

**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

**November 12, 2025**

**NOTICE** is hereby given that the Kanab Planning Commission will hold its regular Commission Meeting on the 12<sup>th</sup> day of November 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 October 7, 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. **PUBLIC HEARING** Discuss and recommend a text amendment to Kanab City's Land Use Ordinance Chapter 17 Single Family Zones, chapter 19 MH-KCR Zone and General Ordinance Section 13 Police and public Offenses. The purpose of the amendment is to discuss dog boarding parameters and requirements for residential areas.

### **Legislative Decision:**

### **Work Meeting:**

2. Discussion on new legislative changes for the Wildland Urban Interface requirements outlined in Utah House Bill 48.
3. Discussion about subdivisions improvements for minor subdivisions outlined in Kanab City Subdivision Ordinances.

### **Staff Report:**

### **Commission Member Report:**

### **Council Member Liaison Report:**

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

**– A Western Classic –**

**Kanab City Planning & Zoning Commission Meeting**  
**October 7, 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, Dennis Shakespear, Kerry Glover, Russ Whitaker, Nate Lyman; Building/Land Use Administrator Janae Chatterley, City Attorney Kent Burggraaf

**Not in attendance** – Commission Members Terry Edwards, Ben Aiken, and Mark Gilberg; Council Liaison Arlon Chamberlain,

## 2. Approval of meeting minutes from July 1, 2025, and September 2, 2025

Commission Member Shakespear made a motion to approve the July 1, 2025, meeting minutes. Commission Member Whitaker seconded the motion. Motion passed.

Marlee Swain – YES

Dennis Shakespear – YES

Russ Whitaker – YES

Kerry Glover – YES

Nate Lyman – YES

Terry Edwards – Absent

Ben Aiken – Absent

## Mark Gilberg – Absent

Commission Member Glover made a motion to approve the September 2, 2025, meeting minutes. Commission Member Lyman seconded the motion. Motion passed.

Marlee Swain – YES

Dennis Shakespear – YES

Russ Whitaker – YES

Kerry Glover – YES

Nate Lyman – YES

## Terry Edwards – Absent

Ben Aiken – Absent

## Mark Gilberg – Absent

39  
40 **3. Public Comment Period – Members of the public are invited to address the Planning Commission.**  
41 Participants are asked to keep their comments to 3 minutes and follow the rules of civility  
42 outlined in Kanab Ordinance 3-601  
43

44 **Administrative Decision Items:**

45 **Legislative Decision:**

46 **1. PUBLIC HEARING** Discuss and recommend a text amendment to Kanab City's Land Use  
47 Ordinance Chapter 17, Single Family Zones, Chapter 19, MH-KCR Zone, and General Ordinance  
48 Section 13, Police and Public Offenses. The purpose of the amendment is to discuss dog  
49 boarding parameters and requirements for residential areas.

50  
51 Ms. Chatterley explained that city staff had coordinated with the city council to ensure support for  
52 regulating dog boarding similar to the existing additional dog household permit. The updates to  
53 Chapters 17 and 19 were primarily to mark dog boarding as a permitted use and to add a footnote  
54 directing applicants to Section 13-200.04 for detailed requirements. She clarified that the general  
55 ordinance section was expanded to differentiate kenneling from dog boarding and to align zoning  
56 permissions. Kennels were now permitted in both RR-1 and RA zones. Dog boarding would require a  
57 business license and could not exceed four dogs per property, including the owner's own pets.  
58 Structures housing dogs had to comply with setback requirements, and yards must be fully fenced  
59 with at least 450 square feet. Dogs could not be tethered outside, and property owners must co-sign  
60 applications if tenants operated the business. She also outlined care requirements, including  
61 cleanliness, adequate space, weather protection, and sanitation.

62  
63 Mr. Burggraaf recommended adding a subparagraph clarifying that two or more violations within  
64 twelve months, including those under similar state provisions, would result in license revocation.

65  
66 Ms. Chatterley agreed and added that licenses would not be transferable between owners or  
67 properties. She mentioned that the ordinance currently required dogs to be spayed or neutered  
68 under the additional dog household permit and asked if the same should apply to dog boarding.

69  
70 Commission Member Lyman questioned the necessity of requiring spaying or neutering for short-  
71 term boarding.

72  
73 Ms. Chatterley replied that the original rule was meant to prevent unintentional breeding among  
74 owners with multiple dogs.

75  
76 Mr. Burggraaf explained that kennels were defined as breeding operations, while boarding was for  
77 non-breeding purposes, and only kennels required special licensing.

78

79 Commission Member Lyman noted that dog boarding was typically temporary, such as watching  
80 pets for travelers.

81  
82 Ms. Chatterley responded that leaving dogs intact could increase the risk of wandering or unwanted  
83 mating, but said the ordinance could leave that decision to business owners.

84  
85 Commission Member Whitaker affirmed that spaying and neutering were already part of the  
86 application process.

87  
88 Commission Member Lyman added that requiring it in the ordinance could also reduce liability.

89  
90 Ms. Chatterley agreed and reiterated that it was already checked during the permitting process by  
91 Chief Cram. She and Mr. Burggraaf discussed how unneutered dogs were charged higher licensing  
92 fees, noting that the current policy required paying the fee regardless of the dog's age.

93  
94 Chair Swain stated that it was best to leave the spay and neuter rule to the applicant's discretion  
95 rather than enshrine it in the ordinance.

96  
97 Commission Member Lyman then asked about minimum property size, and Commission Member  
98 Glover clarified that a fenced area of 450 square feet was required.

99  
100 Ms. Chatterley noted that many townhomes would not meet that standard, but those zones were  
101 excluded from eligibility. She reviewed that only R-1-8, R-1-10, R-1-15, R-1-20, and MHKCR zones  
102 were applicable, all of which already allowed up to four dogs with a permit.

103  
104 Mr. Burggraaf added that Chapter 19 also included a clarification referring to Chapter 4 for  
105 manufactured home anchoring requirements.

106  
107 Ms. Chatterley explained that the clarification ensured homes were anchored to foundations rather  
108 than directly to the ground, aligning with city code.

109  
110 Commission Member Swain opened the public hearing.

111 No comment from the public was provided.

112 Commission Member Swain closed the public hearing.

113 Commission Member Glover made a motion to send a positive recommendation to the city council  
114 to adopt changes to the Kanab City land use ordinances identified in Exhibit A of the staff report  
115 20251007.1, with the amendments. Commission Member Whitaker seconded the motion. Motion  
116 passed.

117 Marlee Swain – YES  
118 Dennis Shakespear – YES  
119 Russ Whitaker – YES  
120 Kerry Glover – YES  
121 Nate Lyman – YES  
122 Terry Edwards – Absent  
123 Ben Aiken – Absent  
124 Mark Gilberg – Absent  
125

126 **2. PUBLIC HEARING** Discuss and recommend a test amendment to Kanab City's General  
127 Ordinance Chapter 9 – Business Licenses. The purpose of the amendment is to discuss Special  
128 Events in city limits.

129  
130 Ms. Chatterley explained that while existing ordinances allowed special events for nonprofit  
131 organizations, the city had recently seen an increase in requests from for-profit entities without any  
132 regulations in place for them. The proposed amendment, developed over several months, aimed to  
133 address this gap. It outlined new definitions for various event types, classified them by tiers based  
134 on attendance (fewer than 100, 100–500, and over 500 attendees), and detailed where each type of  
135 event could be held. She noted that while fees would apply to these permits due to city staff  
136 involvement in preparation and cleanup, there would be a provision to waive fees for certain  
137 partners, such as local schools or county departments.

138  
139 Mr. Ludwig clarified that he had drafted the twenty-page ordinance. He stated that it was modeled  
140 primarily on St. George's ordinance, since St. George hosted many large events and had undergone  
141 legal scrutiny. The amendment aimed to (1) allow for-profit events within city limits, (2) protect the  
142 city from liability through robust insurance and waiver requirements, and (3) allow events to occur  
143 outside typical zoning designations, such as at schools or parks, when appropriate. He emphasized  
144 that while the city could regulate time, place, and manner, it could not restrict events based on  
145 content or viewpoint, citing St. George's legal challenges as a cautionary example.

146  
147 Mr. Burggraaf added that the city had been issuing special event permits for years without clear  
148 authority, creating legal and liability risks. The new ordinance would formalize the process and  
149 better protect the city and taxpayers.

