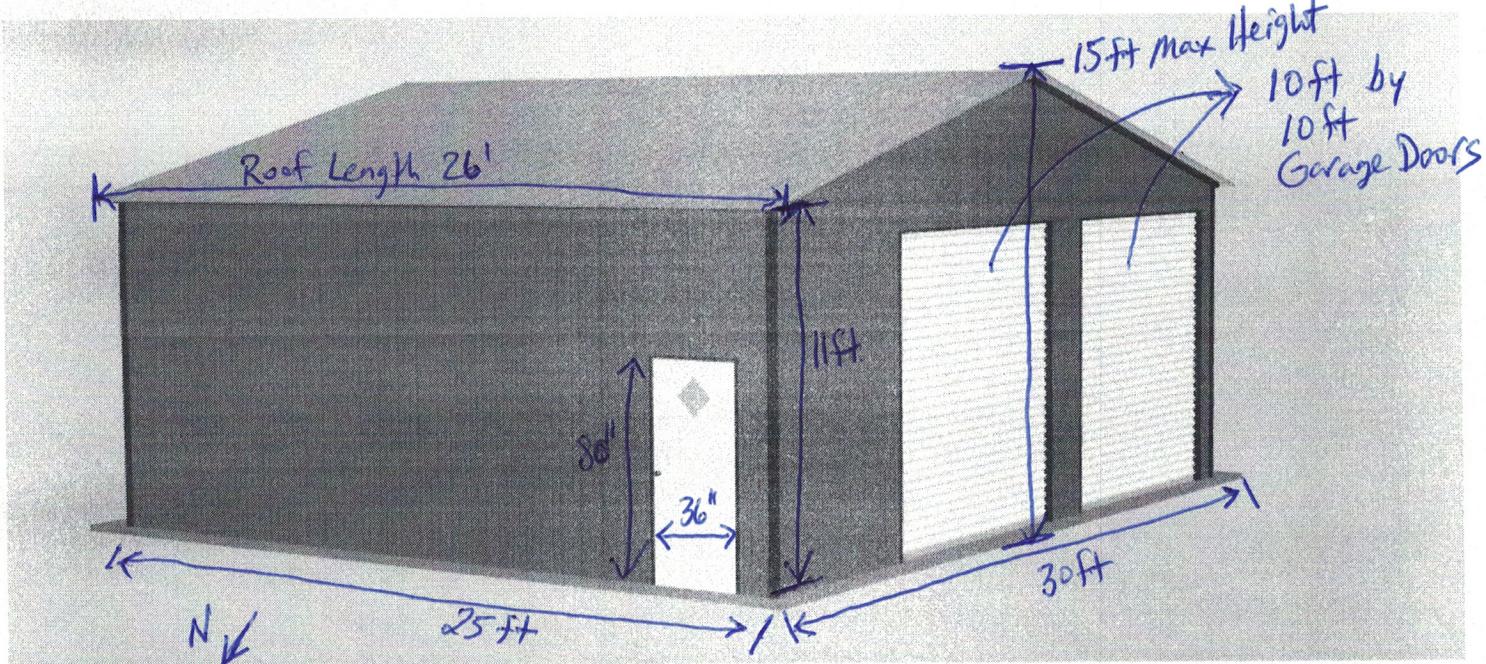
Email: dswindler1@gmail.com





With Traffic
Flow Lines

200 WEST

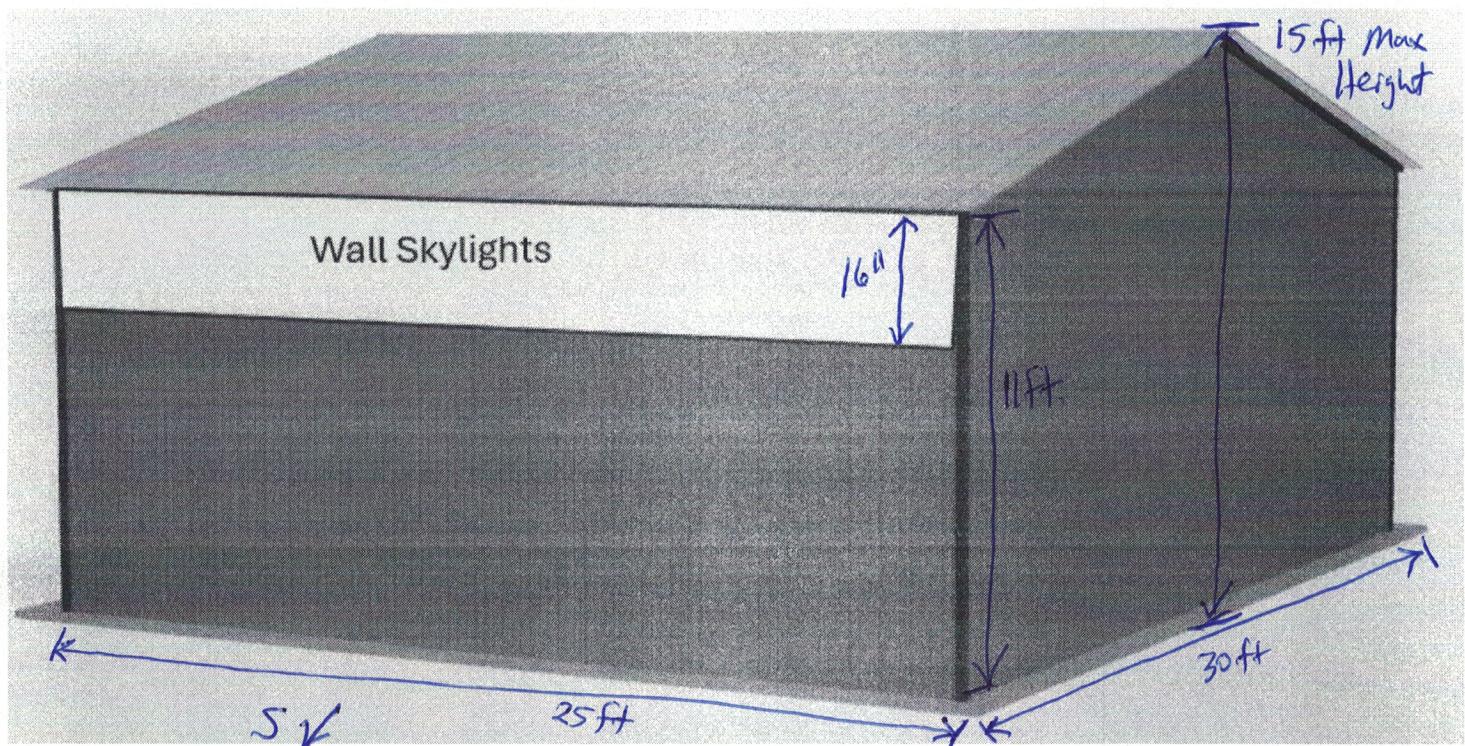


Front of Garage

14 Gauge Steel Trusses

26 Gauge Steel Walls

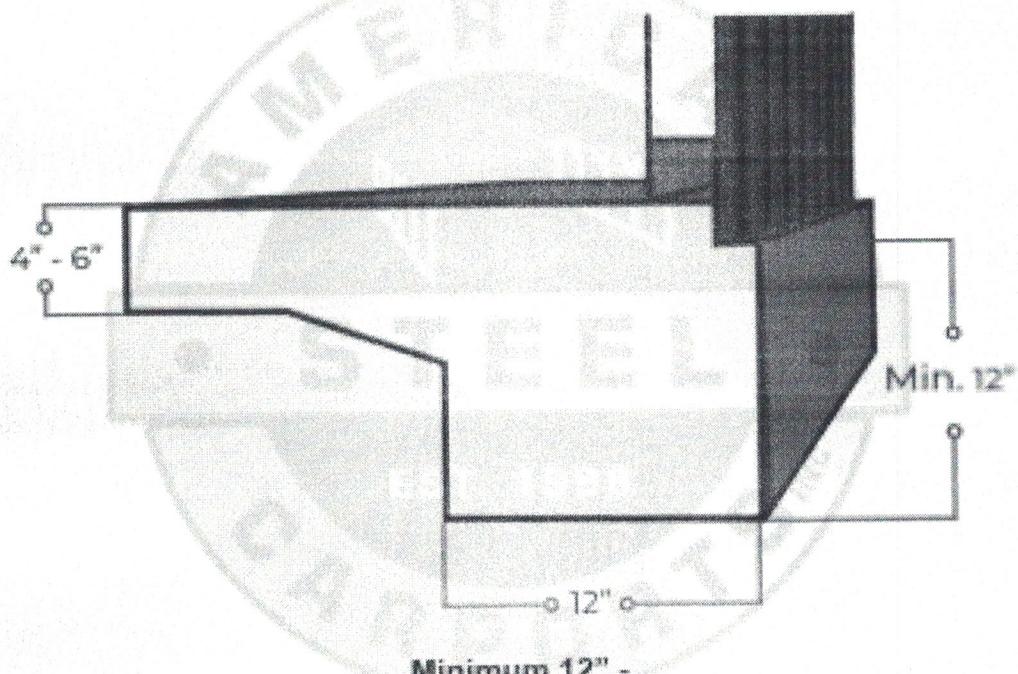
No plumbing, No electricity



Back of Garage

12' - 30' Wide Units - Concrete Dimensions

Recommended 6" if Heavy Machinery is going inside.



Minimum 12" -
May vary depending on Local Frost Depth Codes.

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Kanab City Planning Commission Staff Report

File Number 20250805.1

Date:	August 4, 2025
Meeting Date:	August 5, 2025
Agenda Item:	Discuss and recommend to City Council a text amendment to the Subdivision Ordinance, Chapter 2A & 2B – Subdivision Process

Attachments:

- **Exhibit A: Proposed Amendment(s) with Red Lines**

Summary:

A text amendment to update the new requirements from the Utah State code regarding boundary adjustments and amendments to a subdivision.

Recommended Motion:

I move to send a positive recommendation to City Council to adopt changes to the subdivision ordinance identified in exhibit A of the staff report for 20250805.1

I move to send a negative recommendation to City Council.

