

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



City Council
Arlon Chamberlain
Chris Heaton
Boyd Corry
Peter Banks
Steve Shrope

KANAB CITY PLANNING COMMISSION

26 North 100 East
Kanab, UT 84741

February 3, 2026

NOTICE is hereby given that the Kanab Planning Commission will hold its regular Commission Meeting on the 3rd day of February 2026, 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. Nominate and vote for a new Chair and Chair Pro-tem
2. Welcome Andy Hill as our new planning commission member
3. Call to Order and Roll Call
4. 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. None

Legislative Decision:

2. None

Work Meeting:

3. Discussion about a text amendment for Land Use Ordinance Chapter 4 adopting a minimum set back along Highway 89A for future development along Highway 89A frontage.
4. Discussion about subdivisions improvements for minor subdivisions outlined in Kanab City Subdivision Ordinances.
5. Discussion about a text amendment in Land Use Ordinance Chapter 20 allowing for a tavern or establishment to serve and sale beer without a restaurant/food requirement.
6. Discussion on sign requirements in Land Use Ordinance Chapter 7 specifically prohibited flag and banana signs.
7. Training for Public and Open Meetings

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 –

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Kanab City Planning Commission Staff Report

File Number 20260105

Date:	February 2, 2026
Meeting Date:	February 3, 2026
Agenda Item:	Discuss a text amendment to the Land Use Ordinances, Chapter 4 Supplementary Regulations to adopt a minimum set back along Highway 89A for any development along the highway frontage.

Attachments:

- **Exhibit A: Proposed Amendment(s) with Red Lines**
- **Exhibit B: Staff Report UDOT Meeting**

Summary:

A text amendment to update the Land Use Ordinance, Chapter 4 Supplementary Regulations. The amendment is to adopt setbacks preserving the highway corridor for future growth and expansion.

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Exhibit A: Proposed Amendment with Red Lines

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Lots or parcels

- 4-1 Substandard Lots at Time of Ordinance Passage
- 4-2 Lot Standards
- 4-3 Cul-de-Sac Lot Frontage Requirements
- 4-4 Highway Corridor Setbacks
- 4-45 Every dwelling to be on a Lot – Exceptions
- 4-56 Yard Space for One Building Only
- 4-78 Sale or Lease of Required Space
- 4-89 Minimum Lot Size Required for Subdivision

Buildings, Dwellings, and Yard Setbacks

- 4-67 Residential Occupancy Standards
- 4-9 ~~Yards to be Unobstructed – Exceptions~~
- 4-10 Area of Accessory Buildings – Guest Houses
- 4-11 Building Height Calculation
- 4-12 Exceptions to Building Height Limitations
- 4-13 Minimum Height of Main Buildings
- 4-14 Maximum Height of Accessory Buildings

Miscellaneous development standards

- 4-15 Clear View of Intersecting Street
- 4-16 Maximum Height of Fences, Walls, and Hedges
- 4-17 Water and Sewer Requirements
- 4-18 Curbs, Gutters and Sidewalks
- 4-19 Effect of Official Map
- 4-20 Flag Lots - Special Provisions
- 4-21 Private Lanes - Special Provisions
- 4-22 Temporary Lodging
- 4-25 Domestic Farm Animals
- 4-26 Residential Zones Design Standards
- 4-27 American National Standard Manufactured Home Installations
- 4-29 Streets and Trails Connectivity
- 4-32 Outdoor Residential Lighting

Home Occupations, Group Homes, Leasing Property, R&D, and IADUs

- 4-23 Handicapped Residential Facilities
- 4-24 Elderly Residential Facilities

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- 4-28 Home Occupations**
- 4-30 Residential Facilities for Persons with Disability**
- 4-31 Research and Development Activities**
- 4-33 Short Term Leases of Residential Properties**
- 4-34 Internal Accessory Dwelling Units**
- 4-35 Archery Range**
- 4-34 Internal Accessory Dwelling Units**
- 4-35 Archery Range**

Section 4-1 Substandard Lots at Time of Ordinance Passage

Any lot legally held in separate ownership at the time of passage of this Ordinance, which lot is below the requirements for lot area or lot width for the district in which it is located may be used for a single-family dwelling if such lot is located in a district which permits single-family dwellings. The width of each of the side yards for such a dwelling may be reduced to a width which is not less than the same percentage of the lot width as the required side yard would be of the required lot width, provided that in no case shall the smaller of the two (2) yards be less than five (5) feet or the total width of the two (2) yards be less than thirteen (13) feet.

Section 4-2 Lot Standards

Except as provided in this Ordinance, every lot, existing or intended to be created, shall have such area, width, and depth as is required by this Ordinance for the zone in which such lot is located and shall have frontage upon a dedicated public street, unless a private lane has been approved in accordance with section 4-21 of this chapter, or private street approved through the subdivision platting process as set forth in Kanab City Subdivision Ordinance, before a building permit may be issued.

Section 4-3 Cul-de-Sac Lot and Street Requirements

Lots in an approved subdivision, which front on a cul-de-sac shall be approved for construction with frontages as shown on the plat. The lots shall be required to meet the frontage requirements of the zone in which they are located, at the required front yard setback. See Exhibit A, Illustration 13 Kanab City Transportation Master Plan for specific configurations.

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Section 4-4 Highway Corridor Setbacks

In coordination with the Utah Department of Transportation (UDOT), and to accommodate current and future highway corridor needs, Kanab City requires a minimum setback of forty-five feet (45') from the property line along the east side of State Road 89A (SR-89A).

This setback requirement shall apply to all zoning districts and all properties located on the east side of SR-89A and shall apply to all new principal, accessory structures, and additions.

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Commented [KC1]: This is the minimum that UDOT is requesting. However if a walking/bike trail is desired the set back would need to be increased to accommodate the trail.

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Section 4-54 Every Dwelling to be on a Lot – Exceptions

Every dwelling structure shall be located and maintained on a separate lot having no less than the minimum area, width, depth and frontage on a city street as required by this Ordinance for the district in which the dwelling structure is located, except that group dwellings, cluster dwellings, condominiums, and other multi-structure dwelling complexes under single ownership and management, which are permitted by this Ordinance and have approval from the Kanab City Planning Commission, may occupy one (1) lot for each such multi-structure complex.

Section 4-65 Yard Space for One Building Only

No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of this Ordinance shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot where on a building is to be erected or established.

Section 4-76 Residential Occupancy Regulations

Purpose: Over-occupancy of dwelling units creates health and safety dangers to home occupants and their neighbors. These dangers include fire hazards, spread of disease to occupants and the general population, an opportunity for domestic violence and abuse, effects to mental health and other adverse impacts on the peace, comfort, and safety of residents. To protect against these dangers, the City established regulations limiting the number of occupants in a residence. These regulations are intended to ensure a good living environment in residential neighborhoods and reduce vehicle congestion, noise and overwhelming of public utilities. In general, the limitations are based on the size of the house, the size and number of bedrooms, the relationships of the residents, and fire safety

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standards. Failure to comply with any portion of these requirements constitutes a violation of legal occupancy allowances.

A. Occupancy Standards Based on the Size of the Residence.

The City limits the number of adult occupants in a house based upon the size of the entire dwelling unit. The following table outlines these limits for each type of dwelling unit. (*see* Table A1)

Table A1

Livable Floor Area of Dwelling Unit (in square feet)	Maximum Numbers of Adult Occupants*
1,200 and under	4 adult occupants
1,201 to 1,750	5 related adult occupants
1,751 to 2,400	6 related adult occupants
2,401 to 3,150	7 related adult occupants
3,151 to 4,000	8 related adult occupants
4,001 to 4,500	9 related adult occupants
4,501 to 5,000	10 related adult occupants
*Adult Occupant means any individual 18 years of age or older, living or sleeping in a building, or having possession of space within a building.	

In a condominium or apartment, the number of adults allowed is calculated by taking the square footage of the unit and dividing by 200. The result gives the number of adults who may live in that unit according to this standard (e.g., 4 adults are allowed in a 1000 square foot unit, though the standards of Section 2 will likely reduce the number allowed).

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B. Occupancy Standards for Bedrooms: One occupant - requires at least 70 square feet of floor area. Two or more occupants require at least 50 square feet of floor area per person.

Bedroom Size (square feet)	Maximum Number of Occupants per Room*
70	1
100	2
150	3
200	4

*Number of Occupants includes adults and children

An Example: Applying the Standards in a Single-Family Dwelling.

Suppose you live in a townhouse with a livable floor area of 1,325 square feet and three bedrooms measuring 85, 108, and 156 square feet.

To figure out the number of people who can live in your home, calculate how many people are allowed based on the tables in Sections 1 and 2 and then confirm the relationships allowed in Section 3. The standards in Section 1 (based on the size of the residence) permit five related adult occupants plus all related (based on the size of the residence) permit five related adult occupants plus all related children.

The occupancy standards in Section 2 (bedroom size) allow six related persons (1 in the 85 square foot bedroom, 2 in the 108 square foot bedroom and 3 in the 156 square foot bedroom). The maximum number of people permitted in the residence must conform to the limits of both standards. Thus, this unit could house six persons, but not more than five adults may live there. Please note that if more than four persons live in the residence, they must all be related (Section 3).

C. Relationship of Occupants.

Residential dwellings may be occupied by any one of the following groups of persons or types of families:

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1. Persons who are all related to one another by blood, marriage, or adoption. This includes husbands, wives, parents, children, grandparents, grandchildren, brothers, sisters, aunts, uncles, nephews, nieces, and first cousins, including "step" or "half" such relationships, as demonstrated by official public records such as drivers' licenses, birth or marriage certificates. (Subject to building and bedroom size regulations).
2. Up to four persons who are not all related to one another by blood, marriage, or adoption.
3. Two unrelated persons and any children related to either of them.
4. No more than eight persons who are residents of a group home or residential facilities for persons with disabilities as defined in the Utah Fair Housing Act, or who are handicapped or disabled as defined in the Fair Housing Act, federal law, or applicable jurisprudence.
5. Additionally, up to two persons who may be servants, live-in companions to the elderly or disabled, or "au-pair" employees may occupy the residence in addition to members of the family as defined above, EXCEPT a family as described in 3b above.

Section 4-87 Sale or Lease of Required Space

No space needed to meet the width, yard, area, coverage, parking, or other requirements of this Ordinance for a lot or building may be sold or leased away from such lot or building.

Section 4-98 Minimum Lot Size Required for Subdivision

No parcel of land that has less than the minimum width and area requirements for the district in which it is located may be subdivided from a larger parcel of land for the purpose, whether immediate or future, of building or development as a lot.

Section 4-10 Area of Accessory Buildings

- A. No accessory building or group of accessory buildings in any residential district shall cover more than twenty-five (25) percent of the rear yard.
- B. No building that is accessory to a single-family or multi-family dwelling shall be erected to a height greater than twenty-five (25) feet.
- C. Accessory buildings shall not have fluorescent or metallic colors on the exterior of any structure.

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- D. All accessory buildings shall have front yard, rear yard, and side yard setbacks as required by the applicable Land Use Ordinance. Accessory buildings shall not be built over dedicated easements or septic systems.
1. Accessory buildings shall have a minimum 10-foot separation from any other building on the property
 2. Accessory buildings allowed in the front yard, or for corner lots with a street-facing side yard, shall:
 - a. Be painted the same or similar color as the main residence.
 - b. Be placed at an angle or offset from the primary residence.
 - c. Not obstruct the primary residence's front elevation more than 20% (standing centerline of the residence).
 - d. Not have a combined footprint (sq. ft.) greater than 100% of the living area of the primary residence (see additional requirements for guest houses below).
 - e. Meet the guest house setbacks required by the applicable Land Use Ordinance (except for corner lots with side yards facing a public street, where setbacks shall be 25 ft.).
 3. Accessory buildings, with the exception of a guest house, allowed in the rear yard, shall have a minimum 2-foot setback from rear property line (except for corner lots, which shall maintain a minimum 25-foot setback along the street-facing side yard).
- E. Guest Houses: The square footage of the garage or guesthouse shall not be greater than fifty (50) percent of the area of the main floor of the primary residence. Guest houses shall meet the setback requirement for residential structures by the zoning ordinance for front, side, and rear yards and have a minimum 10-foot separation from any other building on the property.
- F. Cargo or other similar storage containers may be placed in the rear or side yard only and shall be painted one solid color.
- G. Accessory buildings are permitted in residential single-family zones (R-1-8, R-1-10, R-1-15, R-1-20, MH-KCR, and RR-1) without a primary residence under the following conditions:
1. Shall not be used as a temporary or permanent residence (except as allowed in section 4-22 (3) Temporary Lodging used during construction).
 2. Shall only be used for non-commercial, storage, or agricultural use. See also section 4-25 Domestic Farm Animals.
 3. Shall have a maximum size of 10% of lot size, with a maximum of 5,000 sq.ft. (whichever is less).
- H. Chicken coops are only allowed in the side and rear yard and shall be enclosed.

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- I. Sheds used for storage and maintenance equipment (excluding private garages or private shops) may be placed in the side and rear yard only.

Section 4-11 Building Height Calculation

The height of a building or structure is the vertical dimension measured from the highest point on the exterior of the building or structure to the nearest point of finished grade. For purposes of measuring height, finished grade shall mean the highest grade within five (5) feet of the structure or wall of the building, which has a grading and/or drainage plan approved. The term "finished grade" may also mean natural grade when no terrain alteration is proposed, or where otherwise applicable.

Fill which is not necessary to achieve positive drainage or slope stabilization, or which is otherwise proposed clearly to raise the finished floor elevations(s) for any other purpose, shall not be considered finished grade. No part of any building or structure may exceed the maximum structural height allowed in a specific zoning district except as allowed in section 4-12.

On sloping building sites, no part of any building or structure shall exceed the maximum height as measured from the highest point on the exterior of the building or structure to the nearest point of finished grade except as allowed in section 4-12, nor shall the height of the building or structure facing the downhill side, as measured from the highest point of the building or structure to the lowest point of finished grade on the downhill side, exceed 125% of Maximum Height. See Exhibit "D" for diagrams.

Section 4-12 Exceptions to Building Height Limitations

The following are exceptions to the building height limitations:

- A. Commercial Zones: communication antennas; steeples on non-commercial buildings; and FAA required lighting.
- B. Non-commercial Zones: steeples; flagpoles; wireless communication; and chimneys.

All height exceptions listed in this section are subject to a conditional use permit.

Section 4-13 Minimum Height of Main Buildings

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No dwelling shall be erected to a height less than one (1) story above grade. An underground dwelling designed with full front exposure may be approved by the Planning Commission if it meets the appropriate building codes.

Section 4-14 Maximum Height of Accessory Buildings

No building which is accessory to a single-family, two-family, three-family, or four-family dwelling shall be erected to a height greater than twenty-five (25) feet.

Section 4-15 Clear View of Intersecting Street

At every intersection there shall be a triangular area (shown in Figure 1 of this section) deemed to be a clear sight triangle. The clear sight triangle shall be determined by the intersecting centerlines and a diagonal line connecting the two points, one at each centerline. The length of each centerline shall be determined as follows: seventy-five (75') feet from the intersection of such centerlines for a street with a local classification; one hundred (100') feet from the intersection of such centerlines for a street with a collector classification; and one hundred fifty (150') feet from the intersection of such centerlines for a street with an arterial classification.

In residential and commercial districts, a clear unobstructed vision at the corners of intersecting streets shall be maintained between the height of two (2) feet and seven (7) feet above the established elevation at the intersecting property lines nearest the corner.

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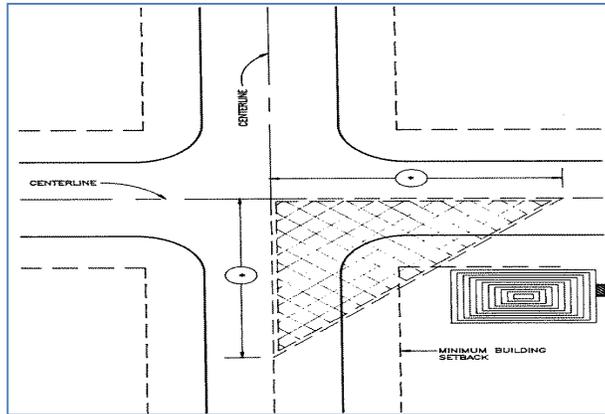


Figure 1 - Clear View of Intersecting Street

Section 4-16 Maximum Height of Fences, Walls, and Hedges

Purpose:

To regulate the construction and maintenance of fences on public and private property. The regulations outlined in this section aim to promote safety, privacy, and aesthetic appeal while addressing potential issues such as obstructed views, property line disputes, and neighborhood cohesion.

