



# MINUTES

April 8, 2026

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

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CHAIRMAN: John Reese

MEMBERS PRESENT: John Reese, Doug Heaton, Larry Crutchfield, Matt Cox

MEMBERS ABSENT: Julie Millard, Lara Clayson, Mason Haycock

EX-OFFICIO MEMBER: Commissioner Gwen Brown

STAFF PRESENT Shannon McBride, Land Use Administrator; Kresta Blomquist, LU Administrative Assistant

6:00 PM Meeting called to order John Reese  
Invocation Matt Cox  
Pledge of Allegiance John Reese

## GENERAL BUSINESS

### 1. Update on Commission Actions

Commissioner Gwen Brown will relay the County Commission's most recent land use actions.

The Commission reviewed a zone change application from Cedar Mountain requesting a change from C-1 to C-2, which was approved by the County Commission. The County Commission also approved an ordinance recognizing livestock trails as existing roadways. However, the proposed roof height ordinance was not approved and will be reconsidered at the Planning Commission meeting tonight before returning to the County Commission for further review.

### 2. Approval of Minutes

March 11, 2026

**MOTION:** Matt Cox

**SECOND:** Doug Heaton

**VOTE:** Unanimous

**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.

## ADMINISTRATIVE BUSINESS

### **3. Camp Kaia**

Discussion and possible action regarding administrative updates to the Conditional Use Permit (CUP), including consideration of authorizing the Land Use Administrator to process amendments and to remove temporary compliance holds upon verification that all required permits have been obtained.

The commission considered agenda item 3 to allow administrative amendments to Camp Kaia's conditional use permit so the Land Use Administrator can authorize work outside wetland/bridge areas while the Army Corps of Engineers processes wetlands and bridge permits; the Corps' jurisdictional determination and timelines were discussed, and the commission ultimately voted to grant the requested administrative authority. This will allow the Land Use Administrator to rescind temporary compliance holds once the required permits are obtained, rather than waiting for the next Planning Commission meeting and causing further delays for developers.

**MOTION:** Doug Heaton made a motion to approve authorization to the Land Use Authority to process amendments and remove temporary compliance holds upon verification that all required permits have been obtained.

**SECOND:** Larry Crutchfield seconded the motion.

**VOTE:** The vote was unanimous

## LEGISLATIVE BUSINESS

### **4. Zone Change/Ordinance 2026-11 / Shawn Midkiff**

Recommend approval or denial for Zone change from Commercial 1 (C-1) to Commercial 2 (C-2).

Parcel #: 2-1-33-2

Zoned: C-1

Acreage: 10 acres

The chair introduced the zone change application for a 10-acre parcel seeking rezoning from C-1 to C-2 by Ordinance 2026-11. The C-2 zone would allow RV/dry camping uses and related development to take place on this parcel.

Applicant Shawn Midkiff, described plans for limited campsites, monthly rentals, and possibly adding small cabins and a museum; staff explained that C-2 zoning is required for RV park uses and that the applicant will later need to apply for a conditional use permit with feasibility letters and health/building approvals in order to move forward with the project. The planning commissioners discussed lighting, neighboring uses, longstanding adjacent RV park status, and potential state coordination for highway access improvements.

The applicant was advised that highway access and state coordination will need feasibility letters during a future CUP process.

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 the zone change of parcel 2-1-33-2 from C-1 to C-2 by Ordinance 2026-11 to the Kane County Commissioners based on the facts and findings as documented in the staff report.

**SECOND:** Larry Crutchfield seconded the motion.

**VOTE:** The vote was unanimous

#### **5. Ordinance 2026-10**

Recommend approval or denial of Ordinance 2026-10, Revising the Kane County General Plan, Acknowledgement Section and Chapter 1.

The commission introduced Ordinance 2026-10 to revise the Kane County General Plan acknowledgement section and Chapter 1, noting minimal statistical changes and a prior postponement to allow the planning commissioners time to review Commissioner Brown's edits.

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 2026-10 to the County Commission based on the facts and findings as documented in the ordinance.

