

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



City Council
Arlon Chamberlain
Scott Colson
Chris Heaton
Kerry Glover
JD Wright

KANAB CITY PLANNING COMMISSION

26 North 100 East
Kanab, UT 84741

April 4, 2023

NOTICE is hereby given that the Kanab Planning Commission will hold its regular Commission Meeting on the 4th day of April 2023, in the City Council Chambers at the Kanab City Office located at 26 North 100 E in Kanab. The Planning Commission meeting will convene at 6:30 PM and the agenda will be as follows:

Agenda Items:

1. Call to Order and Roll Call
2. Approval of minutes of previous meeting
3. Public Comment Period – Members of the public are invited to address the Planning Commission. Participants are asked to keep their comments to 3 minutes and follow rules of civility outlined in Kanab Ordinance 3-601
4. Nominate and vote on a new Chair Pro Tem

Legislative Decision Items:

5. Discuss and recommend to City Council a petition to vacate public utility easements on parcels 65-2044, 65-2045 & 65-2046 located approximately 1709 South Lee Dr. [Applicant is Iron Rock Engineering]
6. Discuss and recommend to City Council a petition to vacate public utility easements on parcels 65-223, 65-224, 65-225 located approximately 1016 W Kanab Creek Dr. [Applicant is Iron Rock Engineering]

Administrative Decision Items:

7. Discuss and recommend to City Council a plat amendment to the Vermillion Lofts Subdivision, parcels K-312-1 & K-312-2 located approximately at 950 S Highway 89A [Applicant Iron Rock Engineering].
8. Discuss and recommend to City Council a plat amendment to the White Pocket Villas Subdivision, parcels K-343-Open & K-343-9 located approximately at 350 E 650 S [Applicant Iron Rock Engineering].
9. Discuss and recommend to City Council a plat amendment to the Kanab Creek Subdivision, Unit 3, parcels 65-2044, 65-2045, and 65-2046 located approximately at 1709 S Lee Drive [Applicant Iron Rock Engineering].

– A Western Classic –

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10. Discuss and recommend to City Council a plat amendment to the Kanab Creek Subdivision, Unit 3, parcels 65-223, 65-224, 65-225 located approximately at 1016 W Kanab Creek Drive [Applicant Leslie Trent & Joan Keller].
11. Discuss, approve, or deny a Conditional Use Permit for a Home Occupation, Heavy [Mobile Welding] located at 339 W Johnson Dr [Applicant Cody Bunting]
12. Discuss, approve or deny a Site Plan Review for a sign in the Design Standard area, sign will be located at 163 South 100 East. [Applicant Star Sign]

Work Meeting:

13. Discussion for possible amendments to the Land Use Ordinance Chapter 7 - Signs

Staff Report:

Commission Member Report

Council Member Liaison Report

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

– A Western Classic –

Kanab City Planning and Zoning Commission Meeting
Mar 7, 2023
Kanab City Council Chambers
26 North 100 East
6:30 PM

Present: Chair Boyd Cory; Commission Members Ben Aiken (6:35), Russ Whitaker, Ben Clarkson, Taylor Glover; Heather Russell; Terry Edwards; Building Inspector Janae Chatterley and Colton Porter; City Council Liaison Arlon Chamberlain; and City Attorney Kent Burggraaf.

Not Present: City Planner Bob Nicholson.

Approval of Minutes: Russ Whitaker made a motion to approve the minutes from the February 7th, 2023 meeting. Terry Edwards second. Unanimous vote; motion carried.

Boyd Cory (Chair) stated that we are changing the order for item 6 and item 7.

Public Comment: None.

Kent Burggraaf (City Attorney) suggested that we move the open and public meetings training to the end of the meeting; approved by Boyd Cory.

7. Discuss and recommend a zone change to City Council from RR-1 [Rural Residential] to C-3 [Commercial] for parcel K-7-21-Annex and K-7-1-Annex located in the approximate area of 700 South and 900 East off Terrel Dr.

Janae Chatterley stated that the Property Owners Jeff Yates and Dirk Clayson, represented by Jeff Yates, are requesting a zone change to rezone parcel K-7-21-Annex and K-7-1-Annex from Rural Residential (RR-1) to Commercial Zone (C-3). The property owners would like to develop Storage units or Mobile Home Park and a Commercial zone is required to do this. Ms. Chatterley presented additional information included in her staff report.

Public Hearing

Catherine Terrel explained (paraphrased): I live out by where they are wanting to develop, and have done some research, and it is true that the one side only has a 33-foot easement going back into that property. I was told that in my quest for information that they must have a 50-foot road to access to develop a commercial property. Also, with a mobile home park there is no sewer in there, so that would all be septic. All of us that live out there, most of us at least own five acres, and or single-family homes on at least five acres, and it is very rural. Garkane has a substation there. That is not too much of an issue with anybody, but we have a lot of property out there as well and I just do not think it's a good precedent to start putting commercial property out in that area, because of the homes that are in that area. It is right underneath Hillside Drive; I do not know if most of you are familiar with Hillside Drive. Most

40 people have beautiful homes up there, and I do not think any of them would like to look down
41 on a mobile home park. I just do not think that it is a good fit for that area. That is my main
42 concern. There are no roads there; if you look at the property, those are not roads they are just
43 dirt roads that go back. Pat Shirly is here; she owns the property directly adjacent to it. She has
44 a single-family house right there. And basically, if you tried to put that out to fifty feet, it would
45 be in her front yard. And with the traffic that would be going up and down through them with a
46 mobile home park and storage units, I just don't think it is a very good fit for that area.

47
48 Russ Whitaker asked what other properties belonged to Catherine in that area. They discussed
49 the locations and the plans that they had for their family property for the future. Catherine
50 stated that they are going to stay farm and agricultural property.

51
52 Jeff Yates explained (paraphrased): What I would ask you to do on these properties is like the
53 Garkane property. I do not know if it is RR-1 or RA, but it is being used as an industrial property;
54 they did not go in and have a zone change or anything like that. On the access to the property,
55 we own an easement and we have another easement from Garkane.

56
57 Russ Whitaker asked Jeff Yates to clarify where the easement was. Jeff explained
58 (paraphrased): Right now, that it is not a road, it is just an access, because the type of property
59 that it currently is. We are up against an industrial property. I think it is a good buffer between
60 the two. If you look right across the street from the Garkane property, that was just designated
61 C-3. And a lot of the properties along there were just designated commercial. I think we need to
62 look at what it is being used for. Garkane is using something that is zoned RR-1 as industrial
63 property, which kind of limits what we can do, because nobody wants to build single family
64 homes next to an industrial property. We believe this to be a good buffer and consistent with
65 some of the uses that are around it.

66
67 Kent Burggraaf commented (paraphrased): The State Legislature passed a bill, that, if signed by
68 Governor Cox, would restrict municipality's ability to limit road widths for residential
69 developments, the limit being 32 feet in width

70
71 Boyd Cory shared his findings on commercial zones in that area.

72
73 Planning Commission discussed the land use map in that area.

74
75 Pat Shirley asked if it were changed to a commercial zone what would that include as a C-3
76 zone? Boyd Cory explained that the two things that C-3 does include is the ability to build any
77 kind of storage facility or trailer park.

78
79 Pat Shirley explained (paraphrased): That is a flood zone and Garkane has a ditch around their
80 property to deal with the storm water. If it is taken out (the ditch), will the water flood my

81 house? Russ Whitaker stated that there are laws in place to protect you and prevent them from
82 flooding your property.

83
84 Ben Aiken made a motion to send a positive recommendation to City Council. Russ Whitaker
85 seconded the motion. A roll call vote was taken.

86 Ben Aiken: Yes

87 Ben Clarkson: Yes

88 Heather Russell: No

89 Terry Edwards: No

90 Russ Whitaker: Yes

91 Taylor Glover: No

92 Boyd Cory (Chair) voted yes to break the tie vote.

93 Motion carried.

94

95 **6. Discuss and recommend to City Council a Development Agreement for a Planned
96 Development Overlay [Ventana Village Resort] located on Parcel K-13-UTAH-ANNEX in the
97 approximate area of 550 E Kane Plex Drive.**

98 Janae Chatterley presented information, using a PowerPoint presentation, explaining the
99 different aspects of the Development Agreement. It was explained that the Planning
100 Commission is be presented with two versions of the development agreement, to be
101 considered for recommendation: One that includes provisions related to the creation of a
102 Public Infrastructure District (PID) and attainable housing; and one that did not have
103 reference to the creation of a PID, and replacing the definition and phrase "Attainable
104 Housing" with "Moderate Income Housing". The two versions being necessary since the City
105 Council has not yet decided the issue of creating a PID.

