

**COMMISSION MEETING
PACKET**

DATE:

August 26, 2025

NOTICE AND AGENDA OF A MEETING OF THE KANE COUNTY COMMISSION

PUBLIC NOTICE IS HEREBY GIVEN that the Commissioners of Kane County, State of Utah, will hold a **Commission Meeting** in the Commission Chambers at the Kane County Courthouse, 76 N. Main Street, Kanab, Utah on **Tuesday, August 26, 2025** at the hour of **10:00 A.M.**

*The Commission Chair, in her discretion, may accept public comment on any listed agenda item unless more notice is required by the Open and Public Meetings Act.

View Online www.kane.utah.gov/publicmeetings or Dial: (US) +1 240-394-8436 – PIN: 821 151 844#

CALL MEETING TO ORDER

WELCOME

INVOCATION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT:

CONSENT AGENDA:

Check Edit Report: August 6, 2025-\$797,093.41 August 13, 2025-\$916,632.45 and August 20, 2025-\$710,225.44

Approval of: Commission Meeting Minutes for August 5, 2025

REGULAR SESSION:

1. Recognition of Chris Heaton as Kane County Cowboy of the Year / Commissioner Kubeja
2. Introduction and Information on the Kane County Volunteer Program-Jenna Corry / Commissioner Kubeja
3. Cedar Mountain Service District EMS Update / Commissioner Kubeja
4. Discuss/Approve Council on Aging Bi-Laws Revision / Commissioner Kubeja
5. Agricultural Protection Area-A Request that the Commissioners Refer a Proposal, to Create an Agricultural Protection Area, to the Kane County Planning Commission and to the Agricultural Advisory Board for Review / Commissioner Brown
6. Public Hearing Regarding Ordinance 2025-23, 2025-24, and 2025-25

- 7. Ordinance 2025-23 an Ordinance Vacating Two Seven and a Half Foot Utility Easements in the Ponderosa Villa Subdivision Plat "D" / Commissioner Brown**
- 8. Zone Change Ordinance 2025-24 an Ordinance Amending the Zoning of Parcels 9-8-14-1 and 9-8-14-1F from Agriculture to Rural 10 / Commissioner Brown**
- 9. Ordinance 2025-25 an Ordinance Revising Kane County Land Use Ordinance Chapter 21 Subdivision Regulations Article E Section 9 B 3 and Article F Section 3 Dedication of Nonsubdivision Rights-of-Way and Roadways / Commissioner Brown**
- 10. Assignment of Kane County Chief Administrative Officer Over Data Privacy / Full Commission**
- 11. OPIOID Settlement Update / Commissioner Kubeja**
- 12. Discussion/Vote on Solid Waste TRT Mitigation Funding / Full Commission**
- 13. Review of Legislative Issues / Full Commission**
- 14. Commissioner Report on Assignments / Full Commission**

Closed Session:

- Discussing an individual's character, professional competence, or physical or mental health.
- Strategy sessions to discuss collective bargaining, pending or reasonably imminent litigation, or the purchase, exchange lease or sale of real property.
- Discussions regarding security personnel, devices or systems.
- Investigative proceedings regarding allegations of criminal misconduct.

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Chameill Lamb at (435) 644-2458. Agenda items may be accelerated or taken out of order without notice as the Administration deems appropriate. All items to be placed on the agenda must be submitted to the Clerk's office by noon Thursday, prior to the meeting.

CONSENT AGENDA

Approval of:

Check Edit Report: August 6, 2025-\$797,093.41, August 13, 2025-\$916,632.45 and August 20, 2025-\$710,225.44

Commission Meeting Minutes for August 5, 2025

**MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
August 5, 2025 at 10:00 AM
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH**

Commissioner Attendance: Chair Celeste Meyeres, Commissioner Patty Kubeja, and Commissioner Gwen Brown

Other County Officials in Attendance: Attorney Stott, Chameill Lamb, Sheriff Glover, Rhonda Gant, Keiren Chatterley, Alan Alldredge, and Taylor Glover

CALL MEETING TO ORDER: Commissioner Meyeres

WELCOME: Commissioner Meyeres

INVOCATION: Drew Chamberlain

PLEDGE OF ALLEGIANCE: Taylor Glover

PUBLIC COMMENT:

Kathi McDermott is curious on how the ICE cooperation is going to work.

CONSENT AGENDA:

Check Edit Report: July 23, 2025-\$968,239.06 and July 30, 2025-\$81,998.56

Motion to accept the Check Edit Reports for July 23, 2025 for \$968,239.06 and July 30th in the amount of \$81,998.56 as well as the approval of the Commission Meeting Minutes and Public Hearing Minutes for July 22, 2025 made by Commissioner Meyeres and motion carried with all Commissioners present voting in favor.

REGULAR SESSION:

- 1. Award Paint Striping Contract for the Sand Dunes Road / Commissioner Meyeres**

Bert said that they put out an RFP for the paint striping on the Coral Pink Sand Dunes Road, which would go the whole distance from the state line all the way to Hwy 89, which is 20 miles. They had four companies put in proposals for the project. The committee evaluated them and suggest awarding it to Straight Stripe.

Motion to award the paint striping contract for the Coral Pink Sand Dunes Road to Straight Stripe made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-aye
Commissioner Meyeres-aye

2. Kane County Resolution No. R 2025-27 a Resolution Approving the Kane County Emergency Operations Plan / Commissioner Kubeja

Alan said the current plan that we have was generated and approved back in 2016, with a few changes since then. They are supposed to get it reapproved every couple of years.

Commissioner Kubeja mentioned that there are a few things that need to be updated on it, but she is comfortable approving it.

Motion to approve Kane County Resolution R 2025-27 a Resolution approving the Kane County Operations Plan made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-aye
Commissioner Meyeres-aye

3. Discuss/Approval of the Fire District Feasibility Study Contract / Full Commission

Motion to approve the Fire District Feasibility Study Contract with Matrix Consulting Group made by Commissioner Brown and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-aye
Commissioner Meyeres-aye

4. Discuss/Approval of Kanab Center Schedule of Fees / Commissioner Kubeja

Commissioner Meyeres tabled agenda item #4 until the next meeting or it becomes feasible to go through it all.

5. Capital Improvements/Construction Update / Commissioner Kubeja

Kris and Sheriff Glover gave a capital improvements/construction update on the Community Outreach Building, Recreation Center, Assessor's Office/DMV Project, the fairgrounds covered riding arena, and the Tourism Visitor Center. Sheriff Glover mentioned that we have saved nearly \$1M on these projects by self-performing some of the work.

6. Discuss/Vote on Recommendation from County Economic Opportunity Board to Fund up to \$30K of State Governor's Office of Economic Opportunity Funds for Duck Creek Village Parking and Trail Preservation Project / Commissioner Meyeres

Commissioner Meyeres mentioned that the county has been working with Duck Creek Village to access some state money for a very needed parking and trail preservation project. They have identified four potential funding sources. 1) Recreation and Transportation District (\$35K). 2) County Economic Opportunity Board (\$30K) and two grants from the state (\$100K each).

