

Memo

To: Kanab City Planning Commission
From: Levi Roberts, Associate Planner
cc: Joe Decker, Interim City Manager; Gary McBride, Business/Land-use Coordinator
Date: February 4, 2014
Re: Sensitive Lands Ordinance review

During the December 17 Planning Commission meeting, Staff recommended the following structure for reviewing the Sensitive Lands Ordinance, in preparation for recommending an amendment to the Land Use Ordinance:

1. Purpose and provisions of the ordinance (11.1, 11.2, 11.4, 11.9)
2. Development permit process, required documentation, and project compliance (11.5-11.7)
3. Development Standards (11.8)
4. Definitions (11.3)

The Planning Commission discussed each section of the Ordinance at the December 17th, and January 7th, and 21st Meetings. Staff has incorporated the changes recommended by the Planning Commission into the attached document. This includes a complete re-write of Chapter 11, and minor changes to Chapter 1 & 9 of the Land Use Ordinance and Chapter 3 of the Subdivision Ordinance. Staff requests that a legal review of these changes be performed in preparation for recommending an amendment to the Land Use Ordinance.

Chapter 11 – Sensitive Lands

An ordinance to regulate development in sensitive areas and to preserve Kanab's unique visual character, conserve the public health, safety, and general welfare, and promote sound design and planning.

Sections

- 11-1 Purpose
- 11-2 General Provisions
- 11-3 Applicable Provisions
- 11-4 Development Permit Process
- 11-5 Required Permit Documents
- 11-6 Development Standards
- 11-7 Exceptions to this Ordinance

Section 11-1 Purpose

11-1.1. The purpose of this section is to regulate development in sensitive areas in order to preserve the City of Kanab's unique visual character, conserve the public health, safety, and general welfare, and promote environmentally sound design and planning.

11-1.2. The mountains, hillsides, riparian areas, and other natural features around the community create a desirable setting, visible to the entire city. In order to insure the preservation of these features, the regulations of this section are established to recognize that development of land within these areas involves special considerations and unique situations. These special considerations and unique situations include, but are not limited to, increased hazards to development from rock falls and other geologic hazards, storm water runoff, and high ground water tables. In addition, these natural features may present design limitations to roadways, cuts and fills, and buildings, and difficulties in providing public services.

Section 11-2 General Provisions

11-2.1. The policies to be achieved by this Chapter shall include, but not be limited to, the following:

11-2.1.1. Encourage the appropriate location, design and development of proposed projects which provide enhanced human enjoyment, while protecting life and property from potentially hazardous conditions particular to hillsides such as rock falls, storm water runoff, and mass movements.

11-2.1.2. Preserve predominant views from and of the hillside areas in order to retain the sense of identity and imagery that the hills and mountains now impart to Kanab City. Protect and preserve the visual resources which are of significant value to the community, such as natural drainage areas, streams, slopes, ridgelines, rock outcroppings, vistas, natural plant formations, trees, and other areas of historical or visual significance.

11-2.1.3. Encourage innovative site and architectural design and planning in order that the development adapts to the natural terrain and is harmonious with the character of the area.

11-2.1.4. Minimize the adverse effects of grading and cut and fill operations; avoid highly visible scarring of hillsides; and discourage mass grading and terracing of large pads but permit flexibility for reasonable development practices as appropriate.

11-2.1.5. Provide hillside development standards that maximize the positive impacts of site sensitive design, grading, landscape architecture and building architecture that will protect the inherent scenic value in the proposed projects subject to this article.

11-2.1.6. Minimize adverse soil and slope instability; decrease the potential for erosion; and prohibit activities and uses which would result in the degradation of fragile soils and steep slopes.

11-2.1.7. Require the retention of trees and other vegetation throughout the site which stabilizes steep hillsides, retains moisture, prevents erosion, and

enhances the natural scenic beauty and to require additional landscaping where it is necessary.

11-2.1.8. Encourage minimal grading which relates to the natural contour of the land, which will round off sharp angles at the top and bottom of cut and fill slopes in a natural manner thereby avoiding unreasonable "padding" or "staircase" effects. Encourage road design which follows the natural topography wherever possible in order to minimize cutting and grading.

11-2.1.9. Provide land use densities to promote the best possible development of hillside areas in order to retain significant natural features.

11-2.1.10. Place the liability and expense of evaluating the condition of potentially unstable land, and determining restrictions which should be placed on its development, upon geologists or engineers employed by the landowner;

11-2.1.11. Implement the Kanab City General Plan by restricting the use of land to those uses which do not present unreasonable risks to persons or property because of geological and natural hazards and/or geotechnical limitations;

11-2.1.12. Prevent fraud in land sales relating to the geologic or other condition of real property; and

11-2.2. Notwithstanding the above, the appeal authority may grant a variance to allow building in any situation where a reliable taking analysis performed by the city attorney reveals that there is good cause for the property owner to assert that the city is taking all, or substantially all, of the value of the property being developed and that competent engineering, approved by the city engineer, reveals that the property will be graded and built upon safely. In the event that the affected landowner shall not be satisfied with the taking analysis, the landowner may seek the opinion of the state of Utah property ombudsman, which the appeal authority will then consider in making its decision on the variance. See Chapter 3 for variance criteria.

Section 11-3 Applicable Provisions

11-3.1. **Exhibit A:** The standards, guidelines and procedures established by this chapter shall apply to development of all sensitive land areas as defined in this chapter or as delineated in Exhibit A attached to the ordinance and codified herein; or in rare cases in other areas deemed to meet the intent of this chapter by the City. In addition, all properties seeking annexation or preapproval of projects pending annexation to the city will be evaluated according to the standards and procedures outlined in this chapter.

11-3.2. **Underlying Zoning:** All underlying zoning restrictions shall apply as set forth in the Kanab City Land Use Ordinance. In cases of conflict between the provisions of this chapter and other established regulations, the most restrictive provisions shall apply. Parcels containing significant areas of sensitive lands are encouraged to apply for Planned Development (PD) zoning to discourage sensitive lands from being disturbed and encourage clustering of development on land more suitable for development.

Section 11-4 Development Permit Process

Review of sensitive lands shall be performed as part of the Subdivision, Site Plan, and/or Building Permitting process, as applicable to the development.

Section 11-5 Required Permit Documents

11-5.1. In addition to documents required during subdivision, site plan, and building permitting process, the following documents are required for reviewing development containing sensitive lands, unless specifically waived by the Development Committee or City Engineer.

11-5.2. **Slope Analysis Exhibit:** All parcels containing areas with a slope of 20% or greater, as delineated in the Exhibit N: Sensitive Lands Overlay Map, shall prepare a detailed slope analysis exhibit. The slope analysis exhibit shall be reviewed during the site plan, subdivision, and/or building permit process as applicable to the development.

11-5.2.1. For the slope analysis, the applicant shall use a base topographical map of the subject site,

prepared and signed by a Utah licensed civil engineer or land surveyor. This base topographical map shall include all adjoining properties within one hundred fifty feet (150') of the site boundaries to portray the site's context.

11-5.2.2. The slope analysis calculations shall be prepared by a Utah licensed professional who is proficient in creating the exhibits with the use of computer software designed for preparing said exhibits. This slope analysis shall be prepared using CAD based or GIS based software specifically designed for such purpose. Contours on the exhibits shall be prepared using no greater than two foot (2') contour intervals with ten foot (10') contours being clearly labeled and at a scale of not less than one inch equals one hundred feet (1" = 100'). The slope analysis exhibit shall delineate slope bands, with contrasting colors, for the following slope ranges: zero percent (0%) to twenty percent (20%), greater than 20 percent (>20%) to twenty five percent (25%), greater than 25 percent (>25%) to thirty percent (30%), greater than 30 percent (>30%) to forty percent (40%), and greater than 40 percent (>40%).

11-5.2.3. Also included in the slope analysis exhibit shall be a tabulation chart indicating the land area in acres within each slope category as identified herein.

11-5.2.4. Also included in the slope analysis exhibit shall be a sufficient number of slope cross sections to clearly illustrate the extent of the proposed grading. The slope cross sections shall:

11-5.2.4.1. All be drawn at the same scale and indexed, or keyed, to the existing topography, grading plan, and project site map. Both vertical and horizontal scales shall be indicated and be of the same scale. The slope cross section shall extend at least one hundred fifty feet (150') outside the project site boundary to clearly show impact on adjacent property. Slopes shall be calculated in intervals no greater than forty feet (40') along the cross sections.

11-5.2.4.2. At a minimum, sections shall be drawn along those locations of the project site where:

11-5.2.4.2.1. The greatest alteration of existing topography is proposed;

11-5.2.4.2.2. The most intense or massive development is proposed;

11-5.2.4.2.3. The site is most visible from surrounding land uses;

11-5.2.4.2.4. Where grading will impact natural drainage conditions.

11-5.2.4.3. At least two (2) of the slope profiles shall be roughly parallel to each other and roughly perpendicular to existing contour lines.

11-5.2.4.4. The slope cross sections shall be stamped and signed by a Utah licensed professional proficient in creating such cross sections indicating the datum, source, and scale of topographic data used in the slope profiles. The signer shall attest to the fact that the slope profiles have been accurately calculated and identified.

11-5.2.4.5. The slope cross sections shall show existing and proposed topography, structures, and roadways. Proposed topography and features shall be drawn with a solid line. Existing topography and features shall be drawn with a dashed line.

11-5.9. **Geology Report:** A Geology Report shall be provided for major subdivisions which contain areas within the Sensitive Lands Overlay Zone. . A Utah licensed professional engineering geologist or a Utah licensed professional engineer who is trained and experienced in the practice of geotechnical engineering shall prepare the geology report. The geology report may be included in the geotechnical report, and shall include the following:

11-5.9.1. The location and boundaries of the project site and its general geologic setting.

11-5.9.2. A description of the specific geologic conditions at the site.

11-5.9.3. Identification of potential geologic hazards (such as faults, landslides, rockfall, flooding and liquefaction).

11-5.9.4. Conclusions and recommendations regarding the effects of the geologic conditions and any potential hazards on the proposed development, and recommendations to minimize any hazard to life or property, or any adverse impact on the natural environment.