106 The Planning Commission discussed Kaneplex Dr., the easement, "Attainable Housing"
107 proposed for the project, and the cost of "Attainable Housing". They also discussed the
108 townhomes and the single-family homes in the project and the intended use—for vacation
109 rental of the properties or full time living. There was a traffic study done for the
110 development. The trail system for the development was discussed. The trails will be
111 privately maintained/owned but be open to the public. The trails can be joined to the
112 existing trails in the area. Applicant, Steve Laski, stated that "the pickleball courts and pool
113 will be available to the public for a small fee. But they will be available."

114 It was also discussed that the developer is looking to use some of the short-term rental
115 revenues to be donated to the youth sports and recreation programs within the city, such as
116 4-H, school programs, athletic booster clubs, etcetera. And how they would donate that
117 revenue. The developers, Steve Laski and Devin Anderson, explained they are excited to give
118 back to the community and help however they can with youth sports that are sometimes
119 hard for parents to fund in a small town.

120 Ben Clarkson shared some concern about the length of time the Planning Commission has
121 had to review the draft development agreements.

122 Tom Avant, from Iron Rock Engineering and representing the developers, explained why the
123 Planning Commission was given a new document (recent version of the development
124 agreement) just before the meeting. He explained, something was discussed in the last day
125 or so, and instead of coming here and suggesting to make the new term a condition of the
126 recommendation, they decided to include it in the document, with wording that had been
127 sent to staff. This was to try and help the Planning Commission put forth a motion based on
128 the documents presented, versus adding to the motion a condition that would change the
129 documents provided.

130 Kyler Ludwig, City Manager, explained what a P.I.D. is and how they are asking for the PID,
131 and what it will entail for the Planning Commission and they discussed it at length.

132 Applicant Steve Laski and Planning Commission discussed about the existing road/easement
133 on the west side of the property. The dirt road has been used as an access to the BLM gravel
134 pit and a Garkane access for power lines along the west side of the property.

135 **Public Hearing:** Mike Noel, representing the Kane County Water Conservancy District,
136 explained that the District owns 400 acres of property, known as the Jackson Flat
137 Recreational Area. It's an area for local residents to come recreate. The District has a lot of
138 activities and events there. Mr. Noel had questions about the right-of-way along the west
139 property boundary and whether the right-of-way had lapsed. City staff explained what was
140 known about the easement on the west side of the property and the easement on the south
141 side of the property.

142 Amanda Buhler, also representing the Water Conservancy District expressed concern that the road
143 to the BLM pit was not on the plans, explaining she has observed a trucks using that road all day, every
144 day. The District is working on putting in a trail system and adding more recreation on the adjacent lot,
145 and if that road goes away and BLM needs access, she questioned how that would work. She expressed
146 that if that access is not there for the BLM, it's going to cause problems for them and the District. The
147 District's adjacent property is the only other option for them to access that pit; the District owns all the
148 other property around it. If the District has to help the BLM gain access, that affects the District. The
149 District is paying for all the recreation.

150
151 Applicant Devin Anderson stated that they would like to work together with the Water Conservancy to
152 connect the trail system. The developer's intent is not to make a land locked property; they are talking
153 ten years from now before that road is relocated. The developer wants to provide that access, and to do
154 the right thing.

155
156 Dirk Clayson explained that he had concerns about the Water Conservancy lands around that property.
157 The road on that west side has been talked about. As a Former Commissioner, it was the County
158 Commission's intent to memorialize those roads. In the process, the County found a few errors like this,

159 where an existing road did not get memorialized. But if you look at that from a master plan standpoint,
160 it's a 90-degree intersection (where the dirt road easement meets Kaneplex Drive); it makes sense that
161 it should be there. If the other property was developed to have some recreational areas, that road
162 serves the purpose for that as well. He disagreed that the road could be internalized. He also expressed
163 concerned about the lack of access to the other end of this road. He also expressed concerns about the
164 traffic flowing in that area when big events are happening at and around the reservoir. Kane Plex Dr.
165 was never built to city standards. He agreed with the effort to make their trails accessible to public
166 areas. The benefit to the development to tie into the trail structure in the neighboring infrastructure is
167 far more valuable than for the neighboring infrastructure to change to fit the development. Mr. Clayson
168 wants to keep easements along the Arizona state line so public access can be maintained.
169

170 In response to a question, Kent Burggraaf explained the Planning Commission cannot go forward with a
171 recommendation for site plan approval without Planning Commission making a recommendation for the
172 Development Agreement (i.e., the development agreements could be recommended either
173 simultaneously with the site plan recommendation or in advance of the site plan recommendation).
174

175 Planning Commission discussed more about the roads in that area.
176

177 Applicant Devin Anderson, explained that he had discussed the road access with the Water Conservancy
178 District and what they are interested in is the access to the pit. He suggested that if the Planning
179 Commission wants to change the wording so that access remains, that was acceptable to the developer.
180

181 Russ Whitaker made a motion to send a positive recommendation to the City Council to approve the
182 alternate Development Agreements, with the condition that the developers will maintain the access on
183 the west border to the BLM pit. Taylor Glover asked if Russ would amend his motion, Russ Whitaker
184 amended that they will also maintain the road connectivity between the one along the western
185 boundary and the one on the southern boundary of the property. Terry Edwards seconded the motion.
186 A roll call vote was taken.

187 Taylor Glover: Yes

188 Terry Edwards: Yes

189 Ben Aiken: Yes

190 Russ Whitaker: Yes

191 Ben Clarkson: No

192 Heather Russell: Yes

193 Motion Carries.
194

195 [Janae Chatterley requested to move up the site plan for the sign for the All-Women Town
196 Council. Chair Boyd Cory approved.]

197 **12. Planning Commission review to approve or deny a sign that will be located in the
198 Design Standards of the C-1/Downtown area.**

199

200 Janae Chatterley explained that the Kanab Heritage Board would like to construct
201 a monument sign near 75 North 100 West, honoring the All-Women Town
202 Council. The monument sign will be located on the City property near Comfort
203 Suites parking lot entrance. It will be located in a C-1 zone, be required to comply
204 with design standards, and requires approval from the Planning Commission. The
205 installation of a permanent sign on City property was approved by City Council on
206 February 28, 2023.

207 Janae Chatterley summarized for the Planning Commission where the monument sign will
208 be placed and Planning Commission discussed it briefly,

209
210 Heather Russell made a motion to approve the proposed monument sign, based on staff
211 findings and conditions found in the staff report 2023005; Russ Whitaker seconded the
212 motion.

213
214 A vote was taken and was unanimous.
215 A roll call vote was taken.

216 Taylor Glover: Yes
217 Terry Edwards: Yes
218 Ben Aiken: Yes
219 Russ Whitaker: Yes
220 Ben Clarkson: Yes
221 Heather Russell: Yes

222 Motion Carries.

223
224
225 Chair Boyd Corry asked to adjourn for 5 minutes.
226

227 **8. Discuss and recommend a zone change to City Council from M-1 [Manufacturing] to RR-1 [Rural Residential] for parcel K-134-701 located in the approximate area of 2291 South Hopi Dr.**

230 Janae Chatterley stated property owners Kathleen and David Gardner
231 represented by Iron Rock Engineering, are requesting a zone change to rezone
232 parcel K-134-701 from Manufacturing (M-1) to Rural Residential (RR-1). This is a
233 5.33-acre undeveloped parcel located next to the sewer lagoons, currently zoned
234 Manufacturing. The property owners intended use is residential. Manufacturing
235 zones do not allow residential use unless it is incidental to the primary use of the
236 business.

237 **Public Hearing:** No comments.

238 Planning commission discussed the zone change request.

239
240 Ben Aiken made a motion to send a positive recommendation to City Council to
241 change parcel K-134-701 from M-1 to RR-1; Terry Glover seconded the motion.
242 A roll call vote was taken.

