

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

September 2, 2025

NOTICE is hereby given that the Kanab Planning Commission will hold its regular Commission Meeting on the 2nd day of September 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 and August 5, 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 to address the phasing and new boundary lines for the Ventana Resort Village. [Applicant Iron Rock Engineering]
2. Discuss, approve or deny a Conditional Use Permit for extended stays at J&J RV Park. [Applicant: Julie Allen]

Legislative Decision:

3. **PUBLIC HEARING** Discuss and recommend a text amendment to Kanab City's Land Use Ordinance Chapter 15 – Establishing Zones. The purpose of the amendment is to update the ordinance with the new requirements in Utah State Code to establish a process to modify the land use tables.
4. **PUBLIC HEARING** Discuss and recommend a test amendment to Kanab City's Land Use Ordinance Chapter 9 – Site Plan Review. The purpose of the amendment is to clarify the application process.
5. **Continued Item** 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.
6. **Public Hearing** Discuss and recommend an application for a zone change on parcel K-C-6-1 from C3 (Commercial Zone) to RM (Multi-Family Zone). Parcel is located at 220 West 300 North [Applicant: Michael Lai, owner of the Cowboy Bunkhouse]

Work Meeting:

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

Staff Report:

– A Western Classic –

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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 —

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

Kanab City Planning & Zoning Commission Meeting
August 5, 2025
Kanab City Council Chambers
26 North 100 East
6:30 PM

Agenda Items:

1. Call to Order and Roll Call

In attendance – Commission Members Marlee Swain (Chair), Russ Whitaker, Dennis Shakespear, Kerry Glover, Terry Edwards (Arrived at 6:40 PM), Ben Aiken; Building/Land Use Administrator Janae Chatterley, Council Liaison Arlon Chamberlain, City Attorney Kent Burggraaf

Not in attendance – Commission Members Nate Lyman and Mark Gilberg

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]

Janae Chatterley explained that the plat amendment was originally received in 2024. Initially, the applicant wanted to remove a public utility easement running through the property, but since active utilities were present, the process was delayed while the owner decided whether to relocate them. In the end, the owner chose to keep the easement but still move the property lines. She clarified that parcel 1148 off Johnson Drive would be adjusted slightly and incorporated into parcel 1106, while the line between parcels 1106 and 1107 would also be shifted. She emphasized that the amendment met state requirements because the easement would not be vacated, and staff recommended approval. She added that Tom from Iron Rock, the applicant, was available for questions.

Commission Member Edwards made a motion to send a positive recommendation to the City Council for the plat amendment to the Kanab Creek Ranchos Unit 2, affecting parcels 39-1106, 39-1107, 39-1108, and 39-1148 based on the findings and conditions of approval as outlined in the staff report 202508-05. Commission Member Glover seconded the motion. Motion passed.

39
40 Marlee Swain – YES
41 Russ Whitaker – YES
42 Dennis Shakespear – YES
43 Kerry Glover – YES
44 Terry Edwards – YES
45 Ben Aiken – YES
46 Mark Gilberg – Absent
47 Nate Lyman – Absent
48
49 **2. Discuss and recommend to City Council a plat amendment to join three lots into two on parcel**
50 **65-2096, 65,2097, and 65-2098 located approximately at 1750 S Lee Drive and 1782 S Lee**
51 **Drive [Applicant Red Sands Geomatics]**
52
53 Ms. Chatterley explained that the lots were located in the Ranchos area near Lee Drive and Ryder
54 Drive. The request involved moving the property line to create one larger lot. She clarified
55 ownership records, noting confusion with the names listed. She initially referenced Madeline
56 Sandoval as the owner, but then confirmed that both Madeline Sandoval and Lisa Ann Strother
57 appeared on the plat.
58
59 [0:06:18] {unknown speaker} stated that Madeline Sandoval had recently passed away and asked
60 about how ownership updates would be reflected.
61
62 Ms. Chatterley explained that the county records still listed Sandoval, likely because the tax assessor
63 had not been notified.
64
65 Kent Burggraaf confirmed that the last recorded item was from 2019. He added that if the property
66 had gone through probate or a trust, documentation would need to be filed so the correct
67 signatures could be obtained. Speaker 3 responded that the matter had already been handled and
68 was about to close.
69
70 Ms. Chatterley stated that she would verify ownership before the item reached the city council by
71 reviewing the title report, though her staff report was based on current county records. She
72 reiterated that the plat amendment simply adjusted a lot line and that the easement vacation had
73 already been approved by the relevant entities, with no objections from the city. She recommended
74 approval contingent upon verifying proper ownership on the plat and ensuring the correct people
75 signed the documents.
76
77 Chair Swain asked if there were further questions.
78
79 Commission Member Whitaker inquired whether structures already existed over the easement.

80 Ms. Chatterley confirmed that there were existing houses, noting this was common with older
81 homes.

83 Mr. Burggraaf disagreed, stating such situations should not occur.

85 Ms. Chatterley emphasized that it did happen with older properties. She concluded that the
86 easement truly needed to be vacated and noted that it was fortunate no utilities were involved.

88 Commission Member Edwards made a motion to send a positive recommendation to the City
89 Council for the plat amendment to the Kanab Creek Ranchos Unit 3, affecting parcels 65-2096, 65-
90 2097 and 65-2098 based on the findings and conditions of approval as outlined in the staff report
91 25-043 upon the proof of ownership that has been changed on the county records. Commission
92 Member Glover seconded the motion. Motion passed.

94 Marlee Swain – YES

95 Russ Whitaker – YES

96 Dennis Shakespear – YES

97 Kerry Glover – YES

98 Terry Edwards – YES

99 Ben Aiken – YES

100 Mark Gilberg – Absent

101 Nate Lyman – Absent

103
104 **3. Discuss approve or deny a site plan review for an accessory building on a commercial lot**
105 **located at 48 N 200 W. [Applicant David Swindler]**

106 Ms. Chatterley explained that the property was zoned C1 and the owner wanted to add an accessory
107 building. She noted that site plan review was required whenever square footage was added, though
108 she intended to revisit this rule in a future meeting. The accessory building would not affect the
109 business operations, customer traffic, or parking, as the property already had two more parking
110 spaces than required. Landscaping was limited since the existing building sat on the property line
111 with a sidewalk in front, and the remainder of the property was asphalt. She clarified that the
112 accessory building triggered review only because of the code requirement, not because it
113 introduced changes. Staff found no issues and recommended approval, as the structure met
114 requirements and would be used for storage and personal parking. She presented the site plan,
115 pointing out the existing carport and planter, and the proposed new location of the accessory
116 building.

117 Commission Member Whitaker asked if the site had been the old mortuary.

118

119 Ms. Chatterley confirmed it was. She added that the building met all height requirements and
120 explained that a permit could only be issued once the site plan was approved. She also mentioned
121 that the asphalt was recently redone.

122 Commission Member Glover asked about the type of business operating there.

123 Ms. Chatterley responded that it was a tourism-related business, though she was not sure of the
124 exact services. She added that the owner was new; the site had previously been used as a vacation
125 rental, a realtor's office, and other purposes before being purchased by the current owner, Mr.
126 Swindler.

127 Commission Member Glover made a motion to approve the site for the accessory building located at
128 48 N 200 W based on the staff's analysis, findings, recommendations, and conditions listed in the
129 report plans PR 25-006. Commission Member Edwards seconded the motion. Motion passed.
130

131 Marlee Swain – YES

132 Russ Whitaker – YES

133 Dennis Shakespear – YES

134 Kerry Glover – YES

135 Terry Edwards – YES

136 Ben Aiken – YES

137 Mark Gilberg – Absent

138 Nate Lyman – Absent

139

140 **Legislative Decision:**

141 **4. Discuss and recommend to City Council a vacation of easement for parcels 65-2096, 65-2097
142 and 65-2098 located approximately at 1750 S Lee Drive and 1782 S Lee Drive [Applicant Red
143 Sands Geomatics]**

144 Commission Member Edwards made a motion to send a positive recommendation to the City
145 Council for the vacation of the public utility easements identified on the proposed plat map for
146 parcels 65-2096, 65-2097, and 65-2098 based on the findings and conditions of approval as outlined
147 in the staff report 25-044. Commission Member Whitaker seconded the motion. Motion passed.
148

149 Marlee Swain – YES

150 Russ Whitaker – YES

151 Dennis Shakespear – YES

152 Kerry Glover – YES

153 Terry Edwards – YES

154 Ben Aiken – YES

155 Mark Gilberg – Absent

156 Nate Lyman – Absent

157

158 **5. PUBLIC HEARING** Discuss and recommend a text amendment to Kanab City's Consolidated Fee
159 Schedule and the Kanab City Subdivision Ordinance Chapter 2A and 2B. The purpose of the
160 amendment is to update the ordinance with the new requirements in Utah State Code.

161 Chair Swain opened the floor for public comment.

162 Mr. Burggraaf advised that since the public hearing was already open, Chair Swain should confirm
163 whether anyone wished to comment before closing.

164 Ms. Chatterley explained that the amendment updated the ordinances to align with new Utah State
165 Code requirements. She began with chapter 2B, which contained fewer changes. Corrections
166 included fixing signature blocks on plats to list city staff properly, clarifying references to chapter 2A
167 for boundary adjustments and plat amendments, and general cleanup of language. She then
168 detailed more significant changes in chapter 2A, which adjusted terminology, updated processes for
169 lot amendments and boundary adjustments, removed outdated timelines, clarified land use staff
170 roles, and aligned notice requirements with state code. She emphasized that state law now limits
171 when public hearings are required, noting that many lot amendments would no longer need
172 hearings unless easements or other public property were involved. She also explained updates to
173 mailing label and notification procedures, including the requirement to notify affected entities like
174 utility providers, and the new requirement to include language about the right to object within a 10-
175 day objection period. She described the distinction between simple boundary adjustments, which
176 could be approved administratively if no easements or violations were involved, and full boundary
177 adjustments, which would still go through the planning commission and city council.

178 Chair Swain asked about the objection period.

179 Ms. Chatterley clarified it was 10 days from the mailing date. He also asked whether requirements
180 for parcel number confirmation needed to be added to a motion. She responded that it could be
181 included if desired, but explained it mainly served her office's workflow for tracking records.

182 Mr. Burggraaf noted he had not yet completed a full legal review to ensure the changes aligned
183 precisely with Senate Bill 104, the bill updating the state code. He recommended that any motion be
184 conditioned upon legal review and possible adjustments. He emphasized that additional input might
185 still be required before final council approval.

186 Commission Member Aiken made a motion to send a positive recommendation to the City Council
187 to adopt changes to the subdivision ordinance identified in Exhibit A for the staff report 2025-
188 0805.1. Commission Member Edwards seconded the motion. Motion passed.

189
190 Marlee Swain – YES
191 Russ Whitaker – YES

192 Dennis Shakespear – YES
193 Kerry Glover – YES
194 Terry Edwards – YES
195 Ben Aiken – YES
196 Mark Gilberg – Absent
197 Nate Lyman – Absent
198

199

200 **6. PUBLIC HEARING** Discuss and recommend a text amendment to Kanab City's Land Use
201 Ordinance Chapter 6 - Parking Requirements. The purpose of the amendment is to allow
202 access for public parking spaces from a public street.

203 Ms. Chatterley explained that several clarifications and cleanup changes were included. She added
204 an asterisk to clarify that compact spaces could only be used when a lot had at least 20 spaces. The
205 main change addressed public on-street parking, distinguishing it from private or business parking.
206 Private or business spaces would still be required on-site, while public parking spaces could be
207 accessed from a public street. However, this would exclude major arterial and collector roads, such
208 as Highways 89 and 89A, where direct access was considered unsafe. She also corrected Chapter
209 18's parking standard to match the ordinance—two spaces for multi-family housing instead of 2.25.
210 She noted a gap in the current language regarding driveway ingress and egress widths, which were
211 vaguely defined as "adequate," and suggested a clearer standard.

212 Commission Member Whitaker recommended 25 feet as the standard, matching drive aisle
213 dimensions, and said it would accommodate semi-trucks.

214 Ms. Chatterley agreed that 25 feet could serve as a minimum requirement and pointed out that the
215 ordinance currently sets a maximum of 50 feet but no minimum. She also identified a contradiction
216 between driveway spacing rules in the ordinance and the city's design standards, recommending
217 that the ordinance be updated to reference design standards directly.