150  
151 Chair Swain requested to see the event location chart.

152  
153 Ms. Chatterley showed the chart and discussed its structure. She explained that each location, such  
154 as Jacob Hamblin Park, had restrictions based on the number of event days per month. For example,  
155 Jacob Hamblin Park could only be rented for up to fifteen days per month to balance community  
156 use.

157

158 Commission Member Shakespear suggested limiting consecutive rental days to prevent overuse or  
159 damage to park grounds.

160

161 Mr. Ludwig responded that cost recovery fees already served as a control, noting that camping at  
162 the baseball fields, for instance, was allowed for one week for \$30,000 to cover restoration  
163 expenses.

164

165 Ms. Chatterley described how other facilities, including the pool, skate park, and library, would be  
166 categorized under different tiers, explaining that occupancy limits would still apply to enclosed  
167 venues.

168

169 Commission Member Glover inquired whether the skate park designation included adjacent  
170 basketball courts.

171

172 Ms. Chatterley replied that clarification might be needed.

173

174 Mr. Ludwig confirmed that skateboarding and basketball events had both been held there.

175

176 Mr. Burggraaf noted that the entire area technically fell within Jacob Hamblin Park.

177

178 Mr. Burggraaf and Mr. Ludwig explained that “open spaces” covered all city-owned land not  
179 otherwise designated, such as undeveloped fields or roadside areas.

180

181 Mr. Ludwig emphasized that the chart was the commission’s main opportunity to define what types  
182 of events were appropriate for each site.

183

184 Ms. Chatterley noted that Mr. Ludwig had contacted other property owners, such as the school  
185 district and water conservancy, to ensure their consent.

186

187 Mr. Ludwig added that both entities wanted broad flexibility but had certain restrictions—for  
188 instance, schools could not host fireworks.

189

190 Ms. Chatterley discussed 405 North, a street near the pool and library that was being redeveloped to  
191 host vendor fairs and street events.

192

193 Mr. Ludwig confirmed that this road was intentionally designed as an event-friendly space due to  
194 minimal residential impact and ample parking. He then reviewed event limits on major and minor  
195 roads, noting that closures would require Utah Department of Transportation (UDOT) permits. He  
196 explained that new notification requirements were included so nearby residents would be informed  
197 about upcoming events, closures, and disruptions. He cited Trail Fest as an example of successful  
198 neighborhood outreach through mailed notices and QR codes.

199

200 Ms. Chatterley elaborated that event applicants must submit security, traffic, and public safety plans  
201 as part of their application. City departments—including planning, police, parks, and public works—  
202 would review and approve each application.

203  
204 Mr. Ludwig emphasized that this change addressed prior issues where events were approved  
205 without adequate information about traffic or safety logistics.

206  
207 Ms. Chatterley detailed the insurance requirements, explaining that applicants must provide proof  
208 of coverage naming Kanab City as an insured party, along with 30-day cancellation notice provisions.

209  
210 Mr. Ludwig added that smaller tier-one events could instead sign a liability waiver due to the  
211 prohibitive cost of insurance. However, the city accepted some additional risk in doing so.

212  
213 Ms. Chatterley mentioned that Mr. Ludwig would have the authority to approve fee waivers for  
214 public entities and nonprofits. She also noted that the ordinance specified objective grounds for  
215 denying permits to ensure fairness and avoid arbitrary or biased decisions.

216  
217 Mr. Ludwig cautioned that although some events might be unpopular, the city could only deny  
218 permits for reasons explicitly stated in the ordinance, not based on political or cultural  
219 disagreement.

220  
221 Mr. Burggraaf reinforced this point by referencing a St. George incident where a drag show's  
222 cancellation led to lawsuits alleging viewpoint discrimination. He explained that Kanab's ordinance  
223 was structured to prevent similar issues by clearly defining permissible regulations and avoiding bias  
224 based on religion, gender, or political perspective.

225  
226 Commission Member Glover asked why St. George's city attorneys had not warned officials about  
227 the risk of litigation.

228  
229 Mr. Burggraaf responded that legal counsel had likely provided such warnings, but officials  
230 proceeded regardless.

231  
232 Mr. Ludwig explained that in the St. George case, the city council had faced strong public pressure  
233 from residents who disapproved of the nature of a particular event. The city manager had legally  
234 approved it because he lacked the authority to deny it, but community backlash led to his  
235 termination. Mr. Ludwig noted that this incident underscored the importance of ensuring that  
236 Kanab's ordinance allowed all lawful events equally, even those unpopular with some residents. He  
237 reiterated that the city could only regulate time, place, and manner — for example, limiting events  
238 after 10 p.m. — but could not discriminate between types of private events.

239

240 Mr. Burggraaf expanded on this point, noting that protests or political gatherings often became  
241 flashpoints for bias. He explained that the city must remain neutral and cannot approve events  
242 favoring one political perspective while denying others.

243  
244 Ms. Chatterley continued by describing procedural sections of the ordinance, including the appeals  
245 process, required inspections, neighborhood notifications, sales tax obligations, and enforcement  
246 measures for violations. These provisions were designed to safeguard the city and establish clear  
247 mechanisms for compliance and enforcement.

248  
249 Commission Member Lyman raised concerns about law enforcement involvement and asked  
250 whether the ordinance required a police presence at all events.

251  
252 Ms. Chatterley replied that no such requirement was specified, though each event must submit a  
253 safety plan.

254  
255 Mr. Ludwig added that the police chief reviewed and signed off on all permits and that private  
256 events were responsible for providing or funding their own security. At the same time, the city  
257 typically covered those costs for public events.

258  
259 Ms. Chatterley mentioned that some events had requested police support in the past.

260  
261 Mr. Burggraaf explained that when police staffing incurred overtime, those costs were included in  
262 event fees.

263  
264 Commission Member Glover agreed that it was an important consideration.

265  
266 Mr. Ludwig added that EMS presence was also sometimes required for higher-risk events such as  
267 rodeos. He noted that the county often partnered with the hospital for EMS coverage, and while  
268 public events were exempt from those fees, private events were responsible for them.

269  
270 Ms. Chatterley asked for feedback regarding the land use table.

271  
272 Commission Member Glover commented that there was no rush to approve the ordinance since  
273 members had just received it.

274  
275 Mr. Ludwig replied that while the school district hoped to move quickly, the commission could take  
276 more time. He explained that the district wanted flexibility to host events inconsistent with current  
277 zoning, and the ordinance would help address that. He invited Mr. Burggraaf to clarify what aspects  
278 of the ordinance were most relevant to the commission's recommendation.

279  
280 Mr. Burggraaf explained that, although this was a general ordinance, it affected land use by creating  
281 exceptions to existing zoning. He said that the commission's focus should be on the event location

282 table, which defined where and under what parameters those exceptions could occur. Other  
283 administrative sections—such as insurance, liability, or fee waivers—were less relevant to their  
284 recommendation. He encouraged the commission to focus on whether event types, locations, and  
285 duration limits were appropriate for Kanab's zoning framework.

286  
287 Mr. Ludwig added that while the school district hoped for a prompt resolution, there was no strict  
288 deadline.

289  
290 Commission Member Glover noted that the ordinance was extensive and that members usually had  
291 more time to analyze line-by-line changes. He suggested revisiting it next month for refinements,  
292 but supported moving it forward to the city council for feedback.

293  
294 Commission Member Lyman suggested creating a color-coded map to visually distinguish areas such  
295 as the skate park, basketball courts, and adjacent pavilions to clarify boundaries for events.

296  
297 Mr. Burggraaf responded that while the city might not define those areas precisely, event applicants  
298 were already required to submit site plans showing the specific space they intended to use.

300  
301 Commission Member Lyman clarified that his idea was for general reference rather than  
302 enforcement.

303  
304 Mr. Burggraaf agreed that such a visual aid could help identify general zones without being overly  
305 rigid.

306  
307 Commission Member Glover pointed out that a tier-two event allowed up to 500 people, which  
308 seemed excessive for smaller venues like the skate park unless nearby areas were included.

309  
310 Ms. Chatterley noted that overlapping venues could cause conflicts—for example, if one event  
311 reserved the pavilion while another booked the skate park next door.

312  
313 Mr. Burggraaf said his legal review would add language clarifying that a special event permit did not  
314 grant exclusive use of public areas unless a separate agreement was approved.

