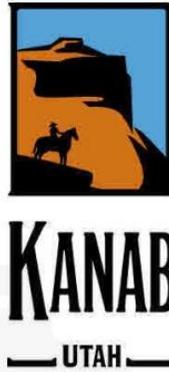


Mayor  
Robert Houston  
City Manager  
Joe Decker  
Treasurer  
RaeLene Johnson



City Council  
Kent Burggraaf  
Cheryl Brown  
Kirt Carpenter  
Brent Chamberlain  
Joe B. Wright

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**KANAB CITY PLANNING COMMISSION STAFF REPORT- March 18, 2014**

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**I. REQUEST: Amendment to Land Use Ordinance to permit “animal boarding facility, short term” within C-2 and C-3 zones.**

**II. STAFF ANALYSIS**

It has been brought to the attention of Staff and the Planning Commission that a resident would like to operate a short term animal boarding facility, also known as a “doggie daycare” within the C-2 zone. There has been a demonstrated demand for this type of facility to house pets of visitors to Kanab, who have few other options. The use would support the local economy as visitors with pets would experience greater convenience while staying in Kanab, which is in harmony with the economic goals of the General Plan, including “increasing travel and tourism to Kanab” (Section 4.7).

In the current ordinance, this use would be categorized as a “kennel, public,” which is defined as “any kennel where household pets are boarded commercially.” Public kennels are allowed within the C-3, M-1, M-2 and M-3 zones. A typical public kennel which boards household pets, oftentimes for long periods of time, with outdoor operations, and involves breeding operations would in many cases not be compatible with many of the commercial operations within the C-2 zone. However, a short term animal boarding facility that is primarily operated in an enclosed building would be more compatible with the uses currently within and allowed in the C-2 zone. It is anticipated that noise and odor concerns associated with public kennels could more easily be mitigated for a short term animal boarding facility.

To distinguish the two uses, staff proposes amending the definition of “kennels, public” to be “a kennel where household pets are boarded commercially, not including short term animal boarding facilities” and to define “animal boarding facility, short term” as “a commercial establishment which boards cats and/or dogs for no more than 14 consecutive days, conducted primarily within an enclosed building.” In addition to designating the use, staff proposes listing the use as a conditional use within the C-2 and C-3 zones.

An alternative to the recommendation of staff would be to simply add “kennels, public” as a conditional use within the C-2 zone. This would allow a short term animal boarding facility or “doggie daycare” to locate within the zone. However, as mentioned above certain public kennels would in many cases not be compatible with surrounding uses. It should also be noted that an “animal boarding facility, short term” would still be classified as a public kennel within the Kanab City General Ordinances and would need to abide by the regulations within this ordinance (see Section 13-200.04 of the Kanab City General Ordinances).

**– A Western Classic –**

In reviewing the current Land Use Ordinance, Staff has determined that the current definition for “animals” would not include domestic animals. Staff believes that it would be appropriate to amend this definition to be in harmony with the Kanab City General Ordinances.

### **III. FINDINGS**

1. Allowing a short term animal boarding facility in commercial areas is consistent with the goals of the General Plan.
2. A short term animal boarding facility would be appropriately located within the C-2 and C-3 zones. In some cases the potential impact of the use would require mitigation.
3. In many cases, “kennels, public” as currently defined would not be compatible with other uses in the C-2 zone.
4. A short term animal boarding facility would remain to be defined in the general ordinance as a “public kennel” and would need to abide by the regulations of this ordinance and obtain the appropriate permit.
5. The current definition for animal is not inclusive of all animals and should be amended to be in harmony with the Kanab City General Ordinances.

### **IV. STAFF RECOMMENDATION:**

That the Planning Commission recommends to the City Council an amendment to the Kanab City Land Use Ordinance, adding “animal boarding facility, short term” as a permitted use in the C-2 and C-3 zones, and clarifying the definition of “kennels, public” as provided in the attached documents.

### 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

leased, or intended to be used or occupied; the word "shall" is mandatory and the word "may" is permissive; the word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the word "lot" includes the word plot, or parcel. Words used in this Ordinance but not defined herein shall have the meaning as defined in any other ordinance adopted by the local jurisdiction.

**Accessory Use** - A use on the same lot with, and of a nature customarily incidental and subordinate to, the principal use.