243 Taylor Glover: Yes
244 Terry Edwards: Yes
245 Ben Aiken: Yes
246 Russ Whitaker: Yes
247 Ben Clarkson: Yes
248 Heather Russell: Yes

249 Motion Carries.

250 [Ben Clarkson rejoined the meeting during the end of this item.]

251
252
253 **9. A discussion and recommendation to City Council on a Zone Change of Parcel K-7-9-2A-Annex from RR-1 to R-1-15 located off Chinle Dr. in the approximate area of 450 South and 650 East [Applicant Arlon Chamberlain]**

254 Janae Chatterley explained an application for a zone change had been received by the property
255 owner of parcel K-7-9-2A-Annex, represented by Arlon Chamberlain. Ms. Chatterley explained
256 the details of the request and City staff's analysis, as included in the staff report.

257 Applicant Arlon Chamberlain stated the requested zoning does not match the other adjacent
258 lots but his own lot is $\frac{3}{4}$ acre. He stated that eventually the surrounding fields will be
259 developed, and it will just blend in with the rest of the houses at that time.

260
261 Russ Whitaker made motion to send a positive recommendation to City Council to assign zone
262 R-1-15 to parcel K-7-9-2A-Annex, based on findings and conditions in staff report 2023008;
263 Heather Russell seconded the motion.

264 A roll call vote was taken.
265 Taylor Glover: Yes
266 Terry Edwards: Yes
267 Ben Aiken: Yes
268 Russ Whitaker: Yes
269 Ben Clarkson: Yes
270 Heather Russell: Yes

271 Motion Carries.

272
273 Motion passed.

274
275 **11. A discussion and recommendation to City Council for a Conditional Use Permit to allow
276 a Private Lane on Parcel K-7-9-2A-Annex located off Chinle Dr. in the approximate area**

281 **of 450 South and 650 East [Applicant Arlon Chamberlain]**

282

283 Janae Chatterley stated, this is an application for a Conditional Use Permit for a private lane,
284 submitted by Arlon Chamberlain. Arlon Chamberlain is requesting a Private Lane on Parcel K-7-
285 8A-Annex that will provide access to Parcel # K-7-9-2A-Annex.

286

287 Taylor Glover moved to send a positive recommendation to City Council for the Conditional Use
288 Permit for a private lane based on staff's findings and conditions listed in the staff report, file
289 20232009, and adopting the findings in Chapter 8, Section 8-6(B). Russ Whitaker seconded the
290 motion.

291 A roll call vote was taken.

292 Taylor Glover: Yes

293 Terry Edwards: Yes

294 Ben Aiken: Yes

295 Russ Whitaker: Yes

296 Ben Clarkson: Yes

297 Heather Russell: Yes

298 Motion Carries. Motion passed.

299

300 **13. A discussion, approval, or denial for a Conditional Use Permit for a Bed'n'Breakfast
301 on Parcel 72-457 located at 617 W Vance.**

302 Janae Chatterley stated property owner, Sara Bichler, is requesting a Conditional Use Permit for
303 a Bed and Breakfast at 617 West Vance Drive, which is zoned R-1-8. Per the Business License
304 Application, she will be renting out one (1) room of the residence to a maximum of two (2)
305 guests. Ms. Chatterley further explained the information and analysis included in the staff
306 report.

307 Russ Whitaker made motion to approve the conditional use permit for a bed and breakfast
308 located at 617 West Vance Drive, based on staff's review and the findings in Chapter 8-6(B),
309 listed in the staff report, file 2023007; Heather Russell seconded the motion.

310 A roll call vote was taken.

311 Taylor Glover: Yes

312 Terry Edwards: Yes

313 Ben Aiken: Yes

314 Russ Whitaker: Yes

315 Ben Clarkson: Yes

316 Heather Russell: Yes

317 Motion Carries.

318 Motion passed.

319

320 **14. A discussion, approval, or denial for a Conditional Use Permit for a Private Dog
321 Kennel on Parcel 34-69 located at 1126 W Grand Canyon Dr.**

322

323 Janae Chatterley explained that property owners, Michael and Jody Amacher are requesting a
324 Conditional Use Permit for a Private Kennel at 1126 West Grand Canyon Drive, which is zoned
325 RR-1. Currently the property owners have four (4) dogs which are licensed in the City and a one-
326 time fee for an Additional Dog Household Permit was paid in 2018. Their four dogs are
327 household pets and are kept inside during the day and night, they are allowed outside for
328 exercise, play and elimination purposes. They would like to adopt a fifth dog to add to their
329 family. The property owners were not able to attend the scheduled meeting but did provide a
330 letter in their absence. Ms. Chatterley provided further information and staff's analysis, as
331 provided in the staff report.

332

333 Heather Russell made motion to approve the Conditional Use Permit for a private kennel
334 located at 1126 West Grand Canyon Drive, based on staff's review of the ordinances and the
335 findings in Chapter 8, Section 8-6(B) listed in the staff report, file 2023003; Ben Aiken seconded
336 the motion.

337 A roll call vote was taken.

338 Taylor Glover: Yes
339 Terry Edwards: Yes
340 Ben Aiken: Yes
341 Russ Whitaker: Yes
342 Ben Clarkson: Yes
343 Heather Russell: Yes

344 Motion Carries

345

346 **10. Discuss and recommend to City Council a Preliminary Site Plan for a Planned
347 Development, Ventana Village Resort, located on Parcel K-13-UTAH-ANNEX in the
348 approximate area of 550 E Kaneplex Drive.**

349

350 Janae Chatterley explained that the developer, Mountain West Development, and their
351 representative, Iron Rock Engineering, have applied for approval of a preliminary site plan of for
352 their planned development. Ms. Chatterley explained what was submitted for the preliminary
353 site plan, the local ordinances pertaining to this request, and staff's analysis of the proposed
354 preliminary site plan, as included in the staff report and as explained during the presentation
355 for agenda item 6.

356

357 Ben Clarkson asked about the number of floors for the Attainable Housing. Steve Laski stated
358 they would be 3 stories.

359

360 Planning Commission discussed having larger parking for trucks and trailers at the resort with
361 the applicant.

362

363 Russ Whitaker made motion to approve the preliminary site plan for Ventana Resort Village,
364 based on the findings and conditions of approval as outlined in staff report, file 2023002, and
365 contingent on the recording of an approved development agreement. Heather Russel seconded
366 the motion.

367 A roll call vote was taken.

368 Taylor Glover: Yes
369 Terry Edwards: Yes
370 Ben Aiken: Yes
371 Russ Whitaker: Yes
372 Ben Clarkson: Yes
373 Heather Russell: Yes

374 Motion Carries.

375

376 Motion passed.

377

378 Chair Boyd Cory postponed the Open and Public Meetings Act training until next meeting.

379

380 **Staff Report:** Janae Chatterley, discussed the need for a second meeting this month.

381

382 **Council Member Liaison Report:** none.

383

384 Ben Aiken made a motion to adjourn; Heather Russell seconded the motion.

385

386 A vote was taken and was unanimous.

387 A roll call vote was taken.

388 Taylor Glover: Yes
389 Terry Edwards: Yes
390 Ben Aiken: Yes
391 Russ Whitaker: Yes
392 Ben Clarkson: Yes
393 Heather Russell: Yes

394 Motion Carries.

395

396 Meeting adjourned.

397

398

Kanab City Planning and Zoning Commission Meeting
Mar 21, 2023
Kanab City Council Chambers
26 North 100 East
6:30 PM

Present: Chair Boyd Cory; Commission Members Ben Aiken; Russ Whitaker; Taylor Glover; Heather Russell; Terry Edwards; Land Use/Building Administrator Janae Chatterley; Land Use Coordinator/Building Inspector Colton Porter; City Council Liaison Arlon Chamberlain; City Planner Bob Nicholson; and City Attorney Kent Burggraaf.

Not Present: Ben Clarkson

Approval of Minutes: Chair Boyd Cory stated that the approval of minutes would be moved to the next meeting.

Public Comment: None.

