



MINUTES

June 11, 2025

Planning Commission/Land Use Authority
Kane County Commission Chambers
76 N. Main Street, Kanab, Utah

CHAIRMAN: John Reese

MEMBERS PRESENT: John Reese, Doug Heaton, Matt Cox, Mason Haycock, Lara Clayson, Julie Millard, Larry Crutchfield

MEMBERS ABSENT:

EX-OFFICIO MEMBER: Commissioner Gwen Brown

STAFF PRESENT Shannon McBride, Land Use Administrator; Kresta Blomquist, Land Use Administrative Assistant; Jeff Stott, Kane County Attorney

6:00 PM Meeting called to order John Reese
Invocation Mason Haycock
Pledge of Allegiance Lara Clayson

GENERAL BUSINESS

1 Update on Commission Actions

- Commissioner Gwen Brown relayed the County Commission's most recent land use actions.
- Willow is still waiting for their feasibility study. New Justice Court Judge Shea Owens.

2. Approval of Minutes

April 9, 2025

MOTION: Matt Cox made a motion to approve the minutes of April 9, 2025. Doug Heaton seconded the motion.

VOTE: The **motion passed** unanimously.

MOTION: A motion was made by Matt Cox to go in and out of public hearing at the call of the chair. The motion was seconded by Doug Heaton.

VOTE: The **motion passed** unanimously.

3. Zone Change/Ordinance 2025-17: Mielke

Vermilion Cliff Estates Subdivision, Lot 6-51; Commercial 1 (C-1) to Commercial 2 (C-2);

Submitted by Robert & Terri Mielke

John Reese introduced the zone change proposal for the Vermilion Cliffs estate subdivision, presented by Robert and Terry Mielke. The applicants, who attended virtually via Google Meets, spoke. They are seeking to change the zoning from commercial 1 to commercial 2 to facilitate a factory-built mobile home dealership. No mobile homes will be on site, there will only be an office on the lot. The mobile homes will be ordered from the office at this location but will be delivered to the customer's property and final destination.

Shannon McBride provided a staff report with detailed facts and findings.

Chairman Reese called the commission into public hearing.

No Comments.

Chairman Reese called the commission out of public hearing.

MOTION: Matt Cox made a motion to recommend denying the zone change from C-1 to C-2 for lot 6-51 and Ordinance O-2025-17 to the County Commission based on the facts and findings as documented in the staff report.

There was no second. The motion fails due to a lack of a second.

MOTION: Lara Clayson made a motion to recommend approving the zone change from C-1 to C-2 for lot 6-51 and Ordinance O-2025-17 to the County Commission based on the facts and findings as documented in the staff report.

Doug Heaton seconded the motion.

There was a brief discussion of the road condition and clarification was given regarding the location and roads that will be used.

VOTE: The **motion passed** with 5 members voting aye, Matt Cox voting nay and John Reese not voting.

4. Ordinance 2025-13: KCLUO Chapter 20 Planned Unit Development

An Ordinance revising Kane County Land Use Ordinance Chapter 20: Planned Unit Development, Section 3 (D) Public Meeting Process

Shannon McBride addressed Ordinance 2025-13, which revises the public meeting process for planned unit developments. Jeff Stott, the Kane County Attorney, pointed out inconsistencies in the existing ordinance, leading to the proposal of changing the word "hearing" to "meeting." This change aims to reflect the actual practice of the County Commission, which has not been holding hearings.

Chairman Reese called the commission into public hearing.

No Comments.

Chairman Reese called the commission out of public hearing.

MOTION: Matt Cox made a motion to recommend approving Ordinance O-2025-13 to the County Commission based on the facts and findings as documented in the ordinance.

Doug Heaton seconded the motion.

VOTE: The **motion passed** unanimously.

5. Ordinance 2025-14: KCLUO Chapter 4, Zones and Chapter 6, Residential Zones

An ordinance revising Kane County Land Use Ordinance Potentially Eliminating Any New Residential 1 Zones in New Subdivisions and Potentially Allowing a Percentage of Less Than 30% 2 Acre Lots In R-2 Zones; And Requiring 500' Notice for All Zone Changes.

Shannon McBride discussed proposed changes to the residential zoning ordinances. One aspect of that change is that required notices for zone changes in state code is 300'. The Land Use Administrator has always used 500' notices and believes this would be more advantageous as zone changes affect a larger number of neighboring properties. She then focused on the elimination of new R1 zones and the introduction of a percentage cap on one-acre lots in subdivisions. Commissioner Brown initially suggested eliminating the R1 zone but later supported a mixed zoning approach. The aim is to preserve the rural character of the county while accommodating some one-acre lots.

Discussion on Zoning and Lot Sizes

Commissioner Brown questioned the rationale behind the 30% zoning requirement, suggesting it could be more beneficial to consider a 20% threshold. John Reese highlighted the need for larger lot sizes, such as two acres, to maintain a rural atmosphere and reduce fire hazards, while also acknowledging the existence of smaller lots in the county.

Discussion on Municipal Services and Density Challenges

Doug Heaton discussed the challenges of providing adequate municipal services in areas with low density, emphasizing that a higher population is necessary to support such services financially. He suggested that encouraging the formation of municipalities could help address these issues, as they would have different tax structures to fund necessary services. Commissioner Brown expressed her disapproval of creating numerous small cities that could bypass existing regulations.