I move to send a positive recommendation to City Council to adopt changes to the subdivision ordinance identified in exhibit A of the staff report for 20250805.1 with the following amendments:

I move to continue the discussion to the following meeting:

– A Western Classic –

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Kerry Glover
JD Wright

Exhibit A: Proposed Amendment with Red Lines

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

Chapter 2A Table of Contents

Section 2A-1 Initial Application

Figure 11 – Initial Application Process

Section 2A-2 Minor Subdivisions

Figure 22 - Minor Subdivision Process

Section 2A-3 Subdivisions (10 or More Lots)

Figure 3 - Preliminary Plat Application Process

Figure 4 - Final Plat Application Process

Section 2A-4 Vacating or Amending a Subdivision Plat

Figure 5 – Plat Vacation or Amendment Process

Section 2A-5 Boundary Adjustment

Section 2A-6 Record of Condominium Plat

Section 2A-7 Recording of Conservation Parcels

Section 2A-8 Flag Lots

Section 2A-4 Vacating or Amending a Subdivision Plat

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

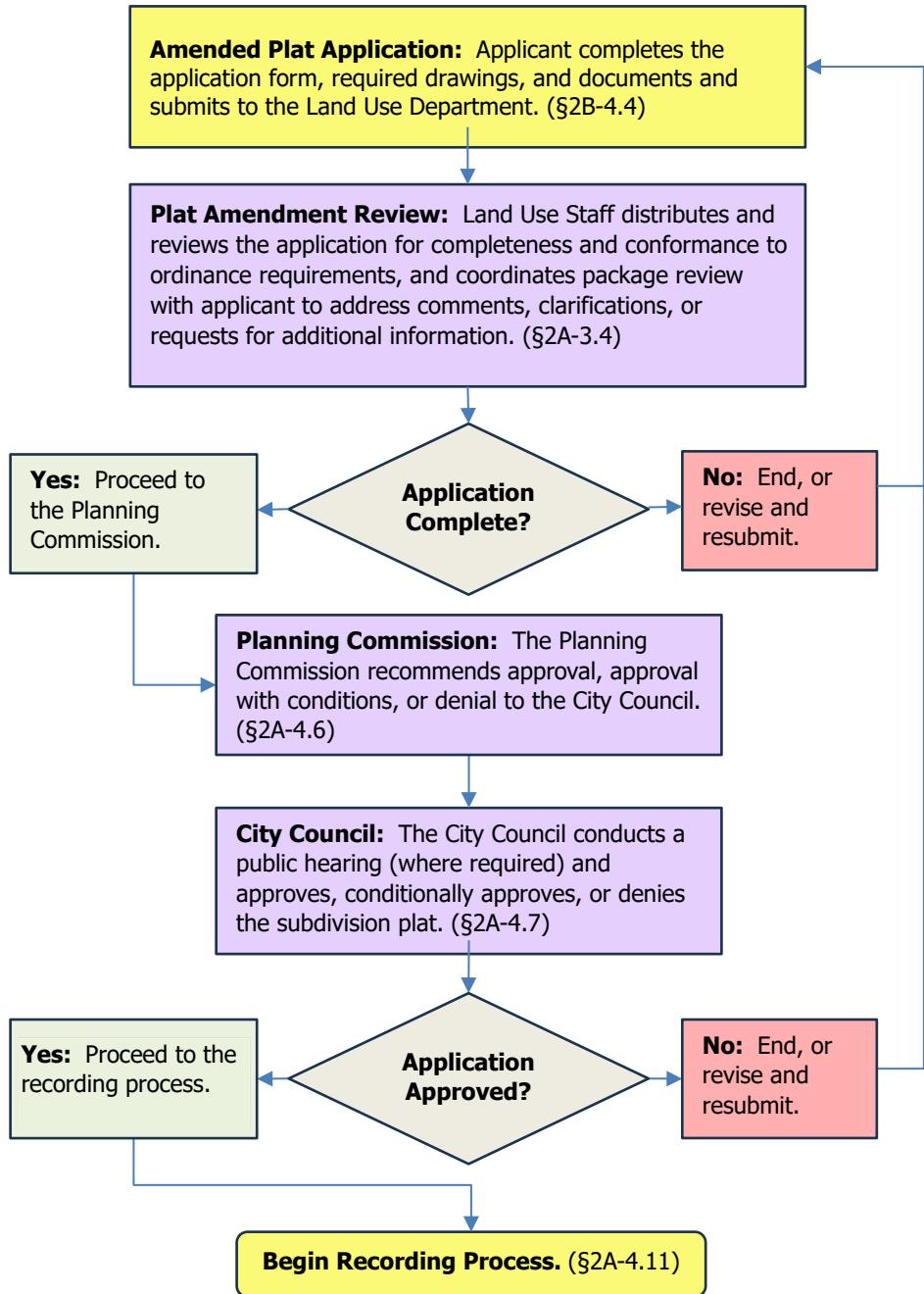
2A-4.1. The City Council, by ordinance, requires a petition to consider any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any street or lot contained in a subdivision.

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

Figure 5 - Plat Vacation or Amendment Process



2A-4.2. Any fee owner, as shown on the last county assessment roll, of land within a subdivision that has been laid out and platted as provided in this part may, in writing, petition the City Council to have the plat, any

Chapter 2A Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

portion of it, or any street or lot contained in it, vacated, altered, or amended as provided in this section.

2A-4.3. Initial Application: An applicant petitioning to vacate, alter, or amend an entire plat, a portion of a plat, or a street or lot contained therein shall complete the initial application process as outlined in Section 2A-1.

2A-4.4. Plat Amendment Application: Following completion of the initial application process, an applicant shall complete and submit an application form for a plat amendment to the Kanab City Land Use Department. The application shall include:

2A-4.4.1. The name of applicant(s) or authorized agent and contact information.

2A-4.4.2. The subdivision name.

2A-4.4.3. An amended final plat prepared in accordance with the applicable final plat requirements outlined in Section 2B-6.2.2, other document for recording as requested by the City, and the following:

2A-4.4.3.1 Depicts only the portion of the subdivision that is proposed to be amended;

2A-4.4.3.2 Includes a plat name distinguishing the amended plat from the original plat;

2A-4.4.3.3 Describes the differences between the amended plat and the original plat;

2A-4.4.3.4 Includes references to the original plat;

2A-4.4.3.5 Signature of each owner of record contained in the entire plat or on that portion of the plat described in the petition;

2A-4.4.3.6 Prepared by a surveyor that holds a license in accordance with Utah code Title 58, Chapter 22, and in compliance with §17-23-17 of the Utah code.

2A-4.4.4. Subdivision Lot Addresses: If new lots are being created, a list of street addresses for each lot shown on the amended final plat, numbered in

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Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

accordance with the Kanab City address grid system.

2A-4.4.5. Mailing Labels for Owners of Record:
Provide type written address labels appearing on the roll of the Kane County Assessor for the following:

2A-4.4.5.1. Each affected entity that provides a service to a property owner of record of the portion of the plat that is being vacated or amended; and

2A-4.4.5.2. Each property owner of record within the portion of the subdivision that is proposed to be amended.

2A-4.4.6. Subdivision Improvement Plans, (when required): Subdivision construction improvement plans for grading, drainage, streets, utility infrastructure, and other public improvements as modified by the proposed amendment, as required herein and in accordance with the Kanab City Uniform Standards for Design and Construction.

2A-4.4.7. Title Report: A title report prepared within the previous 30 days.

2A-4.4.8. Any additional items that may be requested during the initial application process.

2A-4.4.9. Fee: The amended final plat fee as outlined in the Kanab City Land Use Ordinance.

2A-4.4.10. Signature and Acknowledgement: By signing the plat amendment application form, the applicant acknowledges:

2A-4.4.11.1. That the applicant or agent of the applicant has read the Subdivision Ordinance;

2A-4.4.11.2. That the applicant understands the provisions of the Subdivision Ordinance; and

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

2A-4.4.11.3. That the applicant will fully and completely comply with the provisions and requirements contained therein.

2A-4.5. Plat Amendment Review:

2A-4.5.1. The petition for the plat amendment shall be reviewed by the City Engineer, Public Works Department, City Surveyor and Land Use Department.

2A-4.5.3. Additional information may be requested from the applicant during the review.

2A-4.5.4. Once all information requested has been furnished, evaluated, and addressed to the satisfaction of the reviewers, the application will be forwarded to the Planning Commission and placed in the next available meeting agenda.

2A-4.6. Required Notices: The Land Use Authority shall provide notice of a petition by mail or e-mail to the affected entity and property owner provided by the petitioner (§2A-4.4.4.5). Notice shall include a deadline by which written objections to the petition are due to the land use authority but no earlier than 10 calendar days after the day on which the notice is sent.

2A-4.7. Plat Amendment Planning Commission

Consideration: The Planning Commission shall give its recommendation within 30 days after the proposed vacation, alteration, or amendment is referred to it.

2A-4.8. **Public Hearing (when required):** The City Council shall hold a public hearing within 45 days after the day on which a petition is filed, if:

2A-4.8.1. Any property owner within the subdivision that is proposed to be amended notifies the municipality of the owner's objection in writing before the deadline.

2A-4.8.2. -OPTIONAL- All of the property owners within the portion of the subdivision proposed to be amended have not signed the proposed amended plat.

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Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

2A-4.8.3. The public hearing requirement does not apply if:

2A-4.8.3.1 The petition seeks to:

2A-4.8.3.1.1 Join two or more of the petitioner fee owner's contiguous lots;

2A-4.8.3.1.2 Subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;

2A-4.8.3.1.3 On a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or

2A-4.8.3.1.4 Alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not owned by the petitioner or designated as a common area; and

2A-4.8.3.2 Notice has been given to adjoining property owners in accordance with any applicable local ordinance.

2A-4.9. Required Notice: The City shall give notice of the date, time, and place of the public hearing regarding the proposed plat amendment at least 10 calendar days prior to the public hearing. The notice shall be:

2A-4.9.1. Posted on the Utah State Public Notice Website; and

2A-4.9.2. Posted on the city website.

2A-4.11. Document Recording: The Applicant shall ensure that the vacation, alteration, or amendment is recorded in the Kane County Recorder's office and provide confirmation of recordation to the City.

2A-4.12. Appeal of City Decision: An aggrieved party may appeal the City's decision to the Appeal Authority.

Section 2A-5 Boundary Adjustment

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

2A-5.1 Simple Boundary Adjustment

2A-5.1.1 Definition:

Simple Boundary adjustment means a boundary adjustment that does not affect a public right-of-way, municipal utility easement, or other public property; affect an existing easement, onsite wastewater system, or an internal lot restriction; or result in a lot or parcel out of conformity with land use regulations.