11-5.11. Additional Exhibits or Reports: The Development Committee, City Engineer, Planning Commission and/or the City Council may request additional exhibits, documents, or reports to adequately address unique circumstances and comprehend the full impact of any proposed development. Such exhibits, documents, or reports shall be submitted with other application materials, and may include:

11-5.11.4. More detailed grading exhibits showing mitigation or grading details, based on site visits with the developer's representative.

11-5.11.5. In some cases computer generated three-dimensional imaging or photo imbedded visual simulations may be requested to adequately depict the post-development conditions and their impact on the visual character of the site. Included shall be depictions of any topographical areas with steep slopes and/or unique topographical features planned for disturbance illustrated at a distance and perspective that will adequately illustrate postdevelopment conditions along with the proposed mitigation for development. In tandem with these exhibits, pre-development digital photographs of the site shall be included showing identical views utilized in the post-development computer generated three-dimensional imaging exhibits for comparison. The number of computer generated exhibits and their locations and perspective shall be based on site visits with the developer's representative.

11-5.12. Restrictive Covenant: The Development Committee, City Engineer, Planning Commission, or City Council may require the owner(s) of the subject real

property to sign and deliver to Kanab City a restrictive covenant prior to project approval or issuance of a building permit for construction, to address the following:

11-5.12.1. A complete description of the geologic condition of the subject real property, including references to relevant reports and studies;

11-5.12.2. A description of the grading, filling, or excavating or erection of structure(s) approved in the letter report or geologic report which has been acknowledged by the City Engineer, together with the requirements and restrictions imposed thereon;

11-5.12.3. A covenant and agreement enforceable by Kanab City, adjoining landowners, and any subsequent owner of the subject real property that only the grading, filling, or excavating or erection of a structure in the acknowledged letter report or geologic report will be constructed or maintained without further compliance with this Chapter, as it may be amended from time to time.

11-5.13. **Civil or Criminal Fraud:** It shall be unlawful for any person, including the seller or the seller's representative, directly or indirectly in connection with the sale or offering for sale of real property located in Kanab City, to make any untrue statement of a material fact related to the geologic condition of the subject property. This Section shall be construed to create private and public civil causes of action in addition to creating criminal liability.

Section 11-6 Development Standards

11-6.1. All proposed development and improvements within a designated sensitive lands area are subject to the following required development standards. These standards are intended to provide a framework for development that is sensitive to the unique characteristics to properties developed in hillside, ridgeline, wetland, floodplain, and high water table areas. Their purpose is not to discourage proposals for innovative or alternative methods of design in such areas; innovation is encouraged as long as the end result is one which respects significant landform features and is consistent with the purposes expressed in this chapter and in the goals and objectives of the Kanab City General Plan.

11-6.2. Hillside Area Classifications: Lands located within a Hillside Area shall be evaluated within the following slope ranges. Each slope category range delineates the relative suitability of land for development.

11-6.2.1. Zero percent (0%) to twenty percent (20%); flat to gently rolling land: Development with grading is permitted in this zone. These areas are still subject to the requirements of the excavation and grading permit requirements of the applicable building code.

11-6.2.2. Greater than twenty percent (>20%) to twenty five percent (25%); moderate hillside: Special hillside architectural and design techniques that minimize grading and harmonize the built and natural environments are required in this zone. Architectural prototypes and infrastructure elements are expected to complement the natural landform by using techniques required herein. Impact of streets and trails is to be minimized by following natural contours where practicable.

11-6.2.3. Greater than twenty five percent (>25%) to thirty percent (30%); hillside: Development within this zone shall be restricted to slopes where it can be demonstrated with sufficient evidence to the Development Committee that slopes are safe and that environmental and aesthetic impacts can be minimized. The use of larger lots, variable setbacks, and variable building structural techniques such as stepped or pole foundations are expected. Structures shall blend with the natural environment through their shape, materials, and colors. Impact of streets and trails is to be minimized by following natural contours where practicable.

11-6.2.4. Greater than thirty percent (>30%) to forty percent (40%); steep hillside: This is a sensitive slope condition and development is limited unless a specific exception is allowed by the city council as outlined in this chapter.

11-6.2.5. Greater than forty percent (40%); mountainous: This is a severe slope condition and development is prohibited unless a specific exception

is allowed by the city council as outlined in this chapter.

11.6.2.6. Restrictions on potential development apply to hillside areas in order to preserve the character of the natural terrain as much as possible. The following provisions shall be applied to development within hillside areas.

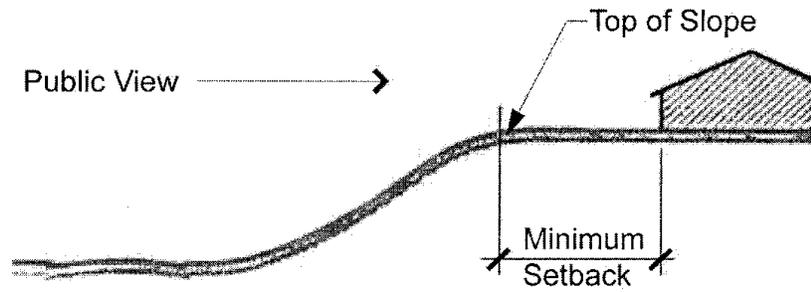
**TABLE 11.1
SLOPE AND REQUIRED OPEN SPACE**

Slope Category Percent Natural Slope	All Zones Required Open Space
0% - 20%	Underlying zoning applies
>20% - 25%	Underlying zoning applies
>25% - 30%	70 percent
>30% - 40%	90 percent
>40%	100 percent

11-6.3. Hillside Area Development Standards: the following development standards apply development occurring in hillside areas, as defined in this Ordinance.

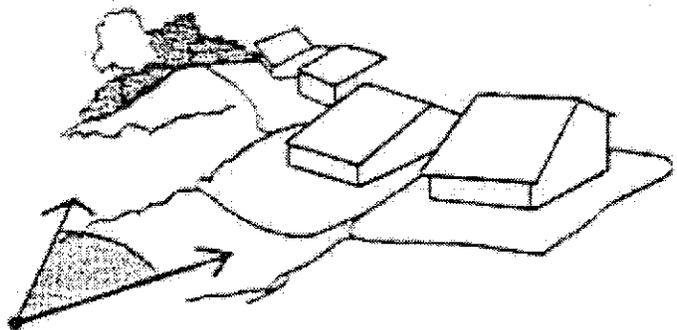
11-6.3.1. Architectural Standards: The purpose of establishing architectural design standards in hillside areas is to ensure quality development that blends with the environment and to create neighborhoods that display harmonious and complementary architectural styles. To achieve sensitive lands-compatible development, the City recognizes the importance of having architectural design that incorporates low profile rooflines and other building elements which reflect the naturally occurring ridgeline silhouettes and topographical variations.

11-6.3.1.1. Building Orientation and Setbacks: A variety of building and lot orientations shall be provided in order to encourage development suitable with the hillside character of the site. Unless a greater setback is recommended in the geotechnical report or the structure is located on a prominent ridgeline where a greater setback applies as detailed herein, a minimum building setback of fifteen feet (15') from top of slope and/or an average setback of fifteen feet (15') shall be provided from the edge of the pad.



11-6.3.1.2. Viewshed Protection:

11-6.3.1.2.1. Structures shall be designed so the slope angle of the roof pitch is generally at or below the angle of the natural hillside or graded slope.



Public Viewshed

11-6.3.1.2.2. Site planning shall emphasize the preservation of views to prominent visual features such as ridgelines, as viewed from within and outside the hillside development. This includes building orientation to allow view opportunities and locating buildings on the least sensitive portions of the site so as to preserve landforms, vegetation and topographical features.

11-6.3.1.2.3. Hillside buildings shall be stepped to follow the contours of the slope. For aesthetic reasons, exterior structural supports and undersides of floors and decks not enclosed by walls are discouraged but may be permitted with fire safety and architectural considerations adequately addressed to the satisfaction of the city.

11-6.3.1.3. Building Style: Architectural styles shall be compatible with the environment character, topography, and theme of the community. Hillside adaptive architecture, as described below, shall be used within the Hillside Area:

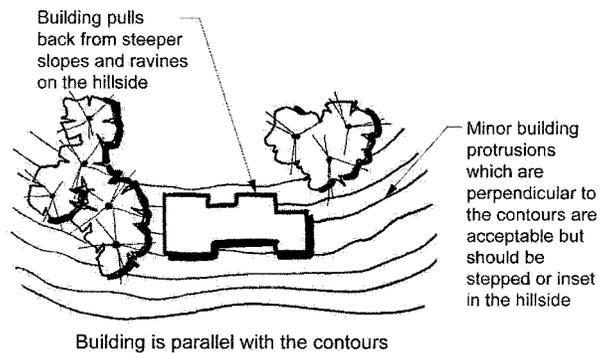
11-6.3.1.3.1. Buildings shall be stepped as necessary to minimize grading.

11-6.3.1.3.2. A variety of roof orientations and types which emphasize roof pitches reflecting the overall slope of the hillside shall be incorporated into the design of the buildings.

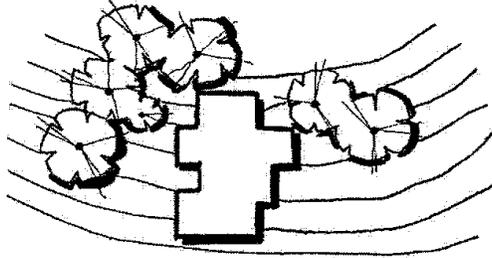
11-6.3.1.3.3. Enhanced architectural elevations are required where the front, rear or side of units face public view. Units shall avoid massive walls and monotonous patterns of building silhouettes.

11-6.3.1.3.4. The dimensions of a building, measured in the direction of the slope shall be minimized in order to limit the amount of cut and fill and to better incorporate the structure to the natural terrain.

THIS



NOT THIS



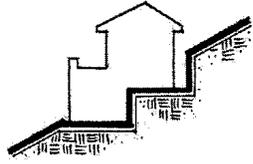
Building is perpendicular to the contours

11-6.3.1.3.4. Buildings may be clustered to respect and adapt to the existing topography. Flexible siting techniques including varying the position of the structures and varying the sizes of lots shall be used as necessary to preserve the character of the hillside setting.