1. Discuss, Approve, or Deny a Site Plan Review for an addition and renovation to the Kane County Building.

Janae Chatterley stated Kane County has applied for a Building Permit to add an 1,180 square foot addition to the northwest side of the building and renovate areas in the building. Due to the addition of square footage to the building the request for a Building Permit triggers Chapter 9 – Site Plan Review of the Land Use Ordinances. The addition will remove 4 parking spaces two of which are ADA parking. The addition will enlarge the Council Chambers, add a lobby area and a conference room. Renovations will include the corridor area and a set of bathrooms, as well as mechanical (HVAC) and electrical work.

Kane County Sheriff Glover came to represent the site plan for the County Building, the reason for the renovation is to add space to the commission chambers, and add a conference room, and update the buildings bathrooms and roof.

Janae Chatterley advised the Planning Commission that due to the size of the renovation it will trigger chapter 9, for a site plan review. She discussed chapter 9 with the Planning Commission that would trigger the sight plan review of the project. They have met the requirements of chapter 9 on the new sight plan. Staff recommended an approval.

Russ Whitaker made a motion to send an approval to City Council with the conditions of approval and findings outlines in the staff report # 2023012, with the changes to the parking that now meet. Terry Edwards seconded the motion. A roll call vote was taken.

40
41 Ben Aiken: Yes
42 Ben Clarkson: N/A (Not Present)
43 Heather Russell: Yes
44 Terry Edwards: Yes
45 Russ Whitaker: Yes
46 Taylor Glover: Yes
47

48 Motion carries.
49

50 **2. Discuss and recommend to City Council a positive/negative recommendation a Final
51 Site Plan for Catori Canyon Subdivision, Phase I.**

52 Janae Chatterley stated that Kenny Seng, property owner, and their representative, Iron Rock
53 Engineering have applied for a Final Site Plan, Phase 1. Final Site Plans are regulated through the Kanab
54 City Land Use Ordinances, Chapter 23. The Planned Development Overlay and Preliminary Site Plan were
55 approved on August 17, 2022 and then amended and approved on November 8, 2022. Phase 1 of
56 Catori Canyon Subdivision consists of 81 Townhomes, 25 single-family lots, one (1) 10.97
57 commercial lot and 5 open space lots. For a total of 107 buildable lots and 5 open space lots.
58

59 Iron Rock representative, Planning Commission and staff discussed what would happen if the project
60 went bankrupt and how the cost of the project and the infrastructure would not be a burden on the city
61 and its tax payers as other projects have in the past.
62

63 Planning Commission discussed how many lots on a subdivision before it requires a second entrance for
64 safety and first responder access, and when the second entrance will need to be put into the
65 subdivision.
66

67 Taylor Glover made motion to send a positive recommendation to city council based on staff findings
68 and conditions of approval as outlined in the staff report # 2023014. Ben Aiken second. A roll call vote
69 was taken.
70

71 Taylor Glover: Yes
72 Terry Edwards: Yes
73 Ben Aiken: Yes
74 Russ Whitaker: Yes
75 Ben Clarkson: N/A (Not Present)
76 Heather Russell: Yes
77

78 Motion Carries.
79

80 **3. Discuss and recommend to City Council a Final Plat, Phase 1 [Catori Canyon] located**
81 **between the Kanab Creek Ranchos Subdivision and Cedar Heights Subdivision.**

82

83 Janae Chatterley stated Kenny Seng, property owner, and their representative,
84 Iron Rock Engineering have applied for a Final Plat, Phase 1. Final Plats are
85 regulated through the Kanab City Subdivision Ordinances, Chapter 2. This
86 applicant has also submitted a Final Site Plan application. The preliminary plat
87 was approved on August 17, 2023, there have been some modifications made on
88 the final plat. An additional area of multi-family (13 units) and one additional
89 single-family lot has been added to the plat. Phase 1 of Catori Canyon Subdivision
90 consists of 81 Townhomes, 25 single-family lots, one (1) 10.97 commercial lot and
91 5 open space lots. For a total of 106 buildable platted lots and 5 open space
92 platted lots.

93

94 Terry Edwards made a motion to send a positive recommendation to city council on phase 1
95 based on staff findings and conditions found in the staff report 2023013; Heather Russell
96 seconded the motion.

97

98 A vote was taken and was unanimous.

99 A roll call vote was taken.

100 Taylor Glover: Yes
101 Terry Edwards: Yes
102 Ben Aiken: Yes
103 Russ Whitaker: Yes
104 Ben Clarkson: N/A (Not Present)
105 Heather Russell: Yes

106 Motion Carries.

107

108 **4. Discuss and recommend to City Council a positive/negative recommendation a revision**
109 **to the Kanab City Design Standards.**

110 Janae Chatterley explained that the city design standards are out dated and need
111 to be updated. The City Engineers asked if we the city could update the design
112 standards to meet ASHTO & APWA regulations. Staff added verbiage for small cell
113 towers, and cell towers in general.

114 Planning Commission and staff briefly discussed the new requirements and the
115 changes to the Kanab City Design Standards. Another public hearing will be held
116 with City Council meeting.

117

118 Ben Aiken made a motion to send a positive recommendation to City Council to
119 adopt the new design standards; Terry Glover seconded the motion.

120 A roll call vote was taken.

121 Taylor Glover: Yes

122 Terry Edwards: Yes

123 Ben Aiken: Yes

124 Russ Whitaker: Yes

125 Ben Clarkson: N/A (Not Present)

126 Heather Russell: Yes

127 Motion Carries.

128

129 **5. Open & Public Meetings Training.**

130

131 Kent Burggraaf conducted the Open & Public Meetings Training.

132 The Planning Commission was provided a video to watch before the meeting and a
133 presentation was done by Kent Burggraaf during the meeting. Any questions that the Planning
134 Commission had were answered and or discussed.

135

136

137 **6. Discussion possible amendments to the Land Use Ordinance Chapter 4-16 Fences
138 Walls and Hedges.**

139

140 Janae Chatterley explained that there was a variance that raised concerns about some unclear
141 language in the ordinance, with the triangle requirements on a corner lot, height requirements
142 for front and side fences on the interior lots, and the set-back requirement on the street side of
143 a corner lot. Mayor Johnson and a few of the Council Members attended the variance and it
144 was requested that Planning Commission review the ordinance.

145

146 City Planner Bob Nicholson presented through a power point presentation about the struggles
147 and solutions that other cities have with fencing ordinances on corner lots.

148

149 Planning Commission discussed with staff the changes and safety concerns of fences having a
150 minimum setback. Enforcement of fences was discussed.

151

152 Staff will be making the changes to the ordinances that was discussed and sending out the
153 required Public Notices for text amendments. The public notice will be scheduled in a near
154 future meeting.

155

156 **7. Discussion possible amendments to the Land Use Ordinance Chapter 4-22 Temporary
157 Lodging.**

158

159 Janae Chatterley explained that during a Conditional Use Permit for a Bed and Breakfast it was
160 discovered that there are some requirements in Chapter 4-22 that are not being enforced and
161 haven't for some time. Staff is wondering if the Planning Commission would still like to have
162 these requirements enforced or removed from the ordinance.

163

164 Planning commission discussed the ordinance briefly and the conclusion was to change in *sub*
165 *section F, letter a)* the word "shall" to "may."

166

167 Staff will be making the changes to the ordinances that was discussed and sending out the
168 required Public Notices for text amendments. The public notice will be scheduled in a near
169 future meeting.

170

171 **8. Discussion possible amendments to the Land Use Ordinance Chapter 13 Recreational
172 Vehicle Park Section 13-5 Extended Stay.**

173

174 Janae Chatterley explained that the changes that were made about a year ago from hard
175 surface to other surfaces requirements with in the RV Park, it appears this is still listed as a
176 requirement in the Extended Stay RV park area. The question was raised if that was an
177 oversight and if the Planning Commission wanted to have this changed or if this was intentional
178 for extended stays in the RV park to have concrete or asphalt (hardscape) roadways.

179

180 The Planning Commission discussed the need to add road base and gravel to list for extended
181 stay.

182

183 Staff will be making the changes to the ordinances that was discussed and sending out the
184 required Public Notices for text amendments. The public notice will be scheduled in a near
185 future meeting.

186

187 **Staff Report:** Janae Chatterley, Planning Commission can always reach out for any major
188 changes to the minutes before the meeting if needed. New commissioners have had a
189 kanab.utah.gov email set up for them to use for correspondence regarding Planning
190 Commission items.