2A-5.1.2 Simple Boundary Application

An applicant shall complete and submit an application to the Kanab City Land Use Department. The application shall include:

2A-5.1.2.1 A conveyance document that includes the following:

- 2A-5.1.2.1.1: The name and signature of each party to the conveyance document;
- 2A-5.1.2.1.2: The address of each party to the conveyance document for assessment purposes;
- 2A-5.1.2.1.3: A legal description of the parcel or lot owned by each party before the boundary adjustment;
- 2A-5.1.2.1.3: A legal description of the parcel or lot owned by each party after the boundary adjustment; and
- 2A-5.1.2.1.4: Sufficient language to convey title from one party to another party, in conformity with the proposed boundary adjustment.

2A-5.1.2.2 An exhibit, in a legible and recordable format, a visual or graphic of the proposed boundary adjustment and all properties affected by the proposed boundary adjustment, depicting:

- 2A-5.1.2.2.1 The former boundary location;
- 2A-5.1.2.2.2 The new boundary location; and
- 2A-5.1.2.2.3 The size shape and dimensions of each adjusted parcel



Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

or lot.

2A-5.1.2.3 If the property owner's conducted a survey, a reference to the record of the survey map showing:

2A-5.1.2.3.1 Existing dwellings, outbuildings, improvements and other physical features;

2A-5.1.2.3.2 Existing easements, rights-of-way, conditions, or restrictions recorded or apparent;

2A-5.1.2.3.3 The former boundary location;

2A-5.1.2.3.4 The new boundary location;

2A-5.1.2.3.5 The size, shape, and dimensions of each adjusted lot or adjusted parcel; and

2A-5.1.2.3.6 Other existing or proposed improvement that impact or are subject to land use regulations.

2A-5.1.2.4 Visual or Graphic depiction showing size of each lot (width, length, and acre or square footage), length of street frontage for each lot, location of existing utilities, structures and easements on each lot, setbacks of existing structures. (this can be combined with the exhibit required in §2A-5.1.3.2.

2A-5.1.3 Simple Boundary Adjustment Review:

2A-5.1.3.1 The application for a simple boundary adjustment shall be reviewed by Land Use Administrator.

2A-5.1.3.2 Additional information may be requested from the applicant during the review.

2A-5.1.3.3 Once all information requested has been furnished, evaluated, and addressed to the satisfaction of the Land Use Administrator, a written notice of consent will be issued.

2A-5.1.3.4 Document Recording: The Applicant

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

shall ensure that the simple boundary adjustment is recorded in the Kane County Recorder's office

2A-5.2 Full Boundary Adjustment

2A-5.2.1 Definition:

Full Boundary adjustment means a boundary adjustment that is not a simple boundary adjustment.

2A-5.2.2 Full Boundary Application

An applicant shall complete and submit an application to the Kanab City Land Use Department. The application shall include:

2A-5.2.2.1 A conveyance document that includes the following:

- 2A-5.2.2.1.1: The name and signature of each party to the conveyance document;
- 2A-5.2.2.1.2: The address of each party to the conveyance document for assessment purposes;
- 2A-5.2.2.1.3: A legal description of the parcel or lot owned by each party before the boundary adjustment;
- 2A-5.2.2.1.4: A legal description of the parcel or lot owned by each party after the boundary adjustment; and
- 2A-5.2.2.1.5: Sufficient language to convey title from one party to another party, in conformity with the proposed boundary adjustment.

2A-5.2.2.2 An exhibit, in a legible and recordable format, a visual or graphic of the proposed boundary adjustment and all properties affected by the proposed boundary adjustment, depicting:

- 2A-5.2.2.2.1 The former boundary location;
- 2A-5.2.2.2.2 The new boundary location; and
- 2A-5.2.2.2.3 The size shape and dimensions of each adjusted parcel or lot.

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

2A-5.2.2.3 A survey, that complies with Utah State code §57-1-45.5(3)(b):

2A-5.2.2.3.1 Existing dwellings, outbuildings, improvements and other physical features;

2A-5.2.2.3.2 Existing easements, rights-of-way, conditions, or restrictions recorded or apparent;

2A-5.2.2.3.3 The former boundary location;

2A-5.2.2.3.4 The new boundary location;

2A-5.2.2.3.5 The size, shape, and dimensions of each adjusted lot or adjusted parcel; and

2A-5.2.2.3.6 Other existing or proposed improvement that impact or are subject to land use regulations.

2A-5.2.2.4 A proposed plat amendment (if property is within an existing subdivision) as outlined in §2A-4.

2A-5.2.2.5 If vacating an easement, public right-of-way, municipal utility easement, or other public property, a separate application to vacate will be required to meet Utah State Code §10-9a-609.5.

2A-5.2.3 Full Boundary Adjustment Approval:

2A-5.2.3.1 The application for a full boundary adjustment shall be reviewed, approved or denied by City Council after receiving a recommendation from the Planning Commission.

2A-5.2.4 Document Recording: The Applicant shall ensure that the simple boundary adjustment is recorded in the Kane County Recorder's office

Section 2A-6 Record of Condominium Plat

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

Each application for condominium shall also comply with the provisions of the Condominium Act as set forth in U.C.A. Section 57-8-10, as amended.

Section 2A-7 Recording of Conservation Parcels

2A-6.1. The Planning Commission shall recommend approval, denial, or approval with conditions of a subdivision to the City Council, which has the authority to approve, or deny, or approve with conditions, a subdivision that is created for conservation easement/parcel as defined in Utah State Code Section 57-18-2, as amended.

2A-6.2. The application for a subdivision created for a conservation parcel/easement must include a letter of intent addressed to the City and a survey map to be recorded with the County Recorder.

2A-6.3. A subdivision created for a conservation parcel/easement is not subject to Development Committee Review, including the submission of an initial application under Section 2A-1 of this Ordinance.

2A-6.4. The Planning Commission may recommend conditions for the subdivision, and the City Council may approve the subdivision with conditions, to ensure that the subdivision is in accordance with the purpose of this Ordinance.

2A-6.5. The Planning Commission may recommend exemption from, and the City Council may exempt applicants from, design requirements enumerated in Chapter 3 of the Subdivision Ordinance that do not appropriately apply to conservation parcels/easements.

2A-6.6. Uses in the conservation parcel may not be changed or expanded without approval granted via the standard subdivision process, specified in the Kanab City Subdivision Ordinance.

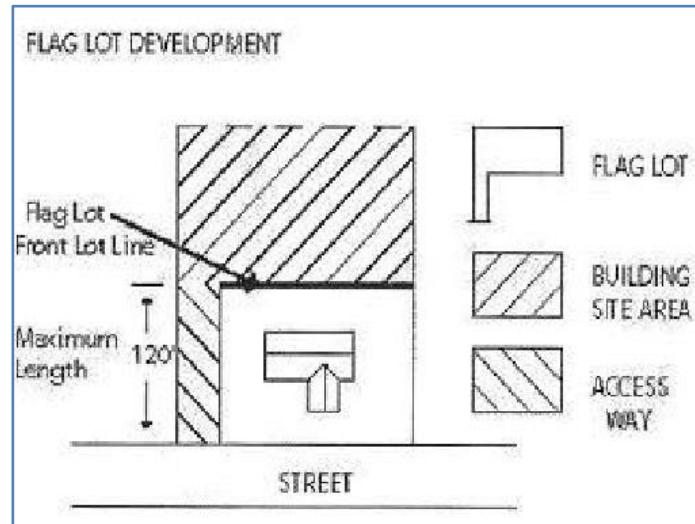
2A-6.7. Nothing in this Ordinance shall exempt applicants from the minimum requirements for a subdivision as defined by Utah State Code.

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

Section 2A-8 Flag Lots



2A-7.1. Flag lots are intended to allow development of substantial, buildable properties where public streets cannot or should not be extended. Additionally, constraints created by the existing built environment may be a consideration. Lot size for such uses is necessarily large to help ensure privacy of adjacent properties who are most impacted by the development of the flag lot.

2A-7.2. All flag lot development shall be approved by the Planning Commission, upon satisfaction of the following conditions:

2A-7.2.1. The Planning Commission determines that the lot may not be developed as a standard lot and that the property cannot be subdivided with public streets and standard lots, either at the present or in the foreseeable future.

2A-7.2. An easement will be recorded across the staff portion of the flag lot, providing access for installation and maintenance of utility lines and services, emergency vehicle access, and access of City or other public personnel or vehicles as may be required to carry out the responsibilities of the City and other governmental entities. Public services,

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

such as garbage collection, will be at the Dedicated Street only.

2A-7.2.3. The staff portion of a flag lot will front on a dedicated public street.

2A-7.2.4. No building or construction, except for driveways and/or fences, will be allowed on the staff portion of the flag lot.

2A-7.2.5. The lot will meet all size and setback requirements of the zone in which the lot is located.

2A-7.2.6. The flag lot will be used for a single-family dwelling only.

2A-7.2.7. No part of the staff portion of the flag lot will serve more than two flag lots. In the event two such flag lots are served by a single staff, an agreement executed by all holding an interest in the property shall be recorded, providing that each owner will contribute one-half the cost of maintenance of the access road on the staff lot, which obligation shall be secured by a lien on the lots.

2A-7.2.8. The staff portion of the lot will be owned in fee simple by the lot owner(s), or the lot owner(s) will own an irrevocable easement constituting the staff portion. If access is by means of an easement, the adjacent lot must maintain the entire frontage required by the ordinance for the zone in which it is located, in addition to the width required for the flag lot access easement. Any easement on an adjoining lot shall contain all provisions identified in Subsection 2A-7.2 above.

2A-7.2.9. The flag lot access driveway will not be closer to an adjacent dwelling than ten (10) feet.

2A-7.2.10. The staff portion of the flag lot will be improved with a gravel driveway or better surface. The driving surface will be well maintained and readily passable by a standard passenger car and emergency vehicles.

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

2A-7.2.11. The proposal is compatible with the existing development, in terms of height, building materials and that the approval of the dwelling will not adversely affect the living environment of the surrounding area.

2A-7.2.12. No deleterious objects or structures will be constructed or maintained on the premises.

2A-7.2.13. The proposed landscaping and fencing will adequately protect the privacy of adjacent properties.