11-6.3.1.4. Architectural Treatments: Publicly visible exterior walls of any building shall be designed to avoid monotonous or continuous facades. A single, continuous vertical or horizontal plane on the front and rear facade of any building is not permitted. Architectural features and details shall be incorporated in all exterior walls of the building, including the rear and sides of the building. Buildings may utilize wall articulation (i.e., insets, pop outs, etc.) and roof orientation as a means to break up the massing.

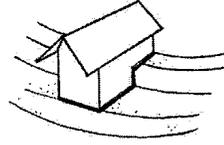
11-6.3.1.4.1. The form, mass and profile of the individual buildings and architectural features shall be designed to blend with the natural terrain and preserve the character of the natural slope. Avoid the use of large gable ends on downhill elevations. The predominant roof slope shall be oriented in the same general direction as the natural slope.

THIS

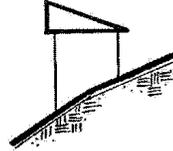


Roof slope approximates that of hillside and follows its direction, building hugs ground form better

NOT THIS



Avoid large gable ends on downhill elevations

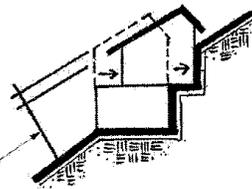


Angular forms which slope in the opposite direction to the slope of the hill destroy the relationship of the hillside and building and increase the effective bulk

11-6.3.1.4.2. Avoid large roof overhangs and cantilevers on downhill elevations to reduce the massive appearance from below.

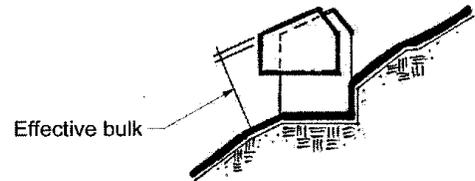
THIS

Terracing reduces bulk

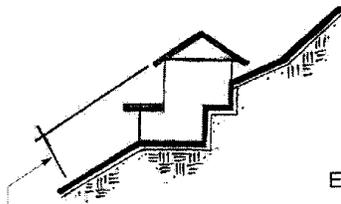


Effective bulk

NOT THIS

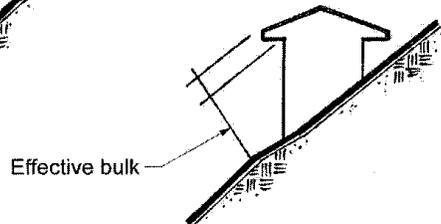


Cantilever makes building appear taller, more monumental



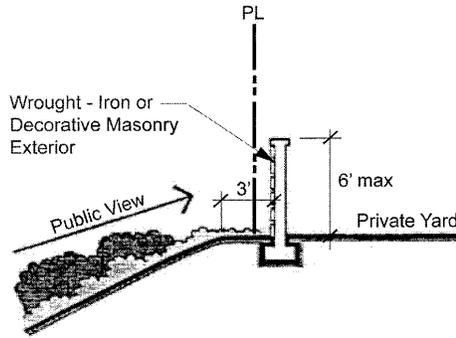
Effective bulk

Smaller overhangs for individual floors or windows help break-up mass and protect against excessive sunlight

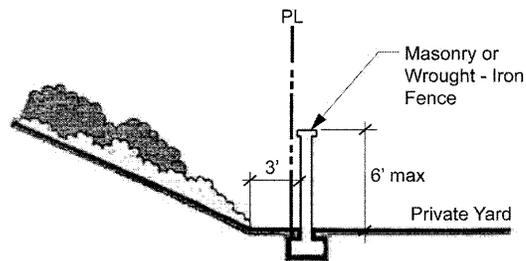


Effective bulk

Excessive roof overhang results in additional visual bulk



Top of Slope Wall



Toe of Slope Wall

11-6.3.2. Hillside Landscape Design Standards:

11-6.3.2.1. Landscaping shall be designed to stabilize graded slopes, prevent erosion and be compatible with surrounding natural vegetation.

11-6.3.2.1.1. *Cut Or Fill Slopes:* All plant material used on cut or fill slopes shall be as nearly compatible with plant material found on adjacent undisturbed hillsides as possible. Such slopes shall use Xeriscaping landscape methods with no irrigation systems allowed on or adjacent to the slope itself.

11-6.3.2.1.2. *Pad Sites Or Flat Areas:* All plant materials on pad sites or relatively flat areas shall be of a desert type requiring little or no irrigation. Hand watered fired pots or other similar watertight containers may be used to hold additional landscape materials. Any lawn area shall consist of artificial grass. Rocks and colored or natural stones make desirable

landscape materials for pad areas. Any other proposed landscaping should consist of low water plantings with minimal irrigation requirements.

11-6.3.2.1.3. *Terraced Areas:* On terraced areas between retaining walls, minimal desert type landscaping may be considered using the same methods as used for pad sites.

11-6.3.2.1.4. *Slope And Landscape Maintenance:* Homeowners' associations (HOAs) and assessment districts or other acceptable legal entities are required in hillside areas to maintain common open space. All landscaped slopes not included within a landscape maintenance district (LMD) shall be maintained by an HOA or a property owners' association (POA) for the permanent maintenance of landscaped slopes and other areas. An HOA or POA shall be required to establish a maintenance district with responsibility for maintenance. Should the HOA disband or neglect their duties to maintain the slopes and landscaping, the city may contract with a landscape maintenance contractor for ongoing maintenance and place a lien against any and all private or common areas in the project to ensure repayment to the city of any incurred expense.

11-6.3.2.2. Prior to an occupancy permit being issued, landscaping plans for individual homes within any development must be reviewed and approved by the city to assure compliance with this chapter and any conditions imposed during the hillside development permit process.

11-6.3.3. Retaining Walls: The purpose and intent of establishing development standards for retaining walls is to ensure that the retaining walls are structurally sound. The location of all retaining walls, privacy walls, and fences along with their proposed heights, materials, shall be shown on the grading plan and concept plan. All retaining walls, privacy walls and fences shall be located within the maximum limits of disturbance for each lot or parcel.

11-6.3.3.1. General Standards:

11-6.3.3.1.1. The maximum length of any continuous retaining wall shall not be more than two hundred (200) linear feet.

11-6.3.3.1.2. Retaining walls shall be used for the purpose of containing fill material or for minimizing cut or fill slopes. The retaining wall may only extend six inches (6") above the material it is retaining.

11-6.3.3.1.3. A retaining wall shall not block or restrict vehicular access to a dedicated or implied dedicated alley, accessway, pedestrian access, trail, sidewalk, easement, or right of way.

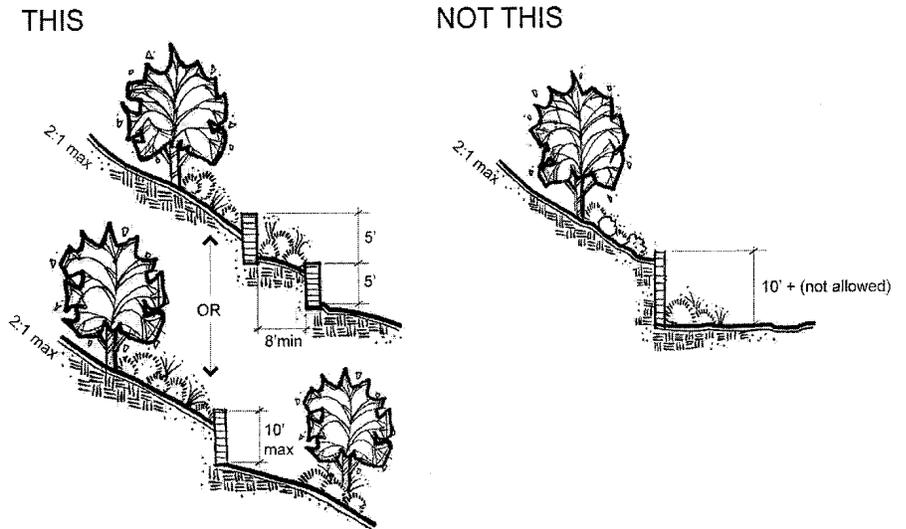
11-6.3.3.1.5. Curved retaining walls that follow the natural contours are strongly recommended, but not required.

11-6.3.3.1.6. All retaining walls as well as all freestanding walls and fences shall comply with the adopted building codes of the city.

11-6.3.3.2. Height Standards:

11-6.3.3.2.1. No portion of a retaining wall shall exceed ten feet (10') in height as measured from the immediately adjacent lowest natural or finished grade to the top of wall unless it can be demonstrated in the overall mitigation plan for cuts and fills that taller walls will not detract from the surrounding terrain. Retaining walls shall not be stacked or terraced in any manner that increases their combined height beyond ten feet (10'). If desired, two (2) subwalls may be stacked or terraced to a maximum combined height of ten feet (10'). A minimum separation of six feet (6') is required between subwalls as measured from face of wall. The separation area between the sets of subwalls shall be planted with low water use/low maintenance shrubs or other vegetation as approved in the landscape plan. This vegetation will help reduce the apparent visual height of the walls. Tree planting in the zone

between subwalls requires a separation of at least twenty feet (20').



11-6.3.3.2.2. For purposes of this subsection, retaining walls are not considered stacked or terraced if there is a minimum horizontal separation of ten feet (10') between sets of retaining walls. With the minimum ten foot (10') separation, each retaining wall set may be constructed to the maximum allowed height; either the nine foot (9') height or the taller height demonstrated that would not detract from the surrounding terrain. The separation area between the sets of retaining walls shall be planted with low water use/low maintenance shrubs or other vegetation as approved in the landscape plan. No more than three (3) adjacent retaining walls (or 27 feet in total height) will be allowed.

11-6.3.3.2.3. Retaining walls may be constructed to varying heights throughout a development.

11-6.3.3.2.3.1. Retaining walls constructed in the side yard area between two (2) homes shall not exceed a height of four feet (4'); provided that such wall does not extend into a required front yard setback adjacent to a street.

11-6.3.3.2.3.2. Retaining walls constructed in the rear yard area of a lot shall not exceed a height of eight feet (8').

11-6.3.3.2.3.3. All planting areas between and adjacent to retaining walls shall be provided with an automatic irrigation system suitable for low water use vegetation. Such irrigation system shall be approved and inspected prior to the construction of any wall.

11-6.3.3.2.3.4. Where a retaining wall contains fill above the natural grade and is located within a required setback yard, the height of the retaining wall shall be considered as contributing to the permissible height of a fence or wall at that location. A nonview obscuring fence up to three and one-half feet (3.5') in height may be erected at the top of the retaining wall for safety.

