MINUTES
August 12, 2026
Planning Commission/Land Use Authority
Kane County Commission Chambers
76 N. Main Street, Kanab, Utah

CHAIRMAN:	John Reese
MEMBERS PRESENT:	Matt Cox, Larry Crutchfield, Lara Clayson Farnsworth, Doug Heaton, Julie Millard, John Reese
MEMBERS ABSENT:	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	Lara Clayson Farnsworth
	Pledge of Allegiance	Doug Heaton

GENERAL BUSINESS

1. Update on Commission Actions

Commissioner Gwen Brown reported on actions taken by the County Commission since the previous Planning Commission meeting:

- Approved ZC for Solmonsen
- Approved Appeal Authority

2. Approval of Minutes
July 8, 2026

MOTION: Matt Cox moved to approve the July 8, 2026 Planning Commission minutes.

SECOND: Lara Clayson Farnsworth

VOTE: Motion carried unanimously.

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

SECOND: Lara Clayson Farnsworth

VOTE: Motion carried unanimously.

LEGISLATIVE BUSINESS

5. **Discussion on Temporary Commercial Event Regulations**
   Discussion regarding countywide standards for governing recurring outdoor markets, farmers markets, and similar temporary commercial events.

Chairman Reese moved Agenda Item #5 forward on the agenda due to the number of people in attendance regarding temporary commercial events and farmers markets. Shannon McBride explained that the item originated from a request by Samantha Stadtlander and Zach Hascall to make a presentation regarding farmers markets and temporary commercial events in Duck Creek. The presentation had initially been submitted under the Duck Creek Chamber of Commerce; however, staff later learned that the entire Chamber was not in agreement with the presentation. Samantha subsequently requested that the presentation be removed from the agenda. Because the request came shortly before the meeting and there was significant public interest, staff and the Chairman decided to continue with the scheduled public hearing to allow all interested parties to be heard.

Chairman Reese emphasized that neither the Planning Commission nor the County Commission had initiated or proposed new farmers market regulations. The purpose of the item was to hear a proposal from members of the public and determine whether there was interest in considering changes to the County ordinance. It was also clarified that farmers markets located within Kanab City and Orderville are regulated by those municipalities rather than Kane County.

Chairman Reese called the meeting into public hearing.

Public Comment

Peter Perjoda: Spoke in support of farmers markets, stating that they bring local residents together, support small vendors and retirees, and provide an important source of local products and income. He felt that farmer markets benefit the community and should not be restricted or shut down.

Colleen Brown: Stated that additional regulation is unnecessary and that the markets and vendors are capable of managing themselves under the County's existing requirements. She expressed concern that further regulation would negatively affect small businesses and the positive atmosphere the markets bring to the community.

Alan Seilhammer: Kanab resident, who helps organize the Wednesday evening market and has participated in all local markets, including Duck Creek, opposed additional regulations. He stated that the markets already operate safely, provide trash collection, maintain emergency access, accommodate vendor parking, and comply with existing state and county requirements. He

described the markets as small, low-key, community-run events and argued that proposed requirements, such as a public handwashing station for children selling lemonade and brownies, would be unnecessary and burdensome.

Dave Jones: A farmers market vendor who sells jams and jellies stated that he has participated in markets in Kane County and previously in New York. He praised the local market's organization and indicated that it is one of the best-run markets in which he has participated.

Tony Collins: An Orderville resident, Planning & Zoning member, and small business owner who participates in several area farmers markets opposed additional regulations, stating they would create unnecessary difficulties for small businesses. He also emphasized Kane County's stated philosophy regarding private property rights and encouraged the County to listen to the broader community before imposing additional restrictions.

Katy Farney : As the organizer of the Duck Creek market, she explained that the market operates seasonally on private property with a valid business license and provides trash receptacles, portable restrooms, vendor parking, and designated EMS parking. She questioned whether there was evidence of problems requiring additional regulation and requested that any future regulations be based on demonstrated need and applied fairly to all comparable events.

Zach Hascall: A Duck Creek Chamber board member clarified that the intent of the original presentation was not to eliminate or hinder the farmers market. He explained that the intent was to begin a discussion about reasonable safety and operational guidelines for temporary events in unincorporated areas, and that the submitted materials were examples rather than a proposed ordinance.