218 Mr. Burggraaf raised the issue of angled or 90-degree parking off public streets. He explained that
219 the city already planned such layouts for projects like the Jacob Hamblin Park expansion and wanted
220 the ordinance to explicitly allow them without requiring development agreements. He suggested
221 adding language clarifying that on-street parking could be approved by the city council when serving
222 a public purpose, reducing the need for case-by-case agreements.

223 Ms. Chatterley disagreed with broadening it to include business uses, noting that past agreements
224 with the DMV, hospital, and county involved businesses seeking additional parking on public
225 property and still required development agreements. She emphasized that the intent of the
226 amendment was to cover public-purpose projects like parks, not private enterprises.

227 After further discussion, both staff and commissioners agreed the language needed to be refined
228 before proceeding.

229 Chair Swain summarized that the ordinance would be continued until the next meeting so staff
230 could draft the new language.

231 Commission Member Aiken made a motion to continue the item to the next meeting. Commission
232 Member Edwards seconded the motion. Motion passed.

233 Marlee Swain – YES

234 Russ Whitaker – YES

235 Dennis Shakespear – YES

236 Kerry Glover – YES

237 Terry Edwards – YES

238 Ben Aiken – YES

239 Mark Gilberg – Absent

240 Nate Lyman – Absent

241

242 **Work Meeting:**

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

244 Ms. Chatterley explained that this discussion stemmed from a public comment at the previous
245 meeting. She researched how other cities handled dog boarding and found that most did not allow it
246 as a home occupation, instead requiring commercial zoning or larger properties, usually two acres or
247 more. She also consulted with Chief Cram, who supported limited boarding if restrictions were
248 applied. He felt that up to four dogs, including the property owner's pets, was reasonable,
249 consistent with the city's additional dog household permit. That permit already required dogs to be
250 spayed or neutered, a fully fenced yard of at least 450 square feet, and compliance with nuisance
251 ordinances like barking limits. She suggested the same requirements could be applied to boarding in
252 residential zones.

253 Commission Member Edwards asked about the four-dog maximum.

254 Ms. Chatterley confirmed that it was the current limit. She explained the distinction between
255 existing kenneling ordinances, which only allowed kennels on parcels of two acres or more, and
256 home occupations, which already permitted pet sitting but not boarding. She noted boarding and
257 kenneling could be considered interchangeable, though kenneling implied outdoor runs, while
258 boarding could be more like temporary home care.

259 Kylie, the resident who raised the issue, said she occasionally provided day boarding or single
260 overnight care in the past and wanted to build a small kennel in her yard for one or two dogs at a
261 time. She emphasized she was seeking a legal path so she could advertise her services.

262 Ms. Chatterley clarified that daytime pet sitting could already be permitted under home occupation,
263 but overnight boarding would currently fall under kennel regulations.

264 Mr. Burggraaf noted that existing ordinances tied kenneling to acreage and density rules, such as no
265 more than three dogs per acre in residential agricultural zones. Allowing boarding on small lots
266 would require ordinance changes and raise concerns about verifying vaccinations, spay/neuter
267 status, and potential noise issues. He emphasized the city's responsibility to balance public safety
268 and neighborhood impact.

269 Commission Member Whitaker pointed out that noise and space concerns were more problematic
270 on smaller lots, though he acknowledged that regulations often targeted irresponsible owners
271 rather than those who managed dogs properly. He suggested rules might require dogs to be indoors
272 at night.

273 Commission Member Aiken shared that he had spoken with the mayor and city council members.
274 The council was not in favor, but the mayor supported the idea if it was highly regulated. Proposed
275 safeguards included requiring six-foot fences, vaccination records, on-site supervision, neighbor
276 notification within 500 feet, and limiting the total number of permits issued in the city.

277 Ms. Chatterley suggested such rules could be implemented through a conditional use permit,
278 allowing neighbors to be notified and conditions enforced.

279 Mr. Burggraaf added that if the city wanted to limit the overall number of permits, it might be more
280 practical to do so through the business licensing process rather than conditional use, which could
281 create legal complications.

282 The commission agreed that more research was needed, especially given differing opinions between
283 the city council and the mayor.

284 Chair Swain concluded the discussion by recommending that it remain a work meeting item, with
285 staff seeking city council input before bringing it back.

286 Kylie emphasized that regardless of terminology—boarding or kenneling—standards of safety,
287 cleanliness, and public consideration needed to be enforced.

288 Mr. Burggraaf reiterated that neighbors' concerns also had to be addressed.

289 Ms. Chatterley confirmed she would attempt to place the item on the city council agenda and report
290 back afterward.

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

293 Chair Swain introduced item number eight, a discussion about land use ordinances, specifically
294 Chapter 9, regarding site plan review requirements for tenant spaces and accessory buildings in
295 commercial zones.

296

297 Ms. Chatterley explained that current rules required site plan reviews in several situations: new
298 buildings, renovations of 50% or more, square footage modifications, or changes of use. She noted
299 that small tenant turnover, such as converting a professional office into a frozen yogurt shop,
300 triggered site plan review under the current ordinance, even when parking and landscaping
301 requirements remained unchanged. In practice, these reviews added unnecessary costs and delays,
302 including fees of \$600 (or \$150 when she could reduce it by skipping the engineer's review), despite
303 no substantive changes to evaluate.

304 Mr. Burggraaf emphasized that forcing small business owners through this process created
305 unnecessary burdens when no ordinance requirements were affected.

306 Chair Swain agreed, stating that if parking, landscaping, or square footage were not implicated, then
307 the matter should not come before the commission.

308 Ms. Chatterley clarified that she currently lacked the authority to waive site plan reviews but
309 suggested giving the land use administrator discretion to determine when one was unnecessary.

310 Mr. Burggraaf proposed drafting specific language to outline parameters under which site plan
311 reviews would not apply, such as no parking or landscaping changes, no increase in square footage,
312 and no significant alterations. In those cases, no fee would be charged, and the administrator could
313 handle the review administratively.

314 Commission Member Edwards supported the change, noting it would prevent unnecessary cycles
315 and reduce fees for small businesses. He suggested adjusting the fee schedule further if needed.

316 Commission Member Glover added that the current process was a waste of time and money.

317 Chair Swain concluded that the commission was in favor of revising the ordinance and fee structure
318 to be more business-friendly.

319 Ms. Chatterley stated she would work with Mr. Burggraaf to draft appropriate language and bring it
320 back for review, though it might not be ready by the next meeting.

321 **Staff Report:**

322 Ms. Chatterley reported that she had checked conference sites again while preparing the agenda,
323 but still could not find any tentative agendas posted. She said she would continue monitoring and, if

324 updates appeared, she would print flyers and bring them for the commission to review and decide if
325 they wished to attend.

326

327 **Commission Member Report:**

328 **Council Member Liaison Report:**

329 **Adjournment:**

330

331 Commission Member Aiken made a motion to adjourn the meeting. Commission Member
332 Shakespear seconded the motion. Motion passed.

333 Marlee Swain – YES

334 Russ Whitaker – YES

335 Dennis Shakespear – YES

336 Kerry Glover – YES

337 Terry Edwards – YES

338 Ben Aiken – YES

339 Mark Gilberg – Absent

340 Nate Lyman – Absent

341

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 #PLAN25-047

Date:	August 29, 2025
Meeting Date:	September 2, 2025
Agenda Item:	Discuss and recommend to City Council a plat amendment to the Ventana Resort Village
Subject Property Address:	600 East Kaneplex Drive
Applicant:	M-W Kanab LLC
Applicant Agent:	Iron Rock Engineer
Zoning Designation:	R-1-8 PD
General Plan Designation:	Master Planed Development
Parcel #:	K-13-1-Utah-Annex, K-366-43, K-366-44 and K-366-CA2
Applicable Ordinances:	Subdivision Ordinance, Chapter 2A

Attachments:

Exhibit A: Subject Property

Exhibit B: Amended Plat

Exhibit C: Surveyor Review

Summary:

Iron Rock Engineer applied to amend the plat for Ventana Resort Village, Phase 1 & 2 effecting parcels K-13-1-Utah-Annex, K-366-43, K-366-44 and K-366-CA2, located approximately at 600 East Kaneplex Road. The plat amendment consists of splitting the two phases into three. The current zone is R-1-8 PD.

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 2A-4 specifically addresses 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 R-1-8 PD.

– A Western Classic –

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

The owner of record contained within the plat is M-W Kanab LLC, 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 September 9, 2025.

Proposed Findings:

1. This application was initiated by Iron Rock Engineering.
2. The property included within the amended plat boundaries is zoned R-1-8 PD.
3. The Future Land Use Map designation for these properties on the City's General Plan as Master Planned Development.
4. The applicant is requesting to adjust the two phases into three phases.
5. There is no application to vacate easements.
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. Sign-off from the City Surveyor.
2. 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 Ventana Resort Village, Phase 1 & 2 effecting parcels K-13-1-Utah-Annex, K-366-43, K-366-44 and K-366-CA2 based on the findings and conditions of approval as outlined in the staff report #PLAN25-047.

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Alternate motion:

I move to send a positive recommendation to City Council for the plat amendment to the Ventana Resort Village, Phase 1 & 2 effecting parcels K-13-1-Utah-Annex, K-366-43, K-366-44 and K-366-CA2 based on the findings and conditions of approval as outlined in the staff report #PLAN25-047, with the additional findings and conditions: .

I move to send a negative recommendation to City Council for the plat amendment to Ventana Resort Village, Phase 1 & 2 effecting parcels K-13-1-Utah-Annex, K-366-43, K-366-44 and K-366-CA2 demonstrating the applicant has not met the standards outlined in the Kanab City ordinances: .

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



City Council
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Peter Banks

Exhibit A: Subject Property

— A Western Classic —



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City Manager
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Treasurer
Danielle Ramsay



City Council
Arlon Chamberlain
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Peter Banks

Exhibit B: Amended Plat

— A Western Classic —

**AMENDED AND VACATED
LOT 43 & 44 AND A PORTION
OF COMMON AREA 2
(NON PID)**
**VENTANA RESORT VILLAGE
PHASE 1 SUBDIVISION**

CITY OF KANAB, KANE COUNTY, UTAH

LOCATED IN LOTS 3, 4, 5, AND 6

SECTION 10, TOWNSHIP 44 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN

SURVEYOR'S CERTIFICATE

I, Thomas W. Avant, a Professional Land Surveyor, License No. 5561917, hold this license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act and have completed this survey of the property described hereon in accordance with Section 17-23-17 and have verified all measurements and have placed monuments as represented on this plat. I certify that by authority of the herein owners, I have made a survey of the tract of land as shown on this Plat and have vacated and removed a portion of phase 1, as shown, which are herein after known as

"AMENDED AND VACATED LOT 43 & 44 AND A PORTION OF COMMON AREA 2 (NON PID) VENTANA RESORT VILLAGE PHASE 1 SUBDIVISION."

and that the same has been correctly surveyed and staked on the ground as shown on this plat.