11-6.3.3.2.4. Retaining walls not exceeding six feet (6') in height are permitted adjacent to structures in order to provide a private outdoor area.

11-6.3.4. Disturbance Limitations: The following criteria shall be applied in establishing the limits of disturbance for a site:

11-6.3.4.1. Adverse visual impacts from within and without the development shall be minimized unless doing so precludes another objective of this chapter. The screening of cuts and fills, and the visual protection of prominent ridgelines, rock outcroppings, scenic views, and the natural terrain is required unless doing so precludes another objective of this chapter.

11-6.3.4.2. Disturbed slopes should be treated to minimize erosion, and natural drainageways shall be protected unless doing so precludes another objective of this chapter.

11-6.3.4.6. The maximum limits of disturbance shall be identified on each lot or parcel of the approved site plans and subdivision plats and shall include all graded, excavated, and filled areas, the areas occupied by main and accessory structures, hard surface areas that include driveways, walkways, patios and parking areas, and all other areas of disturbance or non-native vegetation.

11-6.3.4.7. All lots and building pads shall be graded during construction of the development, including all retaining walls, roadways, utilities, and all other improvements needed to complete the site work. No building permits for structures will be issued or recordation of any subdivision plats prior to completion of all site work..

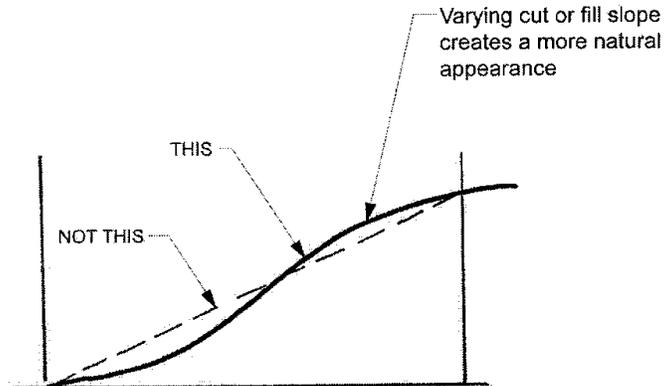
11-6.3.5. Grading Design: Grading for all developments shall be designed to blend with the contours of the adjacent natural terrain.

11-6.3.5.1. Limits Of Grading: No grading, cutting, filling, excavating, benching or terracing of any proposed lot or parcel shall go beyond the maximum limits of disturbance for each lot or parcel as provided herein.

11-6.3.5.2. Cuts And Fills: All cuts and fills shall be minimized and shall be included within the maximum limits of disturbance for each lot or parcel. All cut and fill areas shall be re-contoured to the natural, varied contours of the surrounding terrain with a maximum slope transition back to the natural grade no greater than two to one (2:1). Slope ratios greater than two to one (2:1) are prohibited except for approved cuts into solid rock only. Any such proposed cut into rock shall be reviewed for appropriateness, suitability, and visual impact in order to grant approval if warranted. For approved cuts into solid rock, the slope may be as steep as one-half to one ($1/2:1$) if recommended by a Utah licensed professional engineer who is trained and experienced in the practice of geotechnical engineering, and if the visual impact of the cut can be adequately mitigated. All areas of cut and fill shall be protected from erosion during the period of construction and shall be permanently planted or otherwise protected from erosion within

twenty (20) days of the completion of grading and excavation as identified by the approved landscape plan.

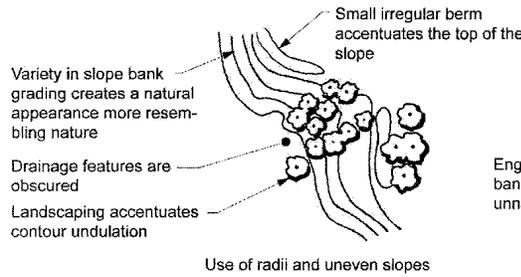
Where cut or fill conditions are created, slopes shall be varied and rounded where feasible rather than left at a constant angle which may be unstable or create an unnatural, rigid, engineered appearance.



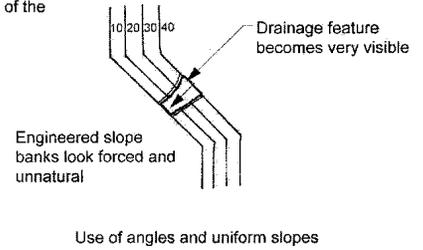
11-6.3.5.3. Cuts And Fills Visual Mitigation: The visual impact of cuts and fills shall be mitigated by methods approved by the city council. Mitigation shall predominantly be contour grading along with plantings as identified on the approved landscape plan that will stabilize the cut or fill slope and blend with the surrounding vegetation. Other mitigation may include, but is not limited to, the placement of buildings so as to screen the cuts and/or the placement of retaining walls designed to blend with the surrounding terrain to stabilize the cut and blend with the surrounding terrain. The use of retaining walls is to be as limited in scope and height as feasible to ensure the visual predominance of vegetation. Contour grading techniques shall be used to provide a natural appearing variety of slope transitions, slope percentage and slope direction in a three-dimensional undulating pattern similar to existing terrain.

11-6.3.5.3.1. Cut and fill operations shall be given a rounded appearance that closely resembles the natural contours of the land.

THIS

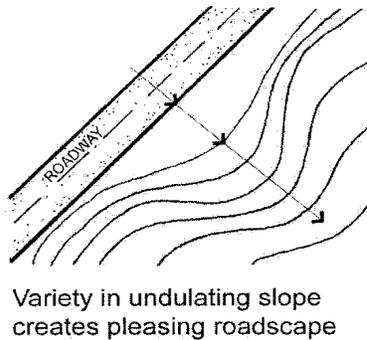


NOT THIS

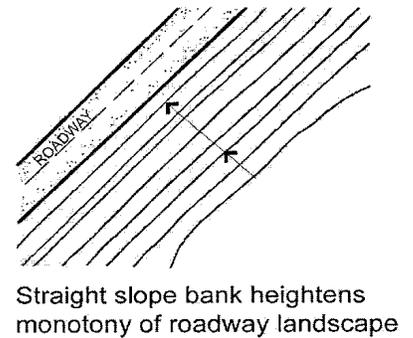


11-6.3.5.3.1. Graded slopes adjacent to roadways shall be softened by sufficient berms, contour grading, and/or landscaping to create natural, varied and pleasing streetscapes.

THIS

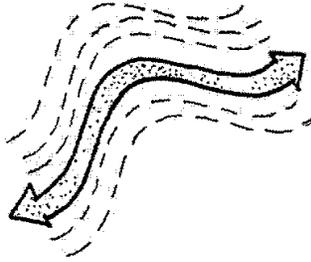


NOT THIS



11-6.3.5.4. Street And Driveway Alignment: Street alignments shall run generally parallel along the contours of the natural terrain. Short sections of streets that run perpendicular to natural contours and serve the purpose of connecting main parallel sections of streets are permitted and shall follow the natural curves of drainageways where practicable. Streets shall not greatly alter the physical and visual character of a hillside by creating large notches in ridgelines or by defining wide straight alignments. Contour grading techniques shall be employed on all streets and associated cut and fill areas to minimize any adverse impacts. Reduced width road sections, split road sections, and split parking bays are potentially acceptable techniques to employ in the layout of hillside streets to reduce grading.

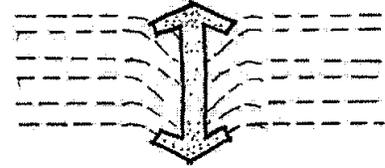
THIS



Reduce grading by aligning roads along natural grades

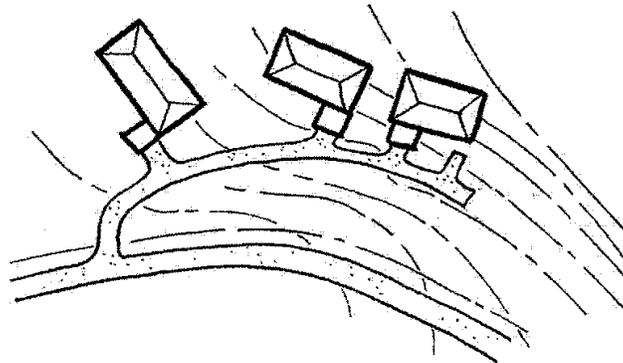
NOT THIS

Roads and hillside grading.



Avoid running counter to steep grades except where necessary for connecting roads parallel to contours

The portions of driveways that run perpendicular to natural contours and serve the purpose of accessing building lots and parcels shall be as short as practicable. Driveways that serve more than one parcel are permitted as a method of reducing unnecessary grading, paving and site disturbance. If lots and parcels will be sharing driveways, cross use easements shall be recorded with the subdivision.

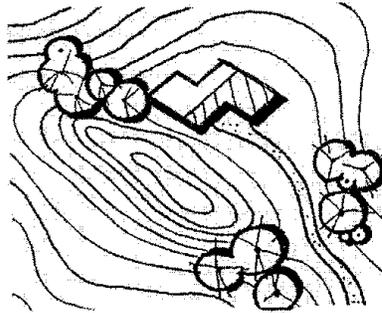


Shared driveways can reduce grading.

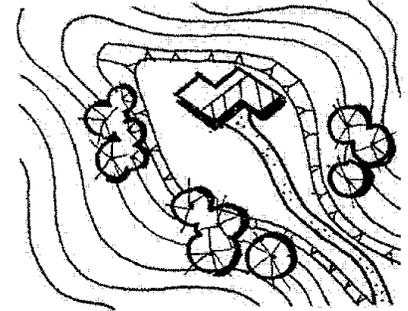
11-6.3.5.5. Open Space Trails: Trails through open space shall be located such that cuts and fills are minimized and visual character is preserved.

11-6.3.5.6. Building Site Grading: Building site grading shall be minimized so as to preserve natural features. Careful consideration shall be given to the general orientation of the slope when locating structures.

