



MINUTES

June 10, 2026

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

CHAIRMAN: John Reese

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

MEMBERS ABSENT: Matt Cox

EX-OFFICIO MEMBER: Commissioner Gwen Brown

STAFF PRESENT Shannon McBride, Land Use Administrator; Kresta Blomquist, LU Administrative Assistant Berkeley Hurt, Kane County Deputy Attorney

6:00 PM Meeting called to order John Reese
Invocation Doug Heaton
Pledge of Allegiance Larry Crutchfield

GENERAL BUSINESS

1. Update on Commission Actions

Kane County Commissioner Brown reported that the County Commission approved the previously recommended Sean Midkiff zone change from C-1 to C-2, as well as the ordinance extending the commencement period for Conditional Use Permits from one year to two years. She also reported that the County Commission approved the ordinance related to building height regulations.

Commissioner Brown noted that the proposed amendments to Chapter 1 of the General Plan were not approved at this time, as additional revisions were requested and remain under review. She further reported that staff and County Commissioners have been working with the developer on the Old Kanab Fort Development Agreement, which is expected to be discussed by the Planning Commission in the future.

2. Approval of Minutes

May 13, 2026

MOTION: Doug Heaton moved to approve the May 13, 2026 Planning Commission minutes.

SECOND: Mason Haycock

VOTE: Motion carried unanimously.

MOTION: A motion was made by Mason Haycock to go in and out of public hearing at the call of the chair.

SECOND: Larry Crutchfield

VOTE: Motion carried unanimously.

ADMINISTRATIVE BUSINESS

3. Temporary Use Permit/Multiple RVs on Property/Heritage Acres

Approve or Deny Temporary Use Permit to allow multiple RVs between the months of June through October, focusing mainly on the Fourth of July.

Parcel #: 8-7-8-30

Zoned: R-5

Acreage: 4.7 acres

Shannon McBride reviewed the request for a Temporary Use Permit to allow multiple RVs on the Heritage Acres property between June and October 2026. She reported that the permit was approved in 2025 and that the Sheriff's Office received only one call associated with the property, which involved a suspicious vehicle and not nuisance-related activities.

Shannon clarified that Temporary Use Permits may be renewed annually and are not subject to a three-year limitation. She also reviewed the findings and conditions previously adopted, including:

- Compliance with the Kane County Nuisance Ordinance.
- No parking on roads or in driveways.
- Adequate on-site parking.
- Proper disposal of garbage at approved county facilities.
- Maintenance of sanitary facilities.
- A new condition requiring a physical boundary or barrier between the property and the adjoining parcel to discourage trespassing.

The Planning Commission discussed the distinction between property rights and nuisance enforcement. Commissioners noted concerns raised in correspondence regarding trespassing, dust, noise, traffic, and recreational vehicle use, while also recognizing the long-standing family use of the property for reunions and gatherings.

Tracy Sanford, Trustee of Heritage Acres Family Trust, addressed the Planning Commission. She provided background regarding the family's ownership and use of the property since 1978, described family reunions and volunteer improvements made to the site, and stated the family's willingness to install a boundary marker to help keep children on the property.

Planning Commission discussion focused on:

- Family property rights.
- Enforcement of nuisance violations.
- Trespassing concerns.
- Duration of RV occupancy.
- The importance of family gatherings and preserving traditional use of the property.
- The ability to revoke a Temporary Use Permit if conditions are violated.

During discussion of the Temporary Use Permit, several Commissioners acknowledged that the Heritage Acres family had returned multiple times seeking approval for the same use and expressed a desire to identify a more permanent solution. Planning Commissioners discussed whether future ordinance amendments or other land use tools could better accommodate long-standing family gathering properties while still protecting neighboring property owners and preserving the character of the area. While no specific ordinance changes were proposed or acted upon during the meeting, several Commissioners expressed interest in exploring options that could reduce the need for recurring Temporary Use Permit applications while maintaining appropriate safeguards related to noise, traffic, trespassing, and nuisance concerns. The Planning Commission ultimately proceeded with consideration of the Temporary Use Permit while recognizing the need for continued discussion regarding a long-term solution.

MOTION: Lara Clayson made a motion to approve the Temporary Use Permit for no more than ten (10) RVs on Parcel 8-7-8-30 during the months of June through October 2026, based on the findings and conditions documented in the staff report.

SECOND: Mason Haycock

VOTE: The vote 5 to 1. John Reese-Aye, Doug Heaton-Aye, Julie Millard-Aye, Lara Clayson-Aye, Mason Haycock-Aye, Larry Crutchfield-Nay. Motion carried.