315  
316 Ms. Chatterley agreed but noted that certain venues, like the skate park during competitions, might  
317 need exclusive access for safety.

318  
319 Commission Member Lyman added that simultaneous events could exceed capacity limits if not  
320 coordinated properly.

321  
322 Chair Swain shifted the discussion to animal-related events, referencing the former greyhound  
323 gathering and Western Legends cattle drives. She asked whether such activities would be covered  
under the ordinance.

324

325 Ms. Chatterley asked if she meant events held in parks where animals were currently prohibited.

326

327 Chair Swain confirmed and asked whether animal-related events needed to be explicitly addressed  
328 in the tier system.

329

330 Mr. Burggraaf explained that animal-related activities would be handled through the application  
331 process, with mitigation measures such as cleanup requirements. He clarified that parks already  
332 prohibited dogs unless a special agreement was reached.

333

334 Mr. Ludwig added that some venues, like the Kanab Center and Jacob Hamblin Park, had banned  
335 dogs entirely due to past issues, while others, like the school district, could decide independently  
336 whether to allow them.

337

338 Ms. Chatterley suggested adding a disclaimer to the event table, noting that individual locations  
339 might have additional restrictions beyond what the ordinance allowed.

340

341 Mr. Ludwig agreed, saying that would clarify site-specific discretion, including animal-related  
342 limitations.

343

344 Commission Members Glover and Lyman asked about the new dog park and trail connector.

345

346 Ms. Chatterley and Mr. Ludwig confirmed that it was located near the Chinle area, fenced, and  
347 partially developed, though grass had yet to be planted. They agreed it should be included in the  
348 event chart for future planning.

349

350 Ms. Chatterley concluded by saying that the school district and county were eager for the ordinance  
351 but not yet ready to finalize agreements.

352

353 Mr. Ludwig confirmed that while neither entity had imminent events planned, both wanted to  
354 coordinate future activities under the new framework.

355

356 Mr. Burggraaf added that the city could share the draft with them for review.

357

358 Mr. Ludwig stated that he had already sent the draft to county officials, as they were frequent  
359 applicants for special event permits.

360

361 Ms. Chatterley noted that public hearing notices were issued for both the planning commission and  
362 the city council to allow community participation. If the commission chose to continue the item,  
363 new notices would be required for the next meeting.

364

365 Chair Swain suggested approving the ordinance with the option for members to submit additional  
366 feedback during the following week.

367  
368 Ms. Chatterley agreed that would be acceptable and said she would relay any follow-up suggestions  
369 to the city council.

370  
371 Commission Member Swain opened the public hearing.

372 No comment from the public was provided.

373 Commission Member Swain closed the public hearing.

374 Commission Member Glover made a motion to send a positive recommendation to the city council  
375 to adopt changes to the Kanab City land use ordinances identified in Exhibit A of the staff report for  
376 20251007.2, with an option of adding additional feedback throughout the week. Commission  
377 Member Whitaker seconded the motion. Motion passed.

378  
379 Russ Whitaker – YES

380 Dennis Shakespear – YES

381 Kerry Glover – YES

382 Terry Edwards – YES

383 Ben Aiken – YES

384 Mark Gilberg – Absent

385 Nate Lyman – Absent

386 Marlee Swain – Absent

387  
388 **3. PUBLIC HEARING Discuss and recommend an application for a zone change on parcel K-45-9**  
389 **from R-1-8 (Single Family) to RM (Multi-Family Zone). Parcel is located at 322 E 200 S**  
390 **[Applicant: Josh Beazer]**

391  
392 Ms. Chatterley explained that the request was due to the property owner's wish to parcel out a  
393 duplex, which is not allowed under the current R-1-8 zoning. The RM zone would permit the  
394 creation of separate parcels, such as townhomes or two-family dwellings. She stated that the duplex  
395 was already built and met RM zone site plan requirements, including driveways and front  
396 landscaping. The surrounding area was zoned R-1-8, but the city's future land use map designated it  
397 for medium to high-density residential use, aligning with the general plan. She emphasized that staff  
398 made no recommendations on zoning changes since such decisions were legislative, leaving the final  
399 judgment to the commission. She noted that Tom Avant was present, representing the property  
400 owner.

401  
402 Commission Member Glover asked whether this situation was similar to previous cases, such as one  
403 involving Scott and another involving the Stewart family.

404  
405 Ms. Chatterley confirmed that similar zone changes had been approved multiple times, including for  
406 her own property. She added that there had been past discussions about allowing parceling out in  
407 single-family zones, but those proposals never gained full support.

408  
409 Commission Member Glover asked if the rezoning was meant to allow for selling each unit  
410 separately.

411  
412 Tom Avant clarified that while the rezoning would make selling possible, the current motivation was  
413 to meet a bank requirement for refinancing. The bank required the property to be zoned as single-  
414 family rather than a duplex. The owner had no plans to sell the units, which were currently used as  
415 vacation rentals.

416  
417 Commission Member Glover commented that the idea made sense.

418  
419 Commission Member Swain opened the public hearing.

420 No comment from the public was provided.

421 Commission Member Swain closed the public hearing.

422 Commission Member Glover made a motion to send a positive recommendation to the city council  
423 to assign zone RM to K-45-9 based on the findings and conditions of approval as outlined in the staff  
424 report Plan Zone 25-002. Commission Member Whitaker seconded the motion. Motion passed.

425  
426 Marlee Swain – YES  
427 Dennis Shakespear – YES  
428 Russ Whitaker – YES  
429 Kerry Glover – YES  
430 Nate Lyman – YES  
431 Terry Edwards – Absent  
432 Ben Aiken – Absent  
433 Mark Gilberg – Absent

434  
435 **Work Meeting:**

436 **Staff Report:**

437 Ms. Chatterley stated that she had no additional items to present and noted that recent agendas  
438 had been lighter. She announced that at the next meeting, the commission would review the final  
439 plats for Jim Guthrie's Hidden Canyon development, which included seven or eight phases. She also  
440 mentioned that a plat amendment might be submitted by Friday for review before the following  
441 meeting.

442

443 Commission Member Shakespear asked whether any of the materials could be sent out early.

444

445 Ms. Chatterley confirmed she would distribute the large plat files once they were further along in  
446 the review process.

447

448 Mr. Burggraaf reminded members about the upcoming Land Use Institute conference, which could  
449 be attended either in person or virtually. He described it as a day-and-a-half event held on a  
450 Wednesday and Thursday and encouraged members to participate.

451

452 Ms. Chatterley stated that she had seen the announcement but not the full agenda.

453

454 Mr. Burggraaf noted that the agenda was now available and included useful topics. He noted that  
455 training would eventually become mandatory after the next census, but was currently optional.

456

457 Ms. Chatterley offered to resend the agenda and flyer for the conference. She noted that she would  
458 send out information for both the Land Use Institute and the Utah League of Cities and Towns  
459 events, noting that the latter included sessions on accessory dwelling units and other planning  
460 topics.

461

462 Commission Member Glover asked for the conference dates.

463

464 Mr. Burggraaf confirmed it would be held on Wednesday, the 22<sup>nd</sup>, and Thursday, the 23<sup>rd</sup>.

465

466 Ms. Chatterley mentioned that the Utah League of Cities and Towns event was scheduled for  
467 October 21st and 22nd in Salt Lake City.

468

469 Commission Member Lyman asked about payment procedures for attending.

470

471 Ms. Chatterley explained that participants could either pay upfront and request reimbursement or  
472 contact the city to handle registration directly.

473

474 **Commission Member Report:**

475 **Council Member Liaison Report:**

476 **Adjournment:**

477

478 Commission Member Glover made a motion to adjourn the meeting. Commission Member Lyman  
479 seconded the motion. Motion passed.