Thomas W. Avant, PLS # 5561917

Date: _____

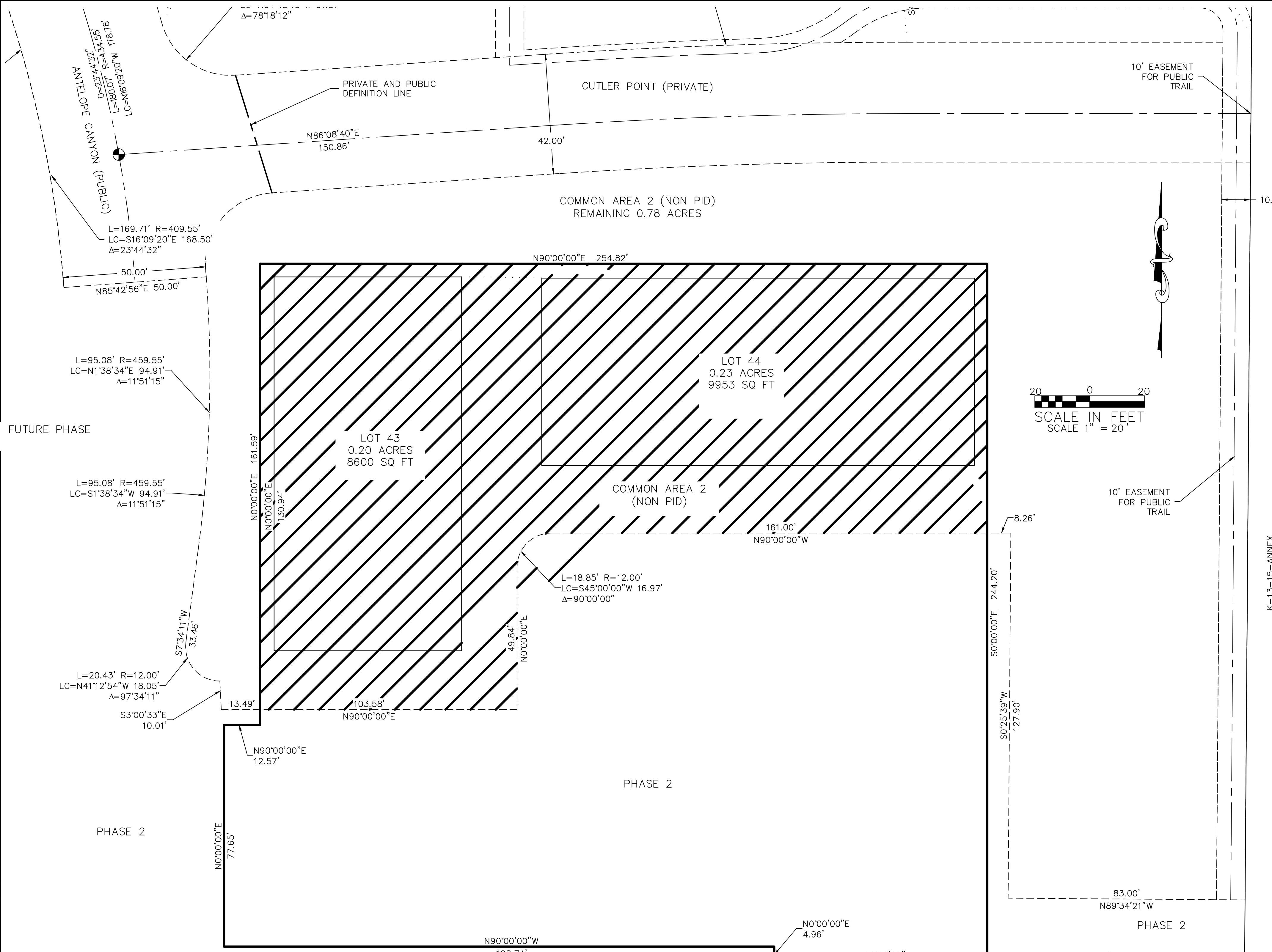
NARRATIVE

The purpose of this survey was to vacate a portion of Common Area 2 (NON PID) and Lots 43 and 44 by retracing and marking on the ground the lines as shown on this Plat at the request of the client. All corners are set and found as shown. The basis of bearing for this survey is the Utah State Plane coordinate system South Zone, as measured between Mile post 84 & 85 with a basis of $889^{\circ}31'37''E$ and a distance of 5280.99 feet, as shown on this Plat.

Legal Description:

Ventana Apartments Phase 1A:

Commencing at the Southeast Corner of Sectional Lot 6 of Section 10, Township 44 South, Range 6 West, Salt Lake Base and Meridian; thence, along the East Line of said sectional lot, North $00^{\circ} 25' 39''$ East 132.19 feet; thence North $89^{\circ} 34' 21''$ West 90.15 feet, to the POINT OF BEGINNING, and running; thence North $90^{\circ} 00' 00''$ West 74.65 feet; thence North $00^{\circ} 00' 00''$ East 4.96 feet; thence North $90^{\circ} 00' 00''$ West 192.74 feet; thence North $00^{\circ} 00' 00''$ East 77.65 feet; thence North $90^{\circ} 00' 00''$ East 12.57 feet; thence North $90^{\circ} 00' 00''$ East 161.59 feet; thence North $90^{\circ} 00' 00''$ East 254.82 feet; thence South $00^{\circ} 00' 00''$ East 244.20 feet, to the POINT OF BEGINNING; containing 1.43 acres (more or less).



LEGEND

- SET ALUM CAP (CL MONUMENT)
- SET 5/8" x 36" REBAR WITH PLASTIC CAP
MARKED IR ENG. PLS 5561917
- FOUND MONUMENT AS NOTED
- FOUND SECTION MONUMENT AS NOTED

PROPERTY LINE	ADJACENT PROPERTY LINE	SURVEY BOUNDARY	EASEMENT	STREET CL
—	—	—	—	—
RECORD BEARING AND DISTANCE				
AREA TO BE VACATED OUT OF PHASE 1				

CITY ENGINEER CERTIFICATE

I, [Signature], Engineer for Kanab City, do hereby certify that I have examined the above Plat and said Plat meets the requirements of Kanab City and is hereby recommended for approval this _____ day of _____, 20_____.
KANAB CITY ENGINEER

CITY ATTORNEY CERTIFICATE

I, [Signature], Attorney for Kanab City, do hereby certify that I have examined the above Plat and said Plat meets the requirements of Kanab City and is hereby recommended for approval this _____ day of _____, 20_____.
KANAB CITY ATTORNEY

CITY PUBLIC WORKS DIRECTOR CERTIFICATE

I, [Signature], Kanab City public Works Director, do hereby certify that this office has examined the above Plat and have determined that it is correct and in accordance with information on file in this office and recommend it for approval this _____ day of _____, 20_____.
KANAB CITY PUBLIC WORKS DIRECTOR

CITY SURVEYOR CERTIFICATE

I, [Signature], Kanab City Surveyor, do hereby certify that this office has examined the above Plat and have determined that it is correct and in accordance with information on file in this office and recommend it for approval this _____ day of _____, 20_____.
KANAB CITY SURVEYOR

APPROVAL AND ACCEPTANCE

On the _____ day of _____, 20_____, the Planning Commission of Kanab City, Utah, having reviewed the above Plat and having found that it complies with the requirements of Kanab City planning and zoning ordinances and by resolution of said commission hereby recommend approval of said Plat for acceptance by Kanab City, Utah.

CERTIFICATE OF RECORDING

I, [Signature], Recorder of Kanab County, do hereby certify that above Plat was filed for recording in my office this _____ day of _____, 20_____.
KANE COUNTY RECORDER

APPROVAL AND ACCEPTANCE

On the _____ day of _____, 20_____, the City Council of Kanab, Utah, having reviewed the above Plat and by resolution of said City Council recorded in the minutes of its meeting of the _____ day of _____, 20_____.
KANE COUNTY RECORDER

CERTIFICATE OF RECORDING

We the _____, City Council of Kanab, Utah, having reviewed the above Plat and by resolution of said City Council recorded in the minutes of its meeting of the _____ day of _____, 20_____.
KANE COUNTY RECORDER

APPROVAL AND ACCEPTANCE

On the _____ day of _____, 20_____, the Planning Commission of Kanab City, Utah, having reviewed the above Plat and having found that it complies with the requirements of Kanab City planning and zoning ordinances and by resolution of said commission hereby recommend approval of said Plat for acceptance by Kanab City, Utah.

CERTIFICATE OF RECORDING

Attest: _____
Kanab City Recorder Mayor - Kanab City Council

APPROVAL AND ACCEPTANCE

On the _____ day of _____, 20_____, the Planning Commission of Kanab City, Utah, having reviewed the above Plat and having found that it complies with the requirements of Kanab City planning and zoning ordinances and by resolution of said commission hereby recommend approval of said Plat for acceptance by Kanab City, Utah.

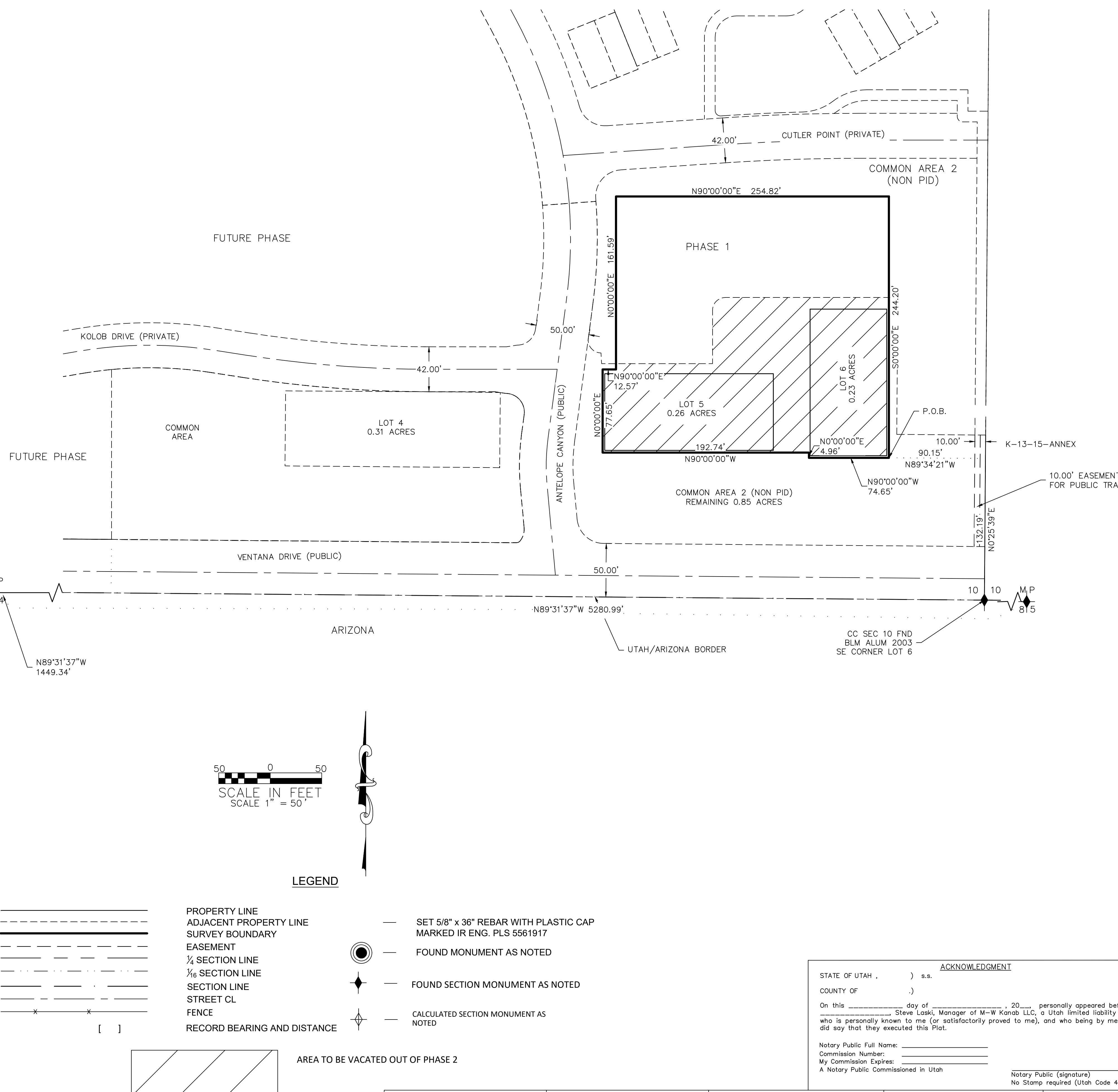
CERTIFICATE OF RECORDING

Attest: _____
Kanab City Recorder Mayor - Kanab City Council

INITIAL SUBMITTAL	DATE: 08/04/2025
REV#:	DESCRIPTION:

DRAWN BY: CM
SCALE: 1"=20'
SHEET: 1 OF 1

1 OF 1



**AMENDED AND VACATED LOT
5 & 6 AND A PORTION OF
COMMON AREA 2 (NON PID)
VENTANA RESORT VILLAGE
PHASE 2 SUBDIVISION**

CITY OF KANAB, KANE COUNTY, UTAH
LOCATED IN LOTS 3, 4, 5, AND 6
SECTION 10, TOWNSHIP 44 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN

SURVEYOR'S CERTIFICATE

I, Thomas W. Avant, a Professional Land Surveyor, License No. 5561917, hold this license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act and have completed this survey of the Property described hereon in accordance with Section 17-23-17 and have verified all measurements and have placed monuments as represented on this plat. I certify that by authority of the hereon owners, I have made a survey of the tract of land as shown on this Plat and have vacated and removed a portion of phase 2, as shown, which are herein after known as

"AMENDED AND VACATED LOT 5 & 6 AND A PORTION OF COMMON AREA 2 (NON PID) VENTANA RESORT VILLAGE PHASE 2 SUBDIVISION."

and that the same has been correctly surveyed and staked on the ground as shown on this plat.