2A-7.2.14. Public safety issues, such as fire hydrants, have been adequately addressed.

2A-7.2.15. Proposed access to the building site is at least twenty (20) feet wide and less than one hundred and twenty (120) feet long.

2A-7.2.16. The proposed area of the building site is at least twenty thousand (20,000) square feet, exclusive of the access way.

2A-7.2.17. The setbacks from the property line will meet the requirements of the underlying zone.

2A-7.2.18. The setback from the existing occupied structures on neighboring properties to any structure on the proposed flag lot will be at least seventy (70) feet.

2A-7.2.19. A site plan that complies with Chapter 9 has been submitted for review to the Planning Commission.

2A-7.3. All construction on a flag lot shall be in accordance with the site plan as approved by the Planning Commission. An approval of the site plan by the Planning Commission shall run with the owner and shall be valid only for a period of one (1) year from the date of approval. If the ownership of the parcel changes before the issuance of a building permit, or if said permit is not obtained and construction commenced within one (1) year from date of approval, said approval shall be null and void. If a building permit has been issued and

Chapter 2A

Subdivision Process

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City, including all subdivisions (except for 1-2 family residential), condominium plats, plat amendments, plat vacations, and lot-line adjustments.

construction begun within one (1) year from the date of approval, the approval of the flag lot shall vest and shall run with the land.

2A-7.4. The front side of the flag lot shall be deemed to be the side nearest the street upon which the staff portion fronts.

2A-7.5. The City shall have no maintenance responsibility for the roadway on the staff portion of the flag lot.

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

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- Section 2B-1 Scope of Applicability
- Section 2B-2 Interpretation and Conflict of Laws
- Section 2B-3 Subdivision Land Use Authority
- Section 2B-4 Subdivision Appeal Authority
- Section 2B-5 Pre-Application Meeting
- Section 2B-6 Subdivision Application Process
- Section 2B-7 Review
- Section 2B-8 Approval
- Section 2B-9 Post Approval Actions
- Section 2B-10 Minor Subdivision
- Section 2B-11 Vacating or Amending a Subdivision Plat
- Section 2B-12 Boundary Adjustment

Section 2B-1 Scope of Applicability

2B-1.1. This Chapter applies to all applications for new subdivisions where the intended use is one- or two-family residential dwellings, including traditional single-family homes, townhomes, and duplexes. Subdivision applications or petitions for other uses are governed by Chapter 2A of this Subdivision Ordinance. The requirements of this Chapter do not apply retroactively to subdivision applications that were approved by the City prior to the enactment or amendment of this Ordinance.

Section 2B-2 Interpretation and Conflict of Laws

2B-2.1. Where any provision in this Chapter 2B conflicts with other ordinances enacted by the City, the provisions in this Chapter shall prevail unless the City intended such conflicting ordinances not in this Chapter to amend this Chapter.

Section 2B-3 Subdivision Land Use Authority

2B-3.1. The Land Use Authority for **preliminary** applications under this Chapter is the Planning Commission. For purposes of subdivision applications,

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

the Planning Commission shall be ultimately responsible for the following, but may delegate any task to the City Engineer, City staff, or members of the Planning Commission:

- 2B-3.1.1. Rendering land use decisions related to preliminary applications under this Chapter, including approving or denying preliminary applications.
- 2B-3.1.2. Reviewing all preliminary applications under this Chapter in an impartial manner and according to the standards and deadlines described in this Chapter.
- 2B-3.1.3. Providing notice to entities and parties as required by this Chapter. This task is delegated to City staff by default.
- 2B-3.1.4. Holding public meetings for reviewing preliminary applications as required by this Chapter.
- 2B-3.1.5. Providing feedback to applicants on their preliminary applications in the manner required by this Chapter.
- 2B-3.1.6. Scheduling and holding a pre-application meeting with potential applicants as required by this Chapter. This task is delegated to City staff and the Development Committee by default.
- 2B-3.1.7. Keeping subdivision application forms (both preliminary and final) and related informational material up to date and publicly accessible and distributing such forms and materials to potential applicants. This task is delegated to City staff by default.
- 2B-3.1.8. Ensuring that documents are properly recorded with the County as required by this Chapter. This task is delegated to City staff by default.

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-3.2. The Land Use Authority for **final** applications under this Chapter is the Subdivision Review Committee (SRC). The SRC shall comprise the Land Use Director, the City Engineer, the Public Works Director, and one member of the Planning Commission who is a non-voting member and acts only as a liaison between the Planning Commission and the SRC. The SRC shall meet on an as-needed basis and act by majority vote. For purposes of subdivision applications, the SRC shall be responsible for the following, but may delegate any task to City staff or members of the SRC:

2B-3.2.1. Rendering land use decisions related to final applications under this Chapter, including approving or denying final applications.

2B-3.2.2. Reviewing all final applications under this Chapter in an impartial manner and according to the standards and deadlines described in this Chapter.

2B-3.2.3. Providing feedback to applicants on their final applications in the manner required by this Chapter.

2B-3.2.4. Signing final application approvals as required by this Chapter.

2B-3.3. The Land Use Authorities are authorized to make any land use decision described by this Chapter without City Council approval. The City Council shall not approve or deny and shall not require the Land Use Authority to approve or deny an application under this Chapter.

Section 2B-4 Subdivision Appeal Authority

2B-4.1. The Appeal Authority for City decisions relating to this Chapter, except where otherwise noted, is the Administrative Hearing Officer.

Section 2B-5 Pre-Application Meeting

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-5.1. A party intending to submit a subdivision application under this Chapter may request a pre-application meeting with members of the SRC or another representative of the City (depending on availability) for the purpose of reviewing any element of the party's proposed subdivision application (preliminary or final). The proposed application need not be complete for purposes of this meeting and may—if the party desires—be limited to a concept or sketch plan.

2B-5.1.1. If a party requests a pre-application meeting, City staff shall schedule the meeting within 15 business days after the request. The meeting shall be scheduled at the earliest convenient opportunity, and, at the option of the party requesting the meeting, shall occur within 20 business days after scheduling.

2B-5.1.2. An SRC member or other City representative shall conduct the meeting, provide feedback on materials as requested by the party, and shall provide or have available on the City website the following at the time of the meeting:

2B-5.1.2.1. Copies of applicable land use regulations;

2B-5.1.2.2. A complete list of standards required for the project; and

2B-5.1.2.3. Relevant application checklists.

Section 2B-6 Application Requirements

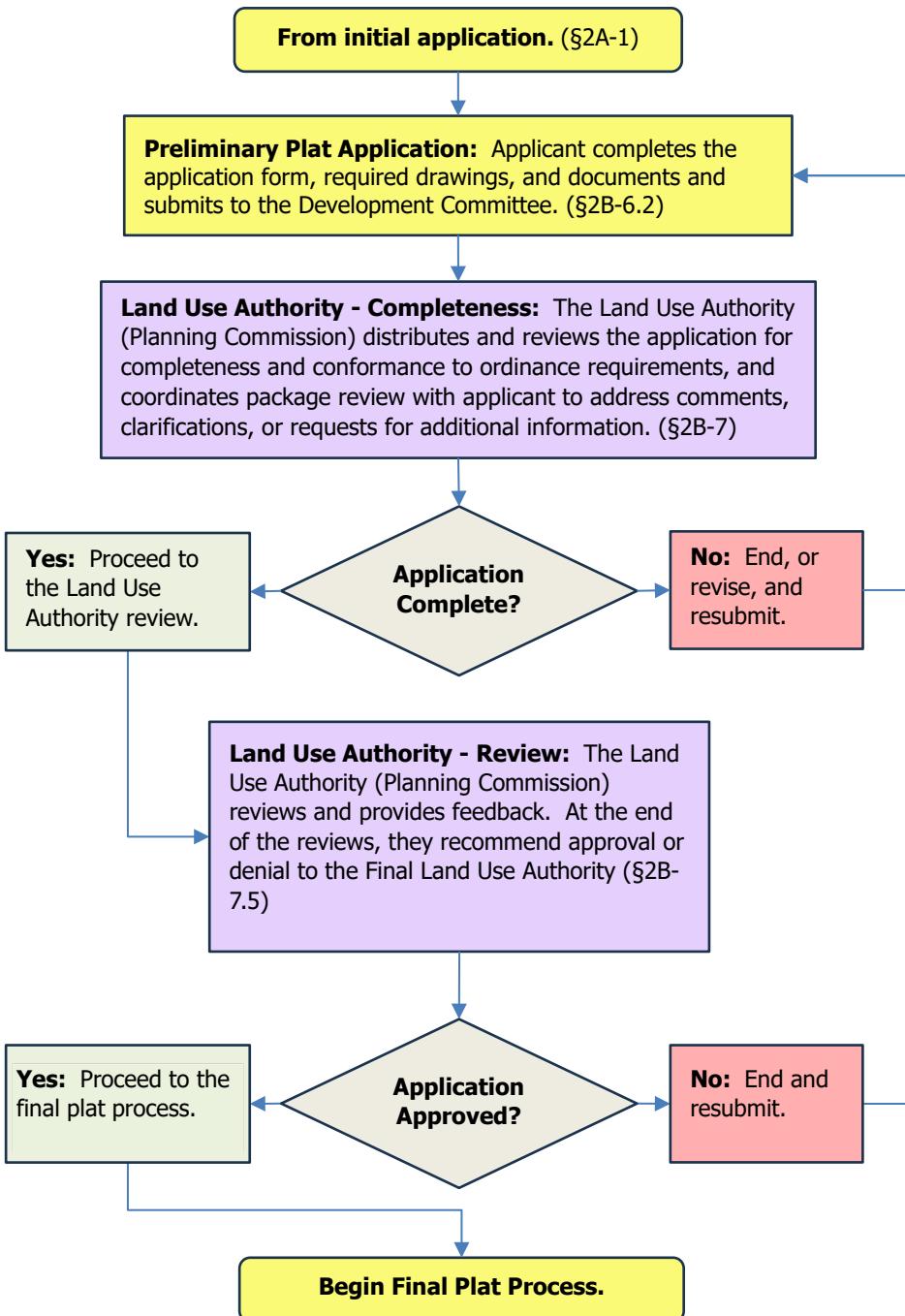
2B-6.1. The City shall not approve, nor shall a party record, any plat or other creating instrument for a new subdivision unless the party has properly applied under this Chapter and received both a preliminary approval and a final approval from the respective Land Use Authorities.