480 Marlee Swain – YES

481 Dennis Shakespear – YES  
482 Russ Whitaker – YES  
483 Kerry Glover – YES  
484 Nate Lyman – YES  
485 Terry Edwards – Absent  
486 Ben Aiken – Absent  
487 Mark Gilberg – Absent  
488



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## **Kanab City Planning Commission Staff Report**

### **File #PLAN25-066**

<b>Date:</b>	<b>November 11, 2025</b>
<b>Meeting Date:</b>	<b>November 12, 2025</b>
<b>Agenda Item:</b>	<b>Public Hearing to approve or deny a Re-review of a Preliminary Plat [the Wave Subdivision]</b>
<b>Subject Property Address:</b>	<b>950 South 10 East</b>
<b>Applicant:</b>	<b>ZK Holdings</b>
<b>Applicant Agent:</b>	<b>Iron Rock Engineering</b>
<b>Zoning Designation:</b>	<b>C-2 &amp; RA</b>
<b>Parcel #:</b>	<b>K-312-3</b>
<b>Applicable Ordinances:</b>	<b>Subdivision Ordinance, Chapter 2</b>

#### **Attachments:**

**Exhibit A: Vicinity Map**

**Exhibit B: Preliminary Plat**

#### **Summary:**

ZK Holdings, property owner, and their representative, Iron Rock Engineering have applied for a re-review of a Preliminary Plat, for the Wave Subdivision. A Preliminary Plat was approved in April 2024, but a Final Plat has not been recorded with the County Recorder. The property owner would like to add 2 more units/lot to the plat and adjust the easement for the stormwater detention areas.

#### **Applicable Regulations:**

Kanab City Subdivision Ordinance Chapter 2 regulates the preliminary plat process. The application should include the scale drawing, utility service commitment letters, soils investigation report, drainage report, and the title report. The application and submitted documents are sent to the Development Committee to review for compliance with the ordinance. The application may be sent to the City Attorney, City Engineer, Public Works Department, or other interested parties who will review the documents and make recommendations.

#### **Analysis**

All required documents for the application have been received by the applicant or the representative.

**– A Western Classic –**

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### **Findings of Fact:**

- The subdivision is platted into 71 lots for townhouses.

### **Conditions of Approval:**

1. Final sign-off from Surveyor on the plat.

### **Staff Recommendation:**

Staff recommends approval.

### **Recommended Motion:**

I make a motion to send a positive recommendation to City Council for the Preliminary Plat, the Wave Subdivision based on the findings and conditions of approval as outlined in the staff report for file #PLAN25-066.

### **Alternate motion:**

I make a motion to send a positive recommendation to City Council for the Preliminary Plat, the Wave Subdivision based on the findings and conditions of approval as outlined in the staff report for file #PLAN25-066, with the additional findings and conditions: .

I make a motion to send a negative recommendation to City Council for the Preliminary Plat, the Wave Subdivision demonstrating the applicant has not met the standards outlined in the Kanab City ordinances): .

**– A Western Classic –**

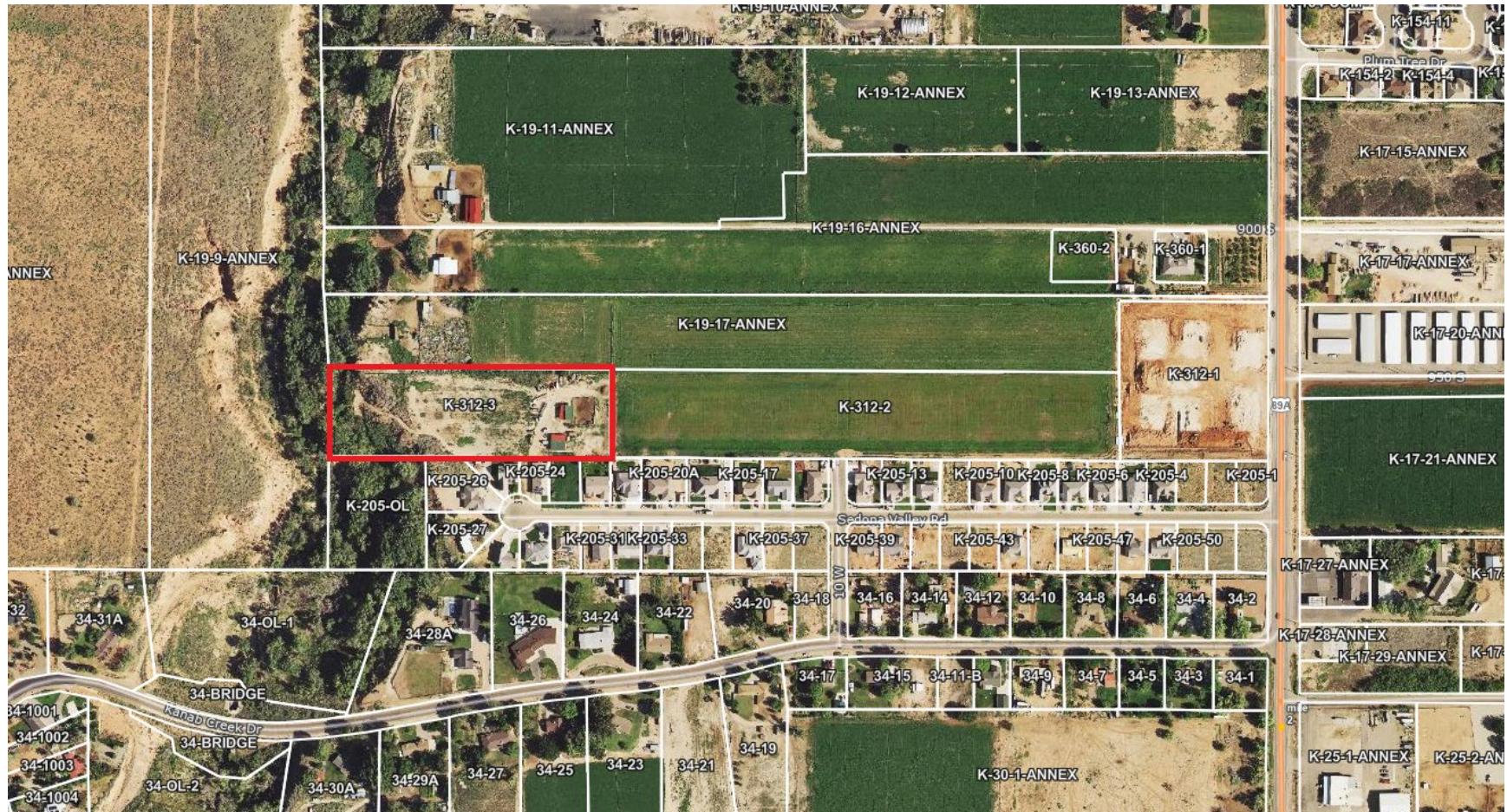
**Mayor**  
**T. Colten Johnson**  
**City Manager**  
**Kyler Ludwig**  
**Treasurer**  
**Danielle Ramsay**



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

## Exhibit A: Vicinity Map

— A Western Classic —



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



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

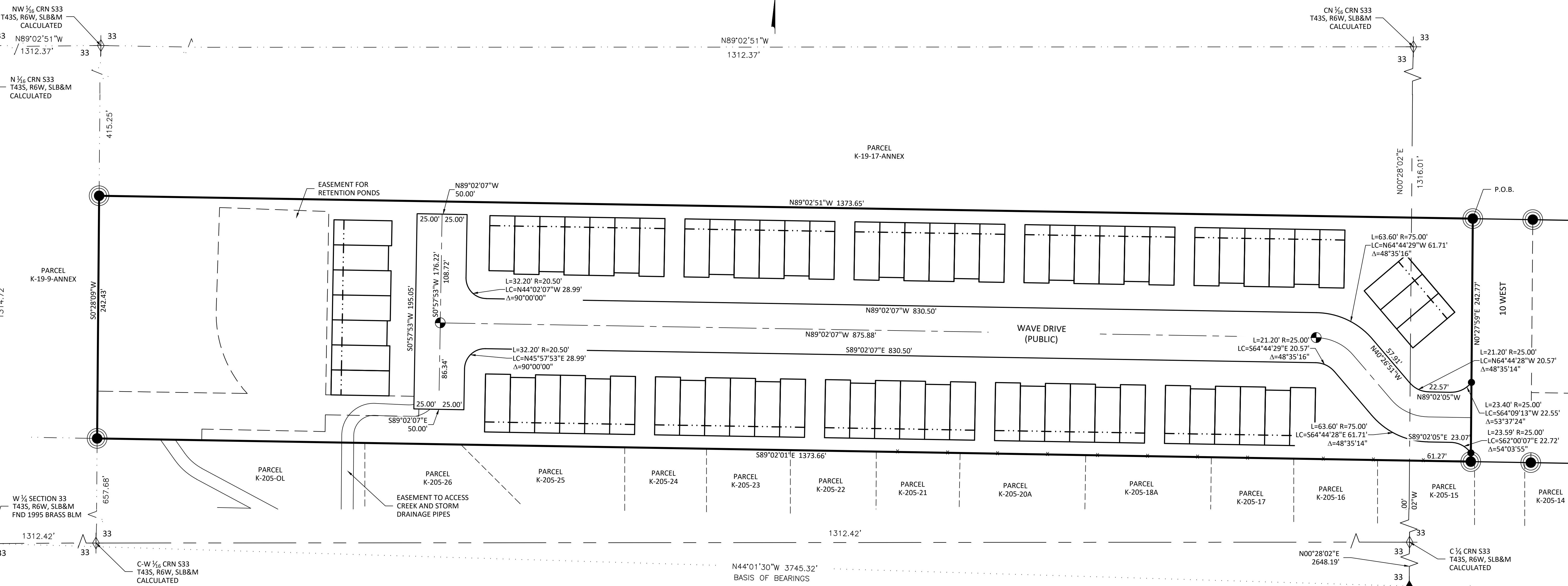
## Exhibit B: Preliminary Plat

— A Western Classic —

# THE WAVE

CITY OF KANAB, UTAH

LOCATED IN SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  OF SECTION 33,  
TOWNSHIP 43 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN



#### LEGEND

- SET 5/8" x 36" REBAR WITH PLASTIC CAP MARKED IR ENG. PLS 5561917
- FOUND REBAR WITH PLASTIC CAP MARKED IR ENG. PLS 5561917
- FOUND SECTION MONUMENT AS NOTED
- CALCULATED SECTION MONUMENT AS NOTED
- SET STREET CENTERLINE MONUMENT
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EASEMENT
- STREET CENTER LINE
- FENCE
- BUILDING LINE
- SECTION LINE
- $\frac{1}{16}$  SECTION LINE
- SURVEY BOUNDARY
- [ ] RECORD BEARING AND DISTANCE

OWNERS INFORMATION:  
LOFTS AT CANYON POINT, LLC  
8833 S REDWOOD RD, STE B1  
WEST JORDAN, UT 84088

ZK HOLDINGS PHASE 3, LLC  
AN ARIZONA LIMITED LIABILITY COMPANY  
256 W 100 S  
HURRICANE, UT 84737

SUBDIVISION NAME: THE WAVE

TYPE OF DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL  
ADJACENT PROPERTIES TO THE SOUTH: SINGLE FAMILY RESIDENTIAL, THE WEST KANAB CREEK, THE EAST APARTMENTS AND NORTH  
IS IRRIGATED FIELDS.  
10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG ALL STREET FRONTRAGES.  
SEE PLAT FOR FURTHER INFORMATION FOR PROPOSED GRADING OF STREETS.  
WATER TO BE SUPPLIED BY KANAB CITY. WATER LINES WILL BE MAINTAINED BY SAID COMPANY.  
SEWER WILL BE HANDLED BY KANAB CITY.  
POWER SUPPLIED BY GARKANE ENERGY.  
ALL UTILITIES AND UTILITY MAINTENANCE TO BE PLACED IN THE ROADWAY OR PUBLIC UTILITY EASEMENTS.  
STREETS ARE INTENDED FOR PUBLIC OWNERSHIP.  
RIGHT-OF-WAYS INTENDED FOR PUBLIC OWNERSHIP.  
ALL BUILDINGS WILL BE BUILT WITH A 25' FRONT SETBACK

UNDERLYING ZONE FOR LOTS

• COMMERCIAL 2 ZONE

ZONE: NUMBER OF LOTS: 71

SETBACKS:  
FRONT: 25 FT  
SIDE: 10 FT  
REAR: 20 FT

CITY PUBLIC WORKS DIRECTOR CERTIFICATE  
I, \_\_\_\_\_, Kanab City Public Works Director, do hereby certify that this office has examined the above Amended 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, \_\_\_\_\_, Kanab City Surveyor, do hereby certify that this office has examined the above Amended 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

CITY ENGINEER CERTIFICATE  
I, \_\_\_\_\_, Kanab City Engineer, do hereby certify that this office has examined the above Amended 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 ENGINEER

APPROVAL AND ACCEPTANCE  
by the Kanab City Land Use Administrator  
The Kanab City Land Use Administrator have reviewed the Subdivision Map and hereby consent to the recording of said Subdivision Map with all commitments and all obligations pertaining thereto and is hereby ordered filed for record in the Office of the Kanab County Recorder.

CITY ATTORNEY CERTIFICATE  
I, \_\_\_\_\_, Attorney for Kanab City, do hereby certify that I have examined the above Amended Plat and said plat meets the requirements of Kanab City and is hereby recommended for approval this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
KANAB CITY ATTORNEY

CERTIFICATE OF RECORDING  
I, \_\_\_\_\_, Recorder of Kanab County, do hereby certify that above Amended Plat was filed for recording in my office this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
KANE COUNTY RECORDER

ENTRY NO. \_\_\_\_\_  
RECORDED AND FILED AT THE REQUEST OF: \_\_\_\_\_

INITIAL SUBMITTAL	DATE: 11/26/2024	REV#	DATE: 01/09/2025	DESCRIPTION: 1ST REVIEW
1ST	DATE: 10/09/2025	2ND	DATE: 10/09/2025	DESCRIPTION: 2ND REVIEW