This section regulates the minimum and maximum fencing standards for residential, commercial, and manufacturing areas in Kanab City. These standards are applicable to all public and private development, unless otherwise specifically stated.

A building permit is required for the construction of all fences and walls over 7 feet in height in order to ensure that the construction meets the current building codes for safety and suitability.

- A. All fences, walls or hedges that will be constructed along street frontage shall not be required to have a setback.
- B. Front Yards. Fences, walls, or hedges are allowed in the front yard provided they do not exceed a maximum height of four (4) feet. "Front yard" is defined in Chapter 1; however, for parcels or lots with homes or buildings considered nonconforming in their orientation (i.e., the home or building does not face the most proximate/adjacent street

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frontage), any fence, wall, or hedge must not exceed a maximum height of four (4) feet along the street frontage for an interior lot. Legal non-conforming structures, that are non-conforming as to their orientation to the closest adjacent road subsequently installed, improved and dedicated to the city may have a 6-foot fence with a zero foot setback on the street side.

- C. Side and Rear Yards. Fences, walls, or hedges are allowed in the side and rear yard provided they do not exceed a maximum height of eight (8) feet, shall be located outside the required front yard setback outlined in the Residential Zones and the Manufactured Home - KCR zone.
- D. Corner Lots. Any fence, wall or hedge within the front yard shall not exceed four (4) feet in height provided they meet the sight vision requirement outlined in F below. Any fence or wall within the side yard fronting a street is permitted provided the fence, wall or hedge does not exceed a maximum height of eight (8) feet, shall be located outside the clear sight triangle (see Figure 1 in section 4-15) and located outside the required front yard setback outlined in the Residential Zones and the Manufactured Home - KCR zone.
- E. Clear View at Driveways. The clear view area shall be defined by drawing a line between two (2) points that are a minimum of ten (10) feet from the driveway and street lines. Shall meet the sight vision requirements in letter F.
- F. Sight Vision. Fences within the clear sight triangle or clear view areas shall have a 70% visibility factor.
- G. Commercial and manufacturing fence regulations.
 - 1. In C-2, C-3, and M-1 zones, a fence up to eight (8) feet in height shall be permitted on the rear, side and front property lines. When property fronts on Highway 89 and/or Highway 89A, a fence that exceeds four (4) feet in height shall be approved by conditional use permit. A fence up to ninety-six (96) Inches in height in the side and rear property lines shall be by conditional use permit. Razor or barbed wire is not allowed as fence material in the above zones.
 - 2. Fences in M-2 and M-3 zones shall not exceed eight (8) feet in height and shall be allowed in the rear, side and front property lines. Razor or barbed wire is permitted and shall be included in the maximum fence height. When a side yard fence in a commercial or manufacturing zone is adjacent to a private or commercial driveway, the fence shall meet clear view requirements above three (3) feet height and ten (10) feet from the front property line.
 - 3. When a fence on commercial and/or manufacturing property abuts a residential lot, the fence is required and shall be at least eight (8) feet in height in the side and rear yard and be constructed of privacy materials.

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H. Permitted fencing materials include:

1. Post and rail
2. Chain link
3. Wood plank, diminished lumber
4. Block or masonry wall on foundation
5. Vinyl fencing
6. Picket fencing
7. Wrought iron
8. Corrugated Metal with trim or framing around perimeter edges
9. Welded wire and smooth wire with trim or framing around perimeter edges
10. Cedar or other poles with bark
11. Rough-sawn half rounds

Fence materials not permitted on residential lots include:

1. Barbed wire
2. Wire, Mesh, or Nylon Net fencing
3. Chicken wire
4. Pallets
5. Any other materials not listed as permitted.

Materials listed in numbers one through three (1-3) are permitted in Rural Residential (RR-1) and Residential Agricultural (RA) zones.

- I. Any fencing constructed must allow free and easy access to all utility meters located within the fenced area.
- J. For the purpose of this Section, single shrub planting shall not constitute a hedge if the closest distance between the foliage of any two (2) plants is and remains at least five (5) feet.
- K. Where a fence, wall, or hedge is located along a property line separating two lots and there is a difference in the grade of the properties on the two sides of the property line, the fence, wall, or hedge may be erected or allowed to the maximum height permitted on either side of the property line.
- L. Fencing and walls six (6) feet in height, including protective gates, must be installed around the following:
 1. in-ground swimming pools.
 2. Above-ground swimming pools, jacuzzies, and similar structures that have a deck at the same grade or less than thirty-six (36") inches from the rim of the structure.

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Above fence requirements may be waived if the structure has a safety cover that meets ASTM F standards per building code regulations to prevent people and animals from accidental drownings.

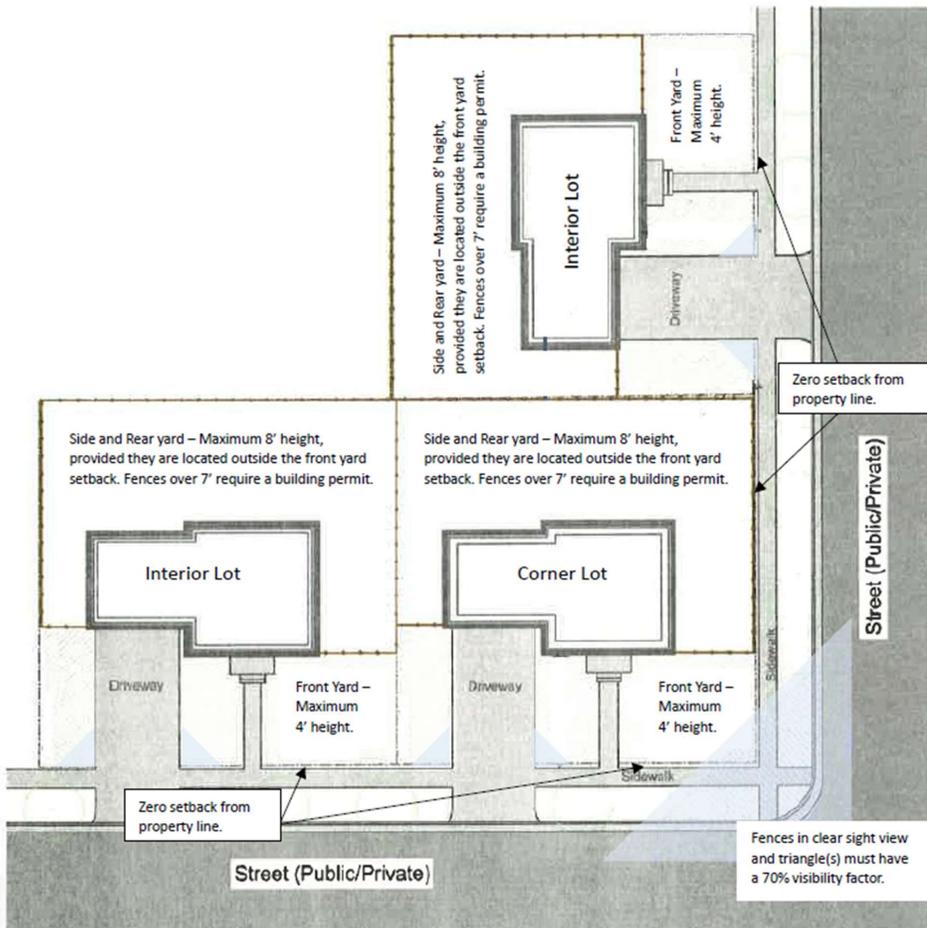
Above-ground swimming pools, jacuzzies, and other similar structures that have a minimum of thirty-six (36") from grade level to the rim of the structures are not required to be fenced.

- M. To determine the "visibility factor" of fence material as that term is used in this Ordinance, one square foot of the fence material is viewed perpendicular to its installed surface. The square inches of solid fence material contained in the square foot of fence material is subtracted from 144 to determine the square inches of open area within that square foot of fence material. The "visibility factor" is the percentage obtained by dividing the square inches of open area by 144.
- N. Tennis courts, sport courts, batting cages, etc.: Fence type enclosures for uses such as tennis courts, sport courts, swimming pools, ball diamond backstops, batting cages, etc., may be erected to a height greater than eight feet (8') but not more than eighteen feet (18'), including any retaining walls, provided:
1. Such enclosure does not constitute a part of a fence enclosing a property.
 2. All portions of the enclosure shall be located within the rear/side enclosure area of the lot.
 3. All portions of the enclosure above a height of eight feet (8') shall be non-sight obscuring.
 4. The enclosure shall be set back from the property line of adjoining properties and also the main building upon the lot to which it is appurtenant for a distance of not less than twenty feet (20').
 5. On corner lots, the enclosure shall be set back not less than ten feet (10') from the street.

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Section 4-17 Water and Sewer Requirements

All proposed buildings or proposed use shall be connected to a public water system within the city limits of Kanab. Sewer hookups are required in areas served by the Kanab City Sewer System.

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Section 4-18 Curbs, Gutters and Sidewalks

- A. Improvement Requirements for Building Permits in Commercial, Manufacturing, Industrial and Multi-Family zones
- B. The installation of curb, gutter, and sidewalks in accordance with Kanab City Standards shall be required on any existing or proposed street adjoining a lot on which a commercial or multi-family building is to be constructed or expanded, or on which a new use is to be established within a commercial and, multi-family zone.

The installation of curb and gutter in accordance with Kanab City Standards shall be required on any existing or proposed street adjoining a lot on which a manufacturing or industrial building is to be constructed or expanded, or on which a new use is to be established within a manufacturing and industrial.

Such curbs, gutters, or sidewalks shall be required as a condition of building or use permit approval. Said curb, gutter, or sidewalk shall be constructed to match existing improvements on any contiguous lot or parcel*.

Lots or parcels in the following areas shall require curb, gutter, and sidewalk:

1. Any lot or parcel in the C-1 Commercial zone;
2. Any building, lot, or parcel that has frontage to the continuous section of street that starts as 300 West, then Center Street and continuing into 100 East and between the northern city entrance (approximately one block north of 300 North) to Kanab Creek Drive and East on Highway 89 to 900 East.

For lots or parcels in a commercial, manufacturing, industrial, and multi-family zone that have frontage on a bike or pedestrian trail/walkway found on the Kanab City Master Plan shall require curb, gutter, and an approved hard surface, in place of sidewalks, for the development of the bike or pedestrian trail/walkway.

For lots or parcels, other than identified in this subsection, that contain street frontage on Highway 89 or Highway 89A, UDOT shall be consulted to determine if the proposed project adheres to the long-range transportation plan as it relates to curb, gutter, and sidewalk improvements.

If curb, gutter, and sidewalk are present on a contiguous lot or parcel* to the proposed project, the Planning Commission shall require the following:

1. Curb and gutter along the perimeter of any area that requires a hard surface
2. All landscaped areas abutting paved areas shall be curbed

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3. Landscaping planter and/or raised sidewalks shall be installed along buildings and areas requiring hard surface.

*Contiguous lots or parcels means a lot or parcel sharing a common border, touching, or directly adjacent to another lot or parcel that has curb, gutter and/or sidewalk. Lots or parcels across the street are not considered contiguous. Corner lots or parcels contiguous with another lot or parcel with curb, gutter, and sidewalks, shall require curb, gutter, and sidewalk on both property boundaries facing public streets.

- C. Improvement Requirements for Building Permits for Single-Family Residential lots or parcels.

This section does not apply to lots or parcels being created through the Subdivision process. Refer to the Kanab City Subdivision Ordinance for specific requirements.

- D. For single-family residential lots or parcels that contain street frontage on Highway 89 or Highway 89A, UDOT shall be consulted to determine if the proposed project adheres to the long-range transportation plan as it relates to curb, gutter, and sidewalk improvements.
- E. Occupancy permits shall not be issued until utilities are available for connection and adequate fire protection is in place to 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.
- F. Notwithstanding the foregoing, a certificate of occupancy shall be issued if all other requirements have been met entitling the applicant to its issuance, except for the installation of curb, gutter, and sidewalks, upon the applicant submitting an Improvement Completion Assurance. Such assurance shall be in the form and amount as approved by the City, upon recommendation of the City Engineer, and may be in the form of a surety bond, financial institution bond, letter of credit, cash, or lien. The Improvement Completion Assurance shall guarantee the proper completion of curb, gutter, and sidewalks 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 curb, gutter, and/or sidewalk.

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When an applicant submits an Improvement Completion Assurance, the curb, gutter, and sidewalk must be installed and meet Kanab City Standards within one (1) year of the issuance of the certificate of occupancy.

- G. Property owners installing curb and gutter, must address and mitigate anticipated storm water flowing to adjacent property owner(s), as a result of the curb and gutter.

Section 4-19 Effect of Official Map

Wherever a front yard is required for a lot facing on a street for which an official map has been recorded, the depth of such front yard shall be measured from the mapped street line provided by the Kanab City Official Map.

Section 4-20 Flag Lots - Special Provisions (see Subdivision Ordinance)

Section 4-21 Private Lanes - Special Provisions

- A. Because it may be in the interest of Kanab City to allow certain residential development without frontage upon public streets and only on a private lane, such approvals may be granted by the Planning Commission, upon satisfaction of the following conditions:
1. A scale drawing of the proposed private lane and lot(s)/parcel(s) shall be submitted in support of an application for approval, together with all other documents required and an agreement to abide by all provisions of this ordinance. The lot shall meet all size and setback requirements of the zone in which the lot is located.
 2. A determination shall be made as to the future width of a dedicated street that may be needed to serve the lot(s)/parcel(s), based upon the City Master Plan of streets. If the proposed private lane is not identified as a major or collector street, it shall be improved with a minimum of road base and the improved portion be at least twenty (20) feet wide. The full length of the private lane is required to be paved if servicing more than three (3) residences.
 3. The applicant for the private lane shall record a written agreement to dedicate the private lane at such time as the City shall require dedication, if the location of the private lane is identified on the Master Transportation Plan at the time of application. In addition to the dedication of the private lane, the recorded agreement shall include an exhibit of the scale drawing of the private lane and easement and the property owner's/owners' agreement to dedicate "any additional width required under the City's ordinances for the type of street for which the City is requesting

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the private lane to be dedicated.” The agreement shall be signed by all individuals owning any interest in the private lane, with a recorded copy being provided to the City.

4. All easements required to serve the property shall be recorded, which includes the full length of the private lane and the full width of the private lane plus the width necessary to meet the class of street as identified in the City’s Master Plan. If the private lane is not identified on the City Master Plan, then the easement shall encompass the private lane, plus the width necessary to meet the width requirement for a public or rural road. The easement shall provide for installation and maintenance of utility lines and services, emergency vehicle access, and access of City or public personnel or vehicles as may be required in order to carry out the responsibilities of the City and other governmental entities. A recorded copy of the easement shall be provided to the City.
 5. The private lane shall be improved with a road base or better surface across such width as outlined herein. The driving surface shall be well maintained, and it shall be readily passable by a standard passenger car and emergency vehicles.
 6. Utility lines shall be extended at the cost of the applicant from the public street to the subject dwelling at such size as may be required by the City to serve the applicant or future development in the area. Upon installation and acceptance, the lines on the City side of the meter shall become the property of the City. The City will then assume responsibility for the upkeep and maintenance of the line. No reimbursement contracts will be issued by the City to the property owner for any future connections to any required utility line that may be installed as a part of the private lane approval.
 7. Water meters shall be located at the future property line in front of the dwelling. Other meters, such as electricity, shall be located as required by the City.
 8. All dwellings shall be no further than two hundred and fifty (250) feet from an approved fire hydrant. If installation of a hydrant is necessary, it shall be done at the expense of the applicant.
 9. A letter of consent and non-opposition to any future improvement district initiated by the City shall be recorded against the land and shall run with the land. The City, at its option, may initiate a special improvement district for the improvement of any private lane approved for use under these conditions.
- B. In the event any private lane is proposed to serve more than one lot, an agreement executed by all holding an interest in the lots shall be recorded providing that each owner shall contribute his pro-rata share of the cost of maintenance and improvement

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of the private lane, which obligation shall be secured by a lien on the lots. A private lane shall only service up to five (5) lots.