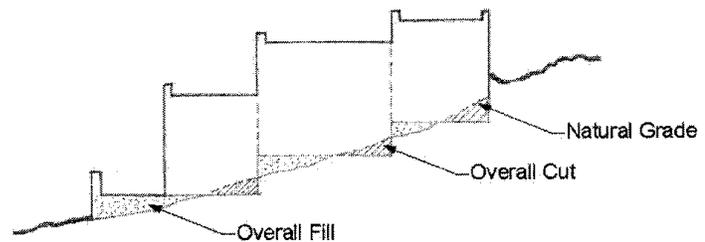
THIS



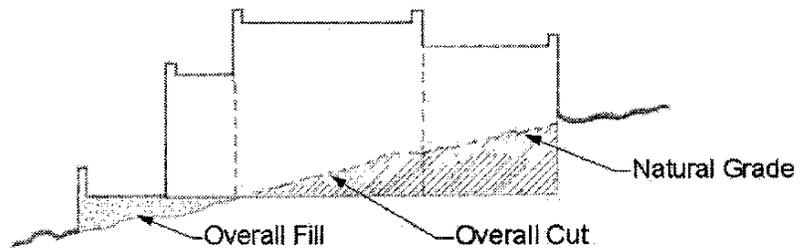
NOT THIS



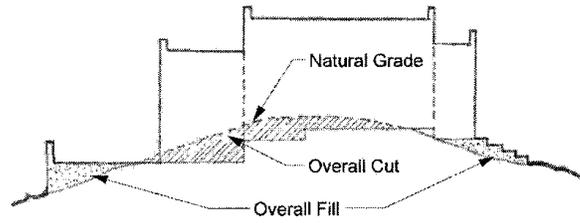
11-6.3.5.7. Cut And Fill Conditions: On each building site, careful consideration shall be given to the cut and fill conditions such that a balance is achieved where feasible and consistent with the intent of this chapter to minimize the visual impact of grading. Different terrain conditions call for corresponding different cut and fill solutions such that the structure fits well into the topography as illustrated below. Impact to natural drainageways shall be avoided.



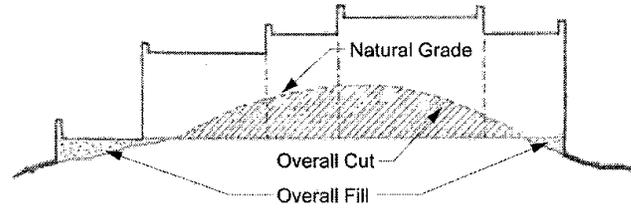
Sloping Site - Conceptual Terraced Floor Levels



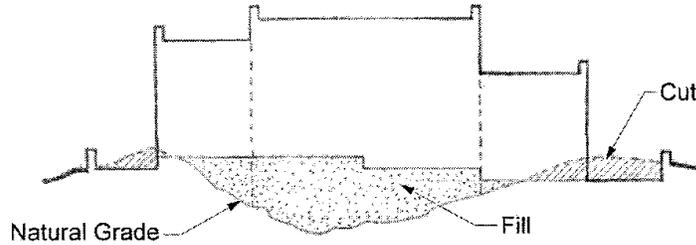
Sloping Site - Conceptual Single Floor Levels



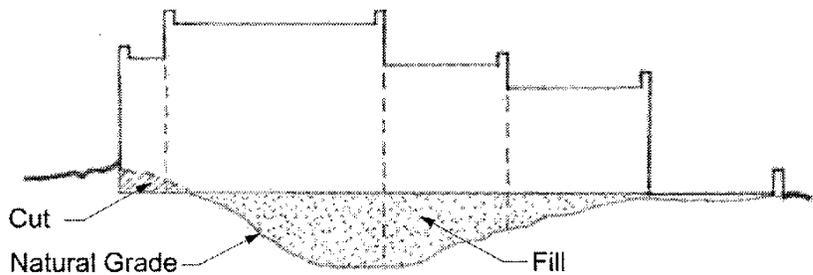
High Center Site - Conceptual Terraced Floor Levels



High Center Site - Conceptual Single Floor Level



Low Center Site - Conceptual Terraced Floor Levels



Low Center Site - Conceptual Single Floor Level

11-6.4. Prominent Ridgeline And Mesa Edge Visual Preservation: To minimize the adverse visual impacts that new development can have on prominent ridgelines and their associated viewsheds, the following setbacks shall apply:

11-6.4.1. For new developments the minimum setback from a prominent ridgeline, as shown on the Sensitive Lands Overlay Map, is fifty feet (50') for one-story structures and sight obscuring privacy fences and walls unless a greater setback is recommended in the geotechnical report.

11-6.4.2. The setback is one hundred feet (100') for 1¹/₂- and two-story structures unless a greater setback is recommended in the geotechnical report.

11-6.4.3. Greater setbacks may be recommended in the geotechnical report or by the City Engineer or Development Committee for safety and stability.

11.6.5. Floodplain Areas: Developments proposed to occur within floodplain areas shall be subject to the Kanab Flood Damage Prevention Ordinance.

11-6.6. Corrective Work: Nothing in this section shall prohibit the city from authorizing grading deemed necessary to correct previously disturbed natural areas or existing hazardous conditions that are on site but not a part of the proposed development area that are brought to the city's attention, in which case the applicant will investigate possible alternatives with subsequent review by the Development Committee, City Engineer, Planning Commission and/or City Council.

Section 11-7 Exceptions to the Ordinance

11-7.1. The following actions and activities are exempt from the application procedure of this article. However, while these actions are exempt from specific requirements, the development standards necessary to accomplish the purpose and intent of this article shall be met (e.g., the mitigation of disturbed areas that are not planned for development in the foreseeable future).

11-7.1.1. Construction or minor excavation that does not require a grading permit or a building permit.

However, development plans shall be submitted to the community development department for city review to determine possible mitigation requirements prior to any actions or activities taking place.

11-7.1.2. The construction and installation (trenching, utility construction and backfilling) of underground utility systems.

11-7.1.3. The re-grading of existing lots for landscape installation provided such re-graded area is within the buildable area of the development.

11-7.1.4. Pool/spa construction that does not involve the construction of any retaining walls over four feet (4') in height, whether or not such retaining walls are part of the pool structure.

11-7.1.5. Additions to existing structures and/or construction of accessory structures within the buildable area of a lot unless a grading permit for establishment of same is required.

11-7.1.6. Any project that has received final city approval prior to the effective date of this article, provided that such permit or approval has not expired, is not otherwise revoked, and is in compliance with the zoning requirements that this article supersedes.

11-7.1.7. The construction of a public street identified in the Kanab City General Plan and/or Transportation Master Plan that is not part of any overall development project (e.g., a street proposed primarily for improved circulation within the city and not to provide access to any particular parcel or development).

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

building or structure, but not including signs.

As Graded - The surface configuration upon completion of grading.

Area - The area within a lot which is susceptible of use for construction, accessory or appurtenant use. The area to be considered as qualifying for lot area or minimum area shall not include (a) land which is separate from the area where the proposed building will occur by topographic division or physical boundary, (b) land which is not available for construction, accessory or appurtenant use by reason of slope, regular presence of water, geologic condition, soil conditions, or other such practical inhibitions to use, or (c) land which is not available for construction, accessory or appurtenant use by reason of legal restriction.

Automatic Car Wash - A facility for automatic or self-service washing and cleaning of automobiles and small trucks not exceeding one and one-half (1 1/2) tons capacity.

Automobile Sales Area - An open area used for display, sale, or rental of new or used motor vehicles, mobile homes, recreational coaches, or recreation vehicles in operable condition.

Automobile Service Station - A place where gasoline, or any other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and services are made directly to motor vehicles, and where services performed may include tube and tire repair, battery charging, storage of merchandise, lubricating of automobiles, replacement of spark plugs, lights, fans, and other small parts, but not including garage-vehicle repair.

Average Percent of Slope - An expression of rise or fall in elevation along a line perpendicular to the contours of the land, connecting the highest point of land to the lowest point of land within an area or within a lot. A vertical rise of one hundred (100) feet between two points one hundred (100) feet apart, measured on a horizontal plane is a one hundred (100) percent slope.

Basement - A story whose floor is more than twelve (12) inches below the average level of the adjoining ground, but where no more than one-half (1/2) of its floor-to-

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

ceiling heights is above the average contract level of the adjoining ground. A basement shall be counted as a story for purposes of height measurement, and as a half-story for the purpose of side-yard determination.

Basement House - A residential structure without a full story structure above grade.

Bed and Breakfast Inn - A building of residential design, in which the property owner personally resides on premises, in which no fewer than one (1) but not more than (5) rooms are rented out by the day, for not more than four (4) guests per room, not to exceed fifteen (15) consecutive days per quest, offering overnight lodging and meal services to overnight guests.

Beginning of Construction - The placing of concrete footings for a building or structure.

Bench - Relatively level step excavated into earth materials on which fill is to be placed for intermediate drainage area.

Berm - A low mound of earth graded in a linear or undulating form; often used as a noise or visual barrier.

Block - The land surrounded by streets or other rights-of-way, other than an alley, or land which is designed as a block on any recorded subdivision plat.

Body and Fender Shop - A facility for major automobile, truck, mobile home, recreational coach or recreation vehicle repairs to body, frame, or fenders, and including rebuilding.

~~**Buildable Area** - The portion of a lot remaining after required yard setbacks have been established.~~

Buildable Area - That portion of a lot or parcel which is eligible to place a building or structure and complies with the setbacks and other regulations of the zone where the property is located.

Building - A structure having a roof supported by columns or walls.

Building and Sensitive Lands - Any structure used or intended to be used for the shelter, or enclosure of persons, animals, or property.

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Indent: Left: 2.5"

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

Formatted: Font: Arial

Formatted: Font: (Default) MS Reference Sans Serif

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

Building, Accessory - A building which is subordinate to, and the use of which is incidental to, that of the main building or use on the same lot.

Building Front - means the primary front entrance of a building as viewed from the public street to which it is orientated. The area of a building front is calculated as the height multiplied by the width of the primary front.

Building, Height of - The height of a building or structure is the vertical dimension measured from highest point on the exterior of the building or structure to the nearest point of finished grade.

Building Inspector - The official designated as the building inspector for the City of Kanab by the Kanab City Council. The Kanab City Building Inspector may also be the Kanab City Zoning Administrator, if so designated.

Campground - A public area designated by a public agency for camping, or a private area licensed by the City of Kanab for camping.

Camping - A temporary establishment of living facilities such as tents or recreational coaches as regulated by this City Ordinances.