Thomas W. Avant, PLS # 5561917

Date: _____

NARRATIVE

NARRATIVE
The purpose of this survey was to vacate a portion of Common Area 2 (NON PID) and Lots 5 and 6 by retracing and marking on the ground the lines as shown on this Plat at the request of the client. All corners are set and found as shown. The basis of bearing for this survey is the Utah State Plane coordinate system South Zone, as measured between Mile post 84 & 85 with a basis of S89°31'37"E and a distance of 5280.99 feet, as shown on this Plat.

Legal Description:

Ventana Apartments Phase 1A:
Commencing at the Southeast Corner of Sectional Lot 6 of Section 10, Township 44 South, Range 6 West, Salt Lake Base and Meridian; thence, along the East Line of said sectional lot, North 00° 25' 39" East 132.19 feet; thence North 89° 34' 21" West 90.15 feet, to the POINT OF BEGINNING, and running; thence North 90° 00' 00" West 74.65 feet; thence North 00° 00' 00" East 4.96 feet; thence North 90° 00' 00" West 192.74 feet; thence North 00° 00' 00" East 77.65 feet; thence North 90° 00' 00" East 12.57 feet; thence North 00° 00' 00" East 161.59 feet; thence North 90° 00' 00" East 254.82 feet; thence South 00° 00' 00" East 244.20 feet, to the POINT OF BEGINNING; containing 1.43 acres (more or less).

<u>ACKNOWLEDGMENT</u>	
STATE OF UTAH ,) s.s.
COUNTY OF	.)
<p>On this _____ day of _____, 20____, personally appeared before me _____, Steve Laski, Manager of M-W Kanab LLC, a Utah limited liability company, who is personally known to me (or satisfactorily proved to me), and who being by me duly sworn did say that they executed this Plat.</p>	
Notary Public Full Name: _____	
Commission Number: _____	
My Commission Expires: _____	
A Notary Public Commissioned in Utah	
_____ Notary Public (signature) No Stamp required (Utah Code 46-1-16(6))	

OWNER'S DEDICATION
Know all men by these presents that the undersigned Steve Laski, Manager of M-W Kanab LLC, a Utah limited liability company, are the owners of the above described tract of land, and hereby cause the same to be vacated out of VENTANA RESORT VILLAGE PHASE 2, a Major

Steve Laski, Manager of
M-W Kanab LLC, a Utah limited liability company

DRAWN BY: CM

SCALE: 1"=50'

SHEET:

1 OF 1

1

VENTANA APARTMENTS

PHASE 1A,

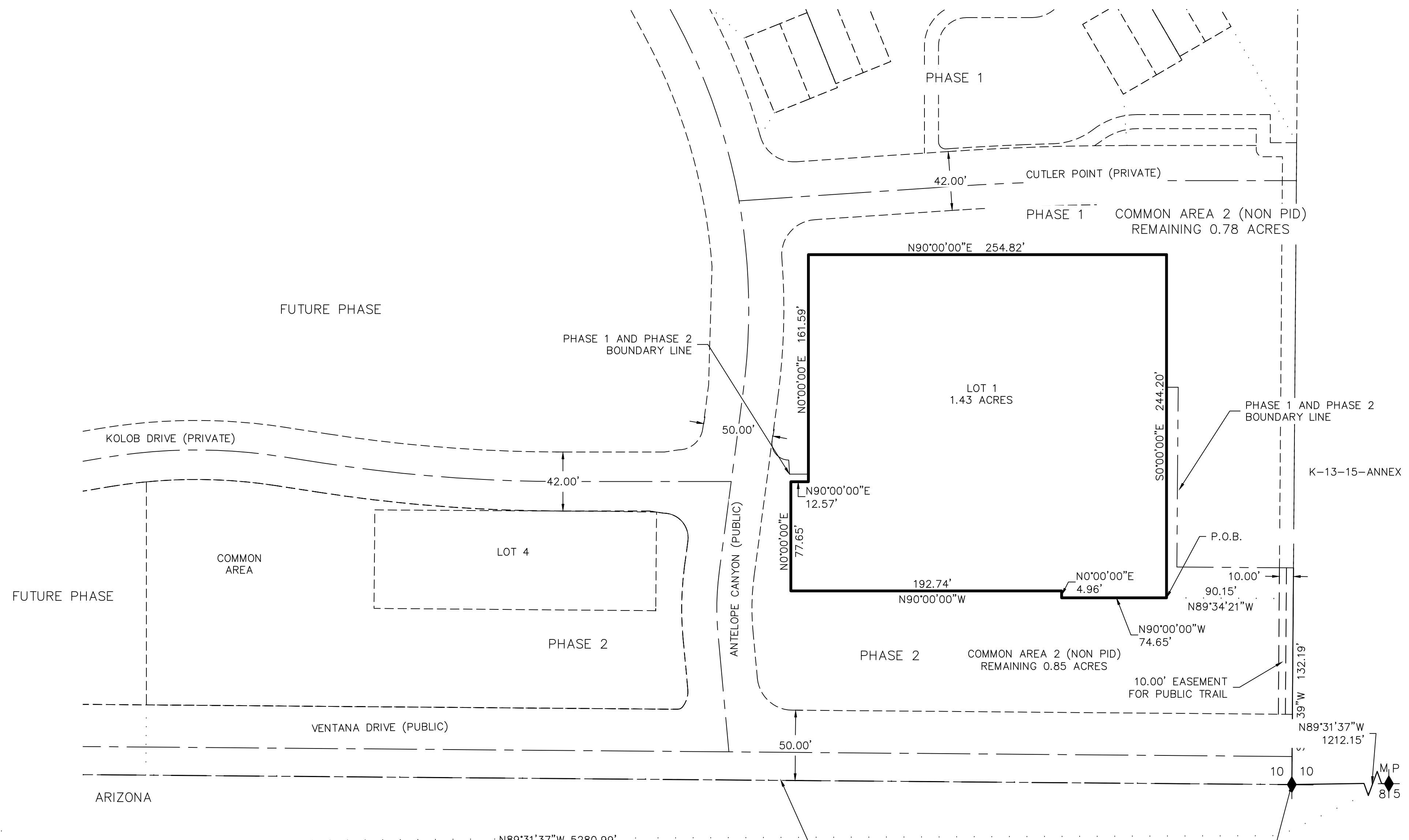
**CITY OF KANAB, KANE COUNTY, UTAH
LOCATED IN LOTS 3, 4, 5, AND 6**

**SECTION 10, TOWNSHIP 44 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN**

Building on Solid Foundations

460 E. 300 SOUTH
KANAB, UTAH 84741
435-644-2031
www.ironrockeng.com

VENTANA APARTMENTS
PHASE 1A, FINAL PLAT
Kanab LLC, a Utah limited liability compa
KANAB, UTAH 84741



LEGEND

—————	PROPERTY LINE
-----	ADJACENT PROPERTY LINE
—	SURVEY BOUNDARY
— — — — —	EASEMENT
— — — — —	$\frac{1}{4}$ SECTION LINE
— — — — —	$\frac{1}{16}$ SECTION LINE
— — — — —	SECTION LINE
— — — — —	STREET CL
* — — — — *	FENCE
[]	RECORD BEARING AND DISTANCE

<u>CITY ENGINEER CERTIFICATE</u> I, _____, Engineer for Kanab City, do hereby certify that I have examined the above Plat and said plat meets the requirements of Kanab City and is hereby recommended for approval this _____ day of _____, 20_____. _____ KANAB CITY ENGINEER	<u>CITY ATTORNEY CERTIFICATE</u> I, _____, Attorney for Kanab City, do hereby certify that I have examined the above Plat and said plat meets the requirements of Kanab City and is hereby recommended for approval this _____ day of _____, 20_____. _____ KANAB CITY ATTORNEY	<u>CITY PUBLIC WORKS DIRECTOR CERTIFICATE</u> I, _____, Kanab City public Works Director, do hereby certify that this office has examined the above Plat and have determined that it is correct and in accordance with information on file in this office and recommend it for approval this _____ day of _____, 20_____. _____ KANAB CITY PUBLIC WORKS DIRECTOR	<u>CITY SURVEYOR CERTIFICATE</u> I, _____, Kanab City Surveyor, do hereby certify that this office has examined the above Plat and have determined that it is correct and in accordance with information on file in this office and recommend it for approval this _____ day of _____, 20_____. _____ KANAB CITY SURVEYOR	<u>APPROVAL of the PLANNING COMMISSION</u> On this the _____ day of _____, 20_____, the Planning Commission of Kanab City, Utah, having reviewed the above Plat and having found that it complies with the requirements of the Kanab City's planning and zoning ordinances, and by authorization of said commission hereby recommend approval of said plat for acceptance by Kanab City, Utah. Attest: _____ Kanab City CHAIRMAN Planning Commission	AP by We the Kan Plat and by recorded in _____d hereby acce all obligatio filed for rec Recorder. Attest: _____ Kanab City
--	--	---	--	--	---

<u>ACKNOWLEDGMENT</u>	
STATE OF UTAH ,) s.s.
COUNTY OF	.)
<p>On this _____ day of _____, 20____, personally appeared before me _____, Steve Laski, Manager of M-W Kanab LLC, a Utah limited liability company, who is personally known to me (or satisfactorily proved to me), and who being by me duly sworn did say that they executed this Plat.</p>	
<p>Notary Public Full Name: _____</p>	
<p>Commission Number: _____</p>	
<p>My Commission Expires: _____</p>	
<p>A Notary Public Commissioned in Utah</p>	
<hr/> <p>Notary Public (signature) No Stamp required (Utah Code 46-1-16(6))</p>	

OWNER'S DEDICATION
Know all men by these presents that the undersigned Steve Laski, Manager of M-W Kanab LLC, a Utah limited liability company, are the owners of the above described tract of land, and hereby cause the same to be subdivided into 1 lot to be hereafter known as VENTANA APARTMENT PHASE 1A, a Minor Subdivision, the undersigned owners also hereby re-convey to any 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.

DRAWN BY: CM
SCALE: 1"=50'
SHEET:
1 OF 1

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



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

Exhibit C: Surveyor Review

— A Western Classic —

August 29, 2025

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

Project Ventana Apartments Ph1A Final Plat
Project No. Plan25-047
Application Date August 7, 2025

Dear Janae Chatterley

The submitted documents for the aforementioned Project have been reviewed. The following comments address areas of concern, non-compliance with governing code, potential errors, or omissions in the proposed Project:

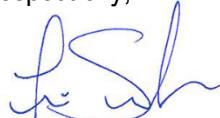
Survey Review

Ventana Apartments Phase 1A

Sheet 1 of 1

1. Add "Basis of Bearing"
2. Move "POB"
3. Move section corner label
4. Set corner symbol is missing
5. Show corners to be set

Respectfully,



Travis Sanders, PLS
Survey Department Manager
Civil Science

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

Reference File #PLANCUP25-001

Date:	August 29, 2025
Meeting Date:	September 2, 2025
Agenda Item:	Conditional Use Permit_Extended Stay for RV Park
Subject Property Address:	584 E 300 S
Applicant:	Kanab City
Applicant Agent:	n/a

Attachment:

Exhibit A: Aerial view of property

Exhibit B: Current Pictures

Summary:

An application for a Conditional Use Permit (CUP) was submitted by the property owner, Julie Allen. The owners would like to provide extended stays at their RV Park. The property has already been established as an RV Park.