191 Kent Burggraaf, made the Planning Commission aware of a Land Use training coming up that
192 they can attend.

193

194 **Council Member Liaison Report:** none.

195

196 Russ Whitaker made a motion to adjourn; Terry Edwards seconded the motion.

197

198 A roll call vote was taken and was unanimous.

199 Taylor Glover: Yes

200 Terry Edwards: Yes
201 Ben Aiken: Yes
202 Russ Whitaker: Yes
203 Ben Clarkson: N/A (Not Present)
204 Heather Russell: Yes
205 Motion Carries.
206
207 Meeting adjourned.
208
209

DRAFT

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



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Kerry Glover
JD Wright

Kanab City Planning Commission Staff Report

File #2023023

Date:	March 31, 2023
Meeting Date:	April 4, 2023
Agenda Item:	Discuss and recommend to City Council a petition to vacate public utility easements on parcels 65-2044, 65-2045 & 65-2046
Subject Property Address:	1709 S Lee Dr
Applicant:	Michael S Salamacha
Applicant Agent:	Iron rock Engineering
Parcel #:	65-2044, 65-2045 & 65-2046
Applicable Ordinances:	Utah State Code, Title 10, Chapter 9a, Part 609.5

Summary:

Michael Salamacha and his representative are requesting to vacate the public utility easements between the parcels of Kanab Creek Ranchos, Unit #3 parcels 65-2044, 65-2045 and 65-2046 located approximately at 1709 S Lee Drive.

Applicable Regulation(s):

Plat Amendments are addressed in Utah Code, Title 10, Chapter 9a, Part 609.5.

Analysis

Staff has determined:

- The application meets the requirements of the Utah Code;
- Good cause exists for the vacation;
- Neither the public interest or any person will be materially injured by the proposed vacation.

The owner of record contained within the plat is Michael Salamacha. The vacation of the public utility easement is being requested so that the owner can join three lots together and use the land to its fullest benefit. The easements are currently not being used for any utilities and will not have any consequences by vacating them.

Public Hearing will be held with City Council the required public notices have been sent and scheduled to go before City Council on April 25, 2023.

— A Western Classic —

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



City Council
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Kerry Glover
JD Wright

Staff Recommendation:

After reviewing the application and analyzing the petition to vacate public utility easement, staff recommends that the Planning Commission send a positive recommendation for approval of the vacation to the Kanab City Council.

Conditions of Approval:

Staff has no conditions of approval.

Recommended Motion:

I move to send a positive recommendation to City Council for the vacation of the public utility easements identified on the proposed plat map for parcels 65-2044, 65-2045, and 65-2046 based on the findings and conditions outlined in the staff report #2023023.

Alternate motion:

I move to send a positive recommendation to City Council for the vacation of the public utility easements identified on the proposed plat map for parcels 65-2044, 65-2045, and 65-2046 based on the findings and conditions outlined in the staff report #2023023, with the additional findings and conditions: .

I move to send a negative recommendation to City Council for the vacation of the public utility easements identified on the proposed plat map for parcels 65-2044, 65-2045, and 65-2046 demonstrating the applicant has not met the standards outlined in the Utah State Code: .

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Exhibit A: Subject Property

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Exhibit B: Amended Plat

— A Western Classic —



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

**SALAMACHA,
AMENDED LOTS 2044, 2045, 2046
KANAB CREEK RANCHOS UNIT NO.3
AMENDED**

CITY OF KANAB, UTAH
LOCATED IN SE^{1/4}, NW^{1/4} OF SECTION 5,
TOWNSHIP 44 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN

SCALE 1" = 20'

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SCALE 1" = 26'

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



City Council
Arlon Chamberlain
Chris Heaton
Scott Colson
Kerry Glover
JD Wright

Kanab City Planning Commission Staff Report

File #2023024

Date:	March 31, 2023
Meeting Date:	April 4, 2023
Agenda Item:	Discuss and recommend to City Council a petition to vacate public utility easements on parcels 65-223, 65-224 & 65-225
Subject Property Address:	1034 W Kanab Creek Dr
Applicant:	Leslie Trent & Joan Keller
Applicant Agent:	
Parcel #:	65-223, 65-224 & 65-225
Applicable Ordinances:	Utah State Code, Title 10, Chapter 9a, Part 609.5

Summary:

Leslie Trent and Joan Kellrer are requesting to vacate the public utility easements between the parcels of Kanab Creek Ranchos, Unit #3 parcels 65-223, 65-224 and 65-225 located approximately at 1034 W Kanab Creek Drive.

Applicable Regulation(s):

Plat Amendments are addressed in Utah Code, Title 10, Chapter 9a, Part 609.5.

Analysis

Staff has determined:

- The application meets the requirements of the Utah Code;
- Good cause exists for the vacation;
- Neither the public interest or any person will be materially injured by the proposed vacation.

The owner of record contained within the plat is Leslie Trent and Joan Keller. The vacation of the public utility easement is being requested so that the owner can join three lots together and use the land to its fullest benefit. The easements are currently not being used for any utilities and will not have any consequences by vacating them.

Public Hearing will be held with City Council the required public notices have been sent and scheduled to go before City Council on April 25, 2023.

– A Western Classic –

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



City Council
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JD Wright

Staff Recommendation:

After reviewing the application and analyzing the petition to vacate public utility easement, staff recommends that the Planning Commission send a positive recommendation for approval of the vacation to the Kanab City Council.

Conditions of Approval:

Staff has no conditions of approval.

Recommended Motion:

I move to send a positive recommendation to City Council for the vacation of the public utility easements identified on the proposed plat map for parcels 65-223, 65-224, and 65-225 based on the findings and conditions outlined in the staff report #2023024.

Alternate motion:

I move to send a positive recommendation to City Council for the vacation of the public utility easements identified on the proposed plat map for parcels 65-223, 65-224, and 65-225 based on the findings and conditions outlined in the staff report #2023024, with the additional findings and conditions: .

I move to send a negative recommendation to City Council for the vacation of the public utility easements identified on the proposed plat map for parcels 65-223, 65-224, and 65-225 demonstrating the applicant has not met the standards outlined in the Utah State Code: .

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Kanab City Planning Commission Staff Report

File #2023015

Date:	March 31, 2023
Meeting Date:	April 4, 2023
Agenda Item:	Discuss and recommend to City Council a plat amendment to the Vermillion Lofts Subdivision, parcels K-312-1 & K-312-2 [Applicant Iron Rock Engineering]
Subject Property Address:	950 S Highway 89 A
Applicant:	ZK Holdings Phase 3 LLC
Applicant Agent:	Iron rock Engineering
Zoning Designation:	C-2/RA
General Plan Designation:	MDR/GC/AG
Parcel #:	K-312-1 & K-312-2
Applicable Ordinances:	Subdivision Ordinance, Chapter 2-4

Attachments:

Exhibit A: Subject Property

Exhibit B: Amended Plat

Summary:

ZK Holdings Phase 3, LLC and their representative Iron Rock Engineering are requesting to amend the plat for the Vermillion Loft Subdivision located at 950 S Highway 89A. The subdivision consists of two lots both owned by ZK Holdings Phase 3, LLC. Lot 1 currently is developed as apartment buildings. Lot 2 is undeveloped, but a recent Site Plan was approved to construct additional apartments. The plat amendment consists of taking Lot 2 and subdividing it into two lots, creating three lots in the subdivision. The parcel located adjacent to the subdivision along the southern lot line, is a strip of land that is owned by ZK Holdings Phase 3, LLC, they would like to add this to the subdivision, splitting it into three sections in line with the platted three lots of the subdivision.

Applicable Regulation(s):

Plat Amendments are addressed in Utah Code, Title 10, Chapter 9a, Part 6, and the Kanab City Subdivision Ordinance, Chapter 2, upon application that includes a Sketch Plan and Narrative. Chapter 2-4 specifically addresses the plat amendment process and requirements.

Analysis

Development Committee has reviewed the application, sketch plan and narrative provided by the applicant. Staff has determined:

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- The application meets the requirements of the subdivision ordinance;
- No sensitive lands have been identified necessitating abatement of conditions;
- The new parcels will have frontage on 10th West and access through interior private roads of the subdivision.
- The subdivision is consistent with the General Plan, in that the amendment complies with the aspiration outlined in the current Future Land Use Map of rural residential district;
- Parcels are zoned C-2 [Commercial] and RA [Residential Agriculture].
- A dedicated road has been platted (10th West) and conforms to the guidelines found in the Transportation Master Plan.