Motion to approve the \$30K of GOEO money going to the Duck Creek Village parking and trail preservation project made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-aye
Commissioner Meyeres-aye

7. Discuss/Approve Support of Kane County MOA with ICE Regarding the Warrant Service Officer Program Under 287(g) of the Immigration and Nationality Act of 1996 / Full Commission

Sheriff Glover stated that this has been a long process to get where they are with 287(g). He said that they have been requesting we get on board with this for quite a while now. There are three different programs and he is not interested in two of the three agreement options because we don't need them or benefit from them in our community. Sheriff Glover thinks that the Warrant Service Officer (WSO) would be the best model to go with.

Motion to approve support of the Kane County MOA with ICE regarding the Warrant Officer Program under 287(g) of the Immigration and Nationality Act of 1996 that Sheriff Glover has entered into agreement with (the WSO model) made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-aye
Commissioner Meyeres-aye

8. Quit Claim Warranty Deed-Chameill Lamb / Commissioner Kubeja

Chameill mentioned that there was a property this year that came on the tax sale and when they did the research, they found that this property was previously on the tax sale (in the late 60's) and purchased, the owner that lost it in the tax sale came in (in the 80's) and recorded his deed. When he presented his deed to be recorded legally it had to be recorded, but the ownership should not have changed and for some reason they changed the ownership. Mr. Ott who was the legal owner on record at that time was inadvertently removed as the owner. This deed will restore the ownership back to the rightful owner.

Motion to approve the Quit Claim Warranty Deed as presented regarding Robert Joseph Ott and Randa Kay Ott made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-aye
Commissioner Meyeres-aye

9. Recognition of Shea Owens New Justice Court Judge / Commissioner Brown

The commission welcomed Shea Owens as the new Justice Court Judge.

10. Review of Legislative Issues / Full Commission

The commission is still working on legislative issues with our policy advisors and legislators.

11. Commissioner Report on Assignments / Full Commission

Commissioner Kubeja

- Successful July 24th celebration
- Attended horse show last Saturday
- Kane County Fair is this week
- Attended the play "The United Order of Orderville"

Commissioner Brown

- Tomorrow there is a VCSSD meeting at 10 am
- In process of trying to lease land for a fire station out east
- P&Z is having discussions about home occupations and what is allowed

Commissioner Meyeres

- Meeting next week with the Department of Interior regarding all the national parks in the region and DOI matters
- Had a judicial summary judgment decision on some of the RS2477 roads with some good news regarding Hole in the Rock road and House Rock Valley road
- Today at 6PM Congresswoman Maloy will hold a tele-townhall
- Today at 7PM at the Fredonia High School there is a public meeting regarding the Dragon Bravo Fire
- Right now, they are working with several communities on economic development

Motion to adjourn at 11:42 A.M. made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

WHERE UPON MEETING WAS ADJOURNED

Celeste Meyeres Chair

Chameill Lamb Clerk/Auditor

AGENDA ITEMS

ITEM # 1

Recognition of Chris Heaton as Kane County Cowboy of
the Year

ITEM # 2

Introduction and Information on the Kane County
Volunteer Program

ITEM # 3

Cedar Mountain Service District EMS Update

ITEM # 4

Discuss/Approve Council on Aging Bi-Laws Revision

BYLAWS
KANE COUNTY COUNCIL ON AGING
(Revised version as of July 29, 2025)

ARTICLE I

DEFINITIONS:

For the clarification and understanding of the terms used in these Bylaws, the following definitions shall apply:

- 1.01 PLANNING AREA – The geographical area consists of Kane County
- 1.02 COMMISSION – KANE COUNTY COMMISSION
- 1.03 KCCOA – KANE COUNTY COUNCIL ON AGING
- 1.04 COORDINATOR - Kane County Senior Center Director / KCCOA Coordinator

ARTICLE II

FUNCTIONS:

The Kane County Council on Aging (KCCOA) shall carry out advisory functions in Kane County to evaluate the needs of Kane County's senior population, to serve as a spokes group for senior needs, and to enlist the skills and talents of older adults, other volunteer residents, and local organizations to meet those needs. The responsibilities of the KCCOA include, but are not limited to:

- 2.01 ASSESS - Research the scope of aging service needs and the capacity of the aging network in Kane County to meet those needs. This may include public hearings, needs assessments, and surveys as necessary.
- 2.02 RECOMMEND – Review, comment, and recommend policies, programs, and actions that affect senior adults with the intent of assuring maximum coordination and responsiveness to senior needs in our community.
- 2.03 ADVOCATE – Serve as a spokes group for senior issues and initiatives in Kane County by promoting and advocating for senior issues with governments, businesses, and legislative communities.
- 2.04 COLLABORATE – Work with other public, non-profit, and private agencies on a local level to effectively meet the current and future needs of older adults in Kane County.
- 2.05 ENLIST – Enlist the skills and talents of older adults and other volunteers to serve on project subcommittees.
- 2.06 OVERSIGHT - It shall be the responsibility of KCCOA to establish needed regulations for the proper management of this organization by the County Commission as may be required by Federal, State, and local statutes.
- 2.07 OTHER MATTERS – Conducting all other business matters as befitting the concerns of KCCOA.

ARTICLE III

COMPOSITION OF THE KCCOA BOARD:

3.01 The direction and management of the affairs of the Board shall be exercised, conducted, and controlled by its membership which shall consist of thirteen (13) voting members.

3.02 The KCCOA Board shall be made up of representatives of residents of Kane County with the majority 60 years of age or older. The members of the board shall provide sufficient representation for all areas in Kane County. The members of this Board may be selected to represent the various aging program groups including, but not restricted to:

- a. Kane County Senior Citizens
- b. Representatives of Health care and home health
- c. Veteran's Affairs
- d. Representatives of supportive services provider organizations, such as transportation, workforce services, welfare services, and mental health services.
- e. Persons with leadership experience in private and voluntary sectors; General Public

3.03 TERMS

- a. Board members shall be approved and appointed by the Commission
- b. Members shall be appointed for a four-year (4yr) staggered term that shall begin on January 1 and expire on the 31st day of December, four (4) years thereafter.
- c. These terms are renewable, with a Commission appointment.

3.04 RENEWABLE TERMS POLICY

- a. The open board seat must be posted on State & County websites for a minimum of 7 to 30 days and in public locations including the newspaper at the Commissioner's discretion.
- b. Board member wishing to renew their term shall provide a "Letter of Interest" to the Executive Team.
- c. The Executive Team will make recommendations to the Commission.
- d. The Commission makes final decision on board seat renewals.

3.05 Any member may resign from KCCOA by filing a written resignation with the Chairman of the KCCOA. The resignation shall be effective within two weeks of the date it is received by the Chair.