Applicable Regulation(s):

Chapter 8 regulates the approval of Conditional Uses. Chapter 13 RV Park requires that a conditional use permit is approved for extended stays in a RV Park

Proposed Findings:

1. This application was initiated by Julie Allen.
2. Properties to the north, east and west are zoned commercial, properties to south are zoned residential agriculture.
3. They would like to have around 14 spaces for extended stay on the east side of the property. The spaces are 45x33 feet and have picnic tables on each space.
4. There are bathroom facilities with showers and laundry facilities on-site.
5. They have a 2,880 sq.ft. dog area
6. The dumpster is picked up weekly
7. Roadways are paved and the spaces have gravel with space for a vehicle to park

– 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

Finding for Approval:

In an approval of a conditional use permit, the Kanab City Planning Commission must find:

1. That the proposed use is necessary or desirable and will contribute to the general well-being of the community.
2. That the use will not be detrimental to the health, safety, or welfare of people residing, or working in the vicinity, or injurious to property or improvements in the vicinity.
3. That the proposed use will comply with the regulations of this Ordinance.
4. That the proposed use is in harmony with the intent and purpose of the Kanab City Master Plan or that the plan shall have first been amended through public hearing.

Conditions of Approval:

1. Currently the recreation space is limited to 2,880 sq.ft. dog park per Chapter 13, 4,400 sq.ft. of recreation area is required for the 14 extended stay area.

Suggested Motions:

I move that we approve the conditional use permit for the extended stay at 584 E 300 S based on Staff's findings and conditions listed in the staff report, File #PLANCUP25-002 and the findings in Chapter 8, Section 8-6 (B) and Chapter 13 Recreational Vehicle Park, Section 13-5.

Alternate motion:

I move that we approve the conditional use permit for the extended stay at 584 E 300 S based on Staff's findings and conditions listed in the staff report, File #PLANCUP25-002 and the findings in Chapter 8, Section 8-6 (B) and Chapter 13 Recreational Vehicle Park, Section 13-5, and the following additional finding(s): .

I move that we deny the conditional use permit for the extended stay at 584 E 300 S, the applicant has not met the standards or findings for approval outlined in the Kanab City ordinances): .

– A Western Classic –

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



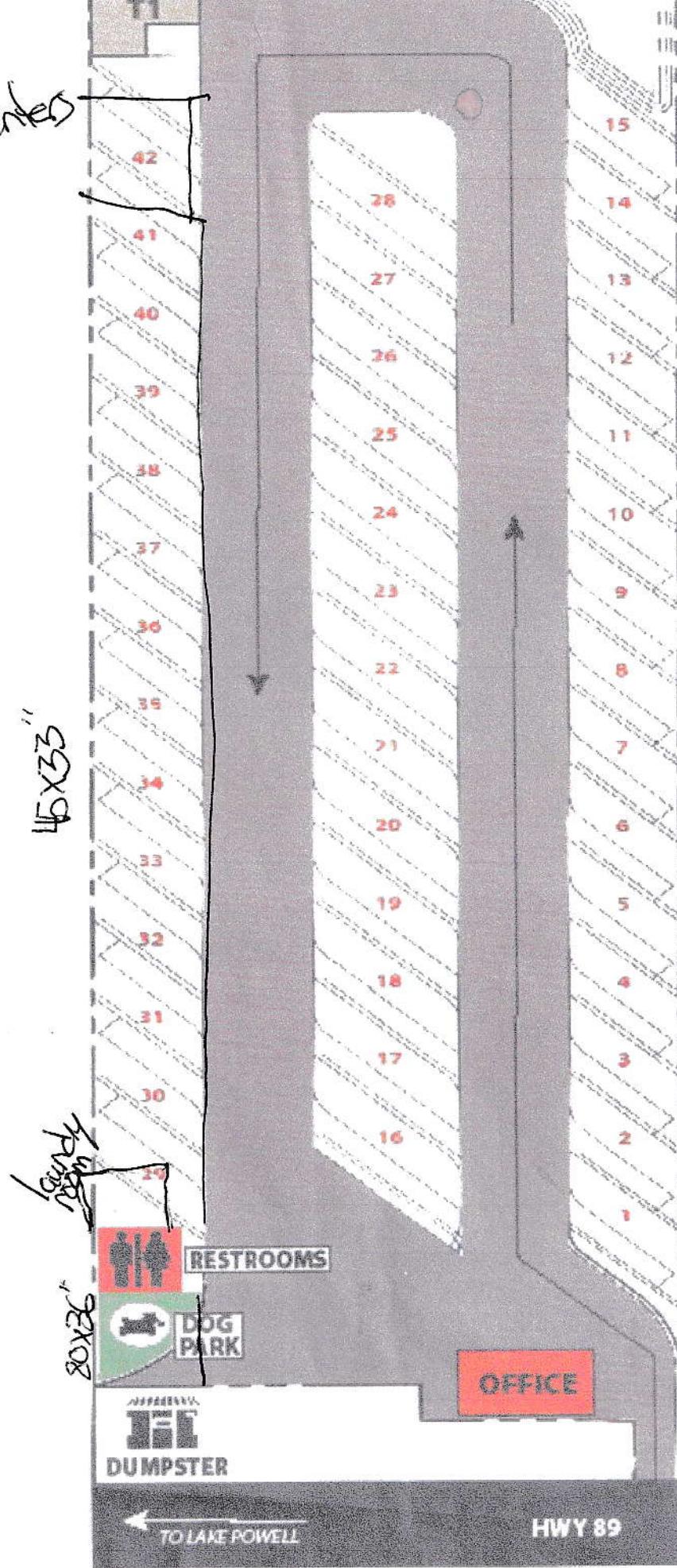
City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Boyd Corry
Peter Banks

Exhibit A:

Aerial View of Property

— A Western Classic —

Sites
2a-42
monthly renters



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:

Current Pictures

— A Western Classic —



August 27, 2025 11:21 AM



August 27, 2025 11:22 AM

STAFF REPORT



TO: Kanab City Planning Commission

Date: August 29, 2025

FROM: City Staff

RE: SB 179 – Classification of New and Unlisted Business Uses
Proposed Text Amendment to Chapter 15, Establishment of Zoning Districts

Utah Senate Bill 179 was passed during the 2025 legislative session and is now in effect, which requires cities to adopt a formal process for (1) business use classification and (2) addressing proposed business uses that are not currently listed as permitted or conditional uses within the City. The intent is to provide a consistent method and criteria for classifying a business to see if it aligns with a current listed permitted/conditional use, and for addressing business activities that do not align with a permitted/conditional use—i.e., new and unlisted businesses.

The new process must be adopted into the Land Use Ordinance and include:

- The process for an applicant to submit a business use classification request.
- A set of defined criteria on how the city will review the classification request.
- Designate the “Land Use Authority” for classification requests.
- Allowing the proposed use to proceed if it “aligns with an existing use”.
- If the proposed use is determined to be “new”/“unlisted” in the City’s ordinances, define how the City Council will review the request and provide a timeline.
- An appeal process if the applicant disagrees with the classification determined by the Land Use Authority or if the City Council denies the application to add the “new”/“unlisted” business use to the Land Use Ordinance.

Accordingly, it is proposed that a new section be added to the City’s Land Use Ordinance, specifically 15-9, *Classification of New and Unlisted Business Uses*. A draft of this section that meets the requirements of SB 179 is attached hereto, for consideration.

The City Council ordinance that adopts this new section of Chapter 15 of the Land Use Ordinance should add authorization for staff to add a footnote at the bottom of each chapter of the Land Use Ordinance that has a land use chart, referencing Chapter 15-9, providing the process for petitioning the approval of a new or unlisted business use.

STAFF REPORT

KANAB CITY

26 N. 100 E.

Kanab, UT 84741

www.kanab.utah.gov

(435) 644-2534



Questions that the Planning Commission and City Council may want to consider in relation to this proposed new section of Chapter 15:

- What should be included in an application for a “classification request”, or what should the city review to determine a business’s classification?
- Should an individual be required to submit a classification request if it is a new/unlisted business that obviously does not align with an existing permitted or conditional use, or may they skip to the *Application for a New or Unlisted Business Use* (i.e., if the Land Use Authority can summarily determine it’s a new/unlisted business, and the applicant is in agreement with the Land Use Authority’s decision)?
- Who should act as the Land Use Authority for classification requests? [Could be the Land Use/Zoning Administrator (as proposed in the draft), the Planning Commission, or another option. Staff recommends it not be the City Council, since this is an administrative decision for which it would be ideal not to confuse with the legislative decision/role of whether to add, modify, or change a permitted or conditional use.]
- What timeframe do you believe is reasonable for the City Council to approve or deny a new or unlisted business use? [The draft currently includes a proposed timeframe.]
- What, if any, criteria should the City Council consider when considering an application to add a new or unlisted business use?

Staff Recommendation:

Staff recommends that the Planning Commission make some form of positive recommendation to the City Council for either adoption of the draft Chapter 15-9, or some variation of the draft section that meets the requirements of SB 179.

Recommended Motion(s):

I move to send a positive recommendation to the City Council to adopt the proposed changes to Chapter 15 of the Land Use Ordinance, as detailed in the staff report and in the draft presented, with the additional insertion of the corresponding footnote below each land use chart within the Land Use Ordinance.

I move to send a positive recommendation to the City Council to adopt the proposed changes to Chapter 15 of the Land Use Ordinance, as detailed in the staff report and in the draft presented, with the additional modifications to the draft discussed and noted, with the additional insertion of the corresponding footnote below each land use chart within the Land Use Ordinance.

I move to send a negative recommendation to the City Council in relation to the proposed changes to Chapter 15 of the Land Use Ordinance, as detailed in the staff report and in the draft presented.

Kanab

Land Use Ordinance

Chapter 15 – Establishment of Zoning Districts

Section 15-1 Establishment of Zoning District

Section 15-2 Minimum Floor Area In Residential Zones

Section 15-3 Maximum Building Height in Comm. & Mfg. Districts

Section 15-4 Listing of Ordinance and Map

Section 15-5 Rules for Locating Boundaries

Section 15-6 Supplementary Regulations to All Zones

Section 15-7 Transitioning and Maintaining Balance

Section 15-8 Classificaiton of New and Unlisted Business Uses

Section 15-1 Establishment of Zoning District

For the purposes of this ordinance, the territory of the City of Kanab to which this Ordinance applies is divided into the following zoning districts:

KANAB CITY ZONES	
Residential	Zones
Residential / Agriculture Zones	RA-2, RA-5, RA-10
Rural Residential Zone	RR-1
Single Family Residential Zones	R-1-15, R-1-20, R-1-8, R-1-10
Multiple Family Residential Zones	RM-7, RM-9, RM-11, RM-13, RM-15
Kanab Creek Ranchos Zone	KCR-720
Planned	
Commercial Planned Zones	CPD
Commercial	
Commercial Zones	C1, C2, C3
Overlays	
Overlay Zones	DO, TCO, ECPO, DD, DPO, PD
Industrial	
Manufacturing Zones	M1, M2, M3

Kanab

Land Use Ordinance

Chapter 15 – Establishment of Zoning Districts

Section 15-2 Minimum Floor Area in Residential Zones

Zones	Main Floor *	Total Sq. Ft.*	Single Story *
R-1-8, R-1-10	800 sq. ft.	1200 sq. ft.	1000 sq. ft.
R-1-15, R-1-20	900 sq. ft	1400 sq. ft.	1000 sq. ft.
R-R-1	1000 sq ft.	-----	-----
RA-2, RA-5, RA-10	1000 sq ft.	-----	-----
KCR-720	720 sq. ft.	-----	-----
Two-Family Dwelling Unit in the R-1-8 through R-1-20	720 sq. ft. per unit	-----	-----
RM Multi Family Single or Double Unit	720 sq. ft. per unit	-----	-----
RM Multi Family Triplex or larger	500 sq. ft. per unit	-----	-----

*Excluding Garage and Basement

Section 15-3 Maximum Building Height in Comm. & Mfg. Districts

Commercial Zones	Story* / Height
C1	Two Story or 35 ft.
C2	35 ft
C3	Three Story or 40 ft.

Manufacturing Zones	Story * / Height
M1	Three Story or 40 ft.
M2	Three Story or 40 ft.
M3	Three Story or 40 ft.

*Story - The portion of a building included between the surface of any floor and the surface of floor next above it, or if there be no floor above it then the space between any floor and ceiling next above it.

Section 15-4 Listing of Ordinance and Map

This Ordinance and map shall be filed in the custody of the Kanab City Clerk and may be examined by the public subject to the reasonable regulations established by said Clerk. The Zoning Map (Appendix G-1) and Zoning Matrix (Appendix G-3) are adopted as the official record of zoning designations. Where

Kanab

Land Use Ordinance

Chapter 15 – Establishment of Zoning Districts

the Zoning Map in Appendix G-1 conflicts with the Zoning Matrix in Appendix G-3, the Zoning Matrix controls as the authoritative zoning designation. The Land Use Coordinator or Kanab City Clerk can make non-substantive changes and clerical corrections without prior approval from City Council.