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Figure 1 - Preliminary Plat Application Process (1-2 Family Residential)

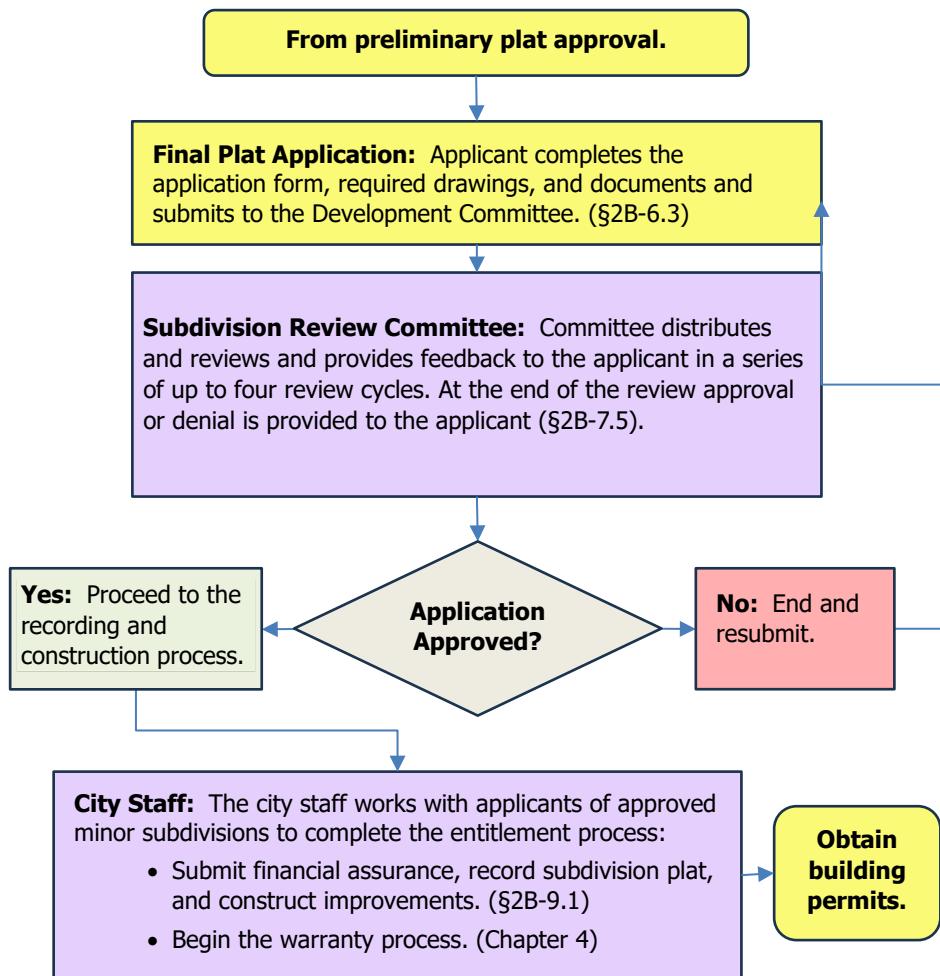


Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Figure 2 - Final Plat Application Process (1-2 Family Residential)



2B-6.2. PRELIMINARY APPLICATION. To be considered complete, a **preliminary** subdivision application must include at least the following elements and a completed checklist showing that application includes all elements:

2B-6.2.1. Proof of land use (zoning) authorization, including a description of how the property will be used after it is subdivided and citations to the specific ordinance(s) that the applicant believes authorizes the intended use. If the intended use requires a rezoning, this must be secured before a subdivision application may be submitted. If the

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

application proposes a flag lot, this must be separately approved under Chapter 2A, Section 7 of this Ordinance before a subdivision application may be submitted.

2B-6.2.2. A preliminary plat. The preliminary plat must be drawn to scale, in detail, and in accordance with generally accepted surveying standards and the acceptable filing standards of the County Recorder's Office. The preliminary plat must include:

2B-6.2.2.1. The proposed subdivision name, which must be distinct from any subdivision name on a plat recorded in the County Recorder's office.

2B-6.2.2.2. The boundaries, course, and dimensions of all proposed parcels.

2B-6.2.2.3. The lot or unit reference; block or building reference; street or site address; street name or coordinate address; acreage or square footage for all parcels, units, or lots; and length and width of the blocks and lots intended for sale.

2B-6.2.2.4. Every existing right-of-way and recorded easement located within the plat for underground, water, and utility facilities.

2B-6.2.2.5. Any known and unrecorded water conveyance facility located, entirely or partially, within the plat.

2B-6.2.2.6. The boundary lines of any special flood hazard zone.

2B-6.2.2.7. Whether any parcel is intended to be used as a street or for any other public use.

2B-6.2.2.8. Whether any parcel is reserved or proposed for dedication for a public

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

purpose.

2B-6.2.2.9. If applicable, the notice required by Utah Code §17-41-403(4).

2B-6.2.2.10. Topography at two-foot intervals indicating existing terrain conditions.

2B-6.2.2.11. A north arrow facing the top of the right margin.

2B-6.2.2.12. A minimum scale of 1" = 50'.

2B-6.2.2.13. The latest date on each sheet.

2B-6.2.2.14. Signature blocks for the owners of the land to be subdivided, the surveyor who prepared the plat, the City Engineer, the City Surveyor, the City Attorney, the Public Works Director, the Land Use Authority, and a Notary Public.

2B-6.2.3. Reports and studies, including:

2B-6.2.3.1. Soils investigation report prepared by a professional engineer proficient in geotechnical engineering, licensed in the State of Utah, unless specifically waived by the City Engineer.

2B-6.2.3.2. Drainage report prepared by a professional engineer licensed in the State of Utah, unless specifically waived by the City Engineer.

2B-6.2.3.3. Any other report required by the Kanab Land Use Code or reasonably required by the Planning Commission after initial review of the preliminary application.

2B-6.2.4. Certifications, including:

2B-6.2.4.1. An affidavit from the applicant certifying that the submitted information is

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

true and accurate.

2B-6.2.4.2. The signature of each owner of record of land described on the preliminary plat, signifying their consent to the preliminary subdivision application and their intent to dedicate portions of the preliminary plat to the public as described in the application.

2B-6.2.4.3 Certification that the survey who prepared the plat:

2B-6.2.4.3.1. Holds a license in accordance with Utah Code Title 58 Chapter 22; and

2B-6.2.4.3.2. Either has completed a survey of the property described on the plat in accordance with state requirements and has verified all measurements; or has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and

2B-6.2.4.3.3. Has placed monuments as represented on the plat.

2B-6.2.5. Copies: An electronic copy of all plans in PDF format, plus four 24" x 36" size copies and twelve 11" x 17" size copies of the preliminary plat and one printed copy of all other documents in the preliminary application.

2B-6.2.6. Fee: The preliminary plat fee as outlined in the Kanab City Land Use Ordinance.

2B-6.3. FINAL APPLICATION. To be considered complete, a **final** subdivision application must include the following and a completed checklist showing that application includes all elements:

2B-6.3.1. Approval of preliminary application. Planning Commission's approval of the applicant's preliminary application, given within the last 365 calendar days.

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-6.3.2. A final plat. The final plat should be the version of the preliminary plat approved by the Planning Commission during the preliminary application review process, plus any other additions and immaterial changes (e.g., formatting) necessary to comply with the recording requirements of the County Recorder's Office.

2B-6.3.3. An improvement plan for all public improvements proposed by the applicant or required by City ordinances. The improvement plan must contain:

2B-6.3.3.1. Engineer's estimate: An engineer's estimate of the cost of completing the required public improvements.

2B-6.3.3.2. Water and sewer design: Drawings showing the layout, profile, and detailed design for sewer line, water lines and storm drains. These drawings must address all sewer mains and manholes, water mains, valves and fire hydrants, and all culinary water lines and pressurized irrigation lines, ditches, canals, and other waterways, along with any required improvements to the same.

2B-6.3.3.3. Profile, cross section drawings: Plan profile and typical cross section drawings of all streets, bridges, culverts and other drainage structures and any additional requirements deemed necessary by the City Engineer.

2B-6.3.3.4. Grading plan: The applicant must submit a grading plan.

2B-6.3.3.5. A feasibility study that demonstrates the feasibility of the proposed water and sewage systems necessary to meet the requirements of this Chapter, together with letters of feasibility from the local Health

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Department and the Sanitary Sewer Authority.

2B-6.3.3.6. A traffic study that meets the requirements stated in the City's Transportation Master Plan, which is adopted and incorporated as part of this title by reference.

2B-6.3.3.7. A re-vegetation plan.

2B-6.3.3.8. Measures to protect ecology: The applicant must provide a report that describes the mitigating measures that will be taken with respect to the following:

2B-6.3.3.8.1. Control of erosion within the subdivision, and any measures taken as necessary due to impact by the development of the subdivision, to control erosion outside the boundaries of the subdivision;

2B-6.3.3.8.2. Reseeding of cuts and fills;

2B-6.3.3.8.3. Prevention of fire and control dust;

2B-6.3.3.8.4. Prevention of the accumulation of weeds and debris outside the boundaries of the subdivision due to impacts of the development of the subdivision; and

2B-6.3.3.8.5. Prevention of destruction of vegetation outside the boundaries of the subdivision due to impacts of the development of the subdivision.

2B-6.3.3.9. Miscellaneous:

2B-6.3.3.9.1. The location of all curb, gutter, sidewalk and other street improvements to be constructed as required by City ordinances;

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-6.3.3.9.2. All fences, barriers or landscaping as required by the City ordinances or the Planning Commission;

2B-6.3.3.9.3. All special improvements required by the Planning Commission as conditions of subdivision approval;

2B-6.3.3.9.4. Location of all street name signs as required by the City Engineer; and

2B-6.3.3.9.5. The location of any dedicated open space, and a draft of the open space agreement.

2B-6.3.4. A completion assurance for all public improvements required by the approved improvement plan, or a statement that such improvements will be completed before development occurs on the proposed subdivision and before the applicant records the plat. This completion assurance shall be provided according to Chapter 4 of this Ordinance.

2B-6.3.5. Certifications, including:

2B-6.3.5.1. A Title Report for the land to be subdivided, verifying property ownership.