3.06 Board members may be removed whenever the Board determines that such action would be in the best interest of the functions of the Council. Such removal shall be without prejudice to the rights of the person so removed. Upon notice of the removal, the member may appeal at the next meeting of the KCCOA. At that time, the decision of the KCCOA in this matter will become binding.

3.07 KCCOA members absent from scheduled meetings must inform the Chair before the meeting. Three consecutive unexcused absences shall justify the removal of that member.

3.08 FIVE COUNTY ADVISORY COUNCIL BOARD MEMBERS – Chair, Vice-Chair, Secretary, and one member of the Board to be appointed by the Board as voting members of the Five County COA Board. The Kane County COA Coordinator shall also attend, not as a voting person. These meetings are held quarterly at different Counties in the Five County Area.

3.09 VACANCIES IN OFFICE – When a vacancy arises, the Executive Committee will advertise the vacancy as per county ordinance, review applications, and select a nominee. The Chair will present the nominee(s) to the Commission for final approval and appointment. New members will serve a full term based on 3.03 Terms.

3.10 Appointments to the KCCOA shall not be withheld on the basis of race, color, sex, age, political affiliation, disability, or national origin.

3.11 Council members shall serve without compensation, except that they shall be reimbursed for actual expenses incurred on behalf of the council.

ARTICLE IV

EXECUTIVE COMMITTEE:

4.01 Members of the Executive Committees shall be selected by the board
Executive Committee members serve a three-year (3yr) term

4.02 The Chair of the KCCOA shall have the duty to:

- a. Preside at all meetings of the KCCOA
- b. Give final approval of the agenda for each meeting
- c. Carry out other duties and responsibilities consistent with these bylaws and may be assigned by the KCCOA
- d. Serve on the Advisory Council of the Five County COA

4.03 The Vice-Chair of the KCCOA shall have the duty to:

- a. Exercise all responsibilities of the Chairman in their absence.
- b. Assume the responsibility of the Chairman When that person is unable to carry those responsibilities
- c. Perform such other duties as may be assigned by the KCCOA.
- d. Served on the Advisory Council of the Five County COA.
- e. Provide oversight of the Five County COA contract and report quarterly to the Board.

4.04 The Secretary of the KCCOA shall have the duty to:

- a. Record minutes and the role at meetings.
- b. Maintain records and ensure meeting agendas, minutes, and bylaws are posted and recorded as required.
- c. Oversee membership list and track board member terms.
- d. Provide written notice of scheduled meetings to Board.
- e. Serve on the Advisory Council of the Five County COA.

4.05 The KCCOA Coordinator shall have the duty to:

- a. Serve as a non-voting member of the KCCOA
- b. See that all rules outlined in the annual contract between the KCCOA and the Five County Association of Governments are followed to ensure the continuation of programs.
- c. Report on the status of contract programs and services at the KCCOA quarterly meetings.
- d. Make recommendations to the KCCOA for any needed changes or improvements under their responsibility.
- e. Post agendas and minutes of KCCOA meeting as required.

ARTICLE V

SUB-COMMITTEES:

The board may appoint sub-committees as they deem necessary to carry out their work.

5.01 MEMBERSHIP – Unless otherwise specified, a sub-committee shall consist of no fewer than four (4) members and must include at least one member of the board. A board member shall act as chair and a secretary/minute taker needs to be identified.

5.02 PURPOSE – Each committee will create a clear and defined purpose statement and a set of guidelines and objectives.

5.03 AUTHORITY – The board is ultimately responsible for any actions taken by the sub-committee. The sub-committee must get approval from the board before any actions are taken.

5.04 TERM – The term of a sub-committee will be specific to the project at hand.

5.05 REPORTING – Unless otherwise specified, a sub-committee shall give a monthly written update to the executive committee and present a progress report at each quarterly meeting of the board held during its term.

ARTICLE VI

MEETINGS:

6.01 All KCCOA meetings shall follow the basic Kane County “Rules of Order” to enhance the orderly conduct of the meetings.

6.02 A regular meeting of the KCCOA shall be held quarterly or as called by the Chairperson, Vice-Chairperson, or majority of the Council membership. Two training sessions will be held each year to review Board member duties, parliamentary procedures, and KCCOA Bylaws during a quarterly meeting.

6.03 Meetings will be held at a Senior Center or such places as designated by the person or persons calling the meeting. Teleconference options will be provided upon request or as deemed necessary.

6.04 Written notice of the time and place of any regular meeting or training meeting shall be e-mailed and or mailed to each KCCOA member and others designated to receive such notice, at least ten days before such meeting. An exception to the “ten-day” prior notice would be in case of special emergencies.

6.05 A quorum, consisting of at least fifty percent (50%) of the council members, shall be required to conduct business.

6.06 The designated Secretary of the KCCOA shall be responsible for recording the actions of the meetings and providing a copy to each board member before the next meeting. Such designate shall correct any changes to those minutes at the next regular meeting of the KCCOA.

ARTICLE VII

GENERAL PROVISIONS:

7.01 The power to adopt or repeal Bylaws shall be vested exclusively in the Board as long as it complies with KANE COUNTY CODE, TITLE 2 (BOARDS, COMMISSIONS AND AGENCIES), CHAPTER 1 (COUNCIL ON AGING).

7.02 Any changes in the Bylaws shall be discussed at a meeting of the Board. Any changes must be made in writing and given to each member for final discussion and vote of the proposed changes.

7.03 To adopt, amend, or repeal any Bylaws of the KCCOA, a two-thirds (2/3) vote of the Board members present at the meeting is required.

The Kane County Council on Aging passed/approved and adopted these Bylaws this ____ day of _____, 2025.

_____	_____	_____	_____
Kane County COA Chair	Date	County Commissioner	Date

ITEM # 5

Agricultural Protection Area-A Request that the
Commissioners Refer a Proposal, to Create an
Agricultural Protection Area, to the Kane County Planning
Commission and to the Agricultural Advisory Board for
Review

KANE COUNTY COMMISSION AGENDA REQUEST

Date of Commission Meeting Requested: August 26, 2025

Dept. / Business Name: Land Use

Topic/Re: Agriculture Protection Area

Description: A request that the Commissioners refer a proposal, to create an agricultural protection area, to the Kane County Planning Commission and to the Agricultural Advisory Board for review.

Parcel #8-9-14-3

(USC 17-41-205)

MOTION: I move to recommend / not recommend referring the proposed creation of an Agriculture Protection Area to the Kane County Planning Commission and to the Agricultural Advisory Board for review.

Attachments:

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:

ITEM # 6

Public Hearing Regarding Ordinance 2025-23, 2025-24,
and 2025-25

ITEM # 7

Ordinance 2025-23 an Ordinance Vacating Two Seven
and a Half Foot Utility Easements in the Ponderosa Villa
Subdivision Plat "D"

KANE COUNTY COMMISSION AGENDA REQUEST

Date of Commission Meeting Requested: August 26, 2025

Dept. / Business Name: Land Use

Topic/Re: Ordinance 2025-23

Description: Vacating two 7.5-foot public utility easements in Ponderosa Villa Subdivision "D" Lots 32 & 33 by Ordinance 2025-23

MOTION: I move to recommend denying/approving Ordinance 2025-23 based on the facts and findings as documented in the ordinance.