Section 4-22 Temporary Lodging

A. Hotel - Motel - Extended Stay - Bed and Breakfast Establishments

Are conditional uses and permitted uses within certain zones as provided hereafter in this ordinance and must comply with the following requirements:

1. Purpose

This ordinance will help promote the Health, safety and welfare of the general public that utilizes the establishments listed in this section.

2. General Provisions

Extended-Stay Establishments: Structures consisting of one or more buildings with provisions for living, eating, and kitchen facilities. Rooms designated as Extended-Stay room(s) shall have a food preparation area, which includes but is not limited to, refrigerators, conventional microwave ovens, and/or a stove or cooktop. For sanitation purposes, a separate bathroom and kitchen sink, and bed(s) in each unit. Maximum stay is limited to 240 days. Each room shall be a minimum of 275 square feet in area, exclusive of bathroom, closet, or balcony space. Minimum weekly services for each dwelling unit of linen change, towel change, soap change, and general clean-up. A registration lobby and/or a phone number provided by the management are both required. For purposes of this Section, all references to "hotel" or "motels" include Extended Stay Hotels or Motels.

Motels – Hotels: Refer to definitions in Chapter 1 of the Kanab City LUO for a description of a Motel and or Hotel.

Bed and Breakfast: Refer to Subsection 2 of this Section for specific requirements.

3. Definitions

"Owner" means any person, operator, firm or corporation, or an agent of any person, operator, firm or corporation who is authorized to act on the Owner's behalf, and being one or more of the following:

- a. Having a legal or equitable interest in the property;

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- b. Recorded in the official records of the State, County, or Municipality as holding title to the property; or
- c. Otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

"Premises" means the site upon which the hotel, motel, extended-stay, and bed and breakfast facilities are located, including the land and all buildings.

"Establishment" means a hotel, motel, extended-stay or Bed and Breakfast facility.

4. Kanab City Business License Required

A Kanab City Business License is required for these establishments. *See* Kanab City General Ordinance, Section 9, for business license requirements.

5. Fees

The Owner shall pay an annual Business License Fee.

6. Inspections

The Zoning Administrator may inspect all establishments within its jurisdiction referenced in this section once a year to determine if the establishment is in compliance with all applicable provisions of the City's Ordinances, including the receipt of a Business License from the City.

The Owner of an Establishment in the City shall allow the Zoning Administrator to inspect the establishment at any reasonable time. The Owner of the establishment shall provide the Zoning Administrator access to all areas of the Premises at all reasonable times for the purpose of such inspections. Every guest of an establishment shall provide the Owner or manager thereof with access to their guest room for the purpose of inspection and compliance with the City's Ordinances.

7. Staffing

Every hotel, motel, extended-stay or bed and breakfast establishment operating within the City of Kanab shall be adequately staffed to maintain the establishment in a safe and sanitary condition.

8. Transfer of Ownership

It shall be unlawful for the Owner of any hotel, motel, or extended-stay establishment who has received a Notice of Violation or order and who is not in compliance with the notice or order, to sell, transfer, or lease the establishment until it has been brought

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into compliance with this Chapter; provided, that the Owner may sell, transfer or lease the establishment if the Owner furnishes the buyer, transferee or lessee with a true copy of the Notice of Violation or order, and provides to the Zoning Administrator a signed and notarized statement from the buyer, transferee or lessee acknowledging receipt of such Notice of Violation or order and fully accepting responsibility without condition for making the corrections required to bring the establishment into compliance with the provisions of this Chapter.

B. Bed and Breakfast Inn

1. A Bed and Breakfast Inn is a conditional use within certain zones as provided hereafter in this ordinance and must comply with the following requirements:
2. The owner of the premises must reside therein.
3. There must be a minimum of one guest room and not more than five guest rooms. No more than four guests may occupy any room. No guest may stay more than fifteen consecutive days.
4. One off-street parking stall must be provided per guest room with two off-street parking stalls provided per premise owner.
5. No cooking facility may be present in any guest room. No cooking may occur in any guest room. Meal services may be offered only to overnight guests.
6. Other than a sign permitted for a Bed and Breakfast Inn, established by a conditional use permit, a Bed and Breakfast may have no advertising of any type.
7. Any permit granted is revocable upon notice and hearing if the use of the property creates traffic, noise, health, safety, parking, or other problems in the area.
8. A site plan that complies with Chapter 9 must be submitted.
9. Any hearing for the establishment of a Bed and Breakfast Inn conditional use permit shall be advertised as required by this ordinance.

C. Temporary Lodging used during construction

A recreational vehicle may be placed upon any lot during the actual period of construction of a principal dwelling or commercial building on the premises subject to the following limitations:

1. A recreational vehicle shall be permitted to remain upon premises for a maximum of 180 days during the construction of a residential structure. Approval may be granted by the Kanab Land Use Coordinator or assigned agent with the following conditions;
 - a. Must be connected to approved sewer system, electric, and city water.

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- b. Must be parked on the property.
- c. Must have a valid building permit issued by the Kanab Building Department.
2. A recreational vehicle shall be permitted to remain upon the premises during construction of a commercial or industrial building for a period of time not to exceed the time limit for construction under the contract or one (1) year, whichever is shorter.
3. The time limits provided herein shall not be extended without approval of the Planning Commission.

D. See Chapter 13 for Recreational Vehicle Park regulations.

Section 4-23 Handicapped Residential Facilities

- A. Permitted Use - Multiple Family Zone - A residential facility for handicapped persons is a permitted use in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings. Prior to establishing a residential facility for handicapped persons, a permit must be obtained by application to the Planning Commission and thereafter to the City Council, which shall be issued if the applicant can show that:
1. the facility meets all Kanab City building, safety, zoning, and health ordinances applicable to similar dwellings;
 2. the residents of the facility will be properly supervised on a 24-hours basis;
 3. a community advisory committee will be established through which all complaints and concerns of neighbors may be addressed;
 4. adequate off-street parking space is provided;
 5. the facility is capable of use as a residential facility for handicapped persons without structural or landscaping alterations that would change the structure's residential character;
 6. no person being treated for alcoholism or drug abuse may be placed in the residential facility for handicapped persons;
 7. no person who is violent will be placed in a residential facility for handicapped persons;
 8. Placement in the residential facility for handicapped persons shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.
 9. Upon application for a permit to establish a residential facility for handicapped persons in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings, a facility that conforms to these ordinances shall be granted a permit. If the Planning Commission and City Council

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determine that the residential facility for handicapped persons is in compliance with those ordinances, the City shall grant the requested permit to that facility.

10. The use granted and permitted by this subsection is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for handicapped persons or, if the structure fails to comply with the City ordinances.

B. Conditional Use - Single-Family Zones - Subject to the granting of a conditional use permit, a residential facility for handicapped persons shall be allowed in a municipal zoning district that is zoned to permit exclusively single-family dwelling use, if that facility:

1. Conforms to all applicable health, safety, zoning, and building codes;
2. is capable of use as a residential facility for handicapped persons without structural or landscaping alterations that would change the structure's residential character;
3. conforms to Kanab City's criteria adopted by ordinance, governing the location of residential facilities for elderly persons in areas zoned to permit exclusively single-family dwellings;
4. no person being treated for alcoholism or drug abuse may be placed in the residential facility for handicapped persons;
5. no person who is violent shall be placed in a residential facility for handicapped persons;
6. placement in the residential facility for handicapped persons shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility;
7. meets conditions stated in Chapter 8 of this ordinance;
8. the use granted and permitted by this subsection is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for elderly persons or if the structure fails to comply with applicable health, safety, and building codes.

C. Discrimination – Discrimination against handicapped persons and against residential facilities for handicapped persons is prohibited. The decision of Kanab City regarding the application for a permit by a residential facility for handicapped persons must be based on legitimate land use criteria, and may not be based on the handicapping conditions of the facility's residents.

Section 4-24 Elderly Residential Facilities

A. Permitted Use - Multiple Family Zone - A residential facility for elderly persons is a permitted use in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings. Prior to establishing a residential facility for elderly persons, a permit must be obtained by application to the Planning

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Commission and thereafter to the City Council which shall be issued if the applicant can show that:

1. the facility meets all Kanab City building, safety, zoning and health ordinances applicable to similar dwellings;
 2. adequate off-street parking space is provided;
 3. the facility is capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character;
 4. no person being treated for alcoholism or drug abuse may be placed in the residential facility for elderly persons;
 5. Placement in the residential facility for elderly persons shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility.
 6. Upon application for a permit to establish a residential facility for elderly persons in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings, a facility that conforms to these ordinances shall be granted a permit. If the Planning Commission and City Council determine that the residential facility for elderly persons is in compliance with those ordinances, the City shall grant the requested permit to that facility.
 7. The use granted and permitted by this subsection is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for elderly persons or, if the structure fails to comply with the City ordinances.
- B. Conditional Use - Single-Family Zones - Subject to the granting of a conditional use permit, a residential facility for elderly persons shall be allowed in any municipal zoning district which is zoned to permit exclusively single-family dwelling use, if that facility:
1. conforms to all applicable health, safety, zoning, and building codes;
 2. is capable of use as a residential facility for elderly persons without structural or landscaping alterations that would change the structure's residential character;
 3. Conforms to Kanab City's criteria adopted by ordinance, governing the location of residential facilities for elderly persons in areas zoned to permit exclusively single-family dwellings.
 4. no person being treated for alcoholism or drug abuse may be place in the residential facility for elderly persons;
 5. placement in the residential facility for elderly persons shall be on a strictly voluntary basis and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility;
 6. Meets requirements in Chapter 8 of this ordinance.

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The use granted and permitted by this subsection is nontransferable and terminates if the structure is devoted to a use other than as a residential facility for elderly persons or if the structure fails to comply with applicable health, safety, and building codes.

- C. Discrimination – Discrimination against elderly persons and against residential facilities for elderly persons is prohibited. The decision of Kanab City regarding the application for a permit by a residential facility for elderly persons must be based on legitimate land use criteria, and may not be based on the age of the facility's residents.
- D. Other Permitted Uses Not Limited - The requirements of this section that a residential facility for elderly persons obtain a conditional use permit or other permit do not apply if the facility meets existing zoning ordinances that allow a specified number of unrelated persons to live together.

Section 4-25 Domestic Farm Animals

The following conditions apply to Residential Agriculture, Rural Residential, Single-Family and Kanab Creek Ranchos KCR-720 residential zones:

- A. These conditions establish the standards by which domestic farm animals may be kept within Kanab City in a manner that will protect health and minimize the potential for nuisance.
- B. Animal Allowances. The minimum residential lot size for the keeping of farm animals within any zone district and the type of animals shall be permitted per the following chart (not including immature offspring):
- C.

Lot size 0.6 to 1 acre	Lot Size 0.23 to 0.59 acre	Lot size less than 0.22 acre
One of the below groups or equivalent combination:		
2 horses	Horses are not permitted	
2 cows	Cows are not permitted	
1 pig (see D(2))	Pigs are not permitted	
2 mules/donkeys	Mules and donkeys not permitted	
4 sheep	2 sheep	Sheep are not permitted
4 goats	2 goats	Goats are not permitted
50 fowl (see E)	15 fowl (see E)	15 chickens (see E)
50 rabbits	10 rabbits	10 rabbits

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D. On each lot or parcel larger than 1-acre additional animals can be per the following chart:

On each additional 1/3 acre one of the below groups or equivalent combination:
1 horse
1 cow
1 mule or donkey
2 sheep
2 goats
20 fowl
20 rabbits

- E. For the purpose of this ordinance, domestic farm animals that belong to or are owned by the resident(s) similar in size or weight to the chart above shall be with the same allowances described in the chart.
1. Exotic animals defined in the Utah Office of Administration Rule 58 are not permitted on any lot or parcel in Kanab City.
 2. Additional Pig or Swine are permitted at one per each additional acre.
- E. Roosters, Toms or similar male fowl are permitted only in Rural Residential and Residential Agriculture zones.
- F. In the Residential Agriculture zone, animals, stables, and barns are permitted regardless of if a private occupied residence exists on the same lot. All other zones must have a private occupied residence to keep or house domestic farm animals.
- G. All permitted animals and fowl are to be adequately maintained in a sanitary and healthy manner. All animals must be adequately restrained to prevent escape from the lot, marauding nuisance, or damage to other property.

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H. The following separation shall be maintained from a pre-existing dwelling on adjacent lot and any building, structure, or enclosure housing livestock:

Lot size 0.6 or larger	Lot Size 0.23 to 0.59 acre	Lot size less than 0.22 acre
50 Feet	15 Feet	

I. The keeping of domestic farm animals in accordance with this section and with generally accepted agriculture and management practices, shall not be found to be a public or private nuisance.

In the Residential Agricultural zone, the allowable number of domestic farm animals for those in the livestock industry may be significantly increased for purposes of industry practices.

Section 4-26 Residential Zones Design Standards

The following conditions apply to all single and multiple family structures within the residential zones:

- A. Each dwelling must be taxed as real property. If the dwelling is a manufactured home, affidavits as required by Utah Code Annotated Section 70D-2-401 must be filed under that section and a copy thereof submitted to the city prior to receiving a Certificate of Occupancy.
- B. Each dwelling shall have a code-approved site built concrete, masonry, steel, or treated wood permanent foundation which meets the requirements of the City adopted building codes, Utah Code, as set forth in Utah Code Annotated Section 15A-2-103, and the International Code Council (ICC) guidelines for the manufactured housing installations, including any amendments or successors thereto, and must be capable of transferring design, dead loads and live loads and other design loads unique to local home sites due to wind, seismic, soil and water conditions that are imposed by or upon the structure into the underlying soil or bedrock without failure. All perimeter footings must be minimum of 18 inches below grade. All tie down devices must meet City adopted building codes or other applicable building codes. The space beneath the structure must be enclosed at the perimeter of the dwelling with concrete or masonry type foundation materials. At each exit door there shall be a landing which meets the minimum requirements of the City Building Codes. All manufactured home running gear, tongues, axles and wheels must be removed at the time of installation.

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- C. The roof surface shall consist of wood shakes, asphalt, composition wood shingles, off-white membrane material, tile, metal, or fiberglass shingles.
- D.
 - 1. All dwelling units (building front) shall face the public street where adequate public street frontage exists, unless otherwise approved by the city council upon recommendation of the planning commission.
 - 2. The City Council upon recommendation of the planning commission may reduce the front setback on a public street to fifteen feet (15') for homes with a covered, but otherwise open front porch. The front porch shall be part of the overall house design and extend at least one-half (1/2) of the width of the home with a minimum depth of eight feet (8'). The porch covering shall be part of the roof or roof extension and of the same material as dwelling and not simply an awning over the porch. The front setback to the garage or carport shall be at least twenty-five feet (25') on public streets.
 - 3. Existing single-family dwellings shall not be converted to multi-family units, except when permitted and licensed as an internal accessory dwelling unit.
 - 4. Multi-family housing shall be new construction. Additions to legally existing multi-family buildings shall be considered a conditional use and shall require a conditional use permit.
 - 5. No garage, carport or parking space shall be converted to living space unless the building inspector determines that adequate off-street parking is available.
- E. Each dwelling shall have exterior materials of sufficient quality, durability and resistance to the elements to satisfy the purpose of this section. Exterior siding materials shall consist of wood, hardwood, brick, stucco, glass, metal, lap vinyl, lap tile or stone meeting the requirements of the City Building Codes.
- F. The width of the dwelling shall not be less than twenty-four feet (24) feet at the narrowest point of its first floor exclusive of any garages, bay windows, room additions or other similar appendages. A basement shall not be considered as a first floor. The width shall be considered as the lesser of the two primary dimensions. Manufactured homes shall be multiple transportable sections at least twelve feet (12) wide unless transportable in three (3) or more sections, in which case only one section needs to be twelve (12) feet wide.
- G. Replacement of an existing non-conforming manufactured home on any lot must comply with all the requirements contained in this section.
- H. Each dwelling shall have a minimum floor area on the main floor or floors, exclusive of garages as shown in Section 15-2. A basement shall not be considered as a floor.