2B-6.3.5.2. A Tax Clearance Certificate from the state indicating that all taxes, interests, and penalties owing on the land have been paid.

2B-6.3.5.3. An affidavit from the applicant certifying that the submitted information is true and accurate.

2B-6.3.5.4. The signature of each owner of record of land described on the plat, signifying their consent to the final subdivision application and their dedication and approval of the final plat.

2B-6.3.5.5. The surveyor's certification

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

described in Utah Code Title 58 Chapter 22;

2B-6.3.6. Binding dedication documents, including:

2B-6.3.6.1. As applicable, formal, irrevocable offers for dedication to the public of streets, utilities, parks, easements, or other spaces

2B-6.3.6.2. If the plat is to be part of a community association (e.g., an HOA), signed and binding documents conveying to the association all common areas.

2B-6.3.7. Copies, including:

2B-6.3.7.1. A PDF document of the final plat and all other plans and supporting documents.

2B-6.3.7.2. A copy of the final plat in AutoCAD format. AutoCAD files are considered proprietary and protected.

2B-6.3.7.3. A copy of the final plat drawn on mylar for recording in the County Recorder's Office.

2B-6.3.7 Fee. The final plat fee as outlined in the Kanab City Land Use Ordinance.

2B-6.4 The Land Use Authorities may require, and the applicant shall provide, additional information beyond the requirements of this Section or those published by the City relating to an applicant's plans to ensure compliance with City ordinances and approved standards and specifications for construction of public improvements and to protect the health and safety of City residents.

2B-6.5 In its sole discretion, the Planning Commission may waive specific requirements on a case-by-case basis and accept an application as complete where not all the elements in this Section are provided. These exceptions shall be based on articulable facts.

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Section 2B-7 Review Process

2B-7.1. The Land Use Authorities shall review all subdivision applications in accordance with the requirements of this Section before approving or denying those applications.

2B-7.2. For both preliminary and final applications, the review process begins when an applicant submits a complete application.

2B-7.2.1. The Land Use Authorities shall not review an incomplete subdivision application, except to determine whether the application is complete.

2B-7.2.2. If the Land Use Authority determines that an application is incomplete, it shall notify the applicant of the incompleteness, highlighting any insufficiencies and explaining that the application will not be reviewed until it is complete.

2B-7.3. For both preliminary and final applications, after the applicant submits a complete application, the Land Use Authority shall review and provide feedback to the applicant in a series of "review cycles."

2B-7.3.1. A review cycle consists of the following phases:

2B-7.3.1.1. Phase #1: The applicant submits a complete application (or, if after the first cycle, submits a revised version of the complete application).

2B-7.3.1.2. Phase #2: The Land Use Authorities review the application in detail and assess whether the application conforms to local ordinances.

2B-7.3.1.3. Phase #3: The Land Use Authorities respond to the applicant, citing any missing requirements or areas of

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

noncompliance and providing a detailed list of necessary revisions to the applicant. For any required modification or addition to the application or request for more information, the Land Use Authorities shall be specific and include citations to ordinances, standards, or specifications that require the modification or addition and shall provide the applicant with an index of all requested modifications or additions.

2B-7.3.1.4. Phase #4: The applicant revises the application, addressing each comment or requirement the Land Use Authorities made. The applicant must submit both revised plans and a comprehensive written explanation in response to the City's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any.

2B-7.3.2. The City will review subdivision improvement plans only during the review of final applications.

2B-7.4. When reviewing final applications, the Land Use Authority shall complete Phases #2 and #3 within **40 business days** and shall not exceed **four review cycles**. If no further revisions are needed, the Land Use Authority may end the review process early and approve or deny the final application.

2B-7.4.1. This provision notwithstanding, for any subdivision application that affects property within an identified geological hazard area, the City is exempt from limits on the number of permitted review cycles and the City's deadlines for reviewing and responding (Phases #2 and #3). Geological hazard areas include areas at risk for rockfall, landslide, liquefaction, or otherwise as defined in state law.

2B-7.4.2. If the applicant makes a material change to a preliminary or final application not

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Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

requested by the City at any point in the review process, the Land Use Authority may restart the review process, but only with respect to the portion of the application that the material change substantively affects.

2B-7.4.3. For final applications, if an applicant takes longer than 40 business days to submit a revised application and respond to the City's requests for modifications and additions (Phases #1 and #4), the City shall have an additional 20 business days to review and respond to the revised application (Phases #2 and #3 of the next review cycle or issuing an approval decision).

2B-7.4.4. For both preliminary and final applications, if an applicant takes longer than 180 calendar days to submit a revised application and respond to the City's requests for modifications and additions (Phases #1 and #4), the application shall, at the option of the Land Use Authority, expire. If an application expires, the applicant must restart the subdivision application process.

2B-7.4.5. If the applicant has not submitted a final application within 12 months after the Land Use Authority notifies the applicant that it has approved the related preliminary application, the related preliminary approval shall expire. In this case, the applicant shall not submit a final application until the Land Use Authority has issued a new preliminary application approval.

2B-7.5. When a final application's review period ends, the Land Use Authority shall approve or deny the respective preliminary or final application within 20 business days.

2B-7.6. After the Land Use Authority provides comments in the last allotted review cycle for a final application, the City shall not require further modifications or corrections to the application unless those modifications or corrections are necessary to protect public health and safety or to enforce state or federal law or unless the review cycle is reset due to the applicant making a

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Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

material change that the Land Use Authority did not request.

2B-7.6.1. With the exception of modifications or corrections that are needed to protect public health and safety, that are needed to enforce state or federal law, or that arise from the review cycle being reset, the City waives noncompliant subdivision-related requirements that the Land Use Authority does not identify during the review process.

2B-7.6.2. The applicant shall make reasonable changes, unless prohibited otherwise by a contract or deed, to the subdivision application to accommodate the water conveyance facility to the extent required by Utah Code §73-1-15.5.

2B-7.7. The Planning Commission shall hold one public hearing during the review period for a preliminary subdivision application.

2B-7.7.1. The purpose of this public hearing is to ask questions of the applicant and receive commentary on the technical aspects of the application from affected entities, interested parties, and the public.

2B-7.7.2. The Land Use Authority shall not hold a public hearing during the review period for a final application under this Chapter.

2B-7.8. Other Chapters of this Title notwithstanding, the Land Use Authorities shall approve or deny preliminary and final applications under this Chapter after reviewing the complete applications as described in this Section.

Section 2B-8 Approval

2B-8.1. The Land Use Authorities shall approve any complete preliminary and final applications made under this Chapter that comply with applicable City ordinances.

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-8.2. The Land Use Authorities shall issue all approvals in writing, and members of the SRC (excluding the member of the Planning Commission) shall certify the approved final plat, either by signing the plat directly or by attaching a signed certification to the plat.

Section 2B-9 Post-Approval Actions

2B-9.1. The applicant shall record the approved final plat with the County Recorder's Office within 365 calendar days after the City approves the final application, provided that the applicant has completed any improvements or posted any completion assurances required by City ordinances or described in the approved improvement plan. The applicant shall not record the approved final plat until such improvements are completed or guaranteed in compliance with City ordinances and the approved improvement plan.

2B-9.1.1. An approved final plat not properly recorded within the timeline specified in this provision is void, unless the Planning Commission approves an extension.

Section 2B-10 Minor Subdivision (9 or fewer lots)

2B-10.1. An applicant may subdivide property into less than 10 lots as a minor subdivision, provided that all proposed lots or parcels front a dedicated public street or private street, comply with the applicable zone standards, and are approved through the process as outlined herein.

Lots may front a private lane, in lieu of a dedicated public street, under the following conditions:

- i. All requirements are met in Chapter 4-21 of the Land Use Ordinance;
- ii. The private lane is paved if servicing more than 3 lots;

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

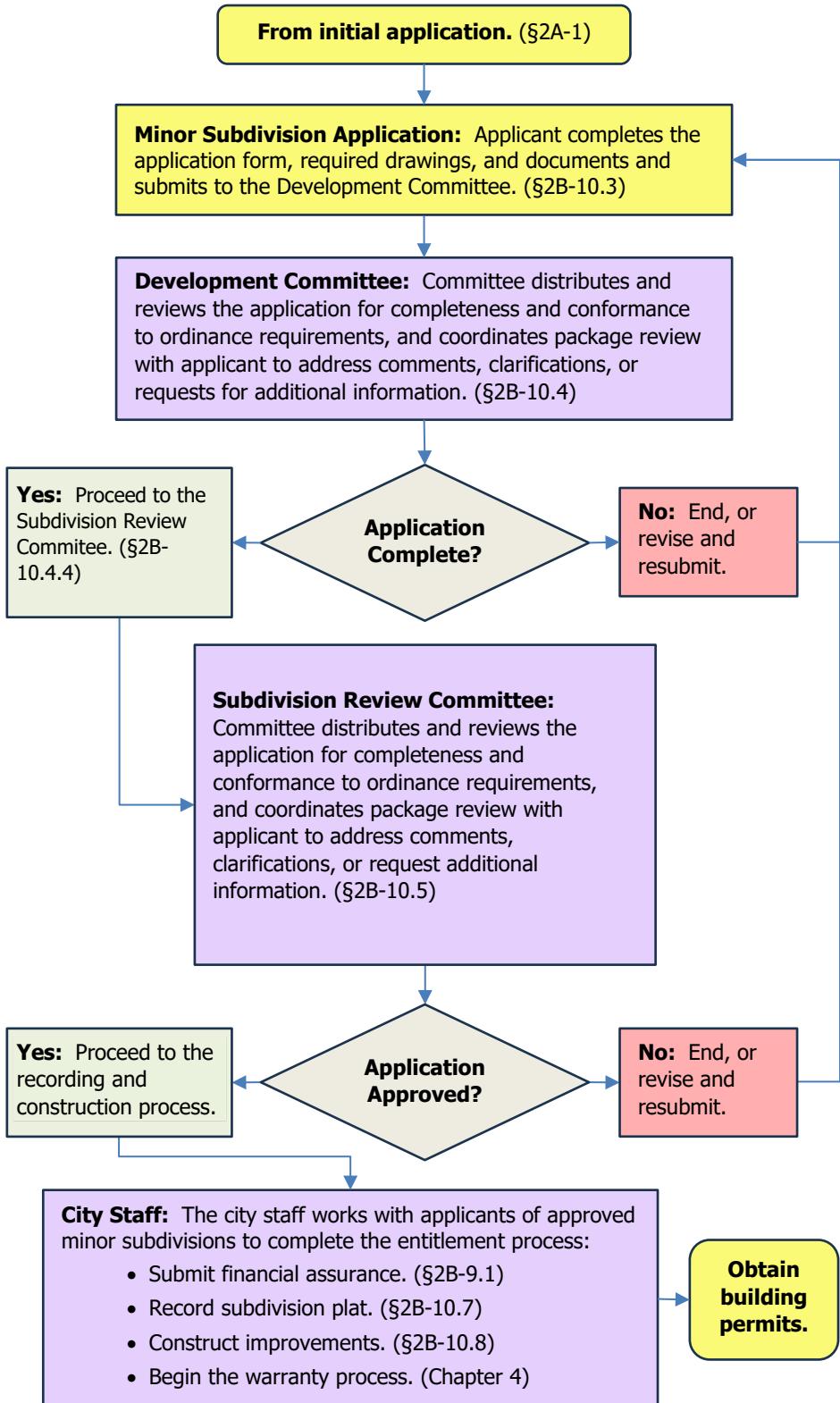
- iii. The proposed private lane will not interfere with the future transportation plans or needs of the City; and
- iv. The proposed private lane will meet the requirements for Fire Apparatus Access Roads as indicated in the International Fire Code adopted under Title 15A of the Utah State Code

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Figure 3 - Minor Subdivision Process (1-2 Family Residential)



Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-10.2. Initial Application

An applicant shall complete the initial application process as outlined in Section 2A-1.