The owner of record contained within the plat is ZK Holdings Phase 3, LLC. Subdivision construction improvement plans for grading, drainage, streets and utility infrastructure, as modified by the proposed amendment is not needed; the change of the lots does not affect the plan previously provided. A title report has been submitted to Kanab City. Applicant has paid the amended plat fee required. Impact fees will be collected with the building permitting process.

Public Hearing will be held with City Council the required public notices have been sent and scheduled to go before City Council on April 25, 2023.

Proposed Findings:

1. This application was initiated by Iron Rock Engineering.
2. The property included within the amended plat boundaries are zoned C2/RA.
3. The Future Land Use Map designation for these properties on the City's General Plan is Medium Density Residential/General Commercial/Agriculture.
4. The applicant is requesting to split one of the lots into two (2) separate lots, add a strip of land on the south lot line adjacent to the subdivision and adjust the lot lines so it is split between the three amended lots.
5. The proposed plat amendment meets the subdivision and zoning standards in the City's Ordinance.
6. The owner or their representative is responsible for securing the appropriate development permits prior to any construction activity.
7. The Kanab City Planning Commission is the body responsible for making subdivision plat amendment recommendations to the City Council, upon application.
8. No easement nor public streets are being vacated nor changed in the proposed amendment.
9. Neither the public nor any person will be materially injured by the proposed amendment.
10. There is good cause for the amendment.

Staff Recommendation:

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After reviewing the application and analyzing the proposed plat amendment, staff has found that it meets State Code and Kanab City Ordinances and recommends that the Planning Commission send a positive recommendation to the Kanab City Council on the proposed plat amendment.

Conditions of Approval:

Staff does not recommend any additional conditions at this time.

Recommended Motion:

I move to send a positive recommendation to City Council for the plat amendment to the Vermillion Loft Subdivision Parcels K-312-1 & K-312-2 based on the findings and conditions of approval as outlined in the staff report for file #2023015.

Alternate motion:

I move to send a positive recommendation to City Council for the plat amendment to the Vermillion Loft Subdivision Parcels K-312-1 & K-312-2 based on the findings and conditions of approval as outlined in the staff report for file #2023015, with the additional findings and conditions:

I move to send a negative recommendation to City Council for the plat amendment to the Vermillion Loft Subdivision Parcels K-312-1 & K-312-2 demonstrating the applicant has not met the standards outlined in the Kanab City ordinances):

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Mayor
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City Manager
Kyler Ludwig
Treasurer
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Exhibit A: Subject Property

— A Western Classic —



Mayor
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City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



City Council
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Exhibit B: Amended Plat

— A Western Classic —

Mayor
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Kyler Ludwig
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City Council
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Kanab City Planning Commission Staff Report

File #2023016

Date:	March 31, 2023
Meeting Date:	April 4, 2023
Agenda Item:	Discuss and recommend to City Council a plat amendment to the White Pocket Villas Subdivision, parcels K-343-Open & K-343-9
Subject Property Address:	350 E 650 S
Applicant:	Kanab Townhome Developers, LLC
Applicant Agent:	Iron rock Engineering
Zoning Designation:	RM
General Plan Designation:	MDR/HDR
Parcel #:	K-343-9 & K-343-Open
Applicable Ordinances:	Subdivision Ordinance, Chapter 2-4

Attachments:

Exhibit A: Subject Property

Exhibit B: Amended Plat

Summary:

Kanab Townhome Developers and their representative are requesting to amend the plat for White Pocket Villas Subdivision located at 350 E 650 South parcels K-343-9 and K-343-Open. The amendment includes a lot line adjustment to parcel K-343-9 enlarging the lot and yard area for the constructed townhome.

Applicable Regulation(s):

Plat Amendments are addressed in Utah Code, Title 10, Chapter 9a, Part 6, and the Kanab City Subdivision Ordinance, Chapter 2, upon application that includes a Sketch Plan and Narrative. Chapter 2-4 specifically addresses the plat amendment process and requirements.

Analysis

Development Committee has reviewed the application, sketch plan and narrative provided by the applicant. Staff has determined:

- The application meets the requirements of the subdivision ordinance;
- No sensitive lands have been identified necessitating abatement of conditions;
- The subdivision is consistent with the General Plan, in that the amendment complies with the aspiration outlined in the current Future Land Use Map of rural residential district;

– A Western Classic –

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- Parcel is zoned RM.
- The streets have not been changed and conform to the guidelines found in the Transportation Master Plan.

The owner of record contained within the plat is Kanab Townhome Developers. Subdivision construction improvement plans for grading, drainage, streets and utility infrastructure, as modified by the proposed amendment is not needed; the change of the lots does not affect the plan previously provided. A title report has been submitted to Kanab City. Applicant has paid the amended plat fee required. Impact fees will be collected with the building permitting process.

Public Hearing will be held with City Council the required public notices have been sent and scheduled to go before City Council on April 25, 2023.

Proposed Findings:

1. This application was initiated by Iron Rock Engineering.
2. The property included within the amended plat boundaries are zoned RM.
3. The Future Land Use Map designation for these properties on the City's General Plan is Medium Density Residential/High Density Residential.
4. The applicant is requesting to enlarge the lot and yard area.
5. The proposed plat amendment meets the subdivision and zoning standards in the City's Ordinance.
6. The owner is responsible for securing the appropriate development permits prior to any construction activity.
7. The Kanab City Planning Commission is the body responsible for making subdivision plat amendment recommendations to the City Council, upon application.
8. No easement nor public streets are being vacated nor changed in the proposed amendment.
9. Neither the public nor any person will be materially injured by the proposed amendment.
10. There is good cause for the amendment.

Staff Recommendation:

After reviewing the application and analyzing the proposed plat amendment, staff has found that it meets State Code and Kanab City Ordinances and recommends that the Planning Commission send a positive recommendation for approval of the proposed plat amendment to the Kanab City Council.

Conditions of Approval:

Staff does not recommend any additional conditions at this time.

– A Western Classic –

Mayor
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City Manager
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Treasurer
Danielle Ramsay



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JD Wright

Recommended Motion:

I move to send a positive recommendation to City Council for the plat amendment to the White Pocket Villas Subdivision, affecting parcel K-343-9 and K-343-Open based on the findings and conditions of approval as outlined in the staff report #2023016.

Alternate motion:

I move to send a positive recommendation to City Council for the plat amendment to the White Pocket Villas Subdivision, affecting parcel K-343-9 and K-343-Open based on the findings and conditions of approval as outlined in the staff report #2023016, with the additional findings and conditions:

I move to send a negative recommendation to City Council for the plat amendment to the White Pocket Villas Subdivision, affecting parcel K-343-9 and K-343-Open demonstrating the applicant has not met the standards outlined in the Kanab City ordinances:

– A Western Classic –

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Treasurer
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Exhibit A: Subject Property

— A Western Classic —



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Treasurer
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City Council
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Exhibit B: Amended Plat

— A Western Classic —

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



City Council
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Scott Colson
Kerry Glover
JD Wright

Kanab City Planning Commission Staff Report File #2023010

Date:	March 31, 2023
Meeting Date:	April 4, 2023
Agenda Item:	Discuss and recommend to City Council a plat amendment to the Kanab Creek Subdivision, Unit 3, parcels 65-2044, 65-2045, and 65-2046
Subject Property Address:	1709 S Lee Dr
Applicant:	Michael S Salamacha
Applicant Agent:	Iron rock Engineering
Zoning Designation:	R-1-8
General Plan Designation:	MDR
Parcel #:	65-2044, 65-2045 & 65-2046
Applicable Ordinances:	Subdivision Ordinance, Chapter 2-4

Attachments:

Exhibit A: Subject Property

Exhibit B: Amended Plat

Summary:

Michael Salamacha and his representative are requesting to amend the plat for Kanab Creek Ranchos, Unit #3 parcels 65-2044, 65-2045 and 65-2046 located approximately at 1709 S Lee Drive. The plat amendment consists of joining the three parcels into one.