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Measurements to determine the minimum area of the dwelling shall be taken from the outside of the foundation walls.

- I. Any manufactured home that has been previously owned or has been modified is subject to inspection by the building inspector. The building inspector may deny hookups and occupancy if the unit is found to be in noncompliance with Annex A (a final inspection checklist) and Annex C of and ANSI A225.1 - 1994, of the American National Standard Manufactured Home Installations, approved January 4, 1994, by the American National Standards Institute, Inc. A decision of the inspector is considered to be an administrative decision and may be appealed to the Appeals Officer and then to the District Court.

Section 4-27 American National Standard Manufactured Home Installations

- A. Final Inspection Checklist - Final inspection shall be made when the home installation (set-up) is complete. A checklist such as the one given below should be developed to ensure that no items have been overlooked and that work has been properly completed.
 1. Water and Drain Systems. Check to ensure that:
 - a. Correct materials for water and drain lines have been used.
 - b. Connections and splices are properly made.
 - c. Supports are of correct material and are properly spaced.
 - d. Necessary inspections and tests have been made.
 - e. Water lines are protected from freezing when applicable.
 - f. Proper slope has been maintained on drain lines.
 2. Electric Systems. Check to ensure that:
 - a. Panel amperage matches connection to home.
 - b. Electrical inspections have been performed; connections between multi-sections are in accordance with MHCSS and access covers are in place.
 3. Gas/fuel Oil Systems. Check to ensure that:
 - a. Correct materials and fittings are used.
 - b. The pressure test has been conducted on the gas system.
 - c. The connection between multi-sections are in accordance with the MHCSS, with access as required.
 4. Appliance Function, Operation, and Venting. Check to ensure that:
 - a. Vent or chimney extensions shipped loose on the home have been mounted and serviced in accordance with the manufacturer's instructions.
 - b. Appliances and valves have been tested and are properly working.
 - c. Venting of appliances under unit is in accordance with the MHCSS.
 - d. Dryer is properly vented.

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- e. Solid-fuel-burning fresh air intake is properly installed
- f. Temporary shipping blocks have been removed.
- g. Exhaust fan operation and air flow are correct.
- 5. Windows and Doors. Check to ensure that:
 - a. Windows meet egress requirements and have operation instructions on them.
 - b. Doors function properly.
 - c. Temporary shipping hardware has been removed from windows and doors.
- 6. Exterior of Home. Check:
 - a. For damage to under carriage or bottom board.
 - b. Chassis, floor joists, or both for installation/transportation damage.
 - c. Bottom board for rips or tears.
 - d. For damage to siding (cracks, breaks, holes, nail pops., etc.)
 - e. For damage to metal or composition roof.
 - f. For holes or rips in metal roof.
 - g. Shingles for damage and sealing.
 - h. Drip edge or fascia damage.
 - i. Roof openings for sealing (vents, stacks, etc.)
 - j. To ensure that when gutters and downspouts are installed, the water is diverted away from the home.
- 7. Interior of Home. Check:
 - a. For damage to floor coverings (vinyl, carpet.)
 - b. For damage to wall finish (holes, cracks, nail pops, etc.)
 - c. For damage to ceiling finish (holes, cracks, nail pops, etc.)
 - d. For damage to interior trim (splits, cracks, nail pops, etc.)
 - e. Multi-section common areas for correct finishing.
- 8. Skirting. Check to ensure that:
 - a. Skirting used is in accordance with owner's specifications.
 - b. Venting is in accordance with the manufacturer's specifications.
 - c. Skirting is constructed to prevent frost movement in areas of where it occurs.
 - d. Polyethylene ground cover is correctly installed.
- 9. Blocking/footings. Check to ensure that:
 - a. Footings are of proper size and construction for soil conditions.
 - b. Spacing of piers is in accordance with the manufacturer's guidelines.
 - c. Footing depth is below frost line.
 - d. Foundation walls, if required, meet local codes, ordinances, or covenants.
 - e. Pier construction meets manufacturer's specifications.
- 10. Anchoring. Check to ensure that:

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- a. Approved anchors are used.
 - b. Correct numbers of anchors, straps, or both are used according to the manufacturer's instructions.
 - c. Anchors are installed at correct angles and in accordance with the anchor manufacturer's listing for approval.
11. Miscellaneous. Check to ensure that:
- a. The smoke detector(s) is operating correctly.
 - b. Construction seals (the "HUD Label") have not been damaged, removed, or covered by skirting.
 - c. Installation/anchoring certificates, seals, or both have been issued and installed if required.
 - d. Data plate is intact and legible.
 - e. Low-hanging tree branches and bushes have been trimmed.

All transit and installation damage are required to be reported to the manufacturer if the home is a new unit. Check with local authorities having jurisdiction prior to installation for code requirements and permits/inspections required.

Section 4-28 Home Occupations

Home Occupations, as defined by this Ordinance, must comply with the following requirements:

- A. The Zoning Administrator shall determine whether the home occupation is classified as "Home Occupation - light" or "Home Occupation - heavy" as defined by this Ordinance.
- B. The Home Occupation shall not occupy a total area greater than twenty-five (25) percent of the improved portions of the dwelling and shall not change the character thereof.
- C. Accessory buildings may be used, but outside storage or activities are not permitted except for nursery schools, in which case.
- D. Any signs or other outside displays shall not be allowed. Any employee that does not reside at the residence shall not be allowed
- E. Off-Street Parking will be provided which will, in the opinion of the Zoning Administrator, be adequate to accommodate all vehicles which will be parked on or about the premises by customers, clients or occupants of the dwelling. Said off-street parking will be provided so that it will not decrease residential amenities in the area surrounding the dwelling.
- F. Prohibited Home Occupation Uses - The following list presents examples that are not incidental to nor compatible with residential activities and are prohibited:

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1. Businesses which entail the harboring, breeding, and raising of dogs, cats or other large or small animals on the premises;
 2. Primary Medical and Dental offices, clinics and laboratories;
 3. Mini storage;
 4. Vehicle repair (body or mechanical), and vehicle painting;
 5. Any other use determined by the Zoning Administrator to be neither incidental nor compatible with residential activities.
- G. Revocation - A home occupation permit shall be revoked by the Zoning Administrator if any one of the following findings can be made:
1. That the use has become detrimental to the public health, safety, traffic or constitutes a nuisance;
 2. That the permit was obtained by misrepresentation or fraud;
 3. That the use for which the permit was granted has ceased or was suspended for six or more consecutive calendar months;
 4. That the condition of the premises, or the area of which it is a part has changed so that the use is no longer justified under the meaning and intent of this Chapter;
 5. That the use is in violation of any statute, ordinance, law or regulation.

Section 4-29 Streets and Trails Connectivity

- A. Streets and trails in new residential developments must have connectivity to other surrounding residential neighborhoods.
- B. Continuation of master-planned streets and trails: The arrangement of streets and trails shall provide for the continuation of master-planned streets and trails between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, efficient provision of utilities and where such continuation is in accordance with the city's general plan, transportation master plan and/or recreation master plan.
1. Temporary turn-around: If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right of way shall be extended to the property line and a temporary turnaround shall be provided.

Section 4-30 Residential Facilities for Persons with Disability

- A. Applicability: If any facility, residence or other circumstance meets the definition of a residential facility for persons with a disability as set forth herein, the requirements of this section shall govern the same, notwithstanding any other provisions of this title.

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If any provision of this section conflicts with the Utah Fair Housing Act or Fair Housing Amendments Act (collectively the "Acts"), the Acts shall be controlling.

B. The purposes of this section are:

1. To comply with Utah Code Annotated section 10-9a-516, and Utah Code, Title 57, Chapter 21; and
2. To avoid discrimination in housing against persons with disabilities as provided in the Utah Fair Housing Act and the Fair Housing Amendments Act as interpreted by courts having jurisdiction in Utah.

C. Definitions: As used in this section, the following words and terms shall have the meanings ascribed to them in this subsection:

1. **DISABILITY:** A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment.
2. **RESIDENTIAL FACILITY FOR THE DISABLED:** A single-family or multiple-family dwelling unit, consistent with existing zoning of the desired location, that is occupied on a twenty-four (24) hour per day basis in a family type arrangement under the supervision of the resident family or manager, and that conforms to all applicable standards and requirements of and is licensed by the Utah department of human services division of services for people with disabilities, or department of health and is operated by or under contract with that department. The dwelling must be owned by one of the residents or by an immediate family member of one of the residents, or is a facility for which the title has been placed in trust for a resident.
3. "Residential facility for the disabled" shall not include facilities for the following: secure treatment, adult daycare, day treatment, comprehensive mental health treatment, comprehensive substance abuse treatment, or domestic violence treatment, as defined in Utah Code Annotated section 62A-2-101.

D. Permitted Use Requirements: A residential facility for persons with a disability shall be a permitted use in any zoning district where a dwelling is allowed. Each such facility shall conform to the following requirements:

1. **Building and Safety Standards:** The facility shall comply with all building, safety and health regulations applicable to similar structures. As part of this requirement, the following site development standards and parking standards shall be applicable:
2. Each facility shall be subject to minimum site development standards applicable to a dwelling in the zone in which the facility is located.
3. The minimum number of parking spaces required for a residential facility for persons with a disability shall be the same as those for a dwelling located in the same zoning district in which the facility is located, subject to the following:

Kanab

Land Use Ordinance

Chapter 04 – Supplementary Regulations

- a. If support staff is employed on the premises of a facility, one additional parking space shall be required for each staff member.
 - b. Parking shall not be located within the front yard setback.
- E. Prohibited Uses: No facility shall be made available to an individual whose tenancy would:
 - 1. Constitute a direct threat to the health or safety of other individuals; or
 - 2. Result in substantial physical damage to the property of others.
- F. Requirements of Licensee: Prior to the occupancy of any facility, the person or entity licensed or certified by the Department of Human Services or the Department of Health to establish and operate the facility shall:
 - 1. Provide a copy of such license or certification to the city; and
 - 2. Certify in a sworn affidavit to the city that no person will reside or remain in the facility whose tenancy would likely:
 - a. Constitute a direct threat to the health or safety of other individuals; or
 - b. Result in substantial physical damage to the property of others.
- G. Nontransferable; Termination: The use permitted by this section is nontransferable and shall terminate if:
 - 1. The facility is devoted to a use other than a residential facility for persons with disabilities; or
 - 2. The license or certification issued by the Department of Human Services or the Department of Health terminates or is revoked; or
 - 3. The facility fails to comply with the conditions enumerated in this section.
- H. Number of Persons Limited: No residential facility for persons with a disability shall house more than eight (8) disabled persons, not related by blood or marriage.
- I. Distance to Similar Facilities: No residential facility for persons with a disability, licensed for the housing of more than three (3) disabled persons, shall be established or maintained within one thousand feet (1,000'), measured in a straight line between the closest property lines of the lots or parcels, of the following similar facilities:
 - 1. Another residential facility for persons with a disability licensed for the housing of more than three (3) disabled persons; or
 - 2. A residential facility for elderly with more than three (3) elderly persons in residence.
- J. Business License Required: For a residential dwelling for four (4) or more persons, as licensed by the Department of Human Services, Division of Services for People with Disabilities, the owner or provider shall be required to maintain a valid business license with the city.

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Land Use Ordinance

Chapter 04 – Supplementary Regulations

- K. Exemptions: A residential facility for the disabled shall not include facilities which house persons being treated for alcoholism or drug abuse, persons who are violent, who are not voluntarily residing therein, or who are residing therein as a part of or in lieu of confinement, rehabilitation or treatment in a correctional facility.
- L. Reasonable Accommodation: None of the foregoing conditions shall be interpreted to limit any reasonable accommodation necessary to allow the establishment or occupancy of a residential facility for persons with a disability.
 - 1. Any person or entity who wishes to request a reasonable accommodation shall make application therefore to the City Council, or the Council's designee, and shall articulate in writing the basis for the requested accommodation.
 - 2. Each application for a reasonable accommodation shall be decided within not more than thirty (30) days.
 - 3. If a request for a reasonable accommodation is denied, such decision may be appealed to the Appeals Officer in the manner provided for appeals of decisions applying this title.

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Section 4-31 Research and Development Activities

Adopted January 22, 2008; Amended February 11, 2025

Kanab

Land Use Ordinance

Chapter 04 – Supplementary Regulations

Research and Development (R and D) includes work directed toward innovation, introduction, and improvement of products and processes. Research and Development activities are permitted to operate as an ancillary use to listed allowable permitted and conditional uses, as defined by this ordinance.

Section 4-32 Outdoor Residential Lighting

Down Lighting: To protect the views of the night sky, and to keep light from unreasonably interfering with another's property enjoyment, 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, hooded, or directed so that no direct light is allowed to directly trespass onto adjacent properties.

*The above restrictions do not apply to street lights or public parking lots, or holiday lighting.

See Chapter 22 for Outdoor Lighting Ordinance for additional requirements.

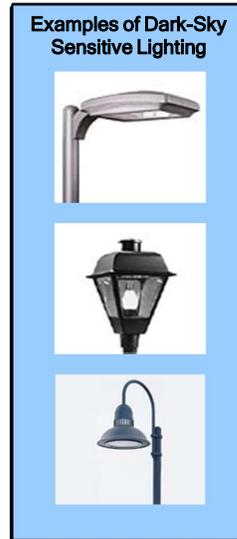
4-33 Short-Term Leases of Residential Properties.

A. Purpose: The purpose of this section is to promote the health, safety, and general welfare of the residents of Kanab City by establishing zoning regulations for short-term leases of residential property to ensure:

1. Protection of neighborhoods and the community, including compatibility with existing residences.
2. The peace and quiet of residential neighborhoods, and preservation of property values.
3. Promotion of tourism, and the generation of revenue for community members.

B. Definition:

1. Short-Term Rental Property, also referred to as a Vacation Rental Property, is property which is used by any person or entity, for temporary transient lodging use where the term of tenancy of the property is for less than thirty (30) consecutive days, for direct or indirect compensation. For this section, compensation means money, rent, or other consideration given in return for occupancy, or use of the property.



Kanab

Land Use Ordinance

Chapter 04 – Supplementary Regulations

- C. Short-Term Residential Rental Properties (also known as Vacation Rental Properties) in residential zones cannot operate until they have met the following terms:
1. Must obtain a business license in accordance with Section 9 of the Kanab City General Ordinances.
 2. Any new structure built for the purpose of human occupancy must meet the underlying setback requirements for the residential home under its relative zone.
 3. Any previously built accessory building converted for the purpose of human occupancy must meet the underlying setback requirements for the residential home under its relative zone.
 4. Living space cannot be shared by more than one private renter (no separate bookings for any space that has common/shared living areas).
 5. There shall be no more than two (2) rentals per property in Single-Family Zones.
 6. There must be an additional off-street parking space beyond the number of vehicles already normally parked at the property for every increment of four guests allowed to book.
 7. Owners are responsible for posting at the rental a list of rules as provided by the City Office.
- D. Exception to the requirements of this section:
1. A single-family owner-occupied dwelling that is part of a Home Exchange where the owners are trading rights or money to use each other's home for a short-term period. The exchange is only for a dwelling that is usually owner-occupied, and the total number of home rentals or exchanges shall not exceed six home exchanges per year, unless a Conditional Use Permit is approved for more than six rental periods per year.
- E. A Guesthouse may not be rented out at the same time an IADU is rented.