James Carlon Expressed skepticism regarding the stated purpose of the proposed discussion and believed concerns about the farmers market were connected to competition, parking, and business interests in Duck Creek. He encouraged the Planning Commission to consider the history and circumstances surrounding the concerns being raised.

Brian Hill: Discussed concerns regarding conditions and conflicts in Duck Creek, including parking and public restroom issues. He encouraged County leadership to work with the community to address specific problems rather than allowing small businesses or individuals to be unfairly targeted.

Larry Johnson: Spoke positively about the Duck Creek farmers market and the sense of community it creates. He emphasized that many concerns, such as restroom availability, could be addressed through better communication with the market organizer rather than immediately pursuing additional County regulation.

Terece LaBrune: Discussed concerns regarding communication between the market organizer, vendors, businesses, and those raising safety or operational concerns. She noted that issues such as emergency access could potentially be worked through collaboratively and emphasized the importance of clearly communicating concerns to the organizer so they can be addressed.

Chairman Reese called the meeting out of public hearing.

The Planning Commission then discussed the governmental structure of Duck Creek. Shannon McBride explained that the Duck Creek organization that has now become the Chamber had previously been recognized as an organization that could assist with community issues and communication with the County; however, Kane County remains the governmental authority for the unincorporated area. She reiterated that the public hearing had been scheduled so that all sides of the issue could be heard.

MOTION: Matt Cox made a motion to denying having staff create an ordinance for farmers markets with stricter standards based on the presentation and discussion as listed on the agenda.

SECOND: Lara Clayson Farnsworth

A motion was made and seconded to recommend denying the creation of an ordinance imposing stricter standards on farmers markets based on the presentation, public comment, and discussion. During discussion, Commission members encouraged residents, businesses, event organizers, and the Chamber in Duck Creek to continue communicating directly and working together to resolve concerns when possible.

The Commission also discussed the history of the County's temporary use regulations. Shannon explained that the regulations had originally been created in response to concerns regarding large organized gatherings. When those regulations were adopted, farmers markets, yard sales, lemonade stands, and similar activities were intentionally exempted, while larger temporary events remained subject to County requirements.

Several Commission members expressed support for private property rights and cautioned against creating additional regulations where a demonstrated need had not been established.

The motion to recommend denying the creation of stricter farmers market regulations carried with one nay vote.

VOTE: 5 aye 1 nay (Larry Crutchfield voted nay). Motion carries.

3. Ordinance 2026-21 / Requirement of Will-Serve Letters / An Ordinance Revising Kane County Building Codes and Regulations 8-1-3 and Title 9 Chapter 21 Subdivision Regulations 9-21B-1 and 9-21K-3 Rural Unimproved Split Applications of Kane County
Approve / Deny recommending Ordinance 2026-21 to the Kane County Commission

The Commission considered Ordinance 2026-21, addressing will-serve letter requirements in connection with building permits, subdivisions, and Rural Unimproved Splits. Shannon explained that the County had historically required various will-serve letters during the permitting process, but the ordinance was unclear regarding letters from special service districts. The proposed amendments were intended to clarify that applicants may be required to obtain a will-serve letter from the applicable service provider before receiving a building permit or

subdivision approval. The proposed language also provided flexibility for a service district to determine that a will-serve letter was not necessary in a particular circumstance.

Much of the discussion centered on fire service and the Vermilion Cliffs Special Service District. It was explained that a new residence within that district is subject to a $900 new-construction/capacity fee, which is ultimately passed through to Kanab City under the district's fire-service agreement. A will-serve letter would confirm that the applicant had satisfied the district's requirements before the County issued the applicable permit. It was clarified that the County would not collect the fee; payment would be made directly to the service district.

Commission members questioned whether the requirement would cause permitting delays, whether a time limit should be established for service districts to respond, and whether the County should be responsible for helping another governmental entity enforce collection of its fees. Others noted that will-serve letters are already commonly required from utility and water providers and questioned why a fire service district should be treated differently. County Attorney, Jeff Stott clarified that the issue had originally arisen while he was serving as attorney for the Vermilion Cliffs Special Service District and that he was now addressing the ordinance in his role as Kane County Attorney.