Applicable Regulation(s):

Plat Amendments are addressed in Utah Code, Title 10, Chapter 9a, Part 6, and the Kanab City Subdivision Ordinance, Chapter 2, upon application that includes a Sketch Plan and Narrative. Chapter 2-4 specifically addresses the plat amendment process and requirements.

Analysis

Development Committee has reviewed the application, sketch plan and narrative provided by the applicant. Staff has determined:

- The application meets the requirements of the subdivision ordinance; with the contingency that the petition to vacate the public utility easements between the lots are approved by City Council.
- No sensitive lands have been identified necessitating abatement of conditions;

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- The subdivision is consistent with the General Plan, in that the amendment complies with the aspiration outlined in the current Future Land Use Map of rural residential district;
- Parcel is zoned R-1-8.
- The streets have not been changed and conform to the guidelines found in the Transportation Master Plan.

The owner of record contained within the plat is Michael Salamacha. Subdivision construction improvement plans for grading, drainage, streets and utility infrastructure, as modified by the proposed amendment is not needed; the change of the lots does not affect the plan previously provided. A title report has been submitted to Kanab City. Applicant has paid the amended plat fee required. Impact fees will be collected with the building permitting process.

Public Hearing will be held with City Council the required public notices have been sent and scheduled to go before City Council on April 25, 2023.

Proposed Findings:

1. This application was initiated by Iron Rock Engineering.
2. The property included within the amended plat boundaries are zoned R-1-8
3. The Future Land Use Map designation for these properties on the City's General Plan is Medium Density Residential.
4. The applicant is requesting a lot joiner, joining three lots into one.
5. The proposed plat amendment meets the subdivision and zoning standards in the City's Ordinance with the contingency listed above.
6. The owner is responsible for securing the appropriate development permits prior to any construction activity.
7. The Kanab City Planning Commission is the body responsible for making subdivision plat amendment recommendations to the City Council, upon application.
8. There is a petition to vacate easement in the proposed amendment.
9. Neither the public nor any person will be materially injured by the proposed amendment.
10. There is good cause for the amendment.

Staff Recommendation:

After reviewing the application and analyzing the proposed plat amendment, staff recommends that the Planning Commission send a positive recommendation for approval of the proposed plat amendment to the Kanab City Council with the conditions of approval below.

Conditions of Approval:

Approval is contingent upon the petition to vacate public utility easements between the lots being joined are approved by City Council.

– A Western Classic –

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City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay



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JD Wright

Recommended Motion:

I move to send a positive recommendation to City Council for the plat amendment to the Kanab Creek Ranchos Subdivision, affecting parcel 65-2044, 65-2045, and 65-2046 based on the findings and conditions of approval as outlined in the staff report #2023010.

Alternate motion:

I move to send a positive recommendation to City Council for the plat amendment to the Kanab Creek Ranchos Subdivision, affecting parcel 65-2044, 65-2045, and 65-2046 based on the findings and conditions of approval as outlined in the staff report #2023010, with the additional findings and conditions: .

I move to send a negative recommendation to City Council for the plat amendment to the Kanab Creek Ranchos Subdivision, affecting parcel 65-2044, 65-2045, and 65-2046 demonstrating the applicant has not met the standards outlined in the Kanab City ordinances: .

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Exhibit A: Subject Property

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Exhibit B: Amended Plat

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Kanab City Planning Commission Staff Report File #2023017

Date:	March 31, 2023
Meeting Date:	April 4, 2023
Agenda Item:	Discuss and recommend to City Council a plat amendment to the Kanab Creek Subdivision, Unit 3, parcels 65-223, 65-224, 65-225
Subject Property Address:	1016 W Kanab Creek Drive
Applicant:	Leslie Trent & Joan Keller
Applicant Agent:	
Zoning Designation:	RR-1
General Plan Designation:	VLDR
Parcel #:	65-223, 65-224, 65-225
Applicable Ordinances:	Subdivision Ordinance, Chapter 2-4

Attachments:

Exhibit A: Subject Property

Exhibit B: Amended Plat

Summary:

Leslie Trent and Joan Keller are requesting to amend the plat for Kanab Creek Ranchos, Unit #3 parcels 65-223, 65-224, and 65-225 located approximately at 1016 West Kanab Creek Drive. The plat amendment consists of joining the three parcels into one.

Applicable Regulation(s):

Plat Amendments are addressed in Utah Code, Title 10, Chapter 9a, Part 6, and the Kanab City Subdivision Ordinance, Chapter 2, upon application that includes a Sketch Plan and Narrative. Chapter 2-4 specifically addresses the plat amendment process and requirements.

Analysis

Development Committee has reviewed the application, sketch plan and narrative provided by the applicant. Staff has determined:

- The application meets the requirements of the subdivision ordinance; with the contingency that the petition to vacate the public utility easements between the lots are approved by City Council.
- No sensitive lands have been identified necessitating abatement of conditions;

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- The subdivision is consistent with the General Plan, in that the amendment complies with the aspiration outlined in the current Future Land Use Map of rural residential district;
- Parcel is zoned RR-1.
- The streets have not been changed and conform to the guidelines found in the Transportation Master Plan.

The owner of record contained within the plat is Leslie Trent and Joan Keller. Subdivision construction improvement plans for grading, drainage, streets and utility infrastructure, as modified by the proposed amendment is not needed; the change of the lots does not affect the plan previously provided. A title report has been submitted to Kanab City. Applicant has paid the amended plat fee required. Impact fees will be collected with the building permitting process.

Public Hearing will be held with City Council the required public notices have been sent and scheduled to go before City Council on April 25, 2023.

Proposed Findings:

1. This application was initiated by the owners.
2. The property included within the amended plat boundaries are zoned RR-1
3. The Future Land Use Map designation for these properties on the City's General Plan is Very Low Density Residential.
4. The applicant is requesting a lot joiner, joining three lots into one.
5. The proposed plat amendment meets the subdivision and zoning standards in the City's Ordinance with the contingency listed above.
6. The owner is responsible for securing the appropriate development permits prior to any construction activity.
7. The Kanab City Planning Commission is the body responsible for making subdivision plat amendment recommendations to the City Council, upon application.
8. There is a petition to vacate easement in the proposed amendment.
9. Neither the public nor any person will be materially injured by the proposed amendment.
10. There is good cause for the amendment.

Staff Recommendation:

After reviewing the application and analyzing the proposed plat amendment, staff recommends that the Planning Commission send a positive recommendation for approval of the proposed plat amendment to the Kanab City Council with the conditions of approval below.

Conditions of Approval:

Approval is contingent upon the petition to vacate public utility easements between the lots being joined is approved by City Council.

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Recommended Motion:

I move to send a positive recommendation to City Council for the plat amendment to the Kanab Creek Ranchos Subdivision, affecting parcel 65-223, 65-224, and 65-225 based on the findings and conditions of approval as outlined in the staff report #2023017.

Alternate motion:

I move to send a positive recommendation to City Council for the plat amendment to the Kanab Creek Ranchos Subdivision, affecting parcel 65-223, 65-224, and 65-225 based on the findings and conditions of approval as outlined in the staff report #2023017, with the additional findings and conditions: .

I move to send a negative recommendation to City Council for the plat amendment to the Kanab Creek Ranchos Subdivision, affecting parcel 65-223, 65-224, and 65-225 demonstrating the applicant has not met the standards outlined in the Kanab City ordinances: .

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Exhibit A: Subject Property

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Exhibit B: Amended Plat

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Kanab City Planning Commission Staff Report

Reference File #2023022

Date:	March 31, 2023
Meeting Date:	April 4, 2023
Agenda Item:	Conditional Use Permit Home Occupation, Heavy
Subject Property Address:	339 W Johnson Dr
Applicant:	Cody Bunting
Applicant Agent:	

Summary:

Cody Bunting is requesting a Conditional Use Permit for a Mobile Welding business. The Mobile Welding equipment and tools will be stored at 339 W Johnson Drive.

Applicable Regulation(s):

Kanab City Land Use Ordinance, Chapter 4, Section 4-28 Home Occupations regulates light and heavy Home Occupations. Home Occupations, heavy require a Conditional Use Permit and a defined by ordinance Chapter 10 Section 10-7.

Proposed Findings:

1. This application was initiated by Cody Bunting.
2. The application meets the Land Use Ordinances of Chapter 4, section 4-28 and Chapter 10, section 10-7.
3. Findings for approval as outlined in Chapter 8, Section 8-6 (B) and as listed below in the Findings of Approval in the staff report.