Canyon - A deep, narrow valley having high, steep slopes.

Carport - A private garage not completely enclosed by walls or doors. For the purposes of this Ordinance, a carport shall be subject to all the regulations prescribed for a private garage.

Cellar - A room or rooms wholly under the surface of the ground, or having more than fifty (50) percent of its floor to ceiling height under the average level of the adjoining ground.

Child Nursery - An establishment for the care and/or the instruction of six (6) or more children, for compensation, other than for members of the family residing on the premises, but not including a public school.

Church - A building, together with its accessory buildings and uses, maintained and controlled by a duly-recognized religious organization where persons regularly assemble for worship.

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

Clinic, Dental or Medical - A building in which a group of dentists, physicians, and allied professional assistants are associated for the conduct of their profession. The clinic may include a dental and/or a medical laboratory and an apothecary, but it shall not include in-patient care or operating rooms for major surgery.

Club, Social - Any organization, group, or association supported by its members where the sole purpose is to render a service to said members and their guests.

Clustering - Land planning technique appropriate for large subdivisions in which some areas are reserved as open space. Clustering allows the permitted units in an area to be grouped more densely in the most developable parts of a site.

Combination of Buildings - Two or more buildings that are on adjoining parcels as measured from the outside exterior walls of two of the buildings.

Common Ownership of Management - Owned, leased, possessed, managed or otherwise controlled, in any manner, directly or indirectly:

- A. by the same individual(s) or entity(ies) including but not limited to corporation(s) partnership(s) limited liability company(ies) or trust(s), or
- B. by different individuals or entities, including but not limited to corporations, partnership(s), limited liability companies or trusts where such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies) with respect to the Retail Businesses, or where the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent stockholder, director, member, officer or trustee of the entity(ies).

Conditional Use - A use of land for which a conditional use permit is required, pursuant to this Ordinance.

Condominium - An ownership structure established in accordance with the Utah Condominium Act.

Contour - A line drawn on a plan which connects all points of equal elevation.

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

Contour Grading - A grading concept designed to result in earth forms which resemble natural terrain characteristics. Horizontal and vertical curve variations are often used for slope banks. Contour grading is not necessarily minimal grading.

Convenience Store - Any retail establishment offering for sale a relatively limited selection of prepackaged food products, household items, and other related goods and may include gasoline or fuel sales and is characterized by a rapid turnover of customers and high traffic generation and does not include a store which is solely or primarily a restaurant.

Corral - A space, other than a building, less than one (1) acre in area, or less than one hundred (100) feet in width, used for the confinement of animals or fowl.

Court - An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two (2) or more sides by such building or buildings.

Coverage, Building - The percent of the total site area covered by buildings.

Crosswalk or Walkway - A right-of-way to facilitate pedestrian access through a subdivision block; designed for use by pedestrians and not for use by motor vehicles; may be located within or without a street right-of-way, at grade, or separated from vehicular traffic.

Cut - The mechanical removal of soil, rock or other earth material.

Cut and Fill - The excavating of earth material in one place as cut and depositing of it as fill in an adjacent place.

Development: The carrying out of any building activity or clearing of land as an adjunct of construction. "Major development" shall be considered to be subdivision platting, including various land uses and/or housing types.

Development Parcel: Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, which is designated

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

Formatted: Kanab 2, Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.

District - A portion of the territory of the City of Kanab, established as a zoning district by this Ordinance, various combinations thereof apply under the provisions of this Ordinance; also includes "overlay" and "zoning" districts.

Driveway - A private roadway, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel on which the driveway is located.

Dwelling - Any building or portion thereof designed or used as the more or less permanent residence or sleeping place of one or more persons or families, but not including a tent, recreational coach, hotel, motel, hospital, or nursing home.

Dwelling, Mobile Home - (See "Mobile Home".)

Dwelling, Single-family - A building arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.

Dwelling, Two-family - A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.

Dwelling, Three-family - A building arranged or designed to be occupied by three (3) families, the structure having only three (3) dwelling units.

Dwelling, Four-family - A building arranged or designed to be occupied by four (4) families, the structure having only four (4) dwelling units.

Dwelling, Multiple-family - A building arranged or designed to be occupied by more than four (4) families, the structure having more than four (4) dwelling units.

Dwelling, Group - A group of two (2) or more detached buildings used as dwellings, located on a lot or parcel of land.

Dwelling, Unit - One or more rooms in a dwelling, designed for or occupied by one (1) family for living or sleeping purposes and having one (1) but not more than one (1) kitchen or set of fixed cooking facilities, other

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

than hot plates or other portable cooking units.

Easement - That portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner(s) of said property(ies). The easement may be for use under, on, or above said lot or lots.

Elderly Person - "Elderly person" means a person who is 60 years of age or older, desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

Elevation: Height or distance above sea level.

Erosion - The process by which the soil and rock components of the earth's crust are worn away and moved from one place to another by natural forces such as weathering, solution and transportation.

Escarpment - A long cliff or steep slope separating two (2) comparatively level or more gently sloping surfaces and resulting from erosion or faulting.

Essential Facilities - Utilities or sanitary and public safety facilities provided by a public utility or other governmental agency for overhead or surface or underground services, excluding any building, electrical sub-station or transmission line of fifty (50) KV or greater capacity, except by conditional use permit.

Excavation: Any disturbance to the ground, including, but not limited to, clearing, grubbing, rock removal, cutting, tunneling, drilling or any other activity which alters the natural ground. "Minor" excavation shall mean a vertical cut of three feet (3') or less, or a disturbance of less than one acre of surface area. "Major" excavation shall mean a vertical cut of more than three feet (3'), or disturbance of more than one acre of surface area.

Existing Grade - The grade of land prior to grading.

Export - Excess cut that is removed from a grading project and deposited off site.

Extended Stay Motel-Hotel - a facility specifically constructed, kept, used, maintained, advertised or made available to the public to offer temporary residence for

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2", First line: 0.5"

Formatted: Indent: Left: 2.5"

Formatted: Indent: Left: 2.5"

Formatted: Kanab 2, Indent: Left: 2", First line: 0.5"

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Indent: Left: 2", First line: 0.5"

Formatted: Kanab 2, Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

up to 240 days.

Family - An individual, or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than four (4) persons (excluding servants) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

Fence - A physical barrier to delineate, contain, or designate an area designed for a specific use i.e. an enclosure for a dwelling unit; and area for storage, (etc.).

Fill - A deposit of rock, soil or other earth material placed by artificial means.

Finish Grade - The final elevation of the ground surface after development, which conforms to the approved plan.

Flag Lot - A lot which:

- A. meets the size, set back and other requirements of the zone in which the lot is located,
- B. does not have the frontage required, and
- C. has an extension owned in fee simple from the lot to a dedicated street. The extension shall be referred to as the staff portion of the flag lot.

Flood Hazard - A hazard to land or improvements due to inundation or overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

Floodplain - any land area susceptible to being inundated by water from any source.

Floor Area - The lower surface in a story on which one normally walks in a building. The general terms, floor unless otherwise specifically mentioned shall not refer to mezzanine floor or garage area.

Foothill: A hill at the bottom of a higher mountain or mountain range and forming part of the approaches to it.

French Drain: A sump or trench filled with crushed rock or gravel intended to receive storm water discharge.

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Indent: Left: 2.5"

Formatted: Kanab 2, Indent: Left: 2.5"

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Indent: Left: 2.5"

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

Frontage Block - All property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

Frontage, Lot - The lineal measurement of the front lot line.

Garage, Private - A detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, recreational coaches, boats, or other recreational vehicles, but not including the parking or storage of trucks or vans having a capacity in excess of one and one-half (1 1/2) tons, and not including space for more than a total of four (4) such vehicles for each dwelling unit on the premises.

Garage, Vehicle Repair - A structure or portion thereof, other than a private garage, used for the repair of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, recreational coaches, and minor collision service, but not including major body, frame or fender repairs or overall automobile or truck painting, except by conditional use permit. A vehicle repair garage may also include incidental storage, care, washing or sale of automobiles.

Geology Report - Report that shall include maps and a report, as required by Section 11-6.

Geological Hazard - A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements, due to the movement, failure, or shifting of the earth.

Geotechnical Engineer - A civil engineer or geologist registered in the State of Utah who, through training and experience, is able to assure that geological factors affecting engineering works are recognized, adequately interpreted and presented for use in engineering practice and for the protection of the public.

Governing Body - The elected legislative body of the City of Kanab.

Formatted: LUO Section Body

Formatted: Kanab 2, Indent: Left: 2.5"

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

Grade, Existing - Shall mean sites which have never been disturbed, existing grade is the same as the natural grade, which is the ground level before any human disturbances. For sites that have existing structures or other disturbances to the land, existing grade would be the ground level established when the structure or disturbance was created. Recent earthwork, particularly if the grading is done without permits, will not necessarily qualify as existing grade and often requires a determination from the Zoning Administrator.

Grade, Finished - Shall mean the highest grade directly adjacent to within five (5) feet of the structure or wall of the building, which has been set through an approved grading and/or drainage plan. 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.

Grade Separation - The separation at different levels of two (2) intersecting roads, by bridge, tunnel, or underpass, so as to permit the roads to cross without obstructing free traffic movement on either road.

Grading - To bring an existing surface to a designed form by excavating, filling or smoothing operations.

Grading Plans - A topographic development plan prepared by a registered civil engineer showing contours for before and after grading which do not exceed one-foot intervals.

Grocery store - means a retail business primarily engaged in retailing a general line of groceries in combination with general nonfood merchandise. They have centralized exit checkout stations, and utilize shopping carts for customers. Where the total square footage does not exceed forty-thousand square feet.

Gross Floor Area - The sum of:

- A. the total horizontal area, in square feet, of all floors of a building, as measured at outside the exterior walls and including all interior courtyards, and

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

Formatted: Kanab 2, Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

- B. the total horizontal area, in square feet, of all portions of the site outside of the exterior walls of buildings and used for the display, storage, or sale of any goods, wares or merchandise.

Handicapped Person - A person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments, which is likely to continue indefinitely, and which results in a substantial functional limitation in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.

Hazardous Conditions - Flood plain area, sensitive land, and land with a high water table which if disturbed is likely to be detrimental to life or property.

Hill - A landform that extends above the surrounding terrain, in a limited area.