Discussion on Property Rights and Rural Development

Commissioner Brown articulated her belief that residents of Kane County value their property rights and prefer larger lots to maintain the rural character of the area. She argued against the notion that development should cater to every demand, asserting that the community should strive for healthy growth while protecting its unique qualities. Lara Clayson highlighted the importance of making agriculture financially viable for future generations while also making it possible for younger generations to have affordable purchasing opportunities.

Inventory and Challenges in County Development

Doug Heaton discussed the difficulties in county development, particularly in subdivisions lacking essential services like water and power. Shannon McBride noted that many residents are unaware of the costs associated with these properties, such as the \$45,000 water hookup fee in Little Ponderosa. McBride also mentioned the ongoing challenges with road maintenance and the implications of high-density zoning, as well as fire and emergency services which she believes are concerns for many residents.

Discussion on Community Growth and Affordable Housing

Mason Haycock discussed the inevitability of change in Kanab and the importance of managing it to ensure sustainable growth. He noted that the community has seen an increase in year-round jobs, which contrasts with past concerns about job availability. The addition and growth that has been brought about by this change is representative of what is going on in the County. It is change, but change is not always bad. Morgan Shakespeare added her perspective as a local resident, emphasizing the challenges young families face in finding affordable housing.

Discussion on Affordable Housing and Short-term Rental Regulations

Larry Crutchfield raised issues regarding the conversion of homes into vacation rentals, arguing that this practice limits affordable housing options for young residents. He noted that many new developments are not designed for local buyers but rather for individuals from out of state. Larry proposed that the commission consider stricter regulations on guest homes and VRBOs to preserve housing availability.

MOTION: Matt Cox made a motion to recommend approving Ordinance O-2025-14 to the County Commission based on the facts and findings as documented in the ordinance, with an amendment to 9-6A-7 exception to change the 30% to 10%. Chairman Reese then clarified with Matt Cox that he was requesting the ordinance to eliminate the R-1 zoning and allow new subdivisions to have only up to 10% of their lots be smaller than 2 acres. Matt agreed that this was his intention with the motion.

There was no second so the motion failed.

There was another brief discussion regarding PUDs, vacation rentals, and future growth. Chair, John Reese then called for another motion.

MOTION: Lara Clayson made a motion to recommend denying Ordinance O-2025-14 to the County Commission based on the facts and findings documented in the ordinance. Chairman Reese clarified that this would be to go from allowing R-1 in new subdivisions to having a minimum of R-2 in subdivisions and the motion would be to deny this.

Mason Haycock seconded the motion.

VOTE: The **motion passed** 4-3 recommending denial. **ROLL CALL VOTE:**

- | | |
|--------------------------|----------------------|
| • Matt Cox -Nay | • Doug Heaton -Aye |
| • Larry Crutchfield -Nay | • Julie Millard -Aye |
| • Mason Haycock -Aye | • Lara Clayson -Aye. |
| • John Reese -Nay | |

6. Ordinance 2025-11: General Plan Revisions: Chapter 8

Revising the Kane County General Plan to include a water conservation element as mandated by Utah Code 17-27a-(401-406)

John Reese facilitated a public hearing on Ordinance 2025-11. The discussion emphasized the need to comply with state requirements while maintaining flexibility for future revisions. Although some elements of the chapter still need to be finalized, Shannon requested approval to submit the current draft to the state for preliminary review. This step is intended to ensure the proposed direction aligns with state expectations, particularly in case significant changes to the format or data collection process are required.

Chairman Reese called the commission into public hearing.

No Comments.

Chairman Reese called the commission out of public hearing.

MOTION: Doug Heaton made a motion to recommend approving Ordinance O-2025-11 to the County Commission based on the facts and findings documented in the ordinance.

Matt Cox seconded the motion.

VOTE: The **motion passed** unanimously.

7. Ordinance 2025-19: Chapter 21, Making Changes to Comply with State Code

An Ordinance Revising Kane County Land Use Ordinance Chapter 21: Subdivision Regulations Article K. Ag Rural Unimproved Split, Section 3: Ag Rural Unimproved Split Application (7) And Article L. Minor Subdivisions, Section 2. Utah State Code Section 17-27a-605 (4) To Be in Compliance with Utah Code 17-27a-605 (4) Et. Seq. (i.e. Removing the Definition Of Minor Subdivision So as To Rely on State Code; And Reducing Rural Unimproved Split Public Easements To 50').

Shannon explained that she is now the one who approves the Rural Unimproved Splits. She noticed that the road requirement was way too big. There is no need to require a 66' road, when 50' is plenty for all easements and drivable space.

The minor lot subdivision has changed as well but instead of changing our code, Jeff Stott, the Kane County Attorney, recommended that rather than changing county code, we could remove county code regarding this and simply rely on state code.

Lara Clayson asked for clarification on the process of minor subdivisions and how it will change now. Shannon detailed the procedure.

Chairman Reese called the commission into public hearing.

No Comments.

Chairman Reese called the commission out of public hearing.

MOTION: Mason Haycock made a motion to recommend approving Ordinance O-2025-19 to the County Commission based on the facts and findings as documented in the ordinance.

Doug Heaton seconded the motion.

Matt Cox expressed his concern for complying with all state mandates and appreciated the board's civil discussions, which allow all opinions to be heard and considered.

VOTE: The **motion passed** unanimously.

Matt Cox made a motion to adjourn.

Chairman, John Reese adjourned the meeting at 7:52 pm.



Land Use Authority Chair
John Reese



Land Use Administrative Assistant
Kresta Blomquist