MOTION: Doug Heaton made a motion that the board move item #6 up in order and place it before item #4 on the agenda because it is directly related to item #3.

SECOND: Mason Haycock

VOTE: Motion carried unanimously.

LEGISLATIVE BUSINESS

6. Zone Change /R-5 to C-2 bordering Mirror Lake Subdivision/Heritage Acres, Tracy Sanford, Trustee

Approve / Deny recommending a zone change, from R-5 to C-2 to allow more than 2 trailers on a five-acre parcel, to the Kane County Commission.

Parcel: 8-7-8-30

Current Zone: R-5

Proposed Zone: C-2

Acreage: 4.7 Acres

Ordinance 2026-18

The applicant requested a zone change from R-5 to C-2 for the Heritage Acres property.

Brent Safley explained that the request was not intended to create a commercial development, but rather to establish a permanent mechanism that would allow more than two RVs on the property. He stated the family intended to preserve the property for family use and was willing to record deed restrictions prohibiting commercial activities and limiting future uses.

Shannon explained that:

- The request originated from prior discussions seeking a permanent solution.
- The C-2 Zone is currently the only zoning district that could accommodate the requested RV use.
- A Conditional Use Permit would still be required even if the zone change were approved.
- Deed restrictions could be voluntarily offered by the applicant but could not be required as a condition of approval.

Planning Commissioners discussed:

- Spot zoning concerns.
- Long-standing historical use of the property.
- Potential deed restrictions.
- Future ownership and transfer considerations.
- Whether ordinance amendments could provide a better long-term solution.

Chairman Reese called the commission into public hearing.

Carl Gurr – Speaking in support, Mr. Gurr explained the long-standing purpose of Heritage Acres as a family gathering place and expressed support for finding a permanent solution that would allow continued family use of the property. He indicated a preference for an ordinance amendment rather than commercial zoning if a viable alternative could be developed.

Mary McElhone – Speaking in opposition, Ms. McElhone expressed concerns regarding the potential long-term impacts of commercial zoning within a residential neighborhood, including future uses that may not align with the applicant's stated intentions.

Steve Mineer – Speaking in opposition, Mr. Mineer stated that while he supported family reunions and private property rights, he was concerned that a C-2 designation could create precedent for additional commercial zoning requests within the area.

Lorrie Mineer – Speaking in opposition, Ms. Mineer discussed concerns regarding preservation of the residential character of the neighborhood and the potential impacts that commercial zoning could have on surrounding property owners.

Daryl Valley – Speaking in opposition, Mr. Valley expressed concerns about future development potential associated with a commercial zoning designation and encouraged the

Commission to consider alternatives that would address the family's needs without changing the zoning.

John McElhone – Speaking in opposition, Mr. McElhone stated that he lives directly across from the subject property and expressed concerns about introducing C-2 zoning into the middle of an established residential neighborhood. He stated that approving the zone change could create future opportunities for commercial uses beyond the applicant's stated intent and argued that the request was inconsistent with the stated purpose of the C-2 zone. Mr. McElhone suggested that an amendment to the residential zoning regulations would be a more appropriate solution than commercial rezoning.

Lee Rhinehart – Speaking in opposition, Mr. Rhinehart stated that his experiences as a neighboring property owner differed from the applicant's description of the property's use. He expressed concerns regarding vehicle traffic, side-by-side use, noise, and interactions between visitors and neighboring property owners. Mr. Rhinehart described incidents involving speeding vehicles, property disturbances, and law enforcement responses, stating that these activities have negatively impacted nearby residents. He suggested that larger family gatherings could be accommodated through alternative means, such as utilizing nearby public lands and temporary facilities, rather than changing the zoning designation of the property.

Jim Sanford – Speaking in support, Mr. Sanford discussed the property's long history as a family gathering place and emphasized the importance of preserving family traditions and providing opportunities for future generations to gather together.

Tracy Sanford – Speaking in support, Ms. Sanford provided historical background on Heritage Acres, described nearly 50 years of family use, addressed concerns raised by neighboring property owners, and explained that the family was seeking a permanent solution to avoid recurring permit applications.

Emily Smith – Speaking in support, Ms. Smith acknowledged the concerns raised by neighboring property owners but stated that some claims regarding the property had been exaggerated. She explained that the family's goal was to continue using the property for family gatherings and encouraged the County to consider an ordinance amendment that would provide a permanent solution for larger residential parcels.

Brandi Plumlee – Speaking in opposition, Ms. Plumlee stated that she supported family gatherings but was concerned that commercial zoning could create unintended consequences for neighboring properties and the community as a whole.