Hillside - The slope or side of a hillside area - any lot or parcel with an average slope greater than twenty percent (20%).

Home Occupation - Any use conducted entirely within a dwelling and carried on by solely persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. The home occupation may use any accessory building and shall not use any yard space outside the main dwelling or accessory buildings.

Hospital - Institution for the diagnosis, treatment and care of human illness or infirmity, but not including sanitariums and clinics.

Hotel - any structure consisting of one or more buildings with five (5) or more guest rooms kept, used, maintained or held out to the public to be a place where sleeping accommodations are offered for pay to

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

Formatted: Kanab 2, Indent: Left: 2.5"

Formatted: Font: MS Reference Sans Serif, Not Highlight

Formatted: Font: (Default) MS Reference Sans Serif

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

transient guests for a period of thirty (30) days or less in which ingress and egress to and from all rooms is made through an inside lobby or office.

Household Pets - Animals or fowl ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, and canaries, but not including a sufficient number of dogs as to constitute a kennel as defined in this Ordinance. Household pets shall not include the keeping of dangerous animals.

Import: Fill material obtained off site to balance a grading project.

Improvement - An object, facility or structure generally constructed as a part of development.

Interior Courtyard - A space bounded on three or more sides by walls but not a roof.

Junk - Old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris or other waste or salvage materials; dismantled, junked, or wrecked automobiles or parts thereof; and old or scrap ferrous or non-ferrous metal materials.

Junkyard - The use of any lot, portion of a lot, or tract of land for the storage, keeping or abandonment of junk, including scrap metals or other scrap material, or for the dismantling, demolition or abandonment of automobiles, or other vehicles, or machinery or parts thereof; provided that this definition shall be deemed not to include such uses which are clearly accessory and incidental to any agricultural use permitted in the district.

Kennel - Any premises where three (3) or more dogs or four (4) or more cats older than four (4) months old are kept.

Kennels, Private - Any kennel where three or more household pets are owned and kept by the owner on his/her private property.

Kennels, Public - Any kennel where household pets are boarded commercially.

Knoll - A small, round hill or mound.

Land - The portion of the earth's surface above the level of the sea or ocean.

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Kanab 2, Indent: Left: 2.5"

Formatted: Font: (Default) MS Reference Sans Serif

Formatted: Indent: Left: 2", First line: 0.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

Lot Line, Rear - Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the Kanab City Building Inspector shall designate the rear lot line.

Lot Line, Side - Any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots in an interior side lot line; a side lot line separating a lot from a street is a street side lot line.

Lot, Right-of-way - A strip of land of not less than sixteen (16) feet in width connecting a lot to a street for use as private access to that lot.

Manufactured Home - A manufactured home shall be a dwelling designed and manufactured by a recognizable fabricator of manufactured homes and be certified under the National Manufactured Housing Construction and Safety Standards Act of 1976, meet the HUD Code and must have been issued an insignia approved by HUD and must not have been altered in violation of such codes. It shall be a single family dwelling unit designed to be transported on its own wheels, on a trailer or on detachable wheels and shall include the plumbing, heating, air conditioning and electrical systems and be ready for occupancy except for connections to utilities, location on a permanent foundation and other minor work.

Mass Grading - The movement of large quantities of earth over large areas. Disruption of the majority of the onsite surface terrain is common and often results in a successive pad/terrace configuration. Modification or elimination of natural landforms may result.

Formatted: Indent: Left: 2.5"

Mesa - A typically flat topped landform with generally steep sides.

Formatted: Indent: Left: 2.5"

Minimal Grading - A grading concept designed to minimize excavation and filling. Allows the movement of earth for projects such as individual building foundations, driveways, local roads, and utility excavation. Concept often associated with roads conforming closely to natural contours with the

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

structures being built on natural terrain.

Mobile Home - A manufactured dwelling built to be moved on its own wheels built prior to 1976 and not intended to be placed on a permanent foundation.

Mobile Home Park - A space designed and approved by the City of Kanab for occupancy by mobile homes, to be under a single ownership or management, and meeting all requirements of the Kanab City Zoning Ordinance and the Kanab City Mobile Home Park Ordinance for mobile home park.

Mobile Home Space - A space within a mobile home park, designed and to be used for the accommodation of one (1) mobile home.

Mobile Home Subdivision - A subdivision designed and intended for residential use where the lots are to be individually owned or leased, and occupied by mobile homes.

Motel - a building or group of buildings providing five (5) or more guestrooms used for transient guests for a period of thirty days or less in which access to each guest room is provided directly through an exterior door or by an entrance connected to a covered hallway or walkway on the exterior/interior of the building.

Natural Features - Non-manmade land characteristics which include drainage swales, wetlands, rock outcroppings, streams, and concentrated native stands of large shrubs or trees.

Formatted: Indent: Left: 2.5"

Native Vegetation - The natural vegetation commonly found in an area.

Formatted: Indent: Left: 2.5"

Natural Areas - Undeveloped sites which have not been graded.

Formatted: Indent: Left: 2.5"

Natural Open Space - The landform as created by nature or subsequently modified by either agricultural activities or to meet fuel modification fire standards of the plan. Within natural open spaces, vegetation introduced for agricultural purposes may be removed and the area revegetated to a natural condition. Existing trees, riparian vegetation and native plant communities within natural open spaces shall be preserved and protected.

Formatted: Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

Manmade water bodies and trails through natural open spaces may be considered as natural open space.

Natural Slope - A slope which is not manmade. A natural slope may retain the natural vegetation during adjacent grading operations, or it may be partially or completely removed and replanted.

Natural State - Portion of any lot or parcel which cannot be subjected to grading, removal of vegetation or building development.

Nonconforming Building or Structure - A building or a structure which does not conform to the regulations for height, coverage, or yards of the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its erection.

Nonconforming Use - The use of a building or structure or land which does not conform to use regulations for the district in which it is situated, but which was in conformity with applicable regulations, if any, at the time of its establishment.

Nursing Home - An institution, other than a hospital, for the care of human illness or infirmity in which care, rather than diagnosis or treatment, constitutes the principal function. The term "nursing home" shall also include "rest home" and "convalescent home".

Official Map - A map which has been adopted as the official map of the City of Kanab, showing existing public streets, streets on plats of subdivisions which have been approved by the Kanab City Planning Commission, and/or other street extensions, widening, narrowing, or variations which have been accurately surveyed and definitely located.

Off-street Parking Space - The space required to park one (1) passenger vehicle, which space shall meet the requirements of this Ordinance.

~~Open Space - The area reserved in parks, courts, playgrounds, golf courses, and other similar open areas to meet the density requirements of Planned Developments.~~

Open Space - Primary and secondary conservation areas and other land conserved or set aside from development

Formatted: Indent: Left: 2.5"

Formatted: Kanab 2, Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

such as but not limited to public or private parks, trails, landscaped buffers, wetlands, meadows, forested areas, pastures, farm fields and other lands forming part of the ecologically connected matrix of natural areas significant due to wildlife habitat, water quality protection and other reasons.

Open Space, Usable - The area of a lot which is completely free and unobstructed from any structure constructed on, over or below grade. Walkways, uncovered patio areas, light poles, other ornamental fixtures, trees, shrubs, other vegetation and equipment utilizing renewable energy resources may be allowed in open space areas.

Outcropping - The part of a rock formation that appears above the surface of the surrounding land.

Formatted: Indent: Left: 2.5"

Pad - A generally flat or stepped area created by grading to accommodate development.

Formatted: Kanab 2, Indent: Left: 2.5"

Parking Lot - An open area, other than a street, used for the parking of more than four (4) automobiles and available for public use, whether free, for compensation, or accommodation for clients or customers.

Planned District - A zoning district, the boundaries of which are to be shown on the Zoning Map, but the regulations for which shall be determined by a general development plan to be adopted by the governing body as part of the Kanab City Zoning Ordinance, after public hearing, as required for other zoning districts.

Plateau - A flat or predominantly flat area of land which is raised sharply above adjacent land on at least one side.

Formatted: Kanab 2, Indent: Left: 2.5"

Plot Plan - A plat of a lot, drawn to scale, showing its actual measurements, the size and location of any existing building or buildings to be erected, the location of the lot in relation to abutting streets, and such other information as may be required by the Kanab City Planning Commission.

Prominent Ridge: A ridge or hilltop identified on the hillside protection overlay zone map.

Formatted: Kanab 2, Indent: Left: 2.5"

Recreational Vehicle - A vehicle, such as a travel trailer, tent camper, camp car or other vehicle with or without

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

with the applicable standards of the Utah department of human services, including licensure and inspection.

Residential Facility For Persons With A Disability - A facility meeting the requirements of Utah Code Annotated section 10-9-605 et seq., and complying with section 4-31 of this title (see section 4-31 of this title for applicable standards, requirements and definitions).

Retail Business - A business engaged in the sale of goods to individual consumers, usually in small quantities, and not to be placed in inventory for resale. Retail Business does not include:

- A. health centers, governmental uses, community centers, theaters, or religious or fraternal uses, or
- B. a business where retail sales are in incidental or accessory use to the primary use.

This definition shall not include churches, public schools, hospitals, public civic centers or public recreational facilities, or other facilities owned by, or operated strictly for the benefit of, the public.

Retail Establishment - Retail business or businesses, conducted in two or more buildings, where the retail business or businesses:

- A. are engaged in the selling of similar of related goods, wares or merchandise and operate under common ownership or management, or
- B. share check stands, storage facilities, a warehouse, or a distribution facility, or
- C. otherwise operate as associated, integrated or cooperative business enterprises under common ownership or management.

Ridge - A long, narrow, or sharply defined conspicuous elevation of land.

Ridgeline - The junction of a rising steep slope on one side and a mildly ascending or a descending slope that may either be gentle or steep on the other side. See sketch below for the intended location of ridgeline as being the same as top of slope. ,

Formatted: Indent: Left: 2.5", No bullets or numbering

Formatted: Indent: Left: 2.85", No bullets or numbering

Formatted: Kanab 2, Left, Indent: Left: 2.5", No bullets or numbering

Formatted: Font: MS Reference Sans Serif, Not Highlight

Formatted: No bullets or numbering

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

Right-of-Way (Lot) - A strip of land not less than twenty (20) feet in width connecting a lot to a street for use as private access to that lot.