Attachments: Ordinance 2025-23

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:

The Administrative Land Use Authority recommends approval of this agenda item.

KANE COUNTY ORDINANCE NO. O-2025-23

**AN ORDINANCE VACATING TWO SEVEN AND A HALF FOOT UTILITY
EASEMENTS IN THE PONDEROSA VILLA SUBDIVISION PLAT "D"**

WHEREAS, the Kane County Administrative Land Use Authority and the Kane County Board of Commissioners desire to vacate two 7.5-foot public utility easements from old lots 32 and 33 which are being combined into new lot 32 by a full boundary adjustment in the Ponderosa Villa Subdivision Plat D; and

WHEREAS, the proposed full boundary adjustment complies with Utah Code §17-27a-522, 609.5, and Utah Code 54-3-27; and

WHEREAS, the Kane County Administrative Land Use Authority has found good cause to vacate the two 7.5-foot public utility easements; and

WHEREAS, after a duly noticed public meeting, the Kane County Administrative Land Use Authority recommended approval of the proposed amendment and vacation; and

WHEREAS, the Kane County Board of Commissioners finds it in the public interest to implement the proposed amendment and vacate the two 7.5-foot public utility easements; and

NOW THEREFORE, the legislative body the Board of Commissioners of Kane County, State of Utah, hereby ordains as follows:

Section 1. *Vacation of Utility Easement.*

The two 7.5-foot public utility easements located in between old lots 32 and 33 becoming new lot 32 is hereby vacated.

Section 2. *Legal Description.*

The affected property is located in the NW¼ NE¼ of Section 21, Township 38 South, Range 7 West, Salt Lake Base and Meridian, Kane County, Utah. The full legal description is included on the amended plat, which shall be recorded along with this ordinance in the Kane County Recorder's Office.

Section 4. *Effective Date.*

This Ordinance shall be deposited in the Office of the Kane County Clerk and shall take effect fifteen (15) days after the date signed below.

Section 5. *Publication.*

The Kane County Clerk is hereby directed to publish a short summary of this Ordinance, including the names of the Commissioners voting for and against it, along with a statement that a complete copy is available for public inspection at the Office of the County Clerk. This publication shall appear at least once in a newspaper of general circulation within Kane County or as otherwise required by Utah law.

End of Ordinance.

ADOPTED this ____ day of _____, 2025.

ATTEST:

Chameill Lamb
Kane County Clerk

Celeste Meyeres
Board of Commissioners
Kane County

Commissioner Brown voted _____
Commissioner Kubeja voted _____
Commissioner Meyeres voted _____

ITEM # 8

Zone Change Ordinance 2025-24 an
Ordinance Amending the Zoning of Parcels 9-
8-14-1 and 9-8-14-1F from Agriculture to
Rural 10

KANE COUNTY COMMISSION AGENDA REQUEST

Date of Commission Meeting Requested: August 26, 2025

Dept. /Business Name: Land Use

Topic/Re: Zone Change Ordinance 2025-24

Description: Changing Parcel numbers 9-8-14-1 and 9-8-14-1F, containing approximately 163 acres, located near the Sky Haven Mountain Retreat Subdivision and the North for Area Subdivision, Kane County, Utah, from Agricultural (AG) to Rural-10 (RU-10); submitted by Nathan & DeAnna Lee.

MOTION: I move to recommend denying/approving Ordinance 2025 -24 based on the facts and findings as documented in the ordinance.

Attachments: Ordinance 2025-24

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:

The Planning Commission voted 4–1 against approving the recommendation on this agenda item.

KANE COUNTY ORDINANCE NO. O 2025-24

**AN ORDINANCE AMENDING THE ZONING OF PARCELS 9-8-14-1 AND 9-8-14-1F
FROM AGRICULTURE TO RURAL 10**

WHEREAS, the Kane County Board of Commissioners finds that said zone change is in accordance with the Kane County Land Use Ordinance 9-5C-1: Purpose: Kane County continues to grow and increase in economic development. In areas of the county where there is a large amount of land that is zoned agricultural there is very low density and many lands that retain a rural feel along with many traditional agricultural uses. These lands are not suitable to be zoned commercial with the possibility of many varied commercial uses that are much higher in density and come with a much larger impact to the surrounding areas. However, to promote appropriate growth and economic development in these low-density rural areas there is a need to allow additional uses beyond what is allowed in the Agricultural Zone. The purpose of the Rural Zone is to allow uses that are similar to the Agricultural Zone but also allow some additional uses for growth and economic development, such as recreation and tourism related uses that are better suited for these rural areas. (Ord. O-2023-03, 1-24-2023)

WHEREAS, the Kane County Planning Commission recommended the zone change at publicly noticed public hearing; and

WHEREAS, the Board of Commissioners desires to implement the recommended zone change; in a duly noticed public meeting, received the recommended zone change and desires to enact the following recommendations; and

WHEREAS, the statutory authority for enacting this ordinance is Utah State Code Sections 17-27a-201 & 205, 17-27a-308, and 17-27a-502 & 503;

WHEREAS, the Kane County Planning Commission and Kane County Board of Commissioners desire to make the recommended zone change to parcels 9-8-14-1 and 9-8-14-1F; and

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF KANE COUNTY, STATE OF UTAH, ORDAINS AS FOLLOWS:

LEGAL DESCRIPTION: A PARCEL OF LAND BEING IN SEC'S 14 & 23 T39S R8W SLB&M: BEG ON THE N-S MID SEC LINE S 0°19'45" E 1,291.5 FT FROM THE CENTER OF SEC 14 T39S R8W SLB&M & RUN TH N 89°57' E 655.32 FT; TH S 30°48' E 91.0 FT; TH S 69°52' E 182.0 FT; TH S 30°48' E 274.0 FT; TH N 71°42' E 318.0 FT; TH S 0°34'40" E 741.18 FT; TH W 140.0 FT; TH SW'LY 332.0 FT; TH E 170.0 FT; TH S 8°55' E 2241.0 FT; TH S 16°20' W 165.0 FT; TH S 42°27' W 240.0 FT; TH S 53°36' W 150.0 FT; TH S 89°58' W ALG THE E-W MID SEC LINE 1,321.16 FT; TH N 0°19'45 W 3986.66 FT TO THE PT OF BEG. CONT 124.58 AC, M/L.
LESS 1.38 ACRES DEEDED TO JK LITTLE ETUX LEAVING 123.20 AC, M/L.
TOGETHER WITH 0.6332 AC FT OF WATER RIGHT #81-1306.

Is hereby rezoned from AG to RU-10 and shall from here forth be zoned.