4-34 Internal Accessory Dwelling Units

- A. Purpose: To add to the long-term rental stock in Kanab City, in compliance with Utah Code § 10-9a-530, and related provisions, and to promote the health, safety, and general welfare of the residents of Kanab City, internal accessory dwelling units are established as a permitted use in any area zoned primarily for residential use, in accordance with the restrictions and requirements outlined in this section.
- B. Definition:
1. "Internal accessory dwelling unit" (IADU), as defined in Utah Code § 10-9a-530, means an accessory dwelling unit created:
 - a. within a primary dwelling unit;

Kanab

Land Use Ordinance

Chapter 04 – Supplementary Regulations

- b. within the footprint of the primary dwelling at the time the internal accessory dwelling unit is created; and
 - c. for the purpose of offering a long-term rental of thirty (30) consecutive days or longer.
2. "Primary dwelling" means a single-family dwelling that
- a. is detached; and
 - b. is occupied as the primary residence of the owner of record.
- C. In any area zoned primarily for residential use, the use of one IADU per lot is a permitted use, subject to the following restrictions and requirements:
1. The IADU must be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling;
 2. There must be one additional on-site parking space for the IADU above what is already required;
 3. The primary dwelling must not be a mobile home as defined in Utah Code § 57-16-3;
 4. The applicant must receive an IADU license from the City;
 5. The IADU cannot be created within a dwelling unit that is served by a failing septic tank; and
 6. The lot upon which the IADU is located must be at least 6,000 square feet.

4-354 Archery Range

Outdoor archery range(s) shall require a Conditional Use Permit and all applications shall be reviewed and approved by the Planning Commission. Planning Commission may recommend to City Council approval of the proposed location of an archery range for a suitable site. All of the following requirements must be met to approve the Conditional Use Permit for the archery range:

- A. Archery range may be located in any zone where a park is listed as a permitted or conditional use
- B. Archery range shall require an impermeable barrier/backstop when adjacent to any residential or commercial structures down-range (i.e. at the point of impact).
- C. Establishments must have posted and comply with rules and regulations that at a minimum meet the following:
 - Individuals under 18 must be accompanied by an adult member
 - Alcohol and any forms of intoxication shall be prohibited
 - Crossbows shall be prohibited
 - Operating hours shall not be before sunrise or after sunset (unless adequate lighting is provided)

Kanab

Land Use Ordinance

Chapter 04 – Supplementary Regulations

- D. A site plan, in accordance with Chapter 9 of the Kanab City Land Use Ordinance.
- E. A method for locking and securing the facility when not in use.
- F. At the firing line, there shall be a 50-yard distance from any non-common adjacent property lines.

Mayor
Colten Johnson
City Council
Arlon Chamberlain
Steven Shrope
Chris Heaton
Boyd Corry
Peter Banks



KANAB
—UTAH—

City Manager
Kyler Ludwig
City Attorney
Kent Burggraaf
City Recorder
Celeste Cram
City Treasurer
Danielle Ramsay

DATE: January 20, 2026
TO: Mayor and City Council
SUBJECT: Preservation of US89-A Corridor
PREPARED BY: Kyler Ludwig, City Manager

Background:

The Utah Department of Transportation (UDOT) is actively working to preserve the future right-of-way (ROW) along US-89A, from Kanab to the Arizona state line. This preservation effort is part of UDOT's long-range transportation planning and is intended to accommodate future roadway and multi-modal improvements in a rapidly developing area.

In December 2025, representatives from UDOT Region 4 met with the Mayor and City staff to discuss the corridor and review existing local development standards. While Kanab City currently maintains a setback on the east side of US-89A, UDOT is requesting additional coordination to establish a defined corridor width and protect the ROW from development until acquisition occurs.

Analysis:

UDOT has submitted a request for input on two proposed cross-section options for US-89A, with key design elements including:

- A minimum 125-foot right-of-way for a five-lane section
- Optional expansion to 150 feet if multi-modal facilities (shared-use path and sidewalk) are included on both sides

UDOT is requesting Kanab City's feedback on the following items:

1. Preferred total ROW width for long-term preservation (e.g., 125' vs. 150')
2. Which side of the corridor should accommodate the shared-use path
3. Drainage preference: urban curb & gutter or rural swale design

UDOT intends to conduct a corridor survey in the coming weeks and has committed to covering the cost of surveying and deed preparation for willing property owners through its corridor preservation program.

A formal ordinance to preserve the right-of-way will be brought to the Planning Commission for

— A Western Classic —

Mayor
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City Manager
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Celeste Cram
City Treasurer
Danielle Ramsay

review. The item was scheduled for the January meeting but will now be considered in February due to a meeting cancellation.

Legal:

Financial:

There is no immediate financial impact. UDOT will fund surveying and acquisition costs of property.

Recommendations/Actions:

It is recommended the City Council provide direction on the following:

- Preferred right-of-way width (minimum 125' or expanded 150' cross-section)
- Preferred location of shared-use path (north or south/east or west side of US-89A)
- Preference for curb & gutter vs. rural swale drainage treatment

Input will be shared with UDOT to support next steps in their preservation and design process.

Attachments:



– A Western Classic –

Jeffery Albrecht <jalbrecht@utah.gov>

to cjohnson, me, Riley, Tracy, Chris, Cody, Kurt, Kirk, ccram@kanab.utah.gov 

Mayor Johnson,

Thank you for taking the time to meet with Cody Marchant and I last month to discuss the corridor preservation between Kanab and the Az. Stateline, along Highway 89A..

We are appreciative of the efforts you have already made to help preserve the area for the future Right of Way, and look forward to solidifying a Right of Way Width that meets the needs and vision of Kanab City..

As you can see below, the current right of way is around 80+/- feet but varies some through the corridor.



We have put together 2 potential cross sections for the 5 lane section, and want to get the City's feedback on which width you would like to move forward with. UDOT is proposing, at a minimum, we plan for approximately 125 feet as shown on the attached cross section. If the City wants one or more shared use paths along the alignment, it would likely widen from there.. We do need to plan for at least one side of the road as being for All Users, bikes, etc., which will affect the overall width.. We can just do a 10 foot path on one side and sidewalk on the other. We need to know which side of the highway makes sense for the shared use path. We need to get the width established so we can record an agreement that protects the areas, until UDOT can purchase the properties.

Questions for Kanab City:

1- Do you want curb and gutter on both sides of the highway, or would you prefer a more rural feel, with drainage swales? (The more development there will be the harder it will be to construct over the drainage swales.)

2-Which side of the highway would you prefer a shared use path?

Our Survey Crew will be flying the corridor in the next few weeks, and UDOT will be hiring a consultant to Conduct the Right of Way Survey, and establish the parcels to be Purchase from owners, by UDOT. Once completed, any willing parcel owners can then sell UDOT the property for Market Value.

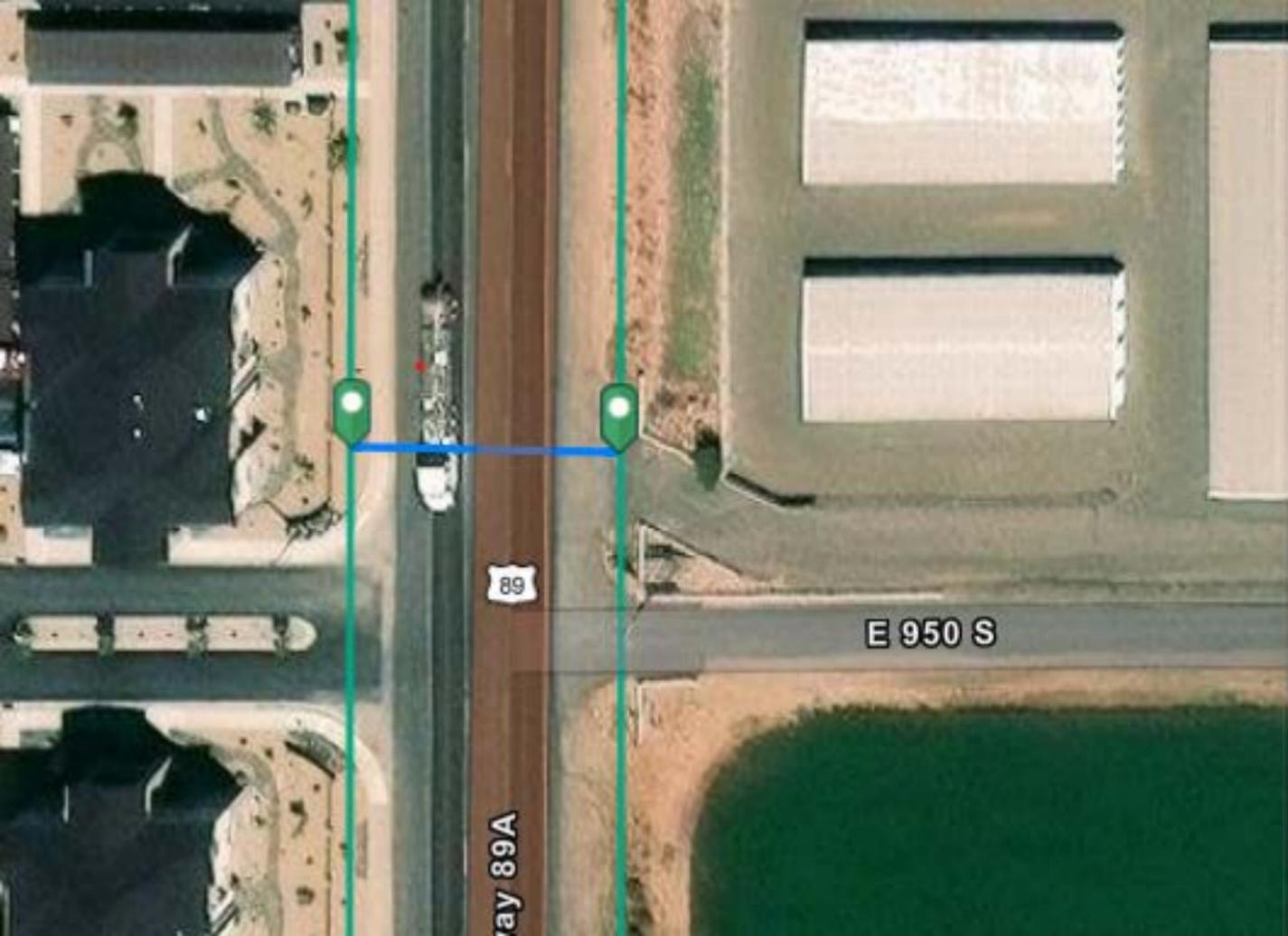
Please discuss this Right of Way width with your City Staff. We can set up another meeting in the next month to finalize the width as your schedule allows.. The costs for surveying and writing deeds for parcels will be covered by UDOT's corridor preservation program.

Thanks again for working with UDOT on this corridor preservation project. We will follow back soon..

Thank you,

--
Jeff Albrecht P.E. - P.L.S.
UDOT Region 4 Preconstruction Engineer
Office: (435) 893-4732
Cell: (435) 689-0299
jalbrecht@utah.gov





Measurement



1 Feet (US) ▾

Measurement Result

78.3 Feet (US)

Clear

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Subdivision Ordinance

Chapter 2A

Subdivision Process

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

Chapter 2A Table of Contents

Section 2A-1 Initial Application

Figure 1 – Initial Application Process

Section 2A-2 Minor Subdivisions

Figure 2 - Minor Subdivision Process

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

Figure 3 - Preliminary Plat Application Process

Figure 4 - Final Plat Application Process

Section 2A-4 Vacating or Amending a Subdivision Plat

Figure 5 – Plat Vacation or Amendment Process

Section 2A-5 Boundary Adjustment

Section 2A-6 Record of Condominium Plat

Section 2A-7 Recording of Conservation Parcels

Section 2A-8 Flag Lots

Section 2A-2 Minor Subdivision (9 or Fewer Lots)

2A-2.1. An applicant may subdivide property into less than 10 lots as a minor subdivision, provided that all proposed lots or parcels front a dedicated public street or private street, comply with the applicable zone standards, and are approved through the process as outlined herein.

Commented [KC1]: State Code allows for 10 or less

Commented [KC2]: In 2024, during the major changes to the subdivision ordinance City Council changed the requirements that commercial requirements need to front a public or private road and could not front a private lane.

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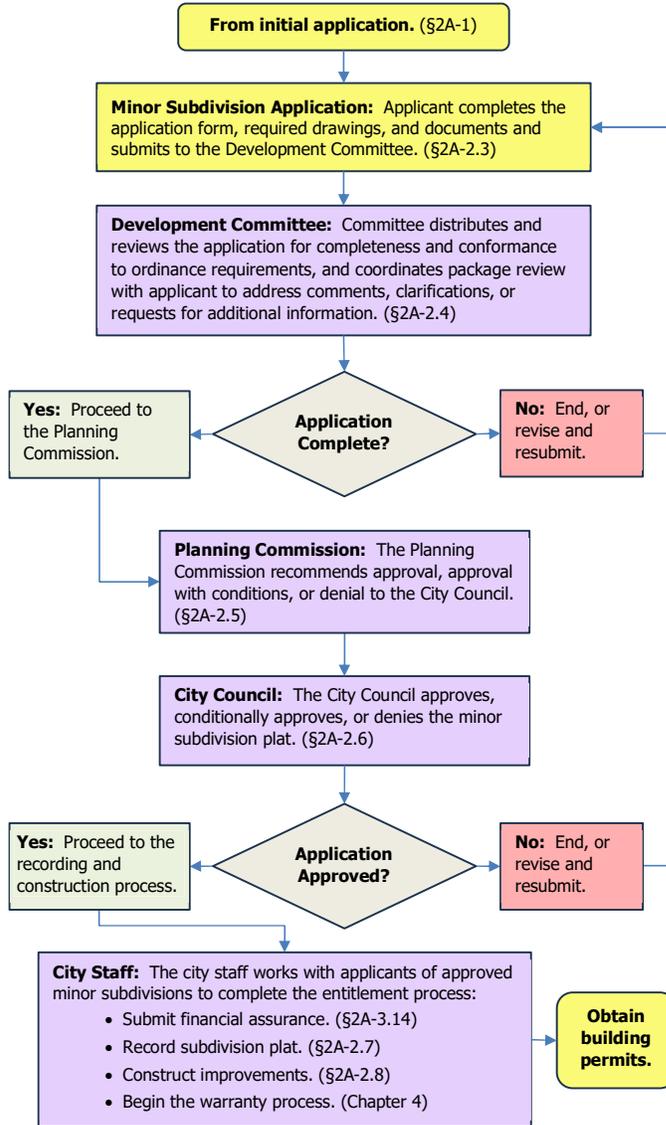
Subdivision Ordinance

Chapter 2A

Subdivision Process

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

Figure 2 - Minor Subdivision Process



Amended August 14, 2025

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Subdivision Ordinance

Chapter 2A

Subdivision Process

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

2A-2.2. Initial Application

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

2A-2.3. Minor Subdivision Application

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

2A-2.3.1. The name of applicant or authorized agent and contact information.

2A-2.3.2. The subdivision name.

2A-2.3.3. The property address and parcel number.

2A-2.3.4. Minor Subdivision Plat Drawing: Four (4) 24" x 36" size copies and twelve (12) 11" x 17" size copies of a Minor Subdivision Plat drawing. The plat shall include:

2A-2.3.4.1. The proposed subdivision name;

2A-2.3.4.2. The name and address of the applicant, engineer, or surveyor for the subdivision and owners of the land to be subdivided;

2A-2.3.4.3. The boundary dimensions and legal description of the subdivision and each lot therein, with accuracy within 0.010' and with the point of beginning clearly labeled;

2A-2.3.4.4. A minimum scale of 1" = 50';

2A-2.3.4.5. Existing rights-of-way and easement grants of record for streets, underground utilities and other public purposes;

2A-2.3.4.6. A north arrow facing the top of right margin;

2A-2.3.4.7. The latest date on each sheet;

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Subdivision Ordinance

Chapter 2A

Subdivision Process

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

2A-2.3.4.8. The acreage or square footage for all parcels or lots and the length and width of the blocks and lots intended for sale;

2A-2.3.4.9. A legend of symbols;

2A-2.3.4.10. All survey monuments;

2A-2.3.4.11. The street-indicating numbers and/or names and the lots numbered consecutively.

2A-2.3.4.12. The location, width, centerline bearings and curve data (including delta angle, radius, length, tangent and the long cord on curves) and other dimensions of all existing proposed or platted streets and easements;

2A-2.3.4.13. The streets, lots, and properties within two hundred feet (200') surrounding the subdivision shown in ghost lines; and

2A-2.3.4.14. The approval signature blocks for:

2-2.3.4.14.1. Owner's dedication and acknowledgment;

2-2.3.4.14.2. Surveyor's stamped certificate with the subdivision boundary legal description;

2A-2.3.4.14.3. City Surveyor's approval;

2A-2.3.4.14.4. City Engineer's approval;

2A-2.3.4.14.5. City Attorney's approval as to form;

2A-2.3.4.14.6. Director of Public Works' approval;

2A-2.3.4.14.7. Planning Commission acceptance;

2A-2.3.4.14.8. City Council approval; and

2A-2.3.4.14.9. County Recorder's certificate.