**Agriculture** - The tilling of the soil, the raising of crops, horticulture and gardening, commercial greenhouses; breeding, grazing and keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, animal hospitals, or similar uses.

**Agricultural Industry or Business** - An industry or business involving agricultural products in manufacturing, packaging, treatment, sales, intensive feeding, or storage, including but not limited to animal feed yards, fur farms, food packaging or processing plants, commercial poultry or egg production, and similar uses as determined by the Planning Commission.

**Airport** - Any area of land designed and set aside for the landing and the taking off of aircraft plus aircraft storage and service.

**Alley** - A private access-way less than twenty-six (26) feet in width, which is designed to give secondary access to lots or abutting properties; an alley shall not be considered a street, for the purposes of this ordinance.

**Animals** - ~~Animals shall include the following: Horses, cows, sheep and goats, excluding pigs and exotic animals; any live, vertebrate, domestic or wild animal.~~

**Animal Boarding Facility, Short Term** - A commercial establishment which boards cats and/or dogs for no more than 14 consecutive days, conducted primarily within an enclosed building.

**Architectural Projection** - Any building or structural

# KANAB

## Land Use Ordinance

### Chapter 1

#### GENERAL PROVISIONS

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Adopted January 22, 2008  
Revised April 12, 2011

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.

**Kenel** - 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, not including short term animal boarding facilities as defined by this ordinance.

**Lane, Private** - A thoroughfare upon land owned in fee simple or by way of an easement, upon which a lot has the frontage required by this Ordinance, which lane has been approved by the Planning Commission and City Council, as fulfilling the frontage requirements of this Ordinance.

**Liquefied petroleum gas (LP gas)**- Any material which is composed predominantly of the following hydrocarbons or mixtures of them; propane, propylene, butane (normal butane or isobutene), and butylenes.

**Local Attorney** - The attorney employed by or officially representing the City of Kanab.

**Local Building Inspector** - The Kanab City Building Inspector employed by or officially representing the City of Kanab.

**Local Engineer** - The engineer employed by or officially representing the City of Kanab.

**Local Health Officer** - The health officer or department employed by or officially representing the City of Kanab.

**Local Jurisdiction** - The City of Kanab.

**Local Planner** - The planner employed by or officially representing the City of Kanab.

**Lodging House** - A building designed for or occupied by fifteen (15) or less individuals who are lodged, with or

# KANAB

## Land Use Ordinance

### Chapter 20

#### COMMERCIAL ZONES

**Ordinance which provides for various commercial uses in three Kanab City Commercial Zones: C-1 C-2 and C-3**

Adopted January 22, 2008  
Revised Feb 28, 2012

obscuring fence or wall which will prevent the facility from being seen from a public street.

LAND USE CHART COMMERCIAL	ZONES			
	C1	C2	C3	CPD
Agricultural Crop Sales (Farm Only)	-	-	C	-
Airport Support Facility	-	-	C	C
<b>Animal Boarding Facility, short term</b>	<b>-</b>	<b>C</b>	<b>C</b>	<b>-</b>
Antique / Secondhand Store	P	P	P	P
Apparel / Accessory Store	P	P	P	P
Apartment(s)	-	P	P	C
Arcade (Games/Food)	P	C	P	C
Art Gallery	P	P	P	P
Auto / Boat Dealer	-	P	P	-
Auto Rental / Sales	-	C	P	C
Auto Service Station	-	P	P	C
Auto Supply Store	P	P	P	P
Beauty Salon	P	P	P	P
Bed and Breakfast / Guesthouse	P	P	P	-
Cemetery	-	-	C	-
Church	P	P	P	P
College / University	C	C	C	C
Commercial Marine Supply	-	P	P	C
Commercial / Residential Mix	P	P	P	C
Communications Facility	-	-	C	C
Computer/Office Equipment	P	P	P	P
Conference / Convention Center	P	P	P	P
Construction / Trade	-	-	C	-
Convalescent Center / Nursing Home	-	P	P	-
Convenience Store	P	P	P	C
Day Care I (under 6 children)	-	P	P	C
Day Care II (over 6 children)	-	P	P	C
Department / Variety Store	P	P	P	P
Dry Cleaner	P	P	P	P
Drug Store	P	P	P	P
Duplex /Residential	-	C	C	-
Elementary – Jr. High	-	-	P	-