---- END OF ORDINANCE ----

This Ordinance shall be deposited in the office of the County Clerk, and recorded in the Kane County Recorder's Office and shall take effect fifteen (15) days after the date signed below. Utah State Code 17-53-208 (3) (a).

The County Clerk is directed to publish a short summary of this Ordinance with the name of the members voting for and against, together with a statement that a complete copy of the ordinance is available at the office of the County Clerk, for at least one publication in a newspaper of general circulation in the county, or as otherwise permitted and required by Utah State Law.

ADOPTED this ____ day of _____, 2025.

ATTEST:

Chameill Lamb
Kane County Clerk

Celeste Meyeres Chair
Board of Commissioners
Kane County

Commissioner Brown voted ____
Commissioner Meyeres voted ____
Commissioner Kubeja voted ____



Kresta Blomquist <klblomquist@kane.utah.gov>

W: Proposed Zone Change near Sky Haven Mountain Retreat, Parcels 9-8-14-1 & 9-8-14-1F

Shannon McBride <smcbride@kane.utah.gov>
To: Kresta Blomquist <klblomquist@kane.utah.gov>
Cc: Gwen Brown <gbrown@kane.utah.gov>

Wed, Aug 6, 2025 at 1:08 PM

From: [REDACTED]
Sent: Wednesday, August 6, 2025 11:06 AM
To: smcbride@Kane.utah.gov
Subject: Proposed Zone Change near Sky Haven Mountain Retreat, Parcels 9-8-14-1 & 9-8-14-1F

Re: Proposed hearing for a zone change, Parcels 9-8-14-1 & 9-8-14-1F

To: Kane County Planning Commission and County Commission

I am opposed to this proposed zoning change.

The petitioner in this zoning change is a developer that wants to subdivide the 163 acres into luxury vacation properties. These parcels are not going to be sold to people that want to come to the area to be a part of the established community, they are profit driven investors (many investors) with the sole intent of making money.

Property taxes have doubled in recent years. This planned development will increase the property taxes of the surrounding area, adding unjustified financial burden to the surrounding properties. The petitioner purchased the property with the intent of making money off the property, not to become a part of the existing community.

Transient visitors (people with no ties to the community) will bring increased traffic and safety risks to the area. There is limited access and the current roads are not accommodating to increased traffic. More visitors will erode the privacy and seclusion that is valued by the community of property owners currently in the area, bringing security concerns with the presence of unfamiliar transient individuals. The introduction of more structures and visitors in the heavily forested area also increases the likelihood of wildfires, a growing concern of Kane County and surrounding areas.

This rezoning undermines the unique character of the area, places an unjustified strain on the local community and infrastructure, and increases security and wildfire concerns. Preserving Agriculture zoning is essential to protect the secluded and private lifestyle of this community. I urge the Planning Commission and the County Commission to reject this zone change.

8/6/25, 3:31 PM

Kane County Utah Mail - FW: Proposed Zone Change near Sky Haven Mountain Retreat, Parcels 9-8-14-1 & 9-8-14-1F

Sincerely,

Julee Terry

Comments Regarding Proposed Zone Change from Agriculture to RU 10.

Parcels 9-18-14-1 & 9-8-14-14

Zoning Change Requested by Nathan and DeAnna Lee

James & Sylvia Boyd

2255 Hill Road # 3

St. George, Utah 84790

435-668-0200

Kane County Property

SkyHaven Retreat Unit # 1- 2-E-26, 27,28, 29 & 30

Agriculture Property 9-8-14-1JA

Swains Creek Pines Unit # 1 - 25-A-50

August 10, 2025

Kane County Land Use Office

75 North Main Street

Kanab, Utah 84741

Sent via E-Mail smcbride@kane.utah.gov

To: Kane County Planning Commission and County Commissioners.

We appreciate the opportunity to comment on the proposed zoning change. Unfortunately we won't be able to attend the August 14, 2025 meeting but plan to listen in. We oppose the requested zoning change from Agriculture to RU 10. Hopefully the commission is familiar with the area and shares our concerns. Obviously our first question would be: Isn't there any other RU10 property closer to civilization that would be better suited for multi ownership or short term type rental glamping? People out in the SkyHaven Area purchased land because of its proximity to large parcels and wide open spaces.

The road is a mess from Swains to SkyHaven Unit 1 with little to no maintenance. Beyond SkyHaven Unit 1 it's dangerous for most passenger vehicles without any road maintenance. Through SkyHaven the road is narrow and sometimes meanders across property lines. It was more or less a two track trail when we moved into the area and has never had any kind of road base put down. When it's wet it's slippery and as you know there is no plowing in the winter beyond Swains. Before the county considers the request, for safety sake, please consider a traffic study as the roads barely accommodates today's traffic.

Access to the proposed parcels crosses private property. Originally we had a 10' equestrian trail designated on the plats. It's turned into a small road and we'd like to keep it that way. The other access beyond SkyHaven is similar, crossing private property and not very wide.

I'm not the expert but I've heard the county is no longer allowing dry developments. How would the glamping units get water, sewer and power? Are utilities being considered extending through SkyHaven exposing us to future cost? Were already reaching "is it worth it" in current taxes with little county oversight or maintenance.

Who will manage the visitors. Today people drive too fast on the roads. Start fires and even abandon them during the most restrictive periods. Today we douse abandon campfires, pick up trash, direct lost people trying to find Zion and pull vehicles out of the mud or snow. A glamping operation will bring more visitors to the area that may be challenged in such a remote area. Is the county and federal government willing to commit additional resources to manage the growth. Let me tell you a speeding vehicle or someone flying a side by side coming straight at you around a blind curve is no picnic.

I'm sure the county understands the risk they are taking when considering this request. Today you're looking at a proposal with a hand full of glamping sites. If approved it would allow Nathan and DeAnna expansion well beyond the already thin resources. Today's proposal would require additional patrols, fire and rescue plus maintenance. If this is approved it will expose the county & current residents to all sorts of problems.

It's not personal but we have to add: Our first experience with the Lee's wasn't impressive. Using a property boundary app they posted no trespassing signs on our neighbor's land claiming his property belonged to them. This went on for a few weeks until they brought their own surveyor to define the proper property lines. Lee's were wrong, the existing stakes were correct, our neighbor kept his land. If you look at their web site (Collective Destinations) they are already marketing this area as coming soon. I don't want to sound negative but they seem like "give and inch take a mile type people".

No matter the outcome we will be good neighbors and good stewards of the land. Without a masterplan being required to request a zone change it's hard to determine all the risk involved.

Thank you so much for allowing our thoughts,

Jim & Sylvia

Regarding: Proposed Zone Change from AG to RU10 - Parcels 9-8-14-1 & 9-8-14-1F

Troy and Tawni Pearmain

704 East Meadow Lane

Washington UT 84780

35-632-0264

Parcel 2-A-8

To: Kane County Planning Commission and County Commissioners,

I appreciate the chance to comment on this request. I oppose the proposed zoning change from Agriculture to RU 10 to the Parcels mentioned above. I believe it will strain the already fragile infrastructure to a very rural area. One of the benefits to our RU 1 property is the quiet environment

being next to AG land.