Section 15-5 Rules for Locating Boundaries

Where uncertainty exists as to the boundaries of districts as shown on Kanab City maps, the following shall apply:

- A. Boundaries indicated as approximately following the centerline of streets, highways, or alleys shall be construed to follow such centerlines and in the event of change in the centerline shall be construed as moving with the centerlines.
- B. Boundaries indicated as approximately following the right-of-way lines of streets, highways, or alleys shall be construed to follow such right-of-way lines, and in the event of a change in the right-of-way line shall be construed as moving with the right-of-way line.
- C. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, or other bodies of water, or flood control channels, shall be construed to follow such centerlines and in the event of change of the centerline shall be construed as moving with the centerline.
- D. Boundaries indicated as approximately following platted lot lines shall be construed to follow such lot lines.
- E. Boundaries indicated as parallel to, or extensions of features indicated in sub-sections 1 through 4 above shall be so construed. Distances not specifically indicated on the official map shall be determined by the scale of the map.
- F. In case any further uncertainty exists, the Kanab City Appeals Officer shall determine the location of such boundaries.
- G. Boundaries of each of the said zones are hereby established as described herein or as shown on the map entitled Kanab City Zoning Map which map is on file with the Kanab City Clerk and all boundaries shown thereon are made by this reference as much a part of this Ordinance as is fully described and detailed herein.

Section 15-6 Supplementary Regulations to All Zones

No trash, rubbish, weeds, or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential or commercial zone. No junk, debris, abandoned or dismantled automobile or similar material shall be stored or allowed to remain on any lot in any residential zone.

Section 15-7 Transitioning and Maintaining Balance

It is the objective of the City to encourage and provide for proper transitions and compatibility between zones and intensity of uses, which should be regulated by the City Land Use Code, the General Plan, Future Land Use Map and the Kanab City Annexation Policy Plan. The City also seeks to maintain a healthy balance and mix of land uses within the community, representing the atmosphere of existing development. Areas for growth have been planned with a balance for all uses, including agriculture, residential, commercial and industrial uses, and lot size averaging as demonstrated in the Kanab City

Kanab

Land Use Ordinance

Chapter 15 – Establishment of Zoning Districts

General Plan and Future Land Use Map. Future decisions regarding land use and zoning in Kanab should be guided by this map.

The City promotes orderly growth, with an emphasis for new developments to occur in the core community areas first. Rezoning of adjacent undeveloped property should be compatible with developed property.

Lot size averaging standards and requirements outlined in the Kanab City Subdivision Ordinance allows for a mix of lot sizes within a new subdivision in zones: Rural Residential (RR-1) and Single Family Zones (R-1-8, R-1-10, R-1-15, R-1-20).

Section 15-9 Classification of New and Unlisted Business Uses

Purpose: The intent of this section is to meet the requirements established by Utah Senate Bill 179, passed and made effective in 2025, which enacted Utah Code § 10-9a-507.5. This section outlines the process for reviewing a “new or unlisted business use”—i.e., a business activity that does not align with an existing land use specified in the Land Use Ordinance. This is not intended as a process for petitioning to revise ordinances generally or for adding, modifying, or removing permitted or conditional land uses generally, but is limited to new or unlisted business uses.

- A. Classification Request: An individual may submit a classification request to the Land Use Administrator, who shall act as the Land Use Authority.
 1. Upon receipt of a classification request, the Land Use Authority shall determine whether a proposed business use aligns with an existing land use specified in the City's Land Use Ordinance.
 2. In reviewing a classification request and in determining whether a proposed use aligns with an existing use, the Land Use Authority shall consider the existing uses in all zones, both those listed within the respective land use charts or as listed or defined elsewhere within the City's ordinances.
 3. In defining a business use, the Land Use Authority shall first look to the City ordinances for any applicable definition, a defining regulation, or explanation of the use. Absent a clear definition within the City's ordinances, the Land Use Authority may then look to state law, administrative code, or other commonly accepted definitions of a business that are legally authoritative.
 - a. If a contradiction exists within the City's own ordinances as to the definition of a business use and whether a proposed use aligns with an existing use, the broadest definition or regulation shall be used in making a determination about a classification request.
 4. Aligns with Existing Use. Upon determining that the proposed business use aligns with an existing use, the Land Use Authority shall notify the applicant of the determination and any further steps the applicant may need to undertake before proceeding with such business use (e.g., application for a conditional use permit, building permit, business license, etc.). Failure of the Land Use Authority to inform the applicant of the additional actions required before the applicant can proceed with the business use shall not excuse the applicant from actions required by or applicable regulations in the City's ordinances or applicable under state law.
- B. Application for a New or Unlisted Business Use. If a use is determined to be a new or unlisted business use by the Land Use Authority:
 1. The applicant shall submit an application for approval of the new or unlisted business use, which shall be submitted to the Planning Commission for review and consideration. The Planning

Adopted January 22, 2008; Amended December 12, 2023 September 9, 2025

Kanab

Land Use Ordinance

Chapter 15 – Establishment of Zoning Districts

Commission will then make a positive or negative recommendation to the City Council, or make another recommendation for any other adjustment to the Land Use Ordinance, as it relates to the application.

2. Upon receipt of a recommendation from the Planning Commission, the City Council shall consider and determine whether to approve or deny the new or unlisted business use.
3. The City Council shall approve or deny the new or unlisted business use within thirty (30) days of receiving the Planning Commission's recommendation, or at the City Council's next scheduled and noticed meeting if a meeting is not scheduled or properly noticed within thirty (30) days.
 - a. Notwithstanding the foregoing, if the City Council requests additional information from the applicant before making a decision, then the timeframe for approval or denial shall commence upon receipt of the requested information.
 - b. The City Council may move forward with its decision to approve or deny the new or unlisted business use even if the additional information requested from the applicant is not received or not received in a timely manner.
 - c. The City Council may make a decision to approve or deny the new or unlisted business use regardless of the applicant's attendance or non-attendance at the Planning Commission's or City Council's properly noticed meetings.
 - d. Before making a decision, a properly noticed public hearing must be held either before the Planning Commission or the City Council.
4. Approval of New or Unlisted Business Use. If the City Council approves a proposed new or unlisted business use, the City Council shall designate an appropriate zone or zones for the approved use.
5. Denial of New or Unlisted Business Use. If the City Council denies a proposed new or unlisted business use, or if an applicant disagrees with the Land Use Authority's classification of the proposed use, the City Council shall:
 - a. Notify the applicant in writing of the reason for the classification or denial; and
 - b. Offer the applicant an opportunity to challenge the classification or denial through the administrative appeal process outlined in Chapter 3 of the Land Use Ordinance. Providing notice and allowing for the appeal process shall not change the character of the decision(s) made and appealed (i.e., the City Council's approval or denial being legislative, while the Land Use Authority's decision being administrative.).
 - c. An applicant must exhaust the process afforded through this section before appealing a decision.
- C. Fees for classification requests, application to add a new or unlisted business use, and appeals shall be established and set forth in the City's Consolidated Fee Schedule, as modified from time to time.

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 20250902.1

Date:	August 29, 2025
Meeting Date:	September 2, 2025
Agenda Item:	Discuss and recommend to City Council a text amendment to the Land Use Ordinance, Chapter 9 Site Plan Review

Attachments:

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

Summary:

A text amendment to update Land Use Ordinance Chapter 9 Site Plan Review to amend or clarify the requirements for a site plan review.

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 20250902.1

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 Kanab City Land Use Ordinances identified in exhibit A of the staff report for 20250902.1 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

Kanab

Land Use Ordinance

Chapter 09 – Site Plan Review

Section 9-1 Purpose

Section 9-2 Application and Review

Section 9-3 Site Plan Requirements

Section 9-4 Additional Site Plan Requirements by Application

Section 9-5 Exceptions

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Section 9-15 Modifications

Section 9-16 Performance Guarantees

Section 9-17 Reimbursement for Off Site Improvements

Section 9-18 Minimum Improvements

Section 9-19 Maintenance of Improvements Required

Section 9-1 Purpose

The purpose and intent of site plan review is to secure the general purposes of this Ordinance and the Kanab City General Plan and to ensure that the general appearance of buildings and structures and the development of the land shall in no case be such as would impair the orderly and harmonious development of the neighborhood or impair investment in the occupation of the neighborhood.

Section 9-2 Application and Review

A site plan shall be submitted with any application for a conditional use permit or a building permit, if the application is for:

- A new building;

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- An alteration or renovation of 50% or more of an existing building;
- A modification to the square footage of an existing building; or
- Any change in occupancy type or use of an existing building.

The site plan shall comply with the requirements of Chapter 9. A building permit shall not be issued unless the accompanying site plan has been approved.

Any significant alteration, resulting in 50% of change in landscaped areas requires a landscaping plan to be submitted, in accordance with this Chapter, for Planning Commission review and approval.

A site plan review or landscape plan is not required with applications for single-family dwellings and their accessory buildings. If the change of use, alterations, renovations, or modification to the square footage of an existing building to a commercial, multi-family, manufacturing or industrial business will not increase or change the requirements to parking, landscaping or other requirements within the chapter, the Land Use Administrator or Building Official can review and approve the site plan.

Section 9-3 Site Plan Requirements

A site plan, drawn to scale, shall show, as applicable by the Land Use Ordinance:

- A. Scale of plan and direction of north point.
- B. Lot lines, adjacent streets, roads, trails, and rights-of-way.
- C. Location of all existing structures on subject property and adjoining properties, with utility lines, poles, and other equipment, fully dimensioned.
- D. Location of proposed construction and improvements with location and dimension of all signs.
- E. Any new or re-modeled parking lot to be built.
- F. Proposed motor vehicle access, circulation patterns, with individual parking stalls, trails, and curb, gutter, and sidewalk.
- G. Explanatory notes as needed.
- H. Name, address, and telephone number of the builder and owner.
- I. A landscaping plan, according to the requirements found in this ordinance.
- J. All other information related to the site plan and reasonably required as determined by the Kanab City Planning Commission or the Kanab City Zoning

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Administrator when authorized.

Section 9-4 Additional Site Plan Requirements by Application

9-4.1 Mobile and Park Model Home Parks

Mobile and Park Model Home Parks shall meet the requirements of Chapter 12, with an overall plan for development, in conjunction with site plan requirements listed in Section 9-3.

9-4.2 Recreational Vehicle Parks

Recreational Vehicle Parks shall meet the requirements of Chapter 13 with an overall plan for development, in conjunction with site plan requirements listed in Section 9-3.

9-4.3 Planned Development Overlay

A preliminary and a final site plan shall be required for approval of a Planned Development Overlay as defined in Chapter 23: Planned Development Overlay.

9-4.4 Commercial Zones

All site plans submitted for developments within the Commercial Zones shall be accompanied by architectural design plans that meet the requirements of Chapter 20.

Section 9-5 Exceptions

For buildings and uses covered by conditional use permits and Planned Development, site plan review shall be incorporated within such conditional use permit and Planned Development and need not be a separate application, provided the requirements of this Chapter are met.

Section 9-6 Planning Commission Approval

The Kanab City Planning Commission, or the Kanab City Zoning Administrator when authorized by the Commission, shall determine whether a proposed site plan is consistent with this Chapter and with the general objectives and requirements of this Ordinance, and shall give or withhold approval accordingly. Denial or approval by the Kanab City Planning Commission or the Zoning Administrator may be appealed

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to the Kanab City Council, as provided for in the appeals section of this Ordinance.

The Planning Commission shall allow one (1) extension to the site plan or landscaping requirements if the applicant submits an Improvement Completion Assurance for any of the site plan and/or landscaping improvement requirements. No further extensions shall be permitted.

The Improvement Completion Assurance shall be in the form and amount approved by the City, upon recommendation of the City Engineer or Building Inspector, and can be in the form of a surety bond, financial institution bond, cash, letter of credit, or lien. The Improvement Completion Assurance shall guaranty the proper completion of site plan or landscaping requirements, in accordance with Kanab City Standards. Upon recommendation of the City Engineer or Building Inspector, the City may authorize a partial release of the Improvement Completion Assurance, upon inspection and acceptance of a portion of the completed site plan and/or landscaping improvement requirements.