Scar - A highly visible cut in a hillside or ridge in which all topsoil has been removed and vegetation will be unable to establish itself within a significant period of time (5 years).

Formatted: Kanab 2, Indent: Left: 2.5"

Semi Truck - "Semi Truck" is defined as any tractor trailer combination and is of the type commonly used for commercial transport purposes; "trailer", as used herein, refers to a carrier used for cargo or commercial purposes and intended to be used in tandem with a tractor. Semi Tractors have two front wheels, and each of the two rear "drive" axles having a pair of "dual" (double) wheels on each side. Thus, the most common configuration of tractor has ten wheels. The cargo trailer usually has two "tandem" axles at the rear, each of which has dual wheels or eight wheels on the trailer and the overall lengths often range from 50 to 70 feet.

Sensitive Lands - Any land area whose destruction or disturbance could immediately affect the life of the community, and includes:

Formatted: Indent: Left: 2.5"

- A. Hillside Areas, as defined in this Ordinance
- B. Areas of wetlands, as defined by the U.S. Army Corps of Engineers
- C. Floodplain areas, as delineated in the Sensitive Lands Overlay Map.
- D. All areas within one hundred (100) feet of a ridgeline, as identified in the Sensitive Lands Overlay Map.
- E. Expansive clay soils.

Setback - The area between the building line and the property line, or when abutting a street, the ultimate right of way line. No structure or building is allowed in this area.

Formatted: Kanab 2, Indent: Left: 2.5"

Formatted: Indent: Left: 2.5", No bullets or numbering

Sign - A presentation or representation of words, letters, figures, designs, picture or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is

Formatted: Kanab 3, Indent: Left: 2.5"

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

Sign, Animated - A sign which involves motion or rotation of any part, created by artificial means, or which displays flashing, revolving or intermittent lights.

Sign Area - The area in square feet of the smallest rectangle enclosing the total exterior surface of a sign having but one (1) exposed exterior surface. Should the sign have more than one (1) surface, the sign area shall be the aggregate of all surfaces measured as above which can be seen from any one (1) direction at one (1) time.

Sign, Free-standing - A sign which is supported by one (1) or more upright columns, poles, or braces, in or upon the ground.

Sign, Identification and Information - A sign displayed to indicate the name or nature of a building, or of a use.

Sign, Illuminated - A sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs.

Sign, Marquee - Any sign attached to or made an integral part of a marquee.

Sign Ordinance - The sign ordinance of the City of Kanab.

Sign, Projecting Wall - A sign which is affixed to an exterior wall or building or structure and which projects more than eighteen (18) inches from the building or structure wall, and which does not extend above the parapet, eaves, or building facade of the building upon which it is placed.

Single Loaded Street - A street with lots fronting on one side only.

Formatted: Indent: Left: 2.5"

Site - Any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

Formatted: Kanab 2, Indent: Left: 2.5"

Site Plan - A plan required by providing the information required by, ordinance.

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

Slope - An inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance. In this Ordinance, slopes are generally expressed as a percentage; percentage of slope refers to a given rise in elevation over a given run in distance. A fifty (50) percent slope, for example, refers to a 100-foot rise in elevation over a distance of 200 feet. A fifty (50) percent slope is expressed in engineering terms as a 2:1 slope.

Formatted: Indent: Left: 2.5"

Slope, Manufactured - A manmade slope consisting wholly or partly of either cut or filled material.

Formatted: Indent: Left: 2.5"

Slope Transition - The area where a slope bank meets the natural terrain or a level graded area either vertically or horizontally.

Formatted: Kanab 2, Indent: Left: 2.5"

Stable, Public - Any stable where horses are boarded and/or kept for hire.

Story, Half - A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls do not extend more than four (4) feet above the floor of such story, and the ceiling area of which does not exceed two-thirds (2/3) of the floor area of the same half story.

Structure - Anything constructed, the use of which requires fixed location on the ground, or attachment to something having a fixed location upon the ground; includes "building".

Street, Dedicated - A street which has been dedicated to public use and accepted by the appropriate authority, according to law.

Street, Private - A thoroughfare within a subdivision which has been reserved by dedication unto the sub divider or lot owners to be used as private access to serve the lots platted within the subdivision and complying with the adopted design standards of Kanab City and maintained by the landowners within the subdivision by assessments authorized by recorded covenant.

Street, Publicly Approved - A street in a subdivision where a dedication is technically not complete, but approval by the City has been given to the recording of

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

the subdivision plat. This is the case in a subdivision in which improvements are not completed but in which a developer has posted a bond to ensure the completion of street improvements.

Strip Mall - A shopping complex containing a row of various stores, businesses, and restaurants that are interconnected and usually open onto a common parking lot.

Subsurface Drainage - Any system of pipes, canals, ditches, moats, and the like that intercepts ground water and carries it to Kanab Creek.

Formatted: Indent: Left: 2.5"

Surface Drainage - Water run-off caused as a result of precipitation or irrigation.

Formatted: Indent: Left: 2.5"

Toe of Slope - The lowest elevation of a slope which transitions to a flatter area or pad.

Formatted: Indent: Left: 2.5"

Top of Slope - The highest elevation of a slope which transitions to a flatter area or pad.

Formatted: Indent: Left: 2.5"

Topography - General term to include characteristics of the ground surface such as plains, hills, mountains, degree of relief, steepness of slope, and other physiographic features.

Formatted: Indent: Left: 2.5"

Truck Stop - Is defined as a commercial business consisting of one or more of the following: service station, convenience store, garage-vehicle repair, restaurant or motel and has sufficient parking area to accommodate semi-trucks and other restricted vehicles.

Utah Licensed Professional: A Utah registered or licensed civil engineer, land surveyor, architect or landscape architect.

Formatted: Indent: Left: 2.5"

Vegetation: Growing native or nonnative plants.

Formatted: Normal, Indent: Left: 2", First line: 0.5"

Vicinity Plan - A map or drawing, to scale, showing the physical relationships of the proposed development to existing or proposed streets, buildings, and utilities; other relevant information such as special terrain or surface drainage, and existing zoning classifications of all land within three hundred (300) feet of the property

KANAB

Land Use Ordinance

Chapter 1

GENERAL PROVISIONS

The Uniform Zoning Ordinance is designed to promote the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the City of Kanab, Utah.

Adopted January 22, 2008
Revised April 12, 2011

proposed for development.

Viewshed: Areas which can be viewed from arterial roads, major collector roads or public gathering places which visually dominate an individual's cone of vision. (Ord. 2008-14)

Formatted: Indent: Left: 2.5"

Wetlands: Lands that are generally inundated or saturated by surface or ground water at a frequency or duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Formatted: Kanab 2, Indent: Left: 2.5"

Yard - A required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this Ordinance.

Yard, Front - A space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The "depth" of the front yard is the minimum distance between the front lot line and the front line of the building.

Yard, Rear - A space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot. The "depth" of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

Yard, Side - A space on the same lot with a building, between the side line of the building, and the side lot line and extending from the front yard to the rear yard. The "width" of the side yard shall be the minimum distance between the side lot line and the side line of the building.

Zone - (See "District")

Zoning Ordinance - The Kanab City Zoning Ordinance.

Zoning Administrator - The local official designated by the Kanab City Council to enforce the regulations of this Ordinance; the Kanab City Zoning Administrator may also be the Kanab City Building Inspector.

Section 1-7 Building Permit Required

KANAB

Land Use Ordinance

Chapter 9

SITE PLAN REVIEW

This ordinance promotes the orderly and harmonious appearance of buildings and structures and the development of land

Adopted January 22, 2008
Revised July 28, 2009

Section 9-3 Site Plan Requirements

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

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

Section 9-4 Additional Site Plan Requirements by Application

9-4.1. Mobile and Park Model Home Parks

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

KANAB

Land Use Ordinance

Chapter 9

SITE PLAN REVIEW

This ordinance promotes the orderly and harmonious appearance of buildings and structures and the development of land

Adopted January 22, 2008
Revised July 28, 2009

7. Property owners shall keep landscaped areas free of weeds and trash.

Also see Exhibit J & K

P. Hillside Areas: Development within hillside areas shall meet the landscape design standards of Chapter 11 of this Ordinance.

Formatted: Outline numbered + Level: 1 +
Numbering Style: A, B, C, ... + Start at: 8 +
Alignment: Left + Aligned at: 2.5" + Indent at:
2.85"

Section 9-9 Conditions

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

Section 9-10 Findings and Decisions

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

Section 9-11 Notification of Approval or Denial

Upon the granting of site plan approval, the secretary of the Kanab City Planning Commission shall prepare and mail or deliver to the applicant a formal statement thereof, stating the fact of the grant and any conditions attached thereof, or the fact of denial and the reasons therefore.

Section 9-12 Time Limitations on Approval

If construction in harmony with the permit for any development for which site plan approval has been granted has not been commenced within one (1) year from date of notification of approval, the approval shall be deemed automatically revoked. Upon application, an

Chapter 3

Design Requirements

All subdivisions shall result in the creation of lots that are developable and capable of being built upon. The design of the development shall avoid or fully mitigate hazardous site conditions as outlined in the Kanab City Land Use Ordinance.

3-4.1. The design of developments and placement of buildings should preserve the natural terrain, drainage, existing topsoil, tree groupings, large individual trees and large rocks.

3-4.2. Natural informal landscape design is encouraged in lieu of formal, geometric design.

3-4.3. Different types of adjacent uses both within and between developments should be buffered (separated or screened), by extensive tree planting.

3-4.4. Drought resistant plants and landscapes are encouraged.

[3-4.5. Development within hillside areas shall meet the landscape design standards of Chapter 11 of the Land Use Ordinance.](#)

Section 3-5 Buildings

3-5.1. Fire Standpipes: Standpipes complying with current City building code standards shall be required for all commercial and multi-residential buildings, regardless of the number of stories.

3-5.2. Fire Hydrants: Fire hydrants shall be installed in accordance with Kanab City Standard Specifications for Design and Construction.

3-5.3. Provisions for Handicapped: Provisions for physically handicapped persons shall be provided as required by the Americans with Disabilities Act (ADA).

Section 3-6 Roads and Streets

3-6.1. Road Layout And Geometry: The design and arrangement and construction of all roads, public and private, shall be in conformance with the Kanab City Standard Specifications for Design and Construction and