Before the county allows this change I'd like the planning group & commissioners to think about the

burden the county will be signing up for. Road improvements and maintenance. Response times for

fire, medical help and law enforcement. Hopefully everyone involved has taken a tour and is familiar

with the property being considered. It will be difficult for unfamiliar visitors to navigate this wilderness.

Fire: I think the county can find studies that if you allow growth in wooded areas the chance fire increases. What's the plan? Being a land owner our biggest fear is fire. If you allow more activity in the

area with unfamiliar multiple owners how would fire safety oversight be managed. Will the county be

able to respond quickly with the appropriate equipment and resources (water).

Law Enforcement: Is the county & federal authorities able to commit to a more visible presence in the

area. Today we are exposed to people driving way to fast, open camp fires while we have strict restrictions, occasionally missing items. More growth can equal more problems.

Impact on SkyHaven: Beyond the things I've already mentioned. What else will this expose us to? Our

taxes are already reaching "Is it worth it". Will utilities be extended beyond Swains causing us disruption

and additional impact fees?

Roads: Today we may see the road graded once a year between Swains and SkyHaven. Sometimes the

grader makes a pass through SkyHaven Unit 1 but has never gone beyond. I think the county would

agree that the roads beyond Swains Creek are in bad shape with the current traffic. In the spring it takes

several weeks for the road to dry enough before its passable. Beyond Swains Creek Pines there is no

winter access in passenger vehicles. I think the current property owners like it that way. The road is

narrow and meanders occasionally across property lines. I've often worried if emergency vehicles

would be able to navigate through the existing road through our neighborhood.

People in SkyHaven bought RU1 land that borders Agriculture land. That's a big reason we bought

there, paid taxes and developed it accordingly to RU1 guidelines. Now Nathan and DeAnna Lee bought

Agricultural property knowing the restrictions of that type of land. I support development if done right.

Closer to infrastructure and oversight a project may make sense. This remote location with multiple

visiting users should concern all of us.

Without a masterplan being required first the county zoning group needs to deny this request. If you

approve this to change to RU 10 you'll have negative impact on the current property owners and create

an unnecessary burden to the county.

Thank you

Edward Troy and Tawni Pearmain

Shannon McBride

From: [REDACTED]
Sent: Wednesday, August 13, 2025 11:30 AM
To: smcbride@kane.utah.gov
Subject: Opposition of proposed zone change

Re: Opposition to Proposed Rezoning

Dear Planning Commission,

I am writing as a concerned long time property of the sky haven community to respectfully oppose the proposed rezoning of the property located at parcels 9-8-14-1& 9-8-14-1F. While I understand the desire for growth and development, I believe this particular rezoning would pose serious risks to our community's safety and well-being, as well as compromise the preservation of vital land.

Fire Safety Risks:

Our area already faces high wildfire risks, and introducing additional development in this location would significantly increase the danger. The proposed use could strain existing firefighting resources, increase ignition sources, and hinder evacuation routes. In a fire emergency, every second counts—and overburdened infrastructure could lead to preventable loss of life and property.

Access and Emergency Response:

The property's access points are limited, rough dirt roads that are not maintained, very narrow roads. Trees fall over the road constantly. During rain or snow these roads become impassable. I have personally pulled out numerous vehicles. Increased traffic from rezoning will only worsen congestion, delay emergency response times, and create dangerous bottlenecks for residents trying to evacuate or for fire and medical crews attempting to enter.

General Safety Concerns:

A denser or higher-intensity land use in this area would bring more vehicles, more activity, and more strain on already-limited infrastructure. This increases the likelihood of accidents, emergency delays, and strain on law enforcement and public works.

Preservation of Land:

Beyond safety, this property serves as important open space that supports wildlife habitat and scenic value. Rezoning for rural development would permanently alter the character of our community and remove a natural buffer that benefits residents now and for generations to come.

For these reasons, I strongly urge the Commission to reject the rezoning request for parcels 9-18-14-1 & 9-8-14-1F. Our community's safety, accessibility, and environmental integrity must take priority over short-term development gains.

Thank you for your time, your service to our community, and your thoughtful consideration of these concerns.

Sincerely,

Justin Hibbs

[REDACTED]



Kresta Blomquist <kblomquist@kane.utah.gov>

FW: Sky Haven short term rental issue

1 message

Shannon McBride <smcbride@kane.utah.gov>
To: Kresta Blomquist <kblomquist@kane.utah.gov>

Mon, Aug 18, 2025 at 9:52 AM

-----Original Message-----

From: **Steve Moore** <~~smcbride@kane.utah.gov~~>
Sent: Sunday, August 17, 2025 4:28 PM
To: pkubeja@kane.utah.gov; cmeyeres@kane.utah.gov; gbrown@kane.utah.gov;
smcbride@kane.utah.gov
Subject: Sky Haven short term rental issue

All, I am a landowner in Sky Haven. Parcel 123-48-2

The "glamping" outfit known as Collective Destinations has purchased large parcels in Sky Haven with the express purpose of short term rentals to transient vacationers who will have zero vested interest in the area currently owned by private people such as myself. Though my acreage does not border the parcels they own, it is certainly going to be effected by this "glamping" operation. Most likely negatively effected because the short term renters will be exploring, very likely with no care for any owners properties.

This operation in no way, shape or form fits with the Sky Haven area as it exists and would be as out of place as a hotel in a suburban neighborhood full of single family homes.

Moreover, the revenue Kane would likely realize from this operation seems to me to be much less than if those parcels were sub divided into 5 acres each and sold to private owners like the rest of Sky Haven.

Please keep Sky Haven as it is, rural off the grid and privately owned.

Thank-you,
Steve Moore



Charee Shepherd <cshepherd@kane.utah.gov>

Proposed Zoning Change- Skyhaven/Northfork Area

1 message

MARK NAEGLE 

Thu, Aug 14, 2025 at 8:04 PM

To: "cshepherd@kane.utah.gov" <cshepherd@kane.utah.gov>

Dear Ms Shepherd,

I am writing in regard to the hearing held yesterday, and upcoming Commission meeting. A proposed zoning change for parcels 9-8-14-1 and 9-8-14-1F from Agricultural to Rural 10 by Nathan and DeAnna Lee.

I would like to express my displeasure with the proposal and planned usage of these parcels. I am a property owner in Skyhaven Units 2 and 3. I have been here for over 20 years. Neighbors, friends, and families in all 3 units at Skyhaven have helped each other to create our small retreats, and have built strong relationships over the decades.