Section 9-7 Consideration in Review of Applications

The Kanab City Planning Commission, or the Kanab City Zoning Administrator when authorized by the Commission, shall consider the following matters in reviewing of applications:

- A. Considerations relating to traffic safety and traffic congestion.
 1. The effect of the site development plan on traffic conditions on abutting streets.
 2. The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, and walkways.
 3. The arrangement and adequacy of off-street parking facilities, including the requirements listed in Chapter 6 of this Ordinance.
 4. The location, arrangement, and dimensions of truck loading and unloading facilities.
 5. The circulation patterns within the boundaries of the development.
 6. Connectivity of streets and trails as defined in Section 4-30.
 7. The surfacing and lighting of off-street parking facilities.
- B. Consideration relating to outdoor advertising. The number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with adjacent development, including requirements listed in Chapter 7 of this

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Ordinance.

- C. Performance standards for industrial and other uses for dangerous and objectionable elements enumerated in Chapter 10 of this ordinance shall apply.
- D. Considerations relating to buildings and site layout.
 - 1. Consideration of the general silhouette and mass, including location on the site, elevation, and relation to natural plant coverage, all in relationship to the neighborhood.
 - 2. Consideration of exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing on the street (or streets), line and pitch of roofs, and the arrangement of structures on the parcel.
 - 3. Development standards enumerated in this ordinance for the applicable zone and/or development type shall apply.
 - 4. Landscaping shall meet the requirements of this Ordinance.

Section 9-8 Landscaping Requirements

- A. Public Right-of-Way: The public right of way shall be landscaped with two inch (2") caliper trees and approved landscaping as described in Section 9-8(G). Landscaping is only required where curb, gutter, and/or sidewalk improvements are required. See Section 4-18 for curb, gutter, and sidewalk requirements.
- B. Street Frontage Landscaping: A minimum six foot (6') wide landscaped area shall be installed along the entire frontage of the parcel, unless the buildings are at zero setback. The landscaped public right of way may be included as part of the six-foot requirement. Driveways and sidewalks shall be allowed to cross the six foot (6') wide landscaped area. The Planning Commission may revise the landscaping plan to ensure the purposes of this chapter are substantively met.
- C. Landscape Plan Required: A landscape plan including a mix of landscape elements is required for all developments in which landscaping is required. The front, side, and rear yards of lots shall be landscaped and properly maintained with:
 - 1. Living plant materials (e.g., lawn, ground cover, annual and perennial flowering plants, desert plants, vines, shrubs, trees and other plant materials.) planted directly on the property and kept free from all hard surfaces.
 - 2. Use of water (e.g., pools fountain, falls and streams) and sculptures may be included as landscape design materials.
 - 3. Paving materials (e.g., bricks, pavers, flagstones, textured concrete) may be

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included upon approval of the Planning Commission if they create a useful open space, add color or texture to the design, and create visual interest.

4. Landscaping rocks, gravel or wood chips may be used, provided such area does not cover more than twenty five percent (25%) of the area required to be landscaped. If more than twenty five percent (25%) is desired, approval must be given by the Planning Commission upon a finding that the excess coverage includes enough variety and plant material to fulfill the objectives of this section
- D. All areas in a development not approved for parking, buildings, or other hard surfacing, shall be landscaped and properly maintained with landscaping materials approved in conjunction with a Site Plan.
- E. A minimum of one (1) canopy tree in each landscaped area, within a project boundary, shall be required in addition to other trees required in this Title as determined by Planning Commission.
- F. Plastic Or Artificial Materials Prohibited: Landscape plants shall not include plastic or other artificial materials.
- G. Minimum Plant Sizes: The following minimum plant sizes shall be used:

Landscape Element (Plants)	Minimum Size At Planting
Shade tree	2 inch caliper, balled and bur lapped
Ornamental tree	1 inch caliper
Evergreen tree	7 feet in height, balled and bur lapped
Shrub	5-gallon container
Perennial or ornamental grass or ground cover	10 square foot area
<p>Notes:</p> <ol style="list-style-type: none">1. All calipers are measured 1 foot above the finish planting grade.2. Root barriers shall be installed for all new trees planted adjacent to existing or proposed sidewalks and paving.3. Building sidewalks on beds of coarse gravel will cause tree roots to grow deeper - they will not grow through and lift sidewalk.	

- H. Retention of Existing Trees and Plants: Existing trees are encouraged to be retained and shall be accepted in lieu of new plantings.
- I. Energy Efficiency: All landscaping shall be designed to consider the site and surrounding properties by addressing sun, shade and wind for increased energy

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efficiency.

1. Landscaping shall provide a mix of deciduous trees, evergreens, ornamental plants and ground cover to provide year around screening.
2. Deciduous trees shall be included for providing shade in parking lots and around structures. Large trees are encouraged for maximum shade canopy.
3. Evergreen trees shall be included for windbreaks, screening and accent purposes.

J. Spacing: Trees may be grouped together or spaced evenly as approved in the site plan.

K. Clear View Triangle shall be observed in regard to all vegetation near streets and drives. No evergreen trees shall be planted within any sight triangle. The maximum height of any berm, fences, signs or vegetative ground cover at maturity within the view triangle is two feet (2'). The Clear View Triangle is the area of visibility required for the safe operation of vehicles, pedestrians and cyclists in proximity to intersecting streets and driveways. The clear view triangle shall be regulated by AASTHO standards for signs and landscaping.

L. Monument Signs: Five foot (5') landscaping strips shall be provided at the base of all monument signs.

M. Installation and Maintenance: Installation of required landscaping shall be the responsibility of the property owner.

1. All plant materials shall be planted according to industry standards, using acceptable topsoil and automatically controlled permanent irrigation systems.
2. All proposed plant material shall be in accord with the American association of nurserymen standards in terms of size, character and quality.
3. All plant materials required within a public landscaped area shall be planted to completion prior to the city's issuance of a certificate of occupancy, unless an assurance completion bond has been provided.
4. Maintenance and replacement of required landscaping and screening shall be the responsibility of the property owner.
5. All plant materials shall be pruned, trimmed, watered and otherwise maintained to create an attractive appearance and a healthy growing condition. No trees shall be severely pruned or topped.
6. Dead, diseased, stolen or vandalized plant materials shall be replaced by the next planting season.
7. Property owners shall keep landscaped areas free of weeds and trash.

N. Not withstanding the requirements herein, a water wise landscaping plan

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meeting the Utah State Code 10-9a-536 will be accepted.

Also see Exhibit J & K

Section 9-9 Conditions

The Kanab City Planning Commission, or the Kanab City Zoning Administrator when authorized, shall decide all applications for site plan review. Site plan approval may include such conditions consistent with the consideration of this Chapter as the Kanab City Planning Commission or Kanab City Zoning Administrator deem reasonable and necessary under the circumstances to carry out the intent of this Chapter.

Section 9-10 Findings and Decisions

Upon a finding by the Kanab City Planning Commission or the Kanab City Zoning Administrator, when authorized, that the application meets the requirements of this Chapter, the site plan approval shall be granted, subject to such conditions as are necessary; otherwise, approval shall be denied.

Section 9-11 Notification of Approval or Denial

Upon the granting of site plan approval, the secretary of the Kanab City Planning Commission or land use coordinator shall send notice, via phone, voicemail, or email, to the applicant explaining the result of the application.

Section 9-12 Time Limitations on Approval

If construction in harmony with the permit for any development for which site plan approval has been granted has not been commenced within one (1) year from date of approval, the approval shall be deemed automatically revoked. Upon application, an extension of time may be granted by the Kanab City Planning Commission, or the Kanab City Zoning Administrator, when authorized.

Section 9-13 Transfer of Approval upon Change in Use

Site plan approval shall be deemed revoked if the buildings erected or the classification of their use or the classification of the use of land for which the approval was granted is changed, unless the approval is transferred by the Kanab City Planning Commission, or the Kanab City Zoning Administrator, when authorized to do so. If the transfer is not approved, a new application must be filed.

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Section 9-14 Conformances of Approval

Development for which site plan approval has been granted shall conform to the approval and any conditions attached thereto.

Section 9-15 Modifications

Upon request of the applicant, modifications in the approved plan may be made by the Kanab City Planning Commission or the Kanab City Zoning Administrator when authorized to do so, if it is found that the modifications will meet the requirements of this Chapter. The Kanab City Planning Commission may revoke or modify a site plan approval which does not conform to any requirements of the approved permit.

Section 9-16 Replacement of Trees

Any tree that dies or is removed that was part of an approved site plan shall be replaced with a new tree meeting the requirements of this ordinance within 3 months. Regarding trees that are part of landscapes that were not subject to landscape plans and have been "grandfathered in," dead or removed trees must be replaced in a way that brings the landscape in-line with this ordinance.

Section 9-17 Performance Guarantees

- A. Application. Wherever a performance guarantee is required under the terms of this development code, said guarantee shall be submitted in conformance with this chapter.
- B. Type and Amount of Guarantee. All performance guarantees shall be posted in the form of a performance bond, an escrow account or an irrevocable letter of credit. Whichever form of performance guarantee is employed for any development project, the performance guarantee shall be made through an adequate and appropriate agency acceptable to the City. The amount of the guarantee shall include at least one hundred and ten percent (110%) of the cost of all materials and labor for the work to be performed as established by the city engineer and the costs of administration by the City.
- C. Duration of Guarantee. The duration of the performance guarantee shall be for the period of time specified for completion of required improvements and any extensions to such period as may be approved by the City Council. The date of beginning of the durability performance period shall be the date of acceptance of the improvement by the City Council.
- D. Partial Releases Permitted. Where a guarantee is provided for the purpose of ensuring the timely installation of required improvements, the city may authorize a partial release of the guarantee. The amount of any partial release

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shall be in an amount commensurate with the estimated cost of the completed improvements, as determined by the City Engineer, less a holdback of ten percent (10%).

E. Final Disposition and Release.

1. Request: At the completion of the work, the sub-divider shall submit to the city one copy of a written notice of completion, copies of lien releases from all suppliers of materials and subcontractors, and a request for release. Following receipt of the notice and request, the City Engineer shall make a preliminary inspection of the improvements and shall submit a report to the city council setting forth the condition of such facilities.
2. Acceptable Condition: If the condition of said improvements is found to be satisfactory and all liens are paid, the city council shall act to accept the improvements and authorize release of the remainder of the guarantee.
3. Unacceptable Condition: If the condition of material or workmanship shown unusual depreciation or does not comply with the acceptable standards of durability, or if there are any outstanding liens, or if any other terms of the guarantee have not been satisfied, the matter shall be referred to the City Council, and in accordance with the provisions of Section 9-14-6 of this chapter, the City Council may declare the developer in default and take such actions as are determined necessary to secure performance.

F. Default. Where, in the opinion of the City Council, a developer fails or neglects to satisfactorily install the required improvements or make required corrections, or to pay all liens in connection with said improvements, make payment to the city for administration and inspections, or otherwise fails in carrying out the activity for which the performance guarantee was required, the city council may, after a public hearing with due notice on the matter, declare the performance guarantee forfeited and thereafter may install or cause the required improvement to be installed using the proceeds from the guarantee to defray the costs; provided, that the city shall not be responsible for work beyond the limits of the bond amount. Any funds remaining after completion of the required improvements will be returned to the developer.

G. Time Limit for Installation; Performance Guarantee.

1. All required improvements not in place prior to the approval of the final plat by the city council shall be installed by the developer as required by City Ordinances following the date of final plat approval; provided, however, that upon a showing of good and sufficient cause (i.e., lateness of the final approval date, unexpected delays, etc.), the city council may extend the date of completion or authorize a longer period of time for completing construction of part or all of the uncompleted improvements.
2. A performance guarantee securing the installation of all required

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improvements which have not been completed and accepted by the city council prior to final plat approval shall be required as a condition of final plat approval. The performance guarantee shall be in accordance with City Ordinances.