DRAWN BY: CM  
SCALE: 1"=50'  
SHEET: 1 OF 2

# THE WAVE

CITY OF KANAB, UTAH

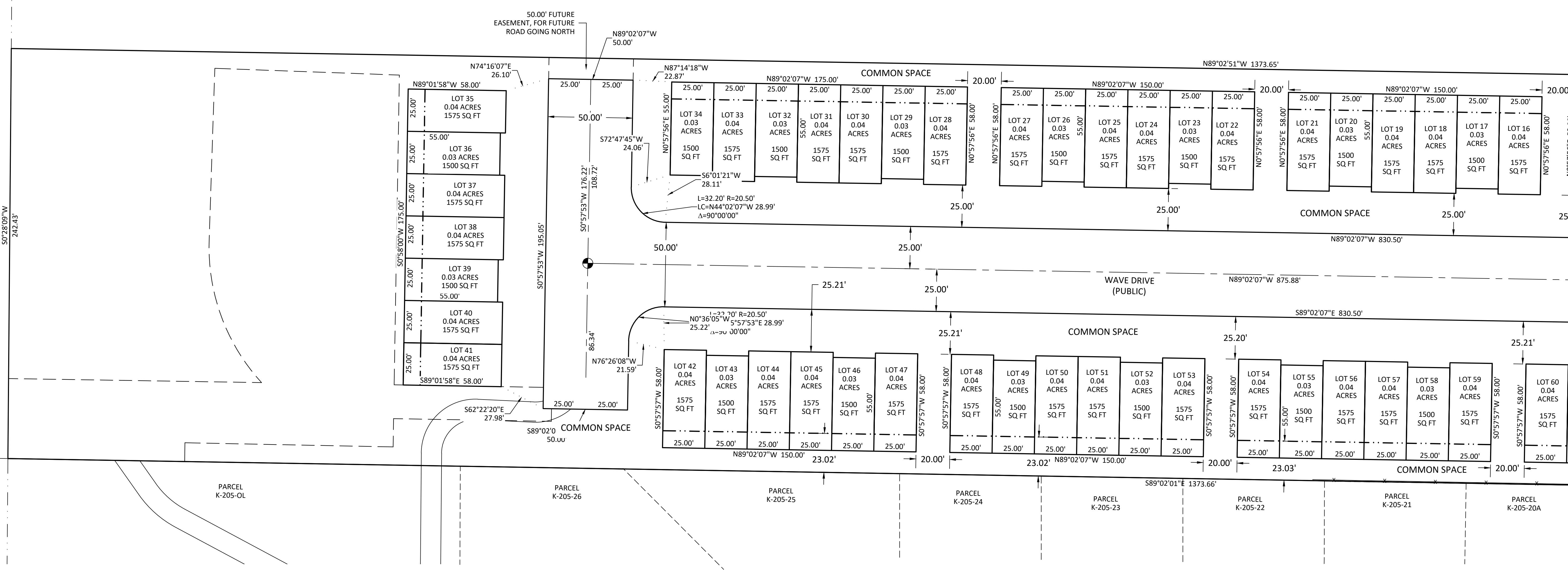
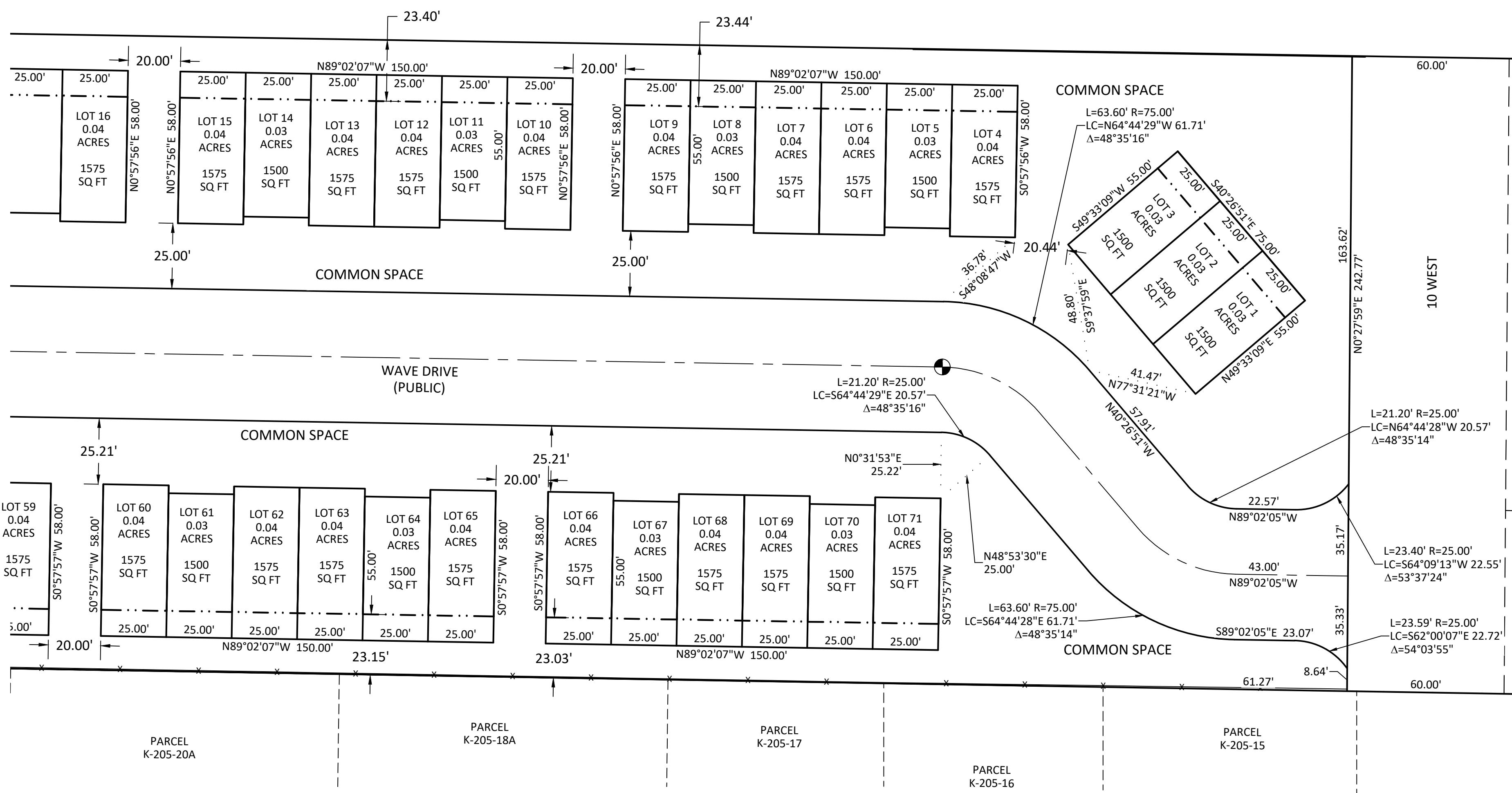
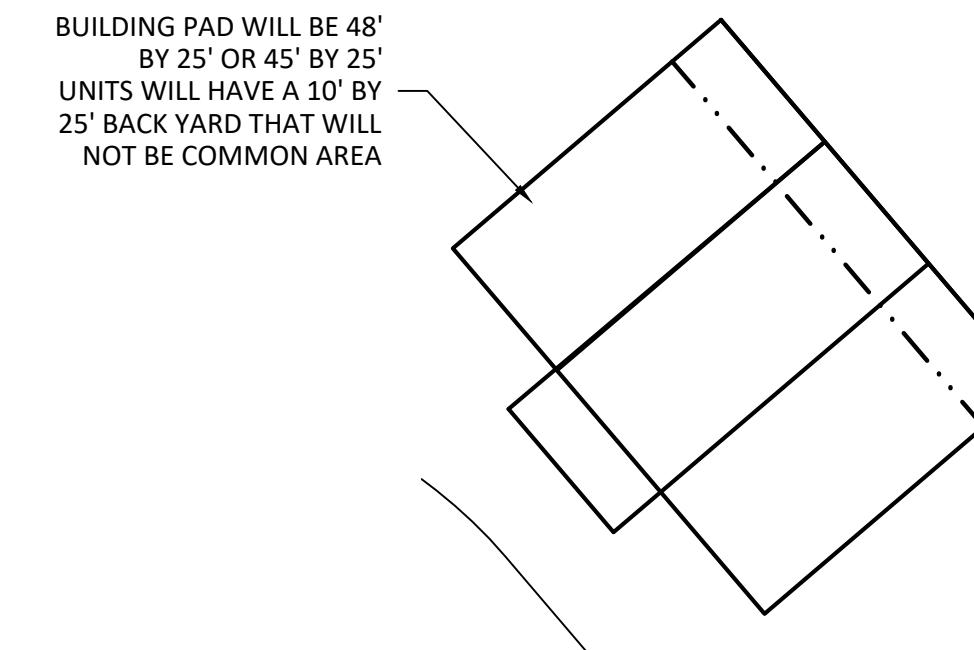
LOCATED IN SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  OF SECTION 33,  
TOWNSHIP 43 SOUTH, RANGE 6 WEST,  
SALT LAKE BASE AND MERIDIAN

30 0 30  
SCALE IN FEET  
SCALE 1" = 30'

## LEGEND

- SET 5/8" x 36" REBAR WITH PLASTIC CAP  
MARKED IR ENG. PLS 5561917
- FOUND REBAR WITH PLASTIC CAP  
MARKED IR ENG. PLS 5561917
- ◆ FOUND SECTION MONUMENT AS NOTED
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- - - STREET CENTER LINE
- - - FENCE
- - - BUILDING LINE
- - - SURVEY BOUNDARY
- PUBLIC DRAINAGE EASEMENT
- [ ] RECORD BEARING AND DISTANCE