The Lee's can call their planned land usage many creative names, but it is obviously a commercial enterprise. This business model should have no home in our community. Their plan is to build a non-essential business right in the middle of an established, rural neighborhood. The public comments given at yesterday's hearing reflect an overwhelming consensus of we, the surrounding residents. We have literally poured blood, sweat, and tears to provide ourselves with our little mountain retreats. We want to preserve our community for our children and grandchildren. Placement of a commercial enterprise here with tourists coming and going is not compatible with our community. We do not want the increase in traffic, as we already are experiencing increased traffic from OHV's and other vehicles.

The subject of safety is also paramount to the conversation. The terrain in this area is very unforgiving, leading to a higher risk of injuries, vehicular and on foot. Access to medical attention can be many hours away, depending on weather and road conditions. This fact should be very troubling, especially to this business developer for the sake of any perspective guests. The developer downplayed this at the hearing.

On behalf of the residents of Skyhaven Mountain Retreat, please do not approve of this zone change.

Thank you for looking out for the interests of the people of Kane County.

Respectfully,

Mark H Naegle

Lot 1A, Unit 2 Skyhaven Mountain Retreat

Lot 84, Unit 3 Skyhaven Mountain Retreat

ITEM # 9

Ordinance 2025-25 an Ordinance Revising Kane County
Land Use Ordinance Chapter 21 Subdivision Regulations
Article E Section 9 B 3 and Article F Section 3 Dedication
of Nonsubdivision Rights-of-Way and Roadways

KANE COUNTY COMMISSION AGENDA REQUEST

Date of Commission Meeting Requested: August 26, 2025

Dept. /Business Name: Land Use

Topic/Re: Ordinance 2025-25

Description: An Ordinance Revising Kane County Land Use Ordinance Chapter 21: Subdivision Regulations Article E Section 9-B-3 And Article F Section 3: Dedication Of Non-Subdivision Rights-Of-Way and Roadways

MOTION: I move to recommend denying/approving Ordinance 2025-25 based on the facts and findings as documented in the ordinance.

Attachments: O-2025-25

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:

The Planning Commission voted unanimously to recommend approval of this agenda item.

KANE COUNTY ORDINANCE NO. O 2025-25

**AN ORDINANCE REVISING KANE COUNTY LAND USE ORDINANCE
CHAPTER 21 SUBDIVISION REGULATIONS ARTICLE E SECTION 9 B 3 AND
ARTICLE F SECTION 3 DEDICATION OF NONSUBDIVISION RIGHTS-OF-WAY AND
ROADWAYS**

WHEREAS, after a duly noticed public hearing, the Kane County Planning Commission recommended changes to Chapter 21 Subdivision Regulations in Articles E and F of the Kane County Land Use Ordinance; and

WHEREAS, the Kane County Planning Commission recommends deleting the 500 feet wording and matching state code to state the addition each property owner of record within the portion of the subdivision that is proposed to be amended to Chapter 21 Article E Section 9 B 3; and

WHEREAS, the Kane County Planning Commission recommends removing Commission and inserting Administrative Land Use Authority for road dedication plats in Chapter 21 Article F Section 3; and

WHEREAS, the Kane County Board of Commissioners desires to implement the recommendations of the Planning Commission and amend the Kane County Land Use Ordinance Subdivision Regulations with the additional changes and other modifications; and

WHEREAS, the Kane County Commission desires to stay in compliance with Utah State Code regulations in particular with Utah Code §17-27a-600 Subdivisions 607 and 609.5; and

WHEREAS, the authority for this ordinance is found in Utah Code §17-27a-101 et. al., and §17-27a- Part 6 Subdivisions 607 and 609.5; and

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF KANE COUNTY, STATE OF UTAH, ORDAINS AS FOLLOWS:

Section 1. Ordinance Amendment.

Kane County Code Title 9 Chapter 21 Subdivision Regulations Kane County Land Use Ordinance is amended to read as follows. Additions to the ordinance are indicated with an underline, and deletions from the ordinance are indicated with a strike-through. Instructions to the codifiers are italicized and inside parenthesis.

//

9-21E-9: VACATING OR AMENDING A SUBDIVISION OR PLANNED UNIT DEVELOPMENT PLAT:

3. If the application for an amended plat includes a request to further subdivide or to create any additional lots, the application may only be approved if:

B. Submission Items:

3. ~~Provide names and addresses of all property owners within 500 feet of the affected property;~~

_____ 3. each property owner of record within the portion of the subdivision that is proposed to be amended.

//

9-21F-3: DEDICATION OF NONSUBDIVISION RIGHTS-OF-WAY AND ROADWAYS:

The Kane County Commission, on recommendation from the Kane County Land Use Authority, may accept Master Transportation Plans for areas in Kane County. Once a Master Transportation Plan is in place for an area the property owner(s) within the Master Transportation Plan area may dedicate the planned road(s) to Kane County. Kane County Administrative Land Use Authority, Roads Supervisor and Government Affairs Coordinator will negotiate and initiate any additional sections into the Master Transportation Plan. The and Kane County Commission may accept the dedicated roads by the recording of a road dedication plat. (Ord. O-2019-2, 1-14-2019)

//

Section 2. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date

This ordinance is effective fifteen (15) days after adoption, and after publication and notice are completed as set forth below.

Section 4. Publication and Notice.

This Ordinance shall be deposited in the Office of the Kane County Clerk. The Kane County Clerk is directed to publish a short summary of this Ordinance with the name of the members voting for and against, together with a statement that a complete copy of the ordinance is available at the Office of the Kane County Clerk, for at least one publication in a newspaper of general circulation in the county, or as otherwise permitted and required by Utah State Law.

End of Ordinance.

ADOPTED this 26th day of August, 2025.

ATTEST:

CHAMEILL LAMB
Kane County Clerk

Celeste Meyeres, Chair
Board of Commissioners
Kane County

Commissioner Brown voted _____
Commissioner Meyeres voted _____
Commissioner Kubeja voted _____

Effective 5/7/2025

17-27a-608. Subdivision amendments.

- (1) (a) A fee owner of a lot, as shown on the last county assessment roll, in a plat that has been laid out and platted as provided in this part may file a petition with the land use authority to request a subdivision amendment.
- (b) Upon filing a petition to request a subdivision amendment under Subsection (1)(a), the owner shall prepare and, if approved by the land use authority, record a plat in accordance with Section [17-27a-603](#) that:
 - (i) depicts only the portion of the subdivision that is proposed to be amended;
 - (ii) includes a plat name distinguishing the amended plat from the original plat;
 - (iii) describes the differences between the amended plat and the original plat; and
 - (iv) includes references to the original plat.
- (c) (i) The land use authority shall provide notice of a petition filed under Subsection [\(1\)\(a\)](#) by mail or email to:
 - (A) each affected entity that provides a service to a property owner of record of the portion of the plat that is being amended; and
 - (B) each property owner of record within the portion of the subdivision that is proposed to be amended.
- (ii) The notice described in Subsection (1)(c)(i)(B) shall include a deadline by which written objections to the petition are due to the land use authority, but no earlier than 10 calendar days after the day on which the land use authority sends the notice.
- (d) The land use authority shall hold a public hearing within 45 days after the day on which a petition is filed under Subsection [\(1\)\(a\)](#) if:
 - (i) any property owner within the subdivision that is proposed to be amended notifies the county of the owner's objection in writing by the deadline for objections, as described in Subsection [\(1\)\(c\)\(ii\)](#); or
 - (ii) a county ordinance requires a public hearing if all of the owners within the portion of the subdivision proposed to be amended have not signed the proposed amended plat.
- (e) A land use authority may approve a petition for subdivision amendment no earlier than:
 - (i) the day after the day on which written objections were due to the land authority, as described in Subsection [\(1\)\(c\)\(ii\)](#); or
 - (ii) if a public hearing is required as described in Subsection [\(1\)\(d\)](#), the day on which the public hearing takes place.
- (f) A land use authority may not approve a petition for a subdivision amendment under this section unless the amendment identifies and preserves any easements owned by a

culinary water authority and sanitary sewer authority for existing facilities located within the subdivision.