**SECOND:** Larry Crutchfield seconded the motion.

Commissioner Heaton opposed the proposed language because he believes it improperly places neighbors' interests on equal footing with individual property rights. He warned that doing so risks undermining private property rights by allowing majority opinion to override a property owner's rights whenever neighbors object.

He emphasized that historically, property rights tend to erode over time when collective interests are prioritized over individual ownership. He referenced the intent of the Founding Fathers to protect against this exact issue, noting a natural tendency for people to defend their own rights while supporting restrictions on others.

Citing Antonin Scalia, he argued that there is no distinct “public property right”—only the sum of individual rights, each limited to their own property. He concluded by cautioning that adopting this language could be seen in the future as a significant mistake that weakened private property protections.

The Commissioners continued to discuss the highlighted edits, which were proposed to add protections for existing and current residents. Each Commissioner had the opportunity to share their perspective, and both sides of the recommended changes were thoroughly considered. Following discussion, a roll call vote was taken to recommend approval of Ordinance 2026-10.

**ROLL CALL VOTE:** Doug nay, John aye, Matt aye, Larry aye,

**6. Ordinance 2026-12**

Recommend approval or denial of Ordinance 2026-12. An Ordinance Revising Kane County Land Use Ordinance Title 9, Chapter 15: Conditional and Temporary Uses, Section 5, Article A: Time Limit, in the Kane County Land Use Ordinance.

Shannon McBride, Land Use Authority, introduced Ordinance 2026-12 to revise CUP and temporary use time limits after several projects approved pre-COVID struggled to start and repeatedly returned for annual renewals, noting specific examples including an RV park, a Verizon cell tower, Camp Kaia, and Elohi.

Chairman Reese called the commission into public hearing.

No Comments.

Chairman Reese called the commission out of public hearing.

Commissioners discussed concerns about land use authority review versus planning commission review. They noted that a one-year timeframe is often insufficient for permit completion. Matt Cox proposed extending the time limit to two years and eliminating the proposed administrative renewal process. Shannon McBride agreed that this approach would be appropriate.

**MOTION:** Matt Cox made a motion to recommend approving Ordinance 2026-12 to the Kane County Commissioners based on the facts and findings as documented in the ordinance, with the amendment of changing the timeline to 2 years instead of adding the word Administrative.

**SECOND:** Larry seconded the motion.

**VOTE:** The vote was unanimous

**7. Ordinance 2026-09**

An Ordinance revising Roof Heights throughout Kane County Land Use Ordinance, and Amending References to Utah Code Title 17, Chapter 27A to Title 17, Chapter 79, Within Chapter 1 of the Kane County Land Use Ordinance.

Chairman Reese introduced Agenda Item 7, Ordinance 2026-09, and recapped that the Planning Commission had previously recommended approval of the ordinance regarding roof heights to the County Commission. At the subsequent County Commission meeting, the Commissioners proposed an alternative approach, resulting in a revised version being sent back to the Planning Commission for further review and recommendation.

Shannon McBride explained that the county attorney and building officials reviewed the new proposal to avoid unintended zoning and cost consequences if residential structures exceeded certain heights and that references in multiple chapters would be deleted and consolidated into Chapter 10.

Commissioners and staff discussed a uniform maximum height with an additional pitched-roof allowance limited to non-habitable attic space and clarified how building height would be calculated. They debated specific maximums (45 vs. 49 feet), noted practical builder concerns about roof pitch and rafter length, and reviewed a list of exceptions including steeples, flagpoles, chimneys, weather vanes, statues, water tanks, signs, and for non-residential zones, communication antennas and FAA lighting.

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 2026-09 to the Kane County Commission, based on facts and findings as documented in the ordinance, with direction to include in the ordinance the language added under Exception 9-10-11, allowing the use without requiring a Conditional Use Permit (CUP), and to apply a maximum height of 49 feet.

**SECOND:** Matt Cox seconded the motion.

**VOTE:** The Vote was unanimous

Matt made a motion to adjourn. Larry seconded the motion.  
Meeting was adjourned at 6:56 pm.

  
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Land Use Authority Vice-Chair  
Matt Cox

  
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Land Use Administrative Assistant  
Kresta Blomquist