2A-2.3.5. Utility Service Commitment Letters: A letter from the power, water, and sewer utility provider stating its commitment to provide service to the proposed project and to be operational prior to the issuance of any building

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Subdivision Ordinance

Chapter 2A

Subdivision Process

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

permit. The application must also include written approval from the Public Health Department if it is determined that the property is not serviced by the public sewer system.

2A-2.3.6. Lot Addresses: A list of street addresses for each lot, numbered in accordance with the Kanab City address grid system.

2A-2.3.7. Title Report: A title report prepared within the previous 30 days.

2A-2.3.8. Any additional items that may be requested by the Development Committee during the initial application process.

2A-2.3.9. Fee: The minor subdivision plat fee as outlined in the Kanab City Land Use Ordinance.

2A-2.3.10. Signature and Acknowledgement: By signing the Minor Subdivision application form, the applicant acknowledges:

2A-2.3.10.1. That the applicant or agent of the applicant has read the Subdivision Ordinance;

2A-2.3.10.2. That the applicant understands the provisions of the Subdivision Ordinance; and

2A-2.3.10.3. That the applicant will fully and completely comply with the provisions and requirements contained therein.

2A-2.4. Development Committee Review:

2A-2.4.1. The Development Committee shall review the application and accompanying documentation for compliance with this ordinance.

2A-2.4.2. Copies of the application and accompanying documentation may be furnished to the City Attorney, City Engineer, Public Works Department, or other interested parties, who will review the documentation and make recommendation back to the Development Committee.

2A-2.4.3. Additional information such as a soils investigation, drainage study, deed restrictions, or other information

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Subdivision Ordinance

Chapter 2A

Subdivision Process

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

deemed necessary to fulfill the purpose of this ordinance as described may be requested from the applicant by the Development Committee during the review.

2A-2.4.4. Once all information requested has been furnished, evaluated, and addressed to the satisfaction of the Development Committee, the application will be forwarded to the Planning Commission and placed in the next available meeting agenda.

2A-2.5. Planning Commission Public Meeting: The Kanab City Planning Commission shall hold a public meeting on the application and recommend its approval, denial, or modification to the City Council.

2A-2.6. City Council Public Meeting: The Kanab City Council may hold a public meeting based on the Planning Commission recommendation on the application, and shall approve, deny, or approve with conditions.

2A-2.7. Owner's Duty to Record: The owner(s) of the approved minor subdivision shall record the approved Minor Subdivision Plat in the Kane County Recorder's Office. An applicant's failure to record within one year of City Council approval shall render the subdivision void. In such case, the applicant must commence the subdivision process anew.

2A-2.8. Improvement Requirements for Building Permits in Minor Subdivisions:

2A-2.8.1. 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.

2A-2.8.2. 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:

2A-2.8.2.1. Construct street improvements to match existing conditions on adjacent or contiguous properties; or

2A-2.8.2.2. Sign a "non-opposition" waiver for a future special improvement district.

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Subdivision Ordinance

Chapter 2A

Subdivision Process

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

2A-2.8.3. Sidewalks must be installed prior to an occupancy permit being issued, unless the requirement is waived by the Kanab City Council.

2A-2.8.4. 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.

Commented [KC3]: Staff suggests that the subdivision improvements are discussed and required with the Land Use application and not with the Building Permit.

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Subdivision Ordinance

Chapter 2B

Subdivision Process (1-2 Family Residential)

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

Chapter 2B Table of Contents

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

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

Commented [KC1]: State code allows for 10 or less

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

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

- i. All requirements are met in Chapter 4-21 of the Land Use Ordinance;
- ii. The private lane is paved if servicing more than 3 lots;
- iii. The proposed private lane will not interfere with the future transportation plans or needs of the City; and
- iv. The proposed private lane will meet the requirements for Fire Apparatus Access Roads as indicated in the International Fire Code adopted under Title 15A of the Utah State Code

Commented [KC2]: Paved how?? Would you like this to have a standard (per KC Standard Designs) for clarification.

KANAB

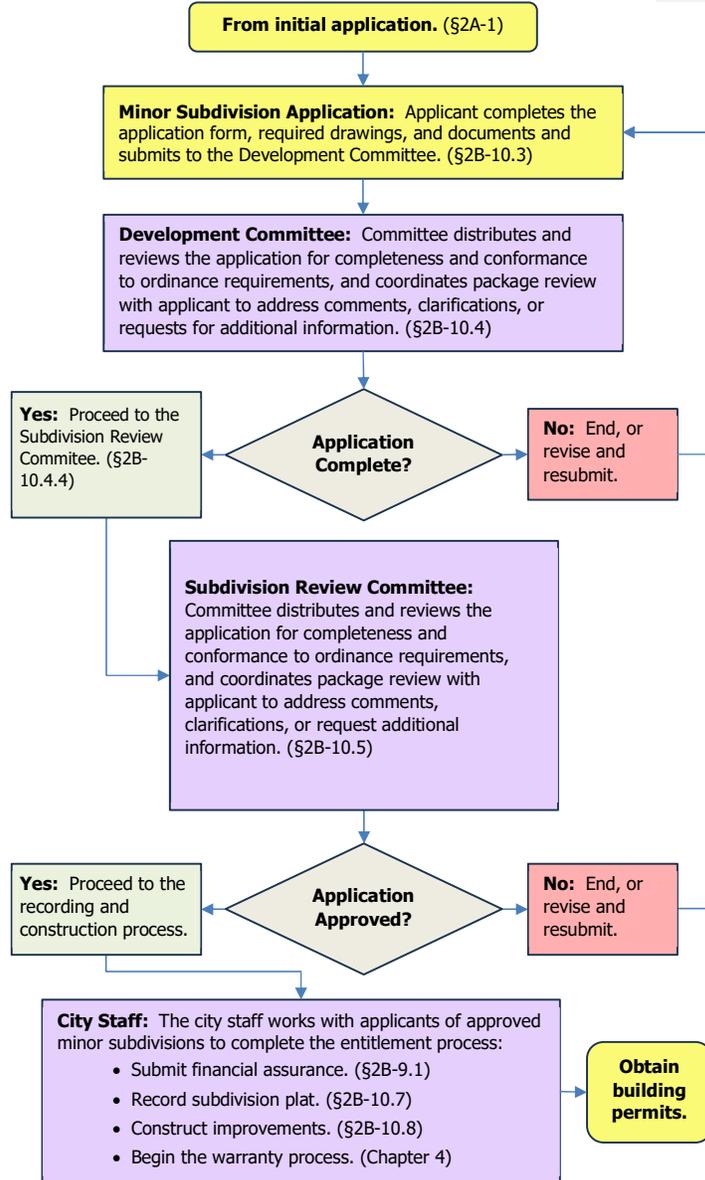
Subdivision Ordinance

Chapter 2B

Subdivision Process (1-2 Family Residential)

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

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



Adopted December 10, 2024

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Subdivision Ordinance

Chapter 2B

Subdivision Process (1-2 Family Residential)

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

2B-10.2. Initial Application

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

2B-10.3. Minor Subdivision Application

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

Commented [KC3]: This needs to be updated to meet the legislative requirements.

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

2B-10.3.2. The subdivision name.

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

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

2B-10.3.4.1. The proposed subdivision name;

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

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

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

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

KANAB

Subdivision Ordinance

Chapter 2B

Subdivision Process (1-2 Family Residential)

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

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

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

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

2B-10.3.4.9. A legend of symbols;

2B-10.3.4.10. All survey monuments;

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

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

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

2B-10.3.4.14. The approval signature blocks for:

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

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

2B-10.3.4.14.3. City Surveyor's approval;

2B-10.3.4.14.4. City Engineer's approval;

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

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

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Subdivision Ordinance

Chapter 2B

Subdivision Process (1-2 Family Residential)

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

2B-10.3.4.14.7. Planning Commission Acceptance

2B-10.3.4.14.8. City Council approval; and

2B-10.3.4.14.9. County Recorder's certificate.

Commented [KC4]: This section needs to be updated per legislative requirements

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

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

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

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

Commented [KC5]: Update to Subdivision Review Committee

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

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

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

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

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

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Subdivision Ordinance

Chapter 2B

Subdivision Process (1-2 Family Residential)

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

requirements contained therein.

2B-10.4. **Development Committee Review:**

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

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

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

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

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

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

2B-10.8. **Improvement Requirements for Building**

Commented [KC6]: Update to Subdivision Review Committee and any references to this group through this section

Commented [KC7]: We may request this but it is vague on if any subdivision improvements can be required based on the report findings.

KANAB

Subdivision Ordinance

Chapter 2B

Subdivision Process (1-2 Family Residential)

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

Permits in Minor Subdivisions:

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

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

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

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

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

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

Commented [KCB]: Staff suggests that the subdivision improvements are discussed and required with the Land Use application and not with the Building Permit. This is an administrative process and any improvement PC and CC would like addressed with subdivisions needs to be part of the ordinance for the staff to require or enforce.

Mayor
Colten Johnson
City Council
Arlon Chamberlain
Steven Shrope
Chris Heaton
Boyd Corry
Peter Banks



KANAB
—UTAH—

City Manager
Kyler Ludwig
City Attorney
Kent Burggraaf
City Recorder
Celeste Cram
City Treasurer
Danielle Ramsay

DATE: January 20, 2026
TO: Mayor and City Council
SUBJECT: Discussion on Tavern Brewery Uses – Chapter 20
PREPARED BY: Kyler Ludwig, City Manager
UPDATED BY: Janae Chatterley, Building and Land Use Administrator

Background:

In April 2023, the Kanab City Council discussed potential amendments to Chapter 20 of the Land Use Ordinance regarding commercial zoning uses, including alcohol-related establishments. At that time, the Council expressed a preference against allowing taverns or alcohol-focused businesses without accompanying food service and did not include taverns within the commercial zone uses.

The City has now received a request from community members seeking to establish a brewery taphouse that would serve alcohol without full food service. The applicants are requesting Council consideration of whether such a use could be allowed under a new or amended zoning designation.

Analysis:

The applicant has submitted a basic proposal for a tavern-style taphouse, where alcohol service would be the primary activity. The establishment would not operate as a full-service restaurant or nightclub, and while some limited food or snack options may be available, no full kitchen is proposed. The intended location is 183 S 100 E, within Kanab’s downtown core, in an area that supports walkability and proximity to other local businesses. The applicants have described the concept as a calm, community-focused gathering space intended to complement existing commercial activity.

As taverns are currently prohibited in all commercial zones under the City’s Land Use Ordinance, any consideration of this proposal would require direction from the City Council regarding potential zoning amendments or the creation of a new use category.

While any zoning amendment or new land use designation would ultimately require review and recommendation by the Planning Commission, staff is bringing this item to the City Council first for preliminary discussion, given that the Council previously reviewed and expressly prohibited

– A Western Classic –

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Celeste Cram
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tavern uses as part of the 2023 amendments to Chapter 20.

Legal:

Financial:

There is no immediate financial impact.

City Council Recommendations/Actions:

It is recommended by City Council for Planning Commission:

1. Discuss whether to allow a tavern-style taphouse (without food service) in any commercial zone
 - City Council suggests a conditional use in the land use chart.
2. City council would like Planning Commission to discuss different restrictions on the conditional use permits:
 - Zoning & Location
 - Limiting Events
 - Smaller establishments limited by square footage
 - Hours of operation
 - Food requirements
 - Limiting the number of business licenses that can be issued

Attachments:

1. Applicant's business proposal

Mayor

26 North 100 East • Kanab, Utah 84741 • Phone 435-644-2534 • Fax 435-644-2536 • www.kanab.utah.gov

City Manager

Proposal for a Community-Focused Brewery Taphouse in Kanab, Utah

Submitted for Consideration to the Kanab City Council

Applicant Introduction

Zach & Cerra Cyrus | 435.819.0109 | cerra.zach999@gmail.com

We bought our home in Kanab in 2020 after visiting several times for backpacking trips and fell in love with the area. We felt that Kanab would be a great place to start a family. We have been blessed with 3 children since moving to Kanab. Zach is a flight nurse with Classic Air Medical. He is also very active with the Kane County Search and Rescue team. Cerra mostly stays at home raising the 3 kids but she is a physical therapist at Mountain Land Physical Therapy and Zions Way Home Health and is an insurance agent selling home, auto and business policies.

Adam & Tonya Ortiz | 303.990.1564 | adamortiz.photo@yahoo.com

We have been residents of Kanab for 6 years now and local business owners of Taro Coffee Bar for nearly 4 years here in Kanab. You may of heard of our place. Customers on many occasions have asked for recommendations for a local place to sit, relax and enjoy a good refreshing cold beer later in the day. This is definitely something that is desired. We wish to create a relaxing place where people - locals and visitors can gather in the heart of town. We have yet to have any place local, that fills this niche that we can recommend. This is where the idea for a local taphouse brewery came into being. The dream is to have a clean welcoming place for all and to boost even more of the warm good feeling of Kanab as a really amazing place.

Adam & Charlotte Young | 435-899-9224 | adam.w.young@outlook.com

We have lived in Kanab since 2017 and enjoy raising our 3 children in this awesome community. I relocated my family here for work, doing marketing for SC Broadband (formerly South Central Communications) and we fell in love with this area and the people here. I have since obtained my real estate license and have made that my primary pursuit, working out of the Berkshire Hathaway Home Services office here in Kanab. Charlotte works as the executive secretary for Calvary Chapel Kanab and assists with several activities for Red Rock Dance. We both love this town and are excited about the potential to start a new business here and create a gathering place for friends, neighbors, and visitors to enjoy.

Summary

We are seeking to establish a **locally owned, responsibly operated brewery taphouse** within Kanab's downtown core. Our intent is to create a **community-oriented gathering place** that supports local business activity and visitor retention while maintaining Kanab's values of safety, respect, and quality of life.

This proposed business is **not a bar in the traditional sense**, but a **tavern-style taphouse** focused on:

- Responsible, limited alcohol service
- A calm, social atmosphere appropriate for a downtown core
- Economic activation of existing commercial space
- Strong operational and behavioral safeguards

Because Kanab's current zoning code does not explicitly provide for a tavern or brewery taphouse use, particularly one that does not require a full food-service operation, we are requesting City Council consideration for either a zoning amendment or conditional use approval that allows such a business under clearly defined standards.

Vision

This business is intentionally designed to fit within Kanab's small-town character while meeting modern expectations for a tourism-oriented downtown. Our vision is to create a place that:

- Serves as a **gathering space** for residents and visitors
- Encourages **moderation, conversation, and community**, not excessive consumption
- Complements, rather than competes with, existing restaurants
- Activates downtown during evening hours in a controlled, respectful manner
- Strengthening the downtown as a social and economic center
- Encouraging walkable and mixed-use activity
- Supporting tourism without introducing disruptive nightlife

What This Business Is

- A **brewery taphouse** with limited, regulated alcohol service
- Emphasis placed on **local and regional craft beer**
- Daytime and evening hours focused on social gathering
- A professionally managed, licensed establishment

What This Business Is Not

- Not a nightclub
- Not a late-night bar
- Not a high-volume alcohol venue
- Not a venue encouraging intoxication or disorderly conduct

We Are Committed To

- Transparency
 - Ongoing dialogue with city leadership
 - Responsiveness to community concerns
 - Operating as a respectful and responsible member of the Kanab business community
-

Proposed Scope

Location - 183 S 100 E

- Situated within the downtown core, directly off HWY 89
- Walkable to other downtown businesses
- Designed to increase foot traffic and shared economic benefit

Size & Scale

- Small to moderate footprint
- Seating designed for conversation and small groups
- No dance floor, DJ, live amplified music, or nightclub-style entertainment

Hours of Operation

- Afternoon and evening focus
- Closing hours aligned with expectations for downtown businesses
- No late-night or after-hours operation

Alcohol Service & Food Considerations

- Would operate as a tavern, not a restaurant
- Alcohol service is the primary licensed activity
- Light snacks or optional food offerings may be available but no full kitchen or food-service requirement

Economic & Community Benefits

Tourism Retention

As the regional gateway to Zion, Bryce Canyon, the Grand Canyon, and surrounding public lands, visitors to Kanab increasingly expect:

- Walkable downtown experiences
- Evening gathering places
- Responsible, regulated options for adult beverages

Providing this option helps **retain visitor spending within Kanab's downtown**, rather than displacing it to other communities.