Section 9-18 Reimbursement for Off Site Improvements

Reimbursement shall be allowed for off-site improvements which are required as a condition of approval of a subdivision. Whenever an extension of any required off site improvement benefits property contiguous to the extension, other than property owned by the developer, the City will enter on its records the amount of the actual cost of the extension across the benefited property. The owner of the benefited property shall reimburse the developer the charges assessed against such benefited property for a period of thirty (30) years from the date of completion and acceptance of the extension by the City. All reimbursable improvements under this section shall be constructed to the fullest extent of the improvement, including, but not limited to, full width and fully improved rights of way.

1. The amount of the reimbursement to be paid by a benefited property shall be determined by an engineer's estimate submitted to the City on a per linear foot basis. The extension reimbursement charge shall be paid before any service connection is made to the benefited property and shall be in addition to all other fees and charges.

Section 9-19 Minimum Improvements

- A. All required improvements not in place prior to the approval of the final plat by the city council shall be installed by the developer as required by City Ordinances following the date of final plat approval; provided, however, that upon a showing of good and sufficient cause (i.e., lateness of the final approval date, unexpected delays, etc.), the city council may extend the date of completion or authorize a longer period of time for completing construction of part or all of the uncompleted improvements.
- B. A performance guarantee securing the installation of all required improvements which have not been completed and accepted by the city council prior to final plat approval shall be required as a condition of final plat approval. The performance guarantee shall be in accordance with City Ordinances.
- C. Included Minimum Improvements: The minimum improvements shall include:
 1. Streets and travel ways, and including provisions for stabilization and re-vegetation of cut and fill slopes.
 2. Water and sewerage mains and facilities.

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3. Fire hydrants.
4. Any required drainage or flood control structures.
5. Any required restoration of cut and fill slopes.
6. The costs of installing landscaping and common facilities within any common open space area.
7. Secondary irrigation water system.

Section 9-20 Maintenance of Improvements Required

All improvements, including buildings, open space, recreational facilities, roads, fences, utilities, landscaping, walkways, streetlights and signs not specifically dedicated to the City or accepted for ownership or maintenance by the City shall be perpetually maintained by the owners or their agents through a special taxing district, owners' association with power to assess and collect fees for maintenance or other assessment and maintenance mechanisms acceptable to the City Council.

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 & September 2, 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

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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

**See section 6-2 for qualifying requirements.*

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Section 6-3 Access to Individual Parking Space

Except for single-family and two-family dwellings or parking spaces used as community benefit such as a hospitals, parks, courthouse, offices for a government or political subdivision or similar, access to each parking space shall be from a private driveway and not from a public street. Parking spaces shall not be directly accessed from an arterial or major collector road.

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)	2.25 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

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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

Commented [KC1]: There are not minimum widths for ingress/egress or drives within parking lots in the Design Standards. If minimum widths are desired we will need to add the requirements here or update the Design Standards.

Commented [KC2]: This may contradict design standards

Adopted January 22, 2008; Amended June 28, 2022

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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 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.

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B. Parcel without a retail store front:

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

Examples of Dark-Sky Sensitive Lighting



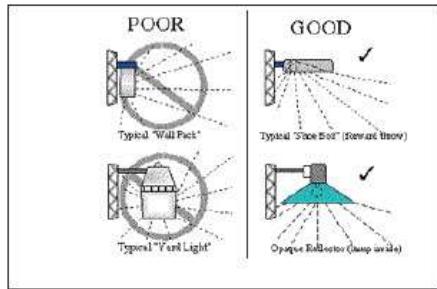
Section 6-8 Lighting of Parking Lots

- 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').

Kanab

Land Use Ordinance

Chapter 06 – Parking Requirements



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).

Adopted January 22, 2008; Amended June 28, 2022

Kanab

Land Use Ordinance

Chapter 06 – Parking Requirements

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.

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City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
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Scott Colson
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Peter Banks

Kanab City Planning Commission Staff Report

File # PLANZONE25-001

Date:	August 29, 2025
Meeting Date:	September 2, 2025
Agenda Item:	Discuss and recommend a zone change to City Council from C3 [Commercial] to RM [Multi-Family Residential] for parcel K-C-6-1
Subject Property Address:	220 West 300 North
Property Owner:	Zion Lodge Kanab LLC – Michael Lai
Applicant Agent:	Michael Lai
General Plan Designation:	General Commercial & Medium Density Residential/High Density Residential
Parcel #:	K-C-6-1

Attachments:

Exhibit A: Subject/Vicinity Property
Exhibit B: Applicant Statements

Summary:

Property Owner, Zion Lodge Kanab LLC, is requesting a zone change to rezone parcel K-C-6-1 from C3 (Commercial Zone) to a RM (Multi-Family Residential). The property owner would like to change the use of the building to allow for long-term rentals.

Site Description:

The subject property is approximately 2.63 acres. The parcel has an existing structure that has been used as a short-term rental. Surrounding zoning designations and the density designations are as follows:

North	South	East	West
County Properties zoned AG and R2	Single-Family R-1-8 & Multi-Family (RM) Medium Density Residential (MDR) / High Density Residential (HDR)	Commercial (C3) General Commercial	Commercial (C3) General Commercial

– A Western Classic –

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Kanab City Land Use Ordinance, General Plan and Zoning Map Analysis:

Zoning designations and zone changes are regulated by the Kanab City Land Use Ordinance, Chapter 15 – Establishment of Zoning Districts regulates zoning designations within Kanab City. Section 15-7 Transitioning and Maintaining Balance, states:

It is the objective of the City to encourage and provide for proper transition and compatibility between zones and intensity of uses, which should be regulated by the City Land Use Code, the General Plan, Future Land Use Map and the Kanab City Annexation Policy Plan. The City also seeks to maintain a healthy balance and mix of land uses within the community, representing the atmosphere of existing development. Areas for growth have been planned with a balance for all uses, including agriculture, residential, commercial and industrial uses, as demonstrated in the Kanab City General Plan and Future Land Use Map. Future decisions regarding land use and zoning in Kanab should be guided by this map.

The City promotes orderly growth, with an emphasis for new developments to occur in the core community areas first. Rezoning of adjacent undeveloped property should be compatible with developed property.

Public Comment:

The Public Hearing will be held on September 2, 2025. Public notices have been posted on the City and State websites.

Findings:

1. The application was initiated by the owner.
2. The property is zoned as C3 and approximately 2.63-acres.
3. The City Council is the decision-making authority for a zoning application. The Council may adopt or reject the request as it deems appropriate or may assign a different zoning designation.
4. Assigning an RM zone is semi-consistent with the Kanab City Future Land Use Map across the street is designated as MDR/HDR as well as two lots east of the property.
5. The requested zone of RM is consistent with the adjacent properties to the South. Properties to the East and West are zoned commercial C-1. The properties to the North are in the county.

Suggested Motion(s):

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I move that we send a positive recommendation to the City Council to assign zone RM to Parcel K-C-6-1 based on the findings and conditions outlined in Staff Report PLANZONE 25-001.

I move that we send a positive recommendation to the City Council to assign zone _____ to Parcel K-C-6-1 based on the findings and conditions outlined in Staff Report PLANZONE 25-001 and the following _____.

I move that we send a negative recommendation to the City Council to assign zone R-1-8 to Parcel K-C-6-1 based on the findings and conditions outlined in Staff Report PLANZONE 25-001.

– A Western Classic –

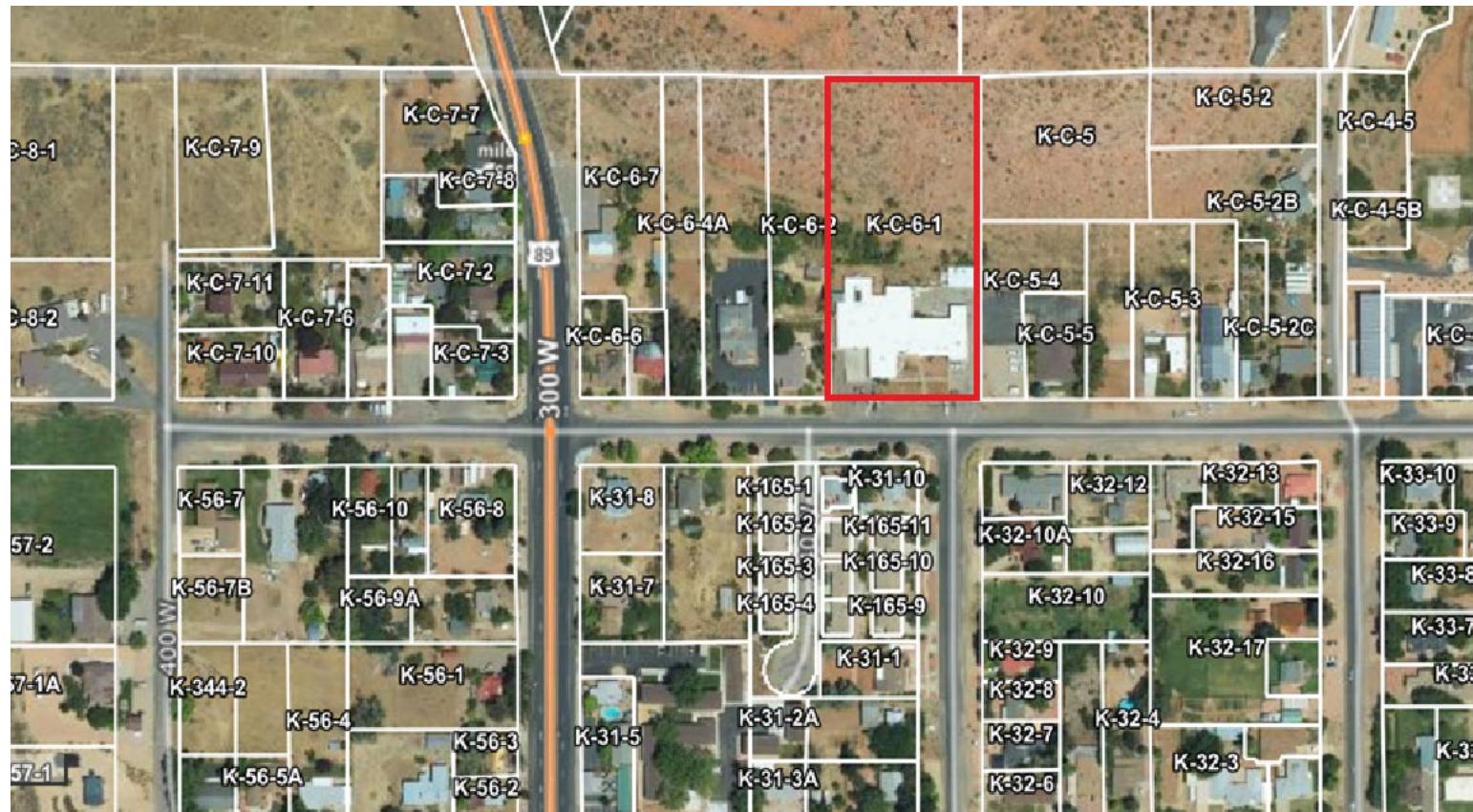
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Exhibit A: Subject Property

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Exhibit B: Applicant's Statements

— A Western Classic —

The city of Kanab, like in many other communities throughout the state of Utah, is in the midst of a housing shortage. In particular short supply is housing that is affordable to those who are trying to get back on their feet or require housing on a limited budget due to a fixed income such as retirees, or others who rely on local and community assistance.

The former Bunkhouse has been a service to both the city and county for some years now, serving as a hostel to travelers on a shoestring budget or members of the community who need a transitional place to stay.

While new hotels and other tourism infrastructure is being built, there is limited housing being built to house the workers who will work there due to the high cost of construction throughout the country. In order for Kanab to continue to grow and prosper, additional housing is needed in the present, and repurposing the former Bunkhouse would allow the city to absorb some of the demand for the housing that the city needs in order to continue to grow.

The majority of the City of Kanab's hospitality sits along the City's primary corridors of S 100 E and E 300 S in order to absorb the heavier flow of traffic from travelers. The property adjacent to the former Bunkhouse on the west is currently residential. Across the street is also residential. On the other side of the county building, which sits next to the property on the east side, is additional residential housing.

While the former bunkhouse has operated under a CUP for a hostel for some years now, it is not absolutely conforming to the area. By rezoning the property to allow for long term tenants, it would reduce traffic from travelers and give the area a greater sense of community identity and security. In other words, rather than be a place of transitory lodging of people not from the area, the neighborhood would be influenced more towards familiarity and enhancing the social welfare of the local community.