2B-10.3. Minor Subdivision Application

Following completion of the initial application process, an applicant shall complete and submit an application form for a minor subdivision to the Kanab City Development Committee. The application shall be accompanied by the following and a completed checklist showing the applicant included all elements:

2B-10.3.1. The name of applicant or authorized agent and contact information.

2B-10.3.2. The subdivision name.

2B-10.3.3. The property address and parcel number.

2B-10.3.4. Minor Subdivision Plat Drawing: Four (4) 24" x 36" size copies and twelve (12) 11" x 17" size copies of a Minor Subdivision Plat drawing. The plat shall include:

2B-10.3.4.1. The proposed subdivision name;

2B-10.3.4.2. The name and address of the applicant, engineer, or surveyor for the subdivision and owners of the land to be subdivided;

2B-10.3.4.3. The boundary dimensions and legal description of the subdivision and each lot therein, with accuracy within 0.010' and with the point of beginning clearly labeled;

2B-10.3.4.4. A minimum scale of 1" = 50';

2B-10.3.4.5. Existing rights-of-way and easement grants of record for streets, underground utilities and other public purposes;

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-10.3.4.6. A north arrow facing the top of right margin;

2B-10.3.4.7. The latest date on each sheet;

2B-10.3.4.8. The acreage or square footage for all parcels or lots and the length and width of the blocks and lots intended for sale;

2B-10.3.4.9. A legend of symbols;

2B-10.3.4.10. All survey monuments;

2B-10.3.4.11. The street-indicating numbers and/or names and the lots numbered consecutively.

2B-10.3.4.12. The location, width, centerline bearings and curve data (including delta angle, radius, length, tangent and the long cord on curves) and other dimensions of all existing proposed or platted streets and easements;

2B-10.3.4.13. The streets, lots, and properties within two hundred feet (200') surrounding the subdivision shown in ghost lines; and

2B-10.3.4.14. The approval signature blocks for:

2B-10.3.4.14.1. Owner's dedication and acknowledgment;

2B-10.3.4.14.2. Surveyor's stamped certificate with the subdivision boundary legal description;

2B-10.3.4.14.3. City Surveyor's approval;

2B-10.3.4.14.4. City Engineer's approval;

2B-10.3.4.14.5. City Attorney's approval as to form;

2B-10.3.4.14.6. Director of Public Works' approval;

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-10.3.4.14.7. Planning Commission Acceptance

2B-10.3.4.14.8. City Council approval; and

2B-10.3.4.14.9. County Recorder's certificate.

2B-10.3.5. Utility Service Commitment Letters: A letter from the power, water, and sewer utility provider stating its commitment to provide service to the proposed project and to be operational prior to the issuance of any building permit. The application must also include written approval from the Public Health Department if it is determined that the property is not serviced by the public sewer system.

2B-10.3.6. Lot Addresses: A list of street addresses for each lot, numbered in accordance with the Kanab City address grid system.

2B-10.3.7. Title Report: A title report prepared within the previous 30 days.

2B-10.3.8. Any additional items that may be requested by the Development Committee during the initial application process.

2B-10.3.9. Fee: The minor subdivision plat fee as outlined in the Kanab City Land Use Ordinance.

2B-10.3.10. Signature and Acknowledgement: By signing the Minor Subdivision application form, the applicant acknowledges:

2B-10.3.10.1. That the applicant or agent of the applicant has read the Subdivision Ordinance;

2B-10.3.10.2. That the applicant understands the provisions of the Subdivision Ordinance; and

2B-10.3.10.3. That the applicant will fully and completely comply with the provisions and

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

requirements contained therein.

2B-10.4. Development Committee Review:

2B-10.4.1. The Development Committee shall review the application and accompanying documentation for compliance with this ordinance.

2B-10.4.2. Copies of the application and accompanying documentation may be furnished to the City Attorney, City Engineer, Public Works Department, or other interested parties, who will review the documentation and make recommendation back to the Development Committee.

2B-10.4.3. Additional information such as a soils investigation, drainage study, deed restrictions, or other information deemed necessary to fulfill the purpose of this ordinance as described may be requested from the applicant by the Development Committee during the review.

2B-10.4.4. Once all information requested has been furnished, evaluated, and addressed to the satisfaction of the Development Committee, the application will be forwarded to the Planning Commission and placed in the next available meeting agenda.

2B-10.5. Subdivision Review Committee: The Kanab City Subdivision Review Committee shall hold a public meeting on the application and approve, deny, or approve with conditions..

2B-10.7. Owner's Duty to Record: The owner(s) of the approved minor subdivision shall record the approved Minor Subdivision Plat in the Kane County Recorder's Office. An applicant's failure to record within one year of City Council approval shall render the subdivision void. In such case, the applicant must commence the subdivision process anew.

2B-10.8. Improvement Requirements for Building

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Permits in Minor Subdivisions:

2B-10.8.1. Building permits shall not be issued until utilities are available for connection to and adequate fire protection is in place for the lot or parcel proposed for construction, in accordance with City requirements. A utility plan may be required by the utility provider as part of this process.

2B-10.8.2. Street improvements such as curb, gutter, and sidewalk are required prior to the issuance of a building permit through one or both of the following means:

2B-10.8.2.1. Construct street improvements to match existing conditions on adjacent or contiguous properties; or

2B-10.8.2.2. Sign a "non-opposition" waiver for a future special improvement district.

2B-10.8.3. Sidewalks must be installed prior to an occupancy permit being issued, unless the requirement is waived by the Kanab City Council.

2B-10.8.4. Certain improvement requirements set forth in this Ordinance may be waived by the City Council in a public meeting, upon recommendation from the Development Committee and Planning Commission.

2B-11 Vacating or Amending a Subdivision Plat

2B-11.1 Please see §2A-4.1 for the requirements to vacate or amend a subdivision plat.

2B-12 Boundary Adjustment

2B-12.1 Please see §2A-5 for the requirements to vacate or amend a subdivision plat.

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Kanab City Planning Commission Staff Report

File Number 20250805.2

Date:	August 4, 2025
Meeting Date:	August 5, 2025
Agenda Item:	Discuss and recommend to City Council a text amendment to the Land Use Ordinance, Chapter 6 Parking Requirements

Attachments:

- **Exhibit A: Proposed Amendment(s) with Red Lines**

Summary:

A text amendment to update Land Use Ordinance Chapter 6 – Parking Requirement. Amendments are to allow public parking spaces to be accessed from a public road.

Recommended Motion:

I move to send a positive recommendation to City Council to adopt changes to the Kanab City Land Use Ordinances identified in exhibit A of the staff report for 20250805.2

I move to send a negative recommendation to City Council.

I move to send a positive recommendation to City Council to adopt changes to the Kanab City Land Use Ordinances identified in exhibit A of the staff report for 20250805.2 with the following amendments:

I move to continue the discussion to the following meeting:

– A Western Classic –

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Kerry Glover
JD Wright

Exhibit A: Proposed Amendment with Red Lines

Kanab

Land Use Ordinance

Chapter 06 – Parking Requirements

Section 6-1 Off-Street Parking Required

Section 6-2 Size

Section 6-3 Access to Individual Parking Space

Section 6-4 Numbers of Parking Spaces

Section 6-5 Access Requirements

Section 6-6 Location of Gasoline Pumps

Section 6-7 Maintenance of Parking Lots

Section 6-8 Lighting of Parking Lots

Section 6-9 Parking Space Reductions

Section 6-10 Handicapped Accessible Parking

Section 6-11 Downtown Parking District

Section 6-1 Off-Street Parking Required

At the time any building or structure is erected or enlarged or increased in capacity or any use is established, there shall be provided off-street parking spaces for automobiles adjacent to the building, structure or use in accordance with the following requirements.

Section 6-2 Size

The dimensions of each off-street parking space shall be at least nine (9) feet by twenty (20) feet for diagonal or ninety-degree spaces; or nine (9) by twenty-two (22) feet for parallel spaces, exclusive of access drives or aisles, provided that in parking lots of not less than twenty (20) parking spaces the Planning Commission may approve a design allowing not more than twenty (20) percent of such spaces to be not less than seven and one-half (7½) feet by fifteen (15) feet to be marked and used for compact automobiles only.

Type of Space	Minimum Width	Minimum Length
Diagonal	9 feet	20 feet
90° Angle	9 feet	20 feet
Parallel	9 feet	22 feet
Compact (approved 20%)*	7½ feet	15 feet

qualifying requirements.

*See section 6-2 for

Kanab

Land Use Ordinance

Chapter 06 – Parking Requirements

Section 6-3 Access to Individual Parking Space

Except for single-family and two-family dwellings, access to each private or business parking space shall be from a private driveway and not from a public street. Public on-street parking not used for private or business use may be accessed from a public street (excluding roads identified in the Master Transportation Plans as Arterial and Major Collector).