Local Economic Impact

- Creation of local jobs
- Increased sales and tax revenues
- Increased foot traffic benefiting nearby retailers and restaurants
- Activation of existing commercial space without new infrastructure demands

Additional Consideration

We recognize and respect that some Kanab residents have thoughtful concerns about alcohol-related uses. Our business model would be structured to **limit risk, encourage responsibility, and maintain community standards**, consistent with the Kanab's emphasis on quality of life and public safety.

Responsible Use Philosophy

- No drink specials intended to encourage excessive consumption
- Calm, seated service environment
- Designed for adults but respectful of nearby family-oriented uses
- Non-alcoholic beverages prominently available

Safety & Oversight

- Full compliance with Utah DABC regulations
- Staff trained in responsible alcohol service

- Zero tolerance for disorderly or disruptive behavior
 - Coordination with local law enforcement as needed
-

Zoning Request

Kanab's current zoning code does not clearly define or allow a tavern or brewery taphouse use, particularly one that does not include full food service. We respectfully request consideration of one of the following:

- A **zoning text amendment** creating a clearly defined brewery taphouse use within the downtown core
- Approval as a **conditional use**, subject to enforceable operational standards

Suggested Conditions for Approval

- Defined hours of alcohol service
- Capacity limits
- Noise and exterior behavior standards
- Ongoing compliance with state and local regulations

These measures would provide the City with clear oversight, while allowing a business model that complements existing downtown uses rather than competing with nearby restaurants.

We appreciate the Council's time and thoughtful consideration.

LICENSEE HANDBOOK TAVERN LICENSE



UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE SERVICES

P.O. Box 30408
Salt Lake City, UT 84130-0408
Telephone: 801-977-6800 Fax: 801-977-6889
Website: www.abs.utah.gov

Effective Date June 2022

TO ALL LICENSEES

As a licensee of the Utah Department of Alcoholic Beverage Services, you are required to be aware of the responsibilities, procedures, and potential liabilities regarding the sale and service of alcoholic beverages.

This handbook has been prepared to help you with the lawful handling of alcoholic beverages. Please review this information and keep the handbook available for reference. This version of the handbook is issued in June 2022. Previously issued handbooks should be discarded as they may contain outdated information.

Our website (www.abs.utah.gov) has information about the liquor laws and rules with direct links to the complete code and administrative rules, as well as information about stores and agencies, products and prices, server training, and other interesting links. The website is regularly updated. Please review the website for information and services as they are developed.

It is our responsibility and desire to be of service and assistance. If you have questions after consulting the handbook, please call us at 977-6800, or write, or e-mail the compliance division of this department at dabscompliance@utah.gov.

TAVERN LICENSE



Allows the storage, sale, service, and consumption of beer (not heavy beer) on the premises of a tavern.

Tavern licenses run from March 1st to the last day of February. License fees are not prorated, so full fees will be due even if a new license was issued at any time during the previous year. To apply for a tavern license, a non-refundable application fee of \$300 plus a \$1,500 initial licensing fee is required. All license renewals are due by January 31st every year and the renewal fee is \$1,250.

Be prepared to renew licenses beginning January 1st through January 31st annually.

TAVERN LICENSES

are limited to a quota, formulated by the population of the state. Taverns are defined as:



- beer bars
- parlors
- lounges
- cabarets
- nightclubs

Taverns have no food requirement, but food is a good idea because it helps slow intoxication, generates additional revenue, and gives patrons something else to do besides drink. Remember it is illegal to allow someone to become intoxicated.



OPERATIONAL REQUIREMENTS

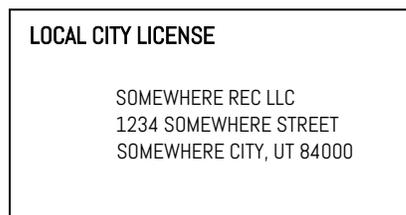
DISPLAY SIGNS - A tavern licensee must display:

- **A Warning Sign** - The template may be downloaded from our website.

The warning sign contains two messages, each of which must be in a different font. It may be used as-is or custom-made, but the size of the sign and the size of the fonts may not be any smaller than the template. The color of the print does not have to be red, and the sign does not have to be white, but it has to be easily readable and *posted in a prominent place* on the tavern premises.



- **DABS and local licenses** also need to be posted in a prominent place.



SALES AND CONSUMPTION HOURS



Beer may be sold on any day from 10:00 a.m. until 1:00 a.m. Consumption of beer is prohibited between the hours of 2 a.m. and 10 a.m. Taverns must remain open an extra hour after alcohol sales and service have ended to allow a patron to finish consuming:

- a single serving of beer not exceeding 26 ounces

Taverns do not have to remain open after all patrons have vacated the premises, or during an emergency.

PURCHASE OF BEER

Beer must be purchased from beer distributors. Licensees must call and set up an account with the appropriate distributor for their area. A list of distributors may be found on the DABS website.

Beer may also be purchased from any licensed Utah small brewer that manufactures beer. However, bar licensees may not purchase beer from any other retail outlet such as grocery or convenience stores, etc. for resale at the licensed establishment.



BEER STORAGE

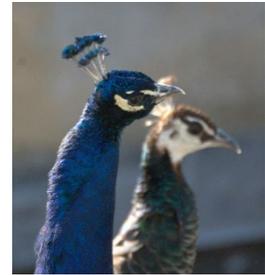


Beer may only be stored in a designated place approved by DABS on the initial application floor plan. *Any changes in the storage area(s) must first be approved by DABS.*

BEER SALES AND SERVICE



- Each tavern patron may only have two servings of beer at a time.
- Beer may be sold to an individual patron only in a container that does not exceed one liter.
- Beer flights may be sold to a patron as long as the total amount of beer does not exceed 16 ounces.
- Beer may be sold and served in pitchers, not exceeding 2 liters to parties of two or more.
- Beer sold in sealed containers may be removed from the tavern premises.



NO MORE THAN TWO

PRICE LISTS

A bar must have readily available for its patrons, a printed alcoholic beverage price list, or a menu containing current prices of all alcoholic beverages.



ADVERTISING

Signs advertising the availability of alcoholic beverages may be displayed.



ELECTRONIC AGE VERIFICATION - ID SCANNERS

The ID scanner requirement applies to all taverns whether or not they choose to restrict access by way of membership.

Taverns must electronically verify age before anyone who appears to be 35 years of age or younger may gain admittance.

Taverns must be able to read, print, or download the data in the ID scanners. Owners/managers should have the knowledge and capability to produce the data upon request of a peace officer or an authorized representative of the DABS.

The DABS does not provide a list of approved scanners. ID scanners (electronic age verification devices) are available from multiple manufacturers and vendors. An ID scanner selected must meet the requirements of rule R82-4-101 which may be viewed on our website, or a summary of requirements can be found in the TOPICS LIBRARY under 'Licensee Support.'



NO MINOR EMPLOYEES ARE ALLOWED

- Minors may not be employed on the premises of a tavern. This includes band members, construction workers, etc.
- Minors may not be admitted into, use, or be on the premises of a tavern EVER – even if closed.

EMPLOYEES

- Any employee who sells, serves, dispenses, or handles beer must be twenty-one years of age or older.
- Servers of beer must wear a unique identification badge showing the employee's first name, initials, or a number assigned by the employer and must be worn above the waist.
- Employees may not consume or be under the influence of alcoholic beverages while on duty.



Employees can be FINED for violations.

The commission is authorized to assess an administrative fine against an officer, employee, or agent of a licensee for a violation of the alcoholic beverage laws.

TRAINING

SERVER TRAINING:

The Utah Division of Substance Abuse and Mental Health Server training is required for all owners, managers, supervisors, and employees who serve (or manage those who serve) alcohol. They must take and pass an alcohol server training seminar every three years and must complete the training within 30 days of commencing employment. Go to our website for information on state-approved training programs.



DABS MANAGER TRAINING:

- EVERY MANAGER must complete the DABS "Manager Training Program" as a condition of obtaining their DABS license. Any new manager must take the training within 30 days of hire.
- A manager includes owners and employees that act in a supervisory or managerial capacity over the furnishing of an alcoholic product or the employees who serve alcoholic products.
- Training will be conducted by the DABS and the fee is \$25 per manager.

Please be careful off-duty owners or employees who have been drinking must not step back in and perform any on-duty type functions.

RECORDKEEPING

Tavern licensees are required to keep current, detailed quarterly records for expenses and sales of alcohol and food. All records must be kept for a minimum of three years.



BROWN BAGGING

Patrons may not bring in or store any alcohol on the premises of a tavern.

TEMPORARY CLOSURE OF MORE THAN 10 DAYS

You MUST notify your compliance specialist in writing if you are going to be closed for more than 10 days. Emergency closures may be granted by telephone. NOT DOING SO is an automatic forfeiture of the retail license. Failure to RE-OPEN by the approval date also results in automatic forfeiture.



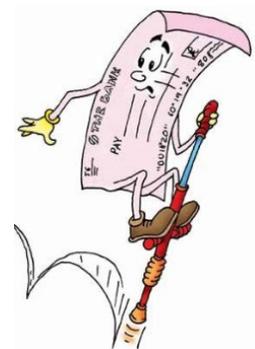
DISCOUNTING PRACTICES PROHIBITED

Beer may not be sold at a discount at any time. Other discounting practices are prohibited that encourage over-consumption of beer (i.e. happy hours, two for ones, all you can drink for a set price, free beer, or selling at less than cost).

A tavern licensee or employee may not purchase an alcoholic beverage for a patron.

BAD CHECKS

The DABS may immediately suspend the license if it receives a bad check as payment for licensing or bond fees, fines, and costs for violations, etc. A fee will also be assessed for bad checks and the licensee will be required to pay the full amount and the fee.



PROHIBITED CONDUCT

- **LEWD ACTS** - attire and sexually-oriented conduct of employees and entertainers that are considered contrary to public welfare and morals are prohibited on the premises.
- **GAMBLING** - NO paying to play a game of chance to win money or a prize. Licensees may not engage in or permit any form of gambling on its premises including contests or gaming schemes that require risking something of value for a chance of a return - including raffles, bingo, poker, etc.
- **ILLEGAL DRUGS** or drug paraphernalia - A retail licensee may not knowingly allow a person on the licensed premises to sell, distribute, possess, or use a controlled substance or use, deliver, or possess with the intent to deliver drug paraphernalia.



Kanab

Land Use Ordinance

Chapter 07 – Signs

Revised May 9, 2023

Section 7-1	General Requirements
Section 7-2	Interpretation
Section 7-3	Application and Review Procedures
Section 7-4	Sign Defined
Section 7-5	Awnings and Canopies
Section 7-6	Banners
Section 7-7	Freestanding Signs
Section 7-8	Wall Signs
Section 7-9	Projecting Sign
Section 7-10	Window Signs
Section 7-11	Monument Signs
Section 7-12	A-Frame Signs
Section 7-13	Temporary Signs
Section 7-14	Signs in Residential Areas
Section 7-15	Directional or Guide Signs
Section 7-16	Public Necessity Signs
Section 7-17	Entrance/Exit Signs
Section 7-18	Electronic Message Signs
Section 7-19	Lighting
Section 7-20	Removal of Abandoned, Dangerous or Defective Signs
Section 7-21	Prohibited Signs
Section 7-22	Non-Conforming Signs
Section 7-23	Safety in Construction and City Non-Liability

Section 7-1 General Requirements

The city council of Kanab, Utah, finds and declares that by controlling and standardizing signs in the city, the regulations set forth in this chapter will reduce potential hazards to motorists and pedestrians; encourage signs which, by their good design, are integrated with and harmonious to, the buildings and sites which they occupy; encourage legibility through the elimination of excessive and confusing sign displays; prevent confusion of business signs with traffic regulations; preserve and improve the appearance of the city as a place in which to live and trade; preserve our legendary night skies; allow each individual business to clearly identify itself and the goods and services which it offers in a clear and distinctive manner, to safeguard and enhance property values, to protect public and private investment in buildings and open space; and supplement and promote the health, safety and general welfare of the citizens of Kanab, Utah.

Section 7-2 Interpretation

The planning commission shall have the authority and duty to interpret the provisions of this chapter. In interpreting and applying the provisions, the sign requirements contained in this chapter are declared to be the maximum allowable for the purpose set forth.

Section 7-3 Application and Review Procedures

No person shall erect, structurally alter, or relocate any permanent or temporary sign without

Kanab

Land Use Ordinance

Chapter 07 – Signs

Revised May 9, 2023

first obtaining a sign permit, or a building permit from the city, unless the sign is exempt under this chapter. Sign Permits shall be procured from Kanab City office within 30 days.

Section 7-4 Sign Defined

A "sign" means and includes every advertising message, announcement, declaration, demonstration, display, illustration, insignia, surface, or space erected or maintained in view of the observer thereof for identification, advertisement, or promotion of the interest of any person, entity, product, or service. The definition of a sign shall also include the sign structure, supports, lighting system, and any attachments, or other features used to draw attention of observers to the sign.

Section 7-5 Awnings and Canopies

A. Definitions:

1. Awning: A covered structure of fabric or other material placed so as to extend outward from a building providing a protective shield for doors, windows, and other openings, supported by the building only.
2. Canopy: A roofed structure constructed of fabric or other material placed so as to extend outward from a building providing a protective shield for doors, windows, and other openings, supported by the building and supports extended to the ground directly under the canopy or cantilever from the building, or freestanding supported from the ground.

B. Where Allowed:

1. Awnings and canopies are permitted as signs in commercial and manufacturing zones but should not be the dominant architectural features.
2. Awnings must be located in a traditional manner above doors, windows, or walkways, provided that walkways lead to a bona fide entrance. All other locations for awnings are prohibited. In the Commercial C-1 zone the city has adopted design standards that are contained in Chapter 20 Commercial Zones, Section 20-8.

C. Maximum Allowed:

1. Awnings and canopies are counted as signs to the extent that a part of the awning or canopy is used for advertising purposes. The square footage of the advertising portion of an awning or canopy shall be no greater than ten percent (10%) of the total square footage of each elevation of the building, and the sign area used on the awning will be considered part of the overall 20% percent sign area allowance for each elevation plane of a building.
2. All awnings and canopies shall conform to all provisions of the building code. An awning or canopy shall maintain a minimum of eight feet (8') of clearance above any sidewalk. Any additional signs affixed to the awning or canopy, or its support will

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count toward the 20% maximum area allowed for the relevant elevation plane of the building.

3. No awning or canopy may extend over public property, except in the C-1 zone.

Section 7-6 Banners

- A. Definition: A sign made of fabric or other nonrigid material with no enclosing framework and securely attached at each end to posts or to some rigid structure or hung flush against the building wall.

Banners are intended to be of a temporary nature and not a permanent installation.

- B. Advertising Banners on Private Property:

1. Banner signs for new businesses awaiting permanent signs may be installed on the premises of a new business in order to announce the opening of such new business provided that such signs may only be erected for one continuous period not to exceed six (6) months.
2. Banners for special items and sales events may be installed for the advertised period of the sales event, and such events shall be separated by a minimum of a six (6) month period of time unless otherwise extended by approval of the city staff.
3. A permit shall be issued by the city staff for any banner request. The banner location shall be approved by the city staff.
4. Banners which are flush against a building wall shall not exceed ten percent (10%) of the elevation plane of the building.
5. No more than one banner per street front may be displayed at any one time on any business property.

Section 7-7 Freestanding Signs

- A. Definition: A permanent sign which is supported by one or more uprights, or braces which are fastened to, or embedded in the ground, or in a foundation in the ground. A freestanding sign is self-supporting and stands in place without support from any other source. For purposes of this chapter, low-profile monument signs shall be considered as a separate sign category and not as a "Free-standing Sign".