Randy Plumlee – Speaking in opposition, Mr. Plumlee stated that he supported the family's use of the property and the Temporary Use Permit process but did not believe commercial zoning was the appropriate long-term solution. He encouraged the Commission to consider alternative approaches.

James Sanford – Speaking in opposition, Mr. Sanford expressed concerns regarding the proposed zone change and its potential impact on neighboring property owners. He asked the

Commission to consider the significant investments residents have made in their properties and the effect that introducing commercial zoning could have on the character of the neighborhood.

Lisa Safley – Speaking in support, Ms. Safley explained that the family had pursued multiple options before seeking commercial zoning and emphasized that the request was intended to preserve traditional family use rather than facilitate commercial development.

Judith Whitmer – Speaking in opposition, Ms. Whitmer expressed concerns that commercial zoning could allow substantially more RVs on the property and stated that the annual gatherings create impacts for nearby full-time residents, including noise, traffic, and disruption.

Zack Hascall – Speaking in opposition, Mr. Hascall expressed concerns regarding long-range planning and future growth in the Cedar Mountain and Duck Creek area, stating that approval of commercial zoning could establish a precedent for future requests.

Robert Charboneau – Speaking in support, Mr. Charboneau clarified the trust ownership structure, explained that the family preferred an ordinance amendment over commercial zoning, and stated that the zone change application was being pursued because it was the only permanent option currently available.

Chairman Reese Heaton called the commission out of public hearing.

Following the public hearing, the Commission discussed the challenges associated with the current ordinance as it relates to family-owned properties used for reunions and recreational camping. Commissioners acknowledged that both supporters and opponents of the application had expressed interest in finding a solution that would allow continued family use of the property without introducing commercial zoning into a residential neighborhood.

Discussion focused on whether the requested C-2 zoning was the most appropriate mechanism to address the family's concerns. Several Commissioners noted that the applicant had repeatedly stated that the family was not seeking commercial development and would prefer an ordinance amendment that would allow additional RVs on larger residential parcels. Commissioners also discussed concerns raised by neighboring property owners regarding future commercial uses that could be permitted under a C-2 designation, regardless of the current applicant's intentions.

The Commission considered the possibility of amending the Land Use Ordinance to better accommodate family gatherings and recreational vehicle use on larger residential properties. Discussion included concepts such as allowing a limited number of RVs based on parcel size and creating a permanent solution that would reduce the need for recurring Temporary Use Permits or commercial rezoning requests.

Commissioners generally agreed that additional review of the ordinance was warranted and expressed interest in exploring options that would balance private property rights, traditional family use of property, neighborhood compatibility, and long-term land use planning objectives. The Commission subsequently directed staff to return with potential ordinance amendment options for future consideration.

MOTION: Mason recommended denying the zone change to the Kane County Commission.

SECOND: Doug Heaton

VOTE: Motion carried unanimously.

Motion: Lara Clayson moved to direct staff to research and return with potential ordinance amendment options related to RV occupancy and parking on residential properties, including consideration of allowing up to two RVs per acre.

Second: Doug Heaton

The Commissioners discussed a concept of permitting up to two RVs per acre within certain residential zones, subject to appropriate standards and safeguards. The Commission expressed interest in exploring ordinance amendments that would better accommodate family use of larger residential properties while protecting neighboring property owners and preserving the character of residential areas.

Vote: The motion carried unanimously

4. Zone Change/R -½ to R-1 in Little Ponderosa Ranch/Aaron Spohn

Approve / Deny recommending a zone change, from R ½ to R-1 to optimize land use and larger lots, to the Kane County Commission.

Parcels #: 8A-H-27, 8A-H-28, 8A-H-29, 8A-H-30

Current Zone: R-1/2

Proposed Zone: R-1

Acreage: approx. 1.75 acres

Ordinance 2026-17

Richard Bartlett, from Iron Rock Group, requested a zone change involving lots 27, 28, 29, and 30 within Little Ponderosa Ranch. The proposal reconfigures 4 lots in a 1 x 4 formation into four lots arranged in a 2 x 2 formation and requested that the lots be changed in zoning designation from R-1/2 to R-1.

Shannon reported no opposition and she could not see any issues.

Chairman Reese called the commission out of public hearing.

MOTION: Mason Haycock recommend approval of Ordinance 2026-17 and the requested zone change to the County Commission based upon the findings contained in the staff report.

SECOND: Larry Crutchfield

VOTE: Motion carried unanimously.

5. Zone Change /R-1 to C-1 in Vermilion Cliff Estates/Joseph Abbed

Approve / Deny recommending a zone change, from R-1 to C-1 for a Harley Davidson repair & wash business, to the Kane County Commission.