Chairman Reese called the meeting into public hearing.

Matt Fischer: Spoke in opposition to using the will-serve letter as the mechanism for collecting the fire-service fee. He suggested allowing unpaid fees to follow the normal lien and delinquency process and felt decisions regarding the Special Service District should be made by its elected board once seated.

Zach Hascall, as a Cedar Mountain Service District Board Member: Explained that Cedar Mountain's fire-service fees are assessed to each parcel through the property tax bill, regardless of whether the property is developed. He clarified that Cedar Mountain does not charge an additional fee when a home is constructed and that delinquent fees can ultimately be addressed through the lien/property-tax process.

Commissioner Brown: Clarified that the $900 fee is a one-time fee associated with new construction, separate from the annual district fee. She supported collecting the fee before construction begins, explaining that once the fee is paid, the applicant can immediately receive the will-serve letter rather than requiring the district to pursue collection later.

Chairman Reese called the meeting out of public hearing.

Additional testimony clarified that the $900 Vermilion Cliffs fee applies specifically to new construction, in addition to the regular annual district fee. The fee is required under the district's contract with Kanab City and is passed through to the City for the additional fire-service capacity created by new residences. Chris Heaton, a Kanab City Council representative confirmed that Kanab City similarly assesses an impact fee on new construction within the city because additional development creates additional demand on fire services.

There was discussion about postponing the matter until the Vermilion Cliffs Special Service District's elected board was seated; however, concern was expressed that delaying the decision could affect the district's ability to collect the required capacity fees in the interim.

MOTION: Matt Cox made a motion to recommend approval of Ordinance 2026-21 to the County Commissioners based on the facts and findings as documented in the ordinance

SECOND: Larry Crutchfield

During final discussion, Dough Heaton raised a concern about the cumulative effect of fees and regulations on housing affordability. It was clarified that the proposed ordinance itself does not create the $900 fee; the fee already exists under the district's agreement with Kanab City, and the ordinance addresses the will-serve requirement used to verify compliance.

VOTE: Motion carried 5-1 (Lara Clayson Farnsworth voted nay). Motion carries.

4. **Ordinance 2026-22 / An Ordinance Revising Kane County Land Use Ordinance Title 9 Chapter 6 Residential Regulations Article E Recreational Vehicle Regulations Within Residential Zones. Changes to be contemplated include how many RVs are allowed on lots, for how long, and what process to follow for permitting.**
   Approve / Deny recommending Ordinance 2026-22 to the Kane County Commission.

The Commission considered Ordinance 2026-22, revising Kane County's recreational vehicle regulations within residential zones. Shannon McBride explained that the ordinance was prepared following the Planning Commission's discussion the previous month, which had largely arisen from the circumstances involving Heritage Acres. The proposed ordinance was intended to establish a longer-term process rather than requiring the property owners to repeatedly obtain temporary use permits.

The primary proposed change would allow owners of R-5 parcels that are not located within a subdivision to seek a Conditional Use Permit (CUP) to have more than the two RVs otherwise permitted. The proposed formula would allow two additional RVs per additional acre, subject to the CUP. Kane County Attorney, Jeff Stott used Heritage Acres as an example, explaining that a five-acre parcel could potentially have up to ten RVs under the proposed provision. The additional RVs would be limited to 30 cumulative days per calendar year. A CUP would run with the property but could contain conditions addressing impacts and could be subject to enforcement if those conditions were violated.

Jeff also reviewed several technical changes. The definition of "occupied" was revised to make enforcement clearer. The definition of "seasonal" was changed so the six-month limitation would be cumulative rather than allowing someone to leave briefly and restart another six-month period. Related language was changed from "consecutive" to "cumulative." The ordinance was also revised to recognize conditional use permits in addition to temporary use permits. Shannon clarified that the additional RV allowance would apply only through a CUP and would not automatically authorize additional RVs on every qualifying R-5 parcel.

The Commission discussed possible unintended consequences, including very large R-5 parcels potentially qualifying for a substantial number of RVs under the two-per-acre formula. Staff acknowledged this possibility but noted that the CUP process would allow the Commission to evaluate site-specific impacts and impose appropriate conditions. Enforcement was also discussed, with acknowledgment that violations would generally come to the County's attention through complaints rather than routine monitoring.