- B. Where Allowed: Freestanding signs are permitted in the commercial C-2 and C-3 zones and manufacturing zones. (Not allowed in the C-1 zone) See Monument Signs for allowed signs.

- C. Maximum Height, Size and Number Allowed:

1. Freestanding signs shall not exceed thirty feet (30') in height at grade level. A freestanding sign shall have a minimum clearance of 14 feet over driveways. A freestanding sign shall not impair the line of sight of a motor vehicle when located on private property.

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2. Freestanding signs are limited to a maximum sign area of 150 square feet unless the lot has more than two hundred fifty (250') feet of public street frontage in which case a larger sign may be permitted based on the following formulae: An additional five (5) square feet of sign area for each 25' of public street frontage over 250', up to a maximum size of 225 square feet.
3. Parcels are limited to one freestanding sign, except that properties with more than two hundred fifty feet (250') of public street frontage, may, with approval of the Planning Commission, install a second freestanding sign subject to a minimum separation of 100' between free-standing signs, and the second sign may only be up to 75% of the size of the first (main) sign. The maximum number of free-standing signs on any one parcel shall be two signs.
Exception: Corner properties are allowed to have a second sign on an adjacent street equal to the same size as the first sign.
4. Freestanding sign support poles shall be located on private property and not within a public right of way, but the sign cabinet may project over the right of way a maximum of four (4) feet and meet required heights.

D. Free-Standing signs, OFF-PREMISE:

1. In commercial zones one off-premise sign may be permitted for businesses without highway frontage but within one block of Highway 89 or 89A, provided that the property (business or service) being advertised is located within 600 feet of the off-premise sign.
2. The off-premise sign must be at least 100' from any other free-standing sign on the same property unless the signs are combined on the same pole and must also be at least 100' from a residential zone.
3. The off-premise sign shall be limited in sign area to 50% of the allowed sign area if it would have been located on premise, but in no case shall an off-premise sign exceed 100 square feet in area. An off-premises sign shall not be an electronic message sign.
4. Other regulations or permits may be required from the Utah Department of Transportation for off-premise signs located on a highway.

Section 7-8 Wall Signs

- A. Definition: Any sign erected parallel and attached to or painted on the outside wall of a building and extending not more than eighteen inches (18") from the wall and shall not extend above the wall area. A wall includes all window and wall area of each elevation of the building.
- B. Maximum Size Allowed: The total area of all wall signs shall not exceed twenty percent (20%) of each elevation of the building. Wall signs shall have a maximum size of up to 130 square feet.

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1. Signs on an awning, window, canopy, or mansard roof will be considered to be a part of a wall sign and calculated as a part of the total square footage allowed.
2. Wall murals which are purely decorative in nature and content, and do not include advertising by picture or verbal message may be approved for front and side wall by the planning commission.

Section 7-9 Projecting Signs

- A. Projecting signs that are eight (8) feet to twelve (12) feet in height may project from the front wall of a building a maximum of six (6) feet. The maximum sign area for projecting signs that are eight (8) feet to twelve (12) feet in height shall not exceed 25 square feet.
- B. Projecting signs that are over twelve (12) feet in height may project from the front wall of a building up to a maximum of ten (10) feet. The maximum sign area for projecting signs over twelve (12) feet in height shall not exceed 50 square feet.
- C. A projecting sign may also project over a public right of way up to 6' maximum provided that a minimum ground clearance of 8' over sidewalks, and 14' over driveways is maintained.

Section 7-10 Window Signs

- A. Definition: Any sign placed in a window or door of a commercial business or professional office for the purpose of advertising any product or service offered inside the business.
- B. Where Allowed: In any window or door of a commercial business or professional office located within a commercial or manufacturing zone. Window signs are exempt from the permit procedures in Section 7-3 of this chapter.
- C. Maximum Size Allowed: Window signs shall not cover more than 60% of the window or door area and are included in the overall 20% sign area allowed for any elevation which includes walls, windows and doors.

Section 7-11 Monument Signs

- A. Definition: A permanent on-premises sign, having a maximum height of ten feet (10') including base, and having a closed base that provides support for the sign.
- B. Where Allowed: Monument signs are permitted in all commercial and manufacturing zones.
- C. Maximum Size and Number Allowed:
 1. The maximum size of a monument sign is eighty (80) square feet.
 2. One monument sign shall be allowed for every 100' of public street frontage, up to a maximum of two (2) signs.

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- D. No sign shall interfere with the public right of way or clear view area at an intersection or driveway.
- E. Monument signs in residential areas:
 - 1. Monument signs may be used at the permanent entrance to a subdivision, other planned residential development, parks, schools, churches, and similar areas. Such signs will comply with all monument sign requirements set forth below:
 - i. Sign height shall be limited to six feet (6'), and a width of eight feet (8').
 - ii. The monument sign shall be located a minimum of two feet (2') behind the property line.
 - iii. Two monument signs are allowed for each subdivision to be located at different entrances to the subdivision.

Section 7-12 A-Frame (Sandwich) Signs

Definition: A-Frame (Sandwich) Signs are self-supporting signs with only two visible sides used for temporary advertising purpose, and may be permitted on commercial property subject to the following conditions:

- a. Placed so as not to obstruct the clear view of intersections and driveways as set forth in this chapter.
- b. Allowed on City right of way when there is a zero setback for the building. Businesses that meet this requirement shall not place signs on the sidewalk where it would impede pedestrian foot traffic. Sign shall not exceed eight (8) sq.ft., shall not exceed 4 feet in height and must be brought in during non-business hours.
- c. The maximum sign area for all other buildings without zero setback, shall not exceed 32 square feet, and shall not exceed 4 feet in height. One A-frame sign is allowed per business or each street frontage of the business.

Section 7-13 Temporary Signs

- A. Definition: A sign intended for outdoor use for a limited time, not to exceed 30 days. Temporary signs shall not include illumination and shall be removed upon expiration of the permit period. Uses of temporary signs include temporary sales, grand openings, holiday promotions, and approved residential banners. Temporary signs are usually installed on private property.

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- B. Temporary signs shall require a permit.
- C. Maximum Allowed: Temporary signs are allowed thirty (30) days before an event and should be removed within five (5) days following the event:
 - 1. Temporary signs shall be maintained in good repair at all times.
 - 2. Temporary signs that violate this ordinance may be removed by the city if doing so will not damage the sign after reasonable attempts have been made to ask for compliance. The sign will then be given back to the owner or discarded if considered abandoned.
 - 3. Temporary signs are permitted in any zone in the city provided that they are located a minimum of two feet (2') behind the property line. Only one temporary sign is allowed on any street frontage of the property.
 - 4. A temporary sign shall not exceed thirty-two (32) square feet in area and four feet (4') in height.
 - 5. Pennants and inflatable signs may be used for grand openings for new businesses or significant changes (e.g., additions or change in uses) to the business.
- D. Commercial and private signs are not allowed on City-owned property. Authorized Civic Event signs are allowed on City-owned property after obtaining a permit from the City and under the following conditions:
 - 1. Such signs shall not block the visibility (for vehicle or pedestrian traffic) of existing signs.
 - 2. Such signs shall not unsafely obstruct or hinder the views of vehicle or pedestrian traffic.
 - 3. Such signs can only be placed within 30 days of the Civic Event or election and must be removed within 5 days after the conclusion of the Civic Event or election.
 - 4. Such signs must not exceed 32 square feet. Temporary block letter signs will be measured by individual letter.

Civic Events are defined as a temporary or seasonal event open to the local community that are sponsored by, partnered with, or organized by the City, and other government entity.

Section 7-14 Commercial Signs in Residential Areas

Generally, non-commercial signs on private property in residential areas that do not amount to a nuisance are allowed. However, commercial signs in residential areas are only allowed under the following requirements:

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- A. A "Promotional sign" for new Residential Developments is allowed provided such sign does not exceed 12' in height and not larger than 64 square feet and is setback from the property line at least 10'. Such promotional sign shall be removed when all lots have been sold once. Promotional signs must be maintained and kept in good repair.
- B. Bed and Breakfasts, Home Occupations, or other Approved Commercial Conditional Uses may have one sign up to 16 square feet, setback at least 5' from the curb line or front property line where no curb exists.
- C. Short term yard signs may be used in residential areas immediately prior to and during a yard sale, garage sale, or while an open house is in progress. Such signs do not require prior city approval but shall be removed within one day following the yard or garage sales.

Section 7-15 Directional or Guide Signs

- A. Definition: "Directional or guide signs" are government owned signs which give direction to areas recognized by the city of Kanab to be of regional importance; may be installed at locations approved by the Kanab City Staff.
- B. Where Allowed: At sites specifically approved by the Kanab City Staff, and by the Utah Dept of Transportation for directional signs placed along Highways 89 and 89A.
- C. Maximum Allowed: No sign may exceed thirty-two (32) square feet in area, unless otherwise approved by the Kanab City Staff.

Section 7-16 Public Necessity Signs

- A. Definition: "Public necessity signs" include such things as no parking signs, street name signs, bus stop signs, speed limit signs, and other similar signs as approved by the city. These signs contain no advertising of any kind.
- B. Where Allowed: Wherever it is determined by Kanab City that such signs are needed to provide information to residents and visitors to the city.
- C. Maximum Allowed: These signs may be allowed by the city without specific permits being granted for specific signs. However, permission for signs included in this category requires specific approval by Kanab City and may require city installation.

Section 7-17 Entrance/Exit Signs

- A. Definition: Signs allowed at the entrances to and from commercial, planned development, or mixed-use property adjacent to a public street, or any way where one-way driveways have been approved by the city.
- B. Where Allowed: Not more than one sign is allowed at the entrance driveway and one sign allowed at the exit driveway of business or professional locations. Entrance and exit signs

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do not apply to individual residential properties but may be used in subdivision areas prior to the project being sold out, or in other areas subject to prior city approval.

- C. Maximum Size and Height Allowed: Each sign shall be no more than four feet (4') in height and may contain no more than six (6) square feet in area.

Section 7-18 Electronic Message Signs

- A. Definition: An electronic message center (EMC) is a sign that is capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means”
- B. Electronic message signs are permitted in the commercial and manufacturing zones when integrated into a permanent free-standing or monument type sign. A separate, stand-alone electronic message sign is not permitted within Kanab City. Off premises, stand-alone electronic message sign is not permitted within Kanab City.
- C. The electronic message portion of a free-standing or monument type sign shall not exceed 80% of the overall sign area with a maximum area of 50 sq.ft.
- D. Flashing or blinking images or lights are not permitted.
- E. Electronic message signs shall not contain any noise or audible verbal message.
- F. EMC shall not exceed 0.3-foot candles over ambient lighting conditions when measure at the recommended (ISA) distance, based on EMC size.
- G. EMCs shall incorporate a photocell or other technology to ensure the display can adjust according to ambient light conditions (day versus night). Illumination measurements shall be in foot candles not NITS.

Section 7-19 Lighting

- A. External lighting: All flood lights, spotlights and clear or white exposed bulbs must be shielded or hooded to reduce light trespass and to focus the light onto the sign.
 - a. Neon signs are acceptable without shielding.
- B. Internal Lighting: Light source from inside of the sign is encouraged. The side panels diffuse the light, reduce glare and light trespass.

Section 7-20 Enforcement of Abandoned, Dangerous, Illegal or Defective Signs

- A. Definition: Any sign which is applicable to any use which has been discontinued. Any sign in which the sign structure or body of advertisement is not kept safe and in good repair, or is defective, unreadable or otherwise not compliant within this chapter.

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- B. Requirements: All signs are to be kept in good repair physically, and the sign appearance shall be kept in good, readable condition at all times.
- C. Any sign that is abandoned, dangerous, illegal, defective, or in any way violates this ordinance is deemed a nuisance and therefore is subject to the civil, criminal, and enforcement provisions of the Nuisance ordinance found in Section 10 of the Kanab General Ordinance.

Section 7-21 Prohibited Signs

- A. Definition: These signs include types of signs that are not allowed within the city limits of Kanab City. These signs include any sign or advertising structure that was unlawfully erected without a required permit, or which fails to conform to any requirements of this chapter, or the requirements of building codes adopted by the city.
- B. Signs in this group are not permitted anywhere within Kanab City.
- C. Type of Signs Included in This Category
 - 1. Abandoned signs
 - 2. Billboards/Oversize Sign
 - 3. Animated, rotating or Flashing signs.
 - 4. Hazardous or unsafe signs.
 - 5. Mobile or portable signs, including snipe signs or similar flag or pennant-style signs (except A-frame signs or other signs as specified in this chapter).
 - 6. Off premises signs (except for off-premise signs as specified in this chapter).
 - 7. Roof signs projecting above the roofline.
 - 8. Signs of any type in zones where they are not permitted by this chapter.
 - 9. Signs resembling traffic control signs not properly authorized.
 - 10. Any sign within the public right of way other than official government approved traffic, safety, or directional signs (except for A-frame signs or other signs as specified in this chapter).
 - 11. Any non-approved sign attached to a light or traffic signal pole, or attached to a similar type pole or tree
 - 12. No noise emitting signs unless allowed by Utah Department of Transportation (e.g., assist with hearing impaired)
- D. Obstruction/Interference Prohibited: Any sign erected at or near the intersection of any street, or driveway, in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape, color, size, or lighting, may interfere with, obstruct the view of, or be confused with, an authorized traffic sign, signal, or device, or which makes the words "stop", "drive-in", "danger", or any other phrases, symbols or characters, in such a manner as to interfere with, mislead, or confuse traffic.

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Section 7-22 Non-Conforming Signs

Any sign that was lawfully in existence at the time of the effective date of this Ordinance that does not conform to the provisions herein, and any sign that is accessory to a non-conforming use, shall be deemed a non-conforming sign and may remain on a lot of record, except as qualified below. Non-conforming signs shall not be enlarged, extended, structurally altered or reconstructed in any manner.

Non-conforming signs may remain on a lot of record, provided they are kept in good repair, except for the following:

1. Remodeling. Signs undergoing structural changes or signs that have been removed from the building shall not be permitted to remain without being modified in such a manner as to be in full compliance with these sign regulations.
2. Relocation. No non-conforming sign shall be moved for any distance on the same lot or to any other lot unless such changes in location will make the sign conform to the provisions of this Ordinance.
3. Damage or Destruction of Sign. A non-conforming sign that is destroyed or damaged (excluding damage caused by vandalism or an act of God/Nature) to an extent exceeding 50 percent of its fair market value shall not be repaired, altered, replaced or reinstalled unless it is made to be in conformance with these regulations. If the damage or destruction is 50 percent or less of the fair market value, the sign may be restored within (1) one year of the destruction but shall not be enlarged in any manner.
4. Damage or Destruction of Use. A non-conforming sign shall be removed if the structure to which it is accessory is destroyed or demolished to an extent exceeding 50 percent of the principal structure's fair market-value.

Section 7-23 Safety in Construction and City Non-Liability

- A. Sign Erection Safety Precautions for Streets and Sidewalk - Whenever any sign or other advertising structure is erected in whole or in part on or over any public street or sidewalk, the person or persons performing the work shall, before proceeding to erect the same, take all precautions necessary to ensure the safety of persons and property on such street or sidewalk. Before hoisting any material whatsoever above the surface of any street or sidewalk or placing any material upon the traveled portion of any street or sidewalk, the persons or person performing such work shall exclude the traveling public from the portion of such street or sidewalk in which such work is to be done by means of suitable barriers, protected walkways and warning devices approved by the Building Inspection Department; and whenever the Department shall deem it necessary under the conditions then existing, shall provide a guard or guards to exclude all persons not concerned in the work from the portion of the street or sidewalk in which the work is to proceed. When hoisting any sign or advertising structure above the surface of any street or sidewalk, the same shall be accompanied by hoisting devices of approved design and adequate capacity to accomplish the work in accordance with approved engineering practices, all of which hoisting equipment shall be kept and maintained in good and workable condition.

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- B. City Non-liability - The City of Kanab, its Building Inspector and its other agents shall in no way be liable for any negligence of the owner, or the person responsible for the sign.
- C. Any sign installation or modification shall meet the International Building Code and all other adopted or approved national building codes.