Parcel: 6-54

Current Zone: R-1

Proposed Zone: C-1

Acreage: .88 Acre

Ordinance 2026-16

Applicant Joseph Abbed requested a zone change from R-1 to C-1. The applicant explained that he operates an investigative business and performs motorcycle maintenance and repairs. He indicated the use would be limited and would primarily involve pickup, repair, and return of motorcycles.

Shannon reported the property is located along a highway corridor and noted that nearby properties have historically transitioned between commercial and residential zoning classifications.

Planning Commission discussion included:

- Disposal of oil and maintenance materials.
- Potential impacts on neighboring properties.
- Existing commercial development in the area.
- Light pollution and neighborhood character.

Chairman Reese called the commission into public hearing.

Amy Stein spoke and expressed concerns regarding commercial encroachment into a residential area and increased light pollution.

Chairman Reese called the commission out of public hearing.

Following the public hearing, the applicant responded to concerns regarding potential light pollution and future impacts to neighboring properties. Mr. Abbed stated that he appreciated the area's quiet, dark-night character and did not intend to operate a business that would create excessive lighting or disturbance to nearby residents. Staff had no additional comments. The Planning Commission noted that the property is located within an area containing a mix of residential and commercial zoning along the highway corridor and that the request was generally consistent with surrounding land uses. The Commission then proceeded to consider the recommendation.

MOTION: Mason Haycock moved to recommend approval of the Zone Change for lot 6-54 in the Vermilion Cliffs Estates Subdivision from R-1 to C-1 and Ordinance 2026-16 to the Kane County Commission, based upon the facts and findings documented in the staff report.

SECOND: Doug Heaton

VOTE: Motion carried unanimously.

7. Ordinance 2026-15 / An Ordinance Regulating Water Hauling Within the Unincorporated Areas of Kane County, State of Utah

Approve / Deny recommending Ordinance 2026-15 to the Kane County Commission

Commissioners discussed Ordinance 2026-15 regulating water hauling within unincorporated Kane County.

Shannon requested that Commissioner Meyeres present and explained that the ordinance was developed in response to changes in the interpretation and implementation of water hauling and septic system policies through the Southwest Utah Public Health Department and Five County Association of Governments.

Key provisions discussed included:

- Allowing water hauling from approved sources for existing dry subdivisions and dry lots.
- Continued Health Department oversight of septic system approvals.
- Prohibiting the creation of new dry subdivisions.
- Prohibiting new commercial developments and new short-term rental operations relying on hauled water.
- Restricting re-establishment of grandfathered commercial or short-term rental uses after extended discontinuance.

The Commission discussed the purpose of the ordinance, public health considerations, local authority, and impacts on future development.

The discussion centered on the purpose of the proposed ordinance and whether it was creating additional regulation or protecting existing property rights. Commissioners questioned what problem the ordinance was intended to address and whether Kane County had historically allowed water hauling and septic systems on dry lots and subdivisions. Commissioner Meyers explained that the ordinance was developed in response to changing interpretations of health department policies that threatened the ability of property owners in existing dry subdivisions to obtain septic approvals and continue hauling water. The Commission discussed concerns that some agencies were moving toward restricting or eliminating water hauling, while Kane County's intent was to preserve the long-standing ability of property owners to utilize approved water hauling and septic systems. Commissioners also discussed the distinction between private residential use and commercial or short-term rental operations, noting that the ordinance would continue to prohibit new commercial development reliant on hauled water while protecting existing residential uses. Additional discussion focused on preserving local decision-making authority, protecting grandfathered properties and existing subdivisions such as Deer Springs and Navajo Estates, and ensuring that Kane County residents retained rights they had historically relied upon. Following discussion, the Commission expressed support for the ordinance as a means of maintaining existing property rights rather than imposing new restrictions and proceeded to consider the recommendation.

Chairman Reese called the commission into public hearing.

No Comments.

Chairman Reese Heaton called the commission out of public hearing.

MOTION: Commissioner Doug Heaton moved to recommend approval of Ordinance 2026-15, an ordinance regulating water hauling within the unincorporated areas of Kane County, Utah, to the Kane County Commission. Commissioner Larry Crutchfield seconded the motion. The motion carried unanimously.

SECOND: Lara Clayson

VOTE: The motion carried unanimously

Mason made a motion to adjourn. Larry & Lara seconded the motion.
Meeting was adjourned at 9:07 p.m.


Land Use Authority Chair
John Reese


Land Use Administrative Assistant
Kresta Blomquist