Finding for Approval:

In approving the conditional use permit, the Kanab City Planning Commission finds:

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

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Conditions of Approval:

Staff does not recommend any conditions.

Staff Recommendation:

The application for a Conditional Use Permit to allow a Home Occupation, Heavy license (Mobile Welding business) located at 339 W Johnson Drive has met Chapter 4-28, Chapter 10, and Chapter 8 of the Kanab City Land Use Ordinances and Staff recommends approval of the Conditional Use Permit.

Recommended Motion:

I move that we approve the Conditional Use Permit for the Home Occupation, Heavy license (Mobile Welding) at 339 West Johnson Drive based on Staff's review and the findings in Chapter 8, Section 8-6 (B) listed in the staff report, File # 2023022.

Alternate Motion:

I move that we approve the Conditional Use Permit for the Home Occupation, Heavy license (Mobile Welding) at 339 West Johnson Drive based on Staff's review and the findings in Chapter 8, Section 8-6 (B) listed in the staff report, File # 2023022 with the following additional finding(s) (i.e., demonstrating the applicant has not meet the standards outlined in the Kanab City ordinances): .

I move that we deny the Conditional Use Permit for the Home Occupation, Heavy license (Mobile Welding) at 339 West Johnson Drive the applicant has not meet the following standards outlined in the Kanab City ordinances:

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Exhibit A:

Site Plan

— A Western Classic —

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Exhibit B: **Vicinity Map**

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Kanab City Planning Commission Staff Report

File #2023021

Date:	March 31, 2023
Meeting Date:	April 4, 2023
Agenda Item:	Discuss, approve or deny a Site Plan Review for a sign in the Design Standard area.
Subject Property Address:	163 South 100 East
Applicant:	Jodi Cox / Star Sign
Applicant Agent:	

Exhibit: Design Plans for Sign and location

Summary:

Star Signs on behalf of Best Friend's Animal Sanctuary is requesting to relocate a sign that was used at the Best Friend's Visitor Center to the Best Friend's Fitness Center. The sign is a wall sign that is backlit with the Best Friend's logo.

Applicable Regulation(s):

Design Standards for the Commercial Zones are regulated through the Kanab Land Use Ordinances, Chapter 20-8. Signs are regulated in the Kanab Land Use Ordinances, Chapter 7. The Design Standards in Chapter 20-8 require that the Planning Commission review and approve any construction in the C-1 zone and extended area that requires a building permit.

Analysis:

Staff has reviewed the application, Sketch Plan, and Narrative provided by the applicant. Staff has determined that:

- The application meets the requirements of Chapter 20 – Commercial Zones;

Staff Recommendation:

After reviewing the application and submittal documents staff has determined that the Monument sign meets the Kanab City Land Use Ordinances Chapter 20-8, staff recommends that the Planning Commission approve the Monument sign with the following conditions.

Conditions of Approval:

Staff recommends approval is subject to additional conditions, as follows:

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- a. Planning Commission is only approving Standard Design regulations as outlined in Chapter 20 based on the rendered drawings.
- b. Construction drawings and the Building Permit process still needs to be reviewed and issued by staff if submittal documents meet Chapter 7 – Sign ordinance and any applicable adopted building codes.
- c. The owner is responsible for securing the appropriate permits prior to any construction activity.

Recommended Motion:

I move that we approve the review of the Standard design for the Wall sign located near 163 South 100 East based on Staff's findings and conditions found in Staff Report #2023021.

Alternate Motion(s):

I move that we approve the review of the Standard design for the Wall sign located near 163 South 100 East based on Staff's findings and conditions found in Staff Report #2023021, with the following additional finding(s) (i.e., demonstrating the applicant has not met the standards outlined in the Kanab City ordinances): .

I move that we deny the review of the Standard design for the Wall sign located near 163 South 100 East, the applicant has not meet the following standards outlined in the Kanab City ordinances:

– A Western Classic –



Kanab

Land Use Ordinance

Chapter 07 – Signs

Adopted September 22, 2020; Revised

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

Section 7-1 General Requirements

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

Section 7-2 Interpretation

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

Section 7-3 Application and Review Procedures

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

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Chapter 07 – Signs

Adopted September 22, 2020; Revised

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

Section 7-4 Sign Defined

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

Section 7-5 Awnings and Canopies

A. Definitions:

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

B. Where Allowed:

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

C. Maximum Allowed:

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

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Adopted September 22, 2020; Revised

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

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

Section 7-6 Banners

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

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

- B. Advertising Banners on Private Property:

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

Section 7-7 Freestanding Signs

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

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

- C. Maximum Height, Size and Number Allowed:

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

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Adopted September 22, 2020; Revised

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

D. Free-Standing signs, OFF-PREMISE:

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

Section 7-8 Wall Signs

A. Definition: Any sign erected parallel and attached to or painted on the outside wall of a building and extending not more than eighteen inches (18") from the wall, and shall not extend above the wall area. A wall includes all window and wall area of each elevation of the building.

B. Maximum Size Allowed: The total area of all wall signs shall not exceed twenty percent (20%) of each elevation of the building. Wall signs shall have a maximum size of up to 130 square feet.

1. Signs on an awning, window, canopy, or mansard roof will be considered to be a part of a wall sign, and calculated as a part of the total square footage allowed.

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Land Use Ordinance

Chapter 07 – Signs

Adopted September 22, 2020; Revised

2. Wall murals which are purely decorative in nature and content, and do not include advertising by picture or verbal message may be approved for front and side wall by the planning commission.

Section 7-9

Projecting Signs

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

Section 7-10

Window Signs

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

Section 7-11

Monument Signs

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

Commented [MC1]: Kane County Office of Tourism is asking the City to review this and to consider the size of signs (ex. Block letters are measured individually not as a whole word)

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Land Use Ordinance

Chapter 07 – Signs

Adopted September 22, 2020; Revised

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

Section 7-12 A-Frame (Sandwich) Signs

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

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

Section 7-13 Temporary Signs

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

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Adopted September 22, 2020; Revised

C. Maximum Allowed: Temporary signs are allowed thirty (30) days before an event and should be removed within five (5) days following the event

1. Temporary signs shall be maintained in good repair at all times.
2. Temporary signs that violate this ordinance may be removed by the city if doing so will not damage the sign after reasonable attempts have been made to ask for compliance. The sign will then be given back to the owner or discarded if considered abandoned.
3. Temporary signs are permitted in any zone in the city provided that they are located a minimum of two feet (2') behind the property line. Only one temporary sign is allowed on any street frontage of the property.
4. A temporary sign shall not exceed twenty-four (24) square feet in area, or four feet (4') in height.
5. Pennants and inflatable signs may be used for grand openings for new businesses or significant changes (e.g. additions or change in uses) to the business

Commented [MC2]: Kane County Office of Tourism is asking the City to review this and increase the height of signs and consider the size of signs (ex. Block letters are measured individually not as a whole word)

D. Commercial and private signs are ~~generally~~ not allowed on City-owned property. ~~Political Signs and a~~ Authorized Civic Event signs are allowed on City-owned property after obtaining a permit from the City and under the following conditions:

1. Such signs shall not block the visibility (for vehicle or pedestrian traffic) of existing signs.
2. Such signs shall not unsafely obstruct or hinder the views of vehicle or pedestrian traffic.
3. Such signs can only be placed within 30 days of the Civic Event or election and must be removed within 5 days after the conclusion of the Civic Event or election.
4. Such signs must not exceed 16 square feet.

~~Political Signs for the purpose of this section follow the same definition as found in Utah Code Section 20A-17-103 (1)(b)~~

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

Section 7-14 Commercial Signs in Residential Areas

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

Kanab

Land Use Ordinance

Chapter 07 – Signs

Adopted September 22, 2020; Revised

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

Section 7-15 **Directional or Guide Signs**

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

Section 7-16 **Public Necessity Signs**

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

Section 7-17 **Entrance/Exit Signs**

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

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

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

Section 7-18 **Electronic Message Signs**

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

Section 7-19 **Lighting**

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

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

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

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

Section 7-21 Prohibited Signs

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

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Section 7-22 Non-Conforming Signs

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

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

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

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

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

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