## TYPICAL PRIVATE UNITS



**THE WAVE**  
FINAL PLAT  
ZK HOLDINGS PHASE 3, LLC  
KANAB, UTAH 84741

INITIAL SUBMITTAL	DATE: 11/26/2024
REV#	DATE: 01/09/2025 1ST REVIEW
1ST	2ND REVIEW
2ND	10/08/2025

DRAWN BY: CM
SCALE: 1"=30'
SHEET: 2 OF 2

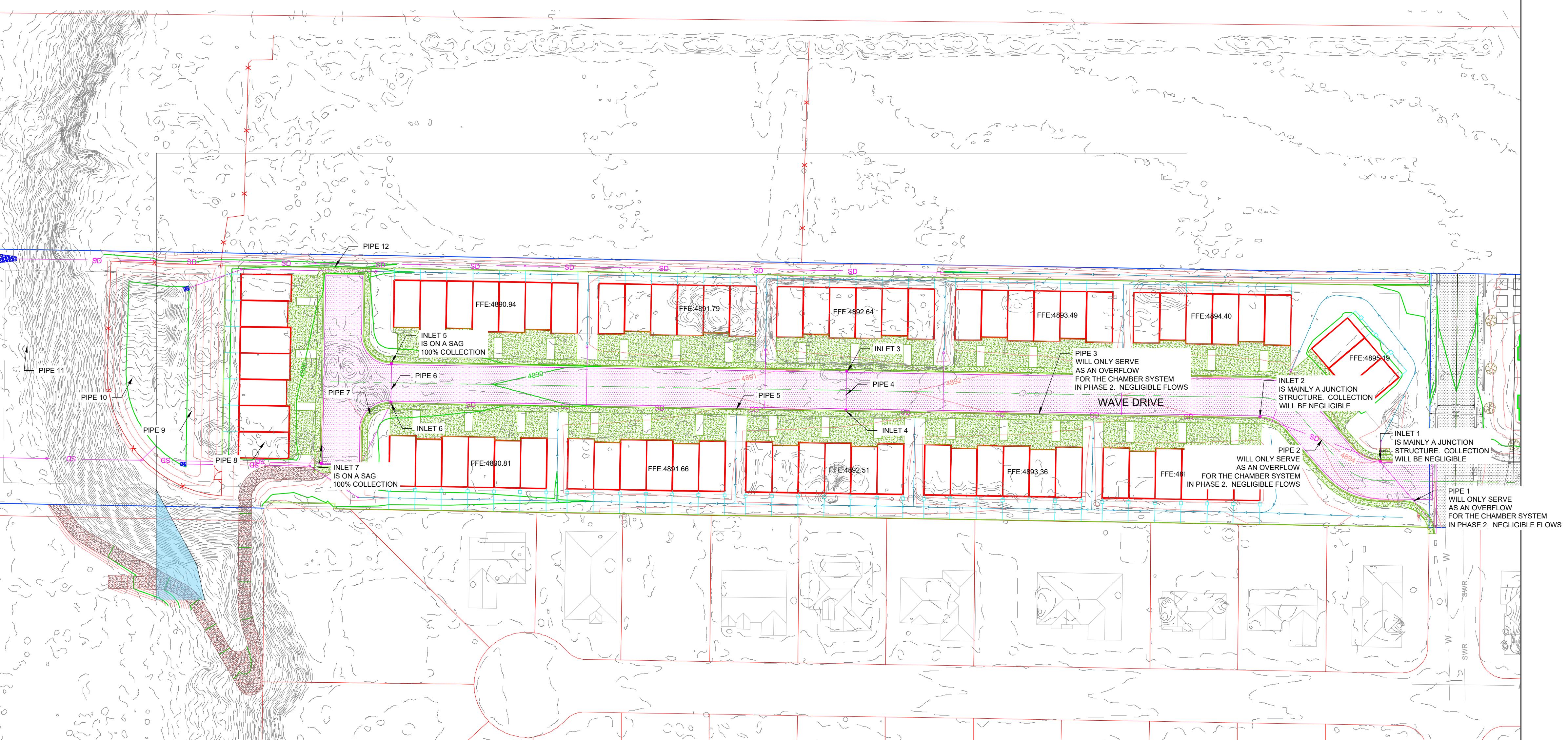
DRAWN BY: CM  
SCALE: 1"=30'  
SHEET: 2 OF 2

30 0 30  
SCALE IN FEET  
SCALE 1" = 30'

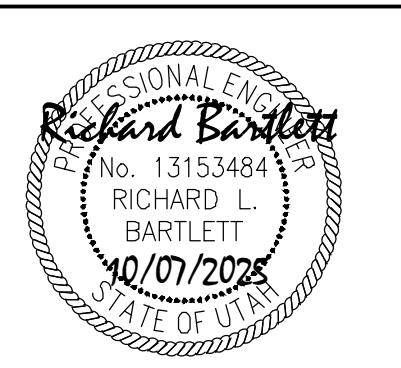
**IRON ROCK**  
GROUP  
Building on Solid Foundations  
460 E. 300 SOUTH  
KANAB, UTAH 84741  
435-644-2031  
www.ironrockeng.com

**THE WAVE SUBDIVISION  
PIPE/INLET  
IDENTIFICATION**

100 W, 1000 S,  
KANAB, UT 84741



INITIAL SUBMITTAL:	4/26/2024
REV#:	
DATE:	
DESCRIPTION:	



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DRAWN BY: RLB

SCALE: 1"=30'

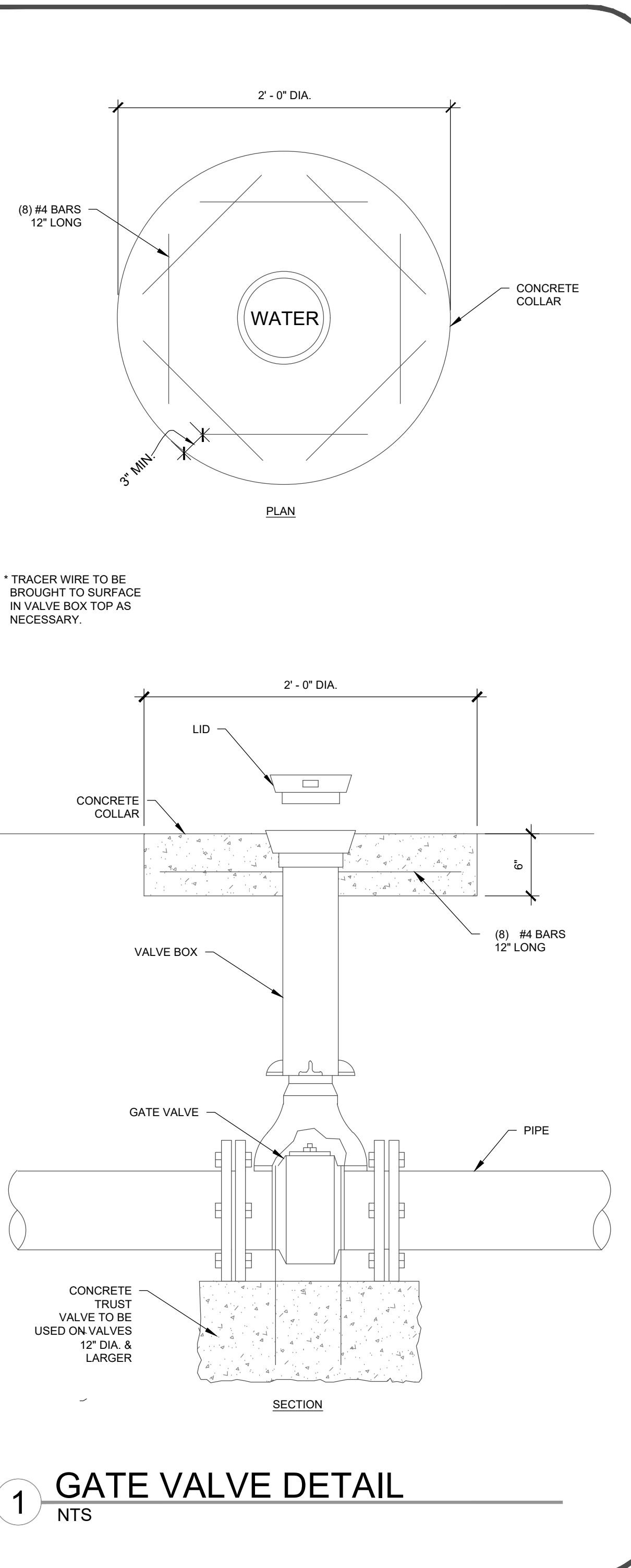
SHEET:

**FIG 3**

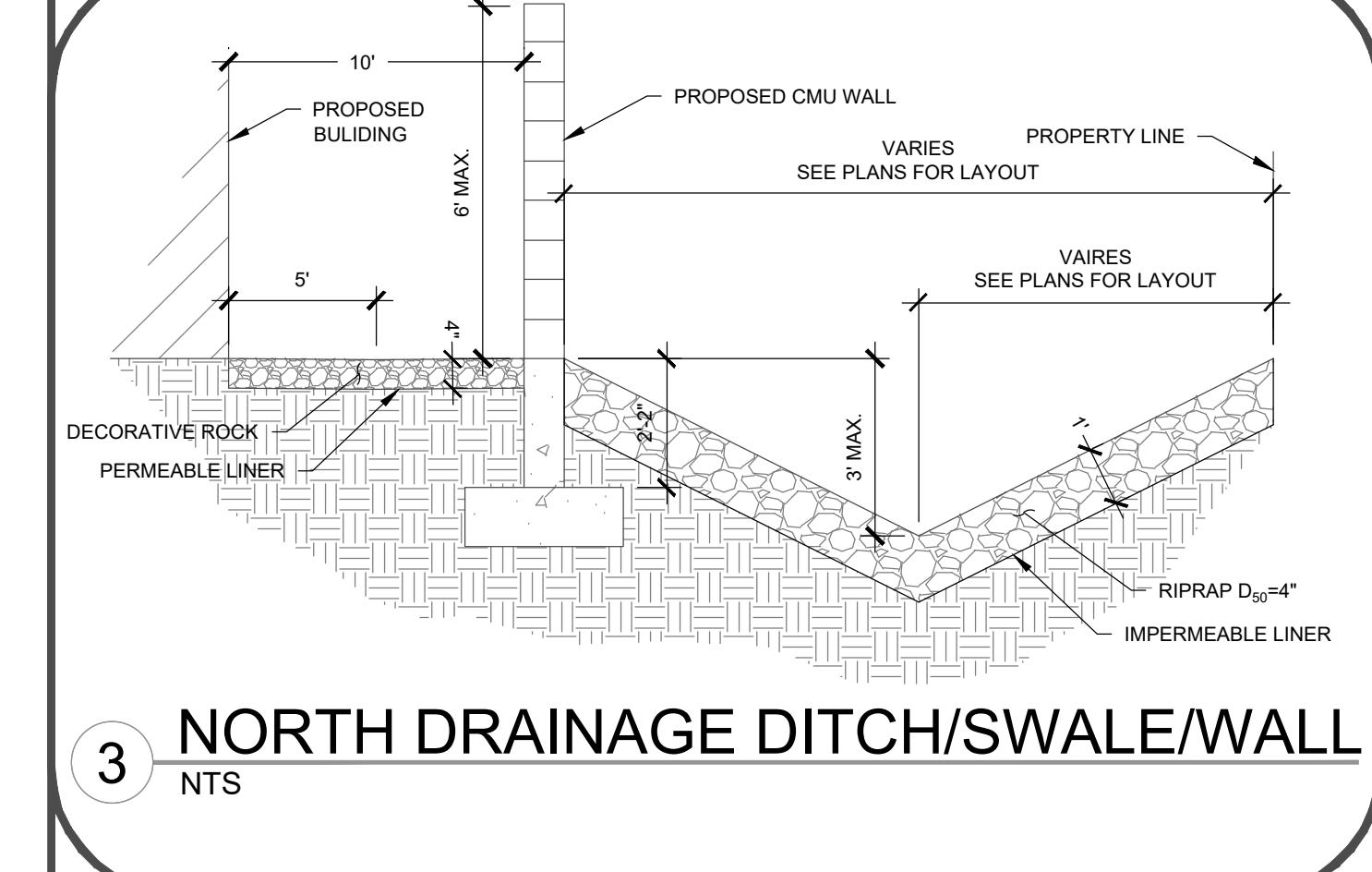
DETAIL SHEET

100 W. 1000 S.  
CANAB IIT 8171

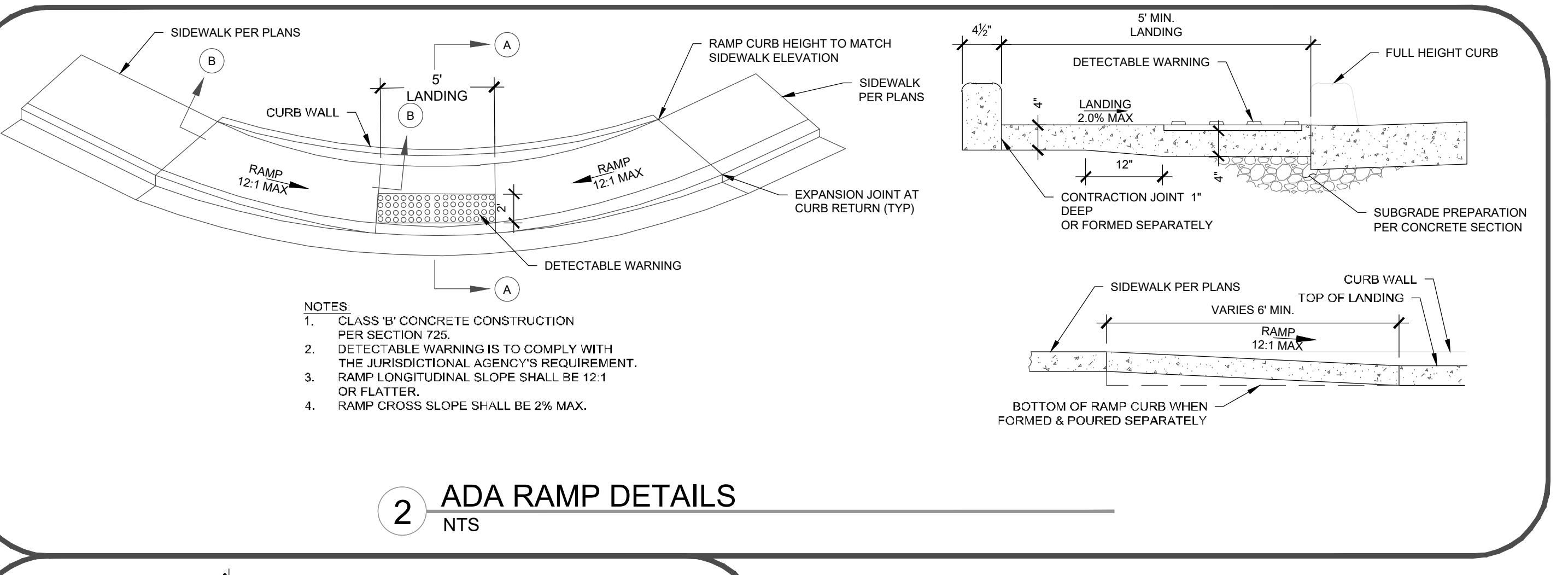
# 1 GATE VALVE DETAIL



# 3 NORTH DRAINAGE DITCH/SWALE/WALL



## 2 ADA RAMP DETAILS



<b>INITIAL SUBMITTAL:</b>	4/26/2024	
<b>REV#:</b>	<b>DATE:</b>	<b>DESCRIPTION:</b>

GROUP CONSTITUTES VIOLATION OF COPYRIGHT AND IS PROHIBITED

---

DRAWN BY: RLB

---

SCALE: NA

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SHEET:

C502

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C502

\_\_\_\_\_

# **Discussion: Utah House Bill 48**

## Utah House Bill 48 Wildland Urban Interface Modifications

### Overview

The bill establishes a comprehensive framework for managing wildfire risks in the wildland–urban interface (WUI) — areas where homes and development meet undeveloped wildlands. It assigns clear duties to counties, municipalities, and the Division of Forestry, Fire, and State Lands (FFSL) to ensure wildfire preparedness, prevention, and mitigation.

### Municipal Responsibilities

#### 1. Adoption and Enforcement of Building Standards

- Municipalities must adopt and enforce wildland–urban interface building standards within incorporated areas (§65A-8-203(4)(f), (9)(a)(ii)).
- They have two years to adopt any updated standards after a new state code is issued (§65A-8-203(9)(c)).

#### 2. Participation in Cooperative Agreements

- Cities can participate in cooperative fire protection agreements with the state to receive support for wildfire management (§65A-8-203(2)(a)).
- To qualify, they must meet requirements for training, mitigation, and reporting (§65A-8-203(4)).

#### 3. Liability and Immunity

- Both counties and municipalities are granted governmental immunity for actions taken (or not taken) under this bill, including property evaluations and classifications (§63G-7-201(5)).

Criteria for Zone/Boundary	Determined by the local AHJ. Collaborate with FFSL, who recommend SES 5+ as a starting point.
Impact to Property Owner	New construction will comply with all the requirements in the Utah WUI Code.  Existing construction will comply with the defensible space requirements in the Utah WUI Code
Impact to AHJ	Must determine WUI Zone, adopt and enforce the Utah WUI Code

\*WUI Wildland-Urban Interface, SES – Structure Exposure Score

The Structure Exposure Score 5+ is a metric used to evaluate the exposure of structures to various risks, particularly in the context of environmental hazards or financial assessments.

- Definition: A score of 5 or higher indicates significant exposure to risk factors such as natural disasters, economic instability, or structural vulnerabilities.
- Assessment Criteria: Factors may include location, building materials, design, and historical data on hazards.
- Applications: Used by insurers, urban planners, and risk management professionals to inform decision-making and mitigation strategies.

# **Discussion: Minor Subdivision**

## **Permits in Minor Subdivisions:**

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

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

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

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

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

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