Chairman Reese called the meeting into public hearing.

Public Hearing

Matt Fischer: Expressed concern about limiting the proposed changes specifically to R-5 parcels and questioned whether similar provisions should apply to larger residential parcels. He also raised concerns about enforcement, noting that violations are often complaint-driven and could result in neighbors having to report one another.

Mary McElhone: Asked for clarification regarding the proposed 30-day limitation for additional RVs, specifically whether the RVs could remain on the property longer but only be occupied for 30 days. Jeff clarified that the additional RVs could only physically remain on the property for the permitted 30-day period and could not be stored there beyond that allowance.

Commissioner Meyeres: Asked Shannon approximately how many parcels in the unincorporated areas of Kane County are zoned R-5 but are not located within a subdivision, in order to understand how broadly the proposed ordinance could apply. Shannon responded that she did not have an exact number but believed there were very few, as most R-5 parcels are located within subdivisions.

Lori Meneer: Explained that she lives near R-5 parcels that are not technically within her subdivision but are surrounded largely by subdivision properties. She supported allowing reasonable family gatherings but expressed concern that multiple neighboring R-5 parcels could each receive permits for numerous RVs, potentially creating significant impacts from traffic, noise, and congestion; she favored continued permit review and reasonable restrictions.

Tracy Sandberg: Spoke on behalf of her family's Heritage Acres property and explained that the family has obtained temporary use permits annually for approximately six years to accommodate their longstanding family gatherings. She requested a more permanent solution that would allow family members to leave RVs on the property for seasonal summer use, explaining that their annual reunion is generally only a few days but family members may use the property periodically throughout the summer.

Zach Hascall: Suggested reconsidering the proposed formula of two additional RVs per acre because larger parcels may have only a small portion that is actually usable due to terrain, utilities, or other site limitations. He suggested that the number of RVs allowed could potentially increase at a reduced rate as parcel acreage increases rather than continuing at the same two-per-acre ratio.

Commissioner Brown: While speaking during the public-comment portion, stated that she supported allowing Heritage Acres to continue holding its family reunions but favored keeping the temporary use permit process rather than creating a permanent ordinance change. She felt annual permitting provided an appropriate opportunity for review while still allowing the family gathering to continue.

Chairman Reese called the meeting out of public hearing.

Following the public hearing, the Commission discussed balancing property rights with impacts on neighboring properties. Some members favored allowing the additional RVs for longer than 30 days, suggesting 60 or 90 days, particularly because repeatedly moving RVs to and from the mountain could be burdensome. Others expressed concern about allowing numerous RVs on residential parcels and emphasized that the ordinance would apply countywide, not just to Heritage Acres. The Commission discussed establishing an overall maximum number of RVs, such as ten, regardless of parcel size, to prevent very large R-5 parcels from qualifying for an excessive number.

The Commission further discussed private property rights and neighborhood impacts. One member stated that if additional RVs could only remain for a limited period and were not being permanently stored, allowing them was a legitimate use of private property. The Chairman reiterated that the proposed change would still require a Conditional Use Permit; it would not automatically allow every qualifying R-5 property owner to place additional RVs on the property. The CUP process would allow the Planning Commission to consider the individual property, surrounding uses, and potential adverse impacts before granting approval.

After further discussion, a motion was made and seconded to recommend approval of Ordinance 2026-22 to the County Commission as currently written. A roll-call vote was conducted, and the motion carried.

MOTION: Doug Heaton made a motion to recommend approving Ordinance 2026-22 to the Kane County Commission based on the facts and findings in the ordinance.

SECOND: Lara Clayson Farnsworth

ROLL-CALL VOTE: Matt Cox-Nay, Larry Crutchfield-Aye John Reese-Nay, Julie Millard-Aye, Doug Heaton-Aye, Lara Clayson Farnsworth-Aye. Motion carried 4-2

MOTION: Matt Cox made a motion to adjourn

SECOND: Julie Millard seconded the motion.

Meeting was adjourned at 7:56 p.m.

Land Use Authority Chair
John Reese

Land Use Administrative Assistant
Kresta Blomquist