Section 6-4 Numbers of Parking Spaces

A professional parking study may be required by the Planning Commission. The number of off-street parking spaces required shall be as follows:

#	Type of Use	Parking Spaces Requirement
1.	Business or professional offices	1 per 300 sq. ft. of floor area
2.	Churches, sports arenas, auditoriums, theaters, assembly halls, meeting rooms	1 per each 3.5 seats of maximum seating capacity
3.	Commercial properties fronting Highway 89/SR11	Parking may be modified by a conditional use permit
4.	Dwellings, single-family, two-family, multi-family and cluster (townhouse and condominium)	2 per dwelling unit
5.	Furniture and appliance stores	1 per 600 sq. ft. of floor area
6.	Handicapped and motorcycle parking spaces	1 handicapped per 25 spaces, plus 1 per each additional 50 spaces, & 1 motorcycle stall per 25 spaces
7.	Hospitals	2 per each bed
8.	Hotels, motels, motor hotels	1 per each sleeping unit, plus parking for all accessory uses as herein specified.
9.	Lodging House	1 space per each 2 persons.
10.	Nursing homes	4, plus 1 per each 5 beds
11.	Restaurants, taverns, private clubs, and all other similar dining and/or drinking establishments	1 per each 3.5 seats or 1 per each 300 sq. ft. (excluding kitchen, storage, etc.), whichever is greater
12.	Retail stores, shops	1 per each 300 sq. ft. of retail floor space.
13.	Shopping centers or other groups of uses not listed above	As determined by conditional use permit or Planned development procedure, if applicable, or by the Kanab City Planning Commission.
14.	Storage units (commercial)	1 per each 30 ft of building frontage storage space

Adopted January 22, 2008; Amended June 28, 2022

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15.	Wholesale establishments, warehouses, manufacturing establishments, and all industrial uses	As determined by conditional use permit or by planned development requirements, if applicable, or by the Kanab City Planning Commission, but in no case fewer than 1 space for each employee projected for the highest employment shift.
16.	All other uses not listed above	As determined by the Kanab City Planning Commission, based on the nearest comparable use standards.

Section 6-5 Access Requirements

Adequate ingress and egress to and from all uses shall be provided as follows (Minimum widths of drives within parking lots are provided in the Kanab City Design and Construction Standards):

A. Residential Lots

- a. Residential lots with less than one hundred (100) feet of street frontage shall have not more than two (2) driveways, each of which shall be a maximum of twenty-five (25) feet wide at the street lot line, or one (1) driveway with a maximum of 50 feet wide at the street lot line. Driveways shall not be closer than six (6) feet to each other.
 - b. Residential lots with more than one hundred (100) feet of street frontage are allowed one additional driveway for each additional fifty (50) feet of street frontage, each of which shall be a maximum of twenty-five (25) feet wide at the street lot line, or one (1) driveway with a maximum of fifty (50) feet wide at the street lot line. Driveways shall not be closer than six (6) feet to each other.
 - c. Circular driveways shall count as one (1) driveway.
- B. Other than Residential lots - Access for each lot shall be provided to meet the following requirements:
1. Not more than two (2) driveways shall be used for each one hundred (100) feet or fraction thereof of frontage on any street.
 2. No two (2) of said driveways shall be closer to each other than six (6) feet, and no driveway shall be closer to a side property line than three (3) feet.
 3. Each driveway shall be not more than fifty (50) feet wide, measured at right angles to the centerline of the driveway, except as increased by permissible curb return radii. The entire flare of any return radius shall fall within the right-of-way.
 4. No driveway shall be closer than ten (10) feet of any intersection at any corner as measured along the property line.
 5. In all cases where there is an existing curb and gutter or sidewalk on the street, the applicant for a permit shall provide a safety island along the entire frontage of the property, except for the permitted driveways. On the two (2) ends and street side of each such island shall be constructed a concrete curb, the height, location, and structural specifications of

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which shall be in accordance with the City of Kanab Design and Construction Standards.

6. Where there is no existing curb and gutter or sidewalk, the applicant may at his option install such safety island and curb, or, in place thereof shall construct along the entire length of the property line (except in front of the permitted driveways) a curb, fence, or pipe rail not exceeding two (2) feet or less than eight (8) inches in height.
7. All other uses not listed above as determined by the Kanab City Planning Commission, based on the nearest compatible use standards.

Section 6-6 Location of Gasoline Pumps

Gasoline pumps shall be set back not less than eighteen (18) feet from any street line to which the pump island is perpendicular, and twelve (12) feet from any street line to which the pump island is parallel, and not less than ten (10) feet from any residential or agricultural district boundary line. If the pump island is set at an angel on the property, it shall be so located that the automobiles stopped for service will not extend over the property line.

Section 6-7 Maintenance of Parking Lots

Every parcel of land, or portion thereof, used as a public or private parking lot, accessed by customers, employees, for deliveries, and/or for other commercial or manufacturing purposes, shall be developed and maintained in accordance with the following requirements:

A. Parcel with a retail store front:

1. Customer Parking and Receiving areas (shared with customer parking area) - Each off-street parking lot shall be surfaced with a minimum of 2 inches of asphalt or 3½ inches of Portland cement or equivalent. The parking area shall be so graded as to dispose of all surface water. If such water is to be carried to adjacent streets, it shall be piped under sidewalks. Areas used solely for the purpose of displaying vehicles and boats for sale or rent need not be hard surfaced, however any areas designated for customer or employee parking shall be hard surfaced.
2. Employee Parking and Receiving areas (not shared nor routinely accessed by customers and not facing or adjacent to a public street) shall, at a minimum, be surfaced with certified road base with one of the following: packed gravel; asphalt; concrete; or a double chip seal.
3. All entrances and exits shall be hard surface with asphalt or concrete aprons, in accordance with Kanab City Standards, that extends a minimum of twenty (20) feet into the parking area
4. All parking areas shall be well maintained and free of standing water, potholes, washboard bumps, ruts, mud, weeds and debris.
5. Landscaping – Each parking lot accessed by customers or facing or adjacent to a public street shall be landscaped, including a tree diamond installed every twelve (12) parking spaces, or with a 6-foot-wide island with a tree at the end of all parking rows, and shall be permanently maintained.

B. Parcel without a retail store front:

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1. Surfacing for roadways and/or employee parking shall be certified road base with one of the following: packed gravel; asphalt; concrete; or a double chip seal.
2. All roadways and spaces shall be well maintained and free of standing water, potholes, washboard bumps, ruts, mud, weeds and debris.
3. All entrances and exits shall be hard surface with asphalt or concrete aprons, in accordance with Kanab City Standards, that extends a minimum of twenty (20) feet into the parking areas.
4. All customer parking for office areas shall be hard surface with asphalt or concrete, in accordance with Kanab City Standards.
5. Shall follow landscaping requirements as outlined in Chapter 9 of the Kanab City Land Use Ordinances

Section 6-8 Lighting of Parking Lots

- A. Down Lighting: To protect the views of the night sky, all outside lighting shall be "down lighting" so that lighting does not trespass to adjoining properties. All exterior lighting should provide for the illumination of buildings and grounds for safety purposes, but in an aesthetic manner. All exterior lighting shall be shielded or hooded so that no light is allowed to spill or trespass onto adjacent properties.
- B. Colors: Warm lighting colors are encouraged. Blue white colors of fluorescent and mercury vapor lamps are prohibited.
- C. Minimum Levels; Motion Sensors: All exterior lighting should be reduced to the minimum levels necessary for safety and security purposes. The use of motion sensors and timers is encouraged.
- D. Parking Lot Lighting: Minimum adequate lighting should be provided in all parking areas, with emphasis placed on appropriate lighting at entrances and exits. All parking area lighting shall be integrated with landscape features. The height of pole mounted fixtures shall be held to a minimum practical height, but not exceeding twenty feet (20').

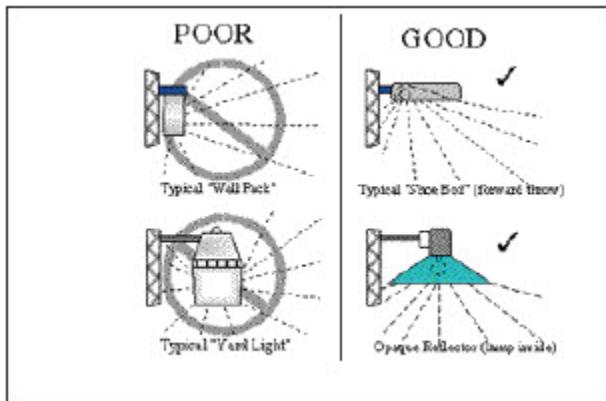
Examples of Dark-Sky Sensitive Lighting



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Section 6-9 Parking Space Reductions

Parking Space Requirements enumerated in Section 6-4 may be reduced by up to 50% of the requirement when one or a combination of the following methods is utilized:

1. A shared parking agreement between the applicant and adjacent land-owners (up to 40% reduction).
 - a. Up to 50% of parking stalls in an adjacent parking lot may be applied toward the reduction, provided that:
 - i. The applicant demonstrates that the adjacent use is reciprocal in time and volume for parking demand.
 - ii. All parking stalls identified in the agreement are within 500 feet of the entrance of the building.
2. The presence of a drive-thru (up to 10% reduction).
3. The presence of bicycle parking. One (1) parking space reduced for every two bicycle parking spaces provided (up to 10% reduction).
4. The presence of motorcycle parking. One (1) parking space reduced for each motorcycle parking space provided (up to 10% reduction).
5. Within Downtown Overlay: Identification of nearby on-street parking. Up to 50% of on-street parking located within 300 feet of the building may be applied toward the reduction (up to 20% reduction).
6. Within Downtown Overlay: primary entrance and at least 75% of the length of the front building facade located within 10 feet of the sidewalk and oriented toward the street (up to 20% reduction).

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Section 6-10 Handicapped Accessible Parking

Parking lots shall provide adequate "accessible" parking spaces in compliance with the Americans with Disabilities Act (ADA).

Section 6-11 Downtown Parking District

This parking district is created to improve and increase on street parking for the Downtown District, and there should be back lot parking and inter-connection between parcels (See Exhibit F). The boundaries for this area shall include the following roadways: Along US 89 (aka Center Street, 100 East, 200 West) from 200 South to 200 West one (1) block on each side of roadways on each side of said US 89.