(2) The public hearing requirement of Subsection (1)(d) does not apply and a land use authority may consider at a public meeting an owner's petition for a subdivision amendment if:

(a) the petition seeks to:

- (i) join two or more of the petitioning fee owner's contiguous lots;
- (ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;
- (iii) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or
- (iv) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:
 - (A) owned by the petitioner; or
 - (B) designated as a common area; and

(b) notice has been given to adjoining property owners in accordance with any applicable local ordinance.

Effective 5/14/2019

17-27a-607. Dedication by plat of public streets and other public places.

- (1) A plat that is signed, dedicated, and acknowledged by each owner of record, and approved according to the procedures specified in this part, operates, when recorded, as a dedication of all public streets and other public places, and vests the fee of those parcels of land in the county for the public for the uses named or intended in the plat.
- (2) The dedication established by this section does not impose liability upon the county for public streets and other public places that are dedicated in this manner but are unimproved unless:
 - (a) adequate financial assurance has been provided in accordance with this chapter; and
 - (b) the county has accepted the dedication.

AS in this section refers to the Subdivision part of Utah State code

Effective 5/3/2023

17-27a-604.1. Process for subdivision review and approval.

- (1) (a) As used in this section, an "administrative land use authority" means an individual, board, or commission, appointed or employed by a county, including county staff or a county planning commission.

- (b) "Administrative land use authority" does not include a county legislative body or a member of a county legislative body.
- (2) (a) This section applies to land use decisions arising from subdivision applications for single-family dwellings, two-family dwellings, or townhomes.
 - (b) This section does not apply to land use regulations adopted, approved, or agreed upon by a legislative body exercising land use authority in the review of land use applications for zoning or other land use regulation approvals.
- (3) A county ordinance governing the subdivision of land shall:
 - (a) comply with this section and establish a standard method and form of application for preliminary subdivision applications and final subdivision applications; and
 - (b)
 - (i) designate a single administrative land use authority for the review of preliminary applications to subdivide land; or
 - (ii) if the county has adopted an ordinance that establishes a separate procedure for the review and approval of subdivisions under Section 17-27a-605, the county may designate a different and separate administrative land use authority for the approval of subdivisions under Section 17-27a-605.
- (4) (a) If an applicant requests a pre-application meeting, the county shall, within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback.
 - (b) At the pre-application meeting, the county staff shall provide or have available on the county website the following:
 - (i) copies of applicable land use regulations;
 - (ii) a complete list of standards required for the project;
 - (iii) preliminary and final application checklists; and
 - (iv) feedback on the concept plan.
- (5) A preliminary subdivision application shall comply with all applicable county ordinances and requirements of this section.
- (6) An administrative land use authority may complete a preliminary subdivision application review in a public meeting or at a county staff level.
- (7) With respect to a preliminary application to subdivide land, an administrative land use authority may:
 - (a) receive public comment; and
 - (b) hold no more than one public hearing.
- (8) If a preliminary subdivision application complies with the applicable county ordinances and the requirements of this section, the administrative land use authority shall approve the preliminary subdivision application.
- (9) A county shall review and approve or deny a final subdivision plat application in accordance with the provisions of this section and county ordinances, which:

(a) may permit concurrent processing of the final subdivision plat application with the preliminary subdivision plat application; and

(b) may not require planning commission or county legislative body approval.

(10) If a final subdivision application complies with the requirements of this section, the applicable county ordinances, and the preliminary subdivision approval granted under Subsection [\(9\)\(a\)](#), a county shall approve the final subdivision application.

ITEM # 10

Assignment of Kane County Chief Administrative Officer
Over Data Privacy

ITEM # 11

OPIOID Settlement Update

Below is an updated Opioid Distribution breakdown. It is current as of August 13, 2025.

Payment Year	Allocation %	Distributor Payment	Date Recd	Janissen Payment	Date Recd	Teva Payment	Date recd	Allegran Payment	Date Recd	CVS Payment	Date recd	Walgreens Payment	Date Recd	Kroger	Date Recd	Wal-Mart Payment	Date recd	Wal-Mart Payment**	Date recd	NATIONAL OP	Date recd	MCINSEY	Date recd	ENDO PUBLIC OPIOID TRUST	Date recd
2022-1st	0.44%	\$ 16,583.87	11/30/2022	\$ 6,351.10	1/31/2023																				\$ 22,934.97
2022-2nd	0.44%	\$ 17,391.20	8/31/2022	\$ 11,809.45	1/31/2023																				\$ 31,200.64
2023	0.44%	\$ 21,767.55	7/31/2023	\$ 11,620.77	6/28/2023	\$ 5,604.69	4/17/2024	\$ 6,210.88	4/17/2024	\$ 6,819.81	4/14/2024	\$ 8,001.21	4/17/2024			\$ 52,183.31	4/30/2024	\$ 3,874.12	6/30/2023	\$ 4,557.79	11/30/2023				\$ 116,627.72
2024	0.44%	\$ 21,767.55	7/31/2023	\$ 11,620.77	6/28/2023	\$ 5,604.69	4/17/2024	\$ 6,210.88	4/17/2024	\$ 6,819.81	4/14/2024	\$ 8,001.21	4/17/2024			\$ 52,183.31	4/30/2024	\$ 3,874.12	6/30/2023	\$ 4,557.79	11/30/2023				\$ 80,503.63
2025	0.44%	\$ 21,767.55	7/31/2023	\$ 11,620.77	6/28/2023	\$ 5,604.69	4/17/2024	\$ 6,210.88	4/17/2024	\$ 6,819.81	4/14/2024	\$ 8,001.21	4/17/2024			\$ 52,183.31	4/30/2024	\$ 3,874.12	6/30/2023	\$ 4,557.79	11/30/2023				\$ 81,275.25
2026	0.44%																								
2027	0.44%																								
2028	0.44%																								
2029	0.44%																								
2030	0.44%																								
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2035	0.44%																								
2036	0.44%																								
2037	0.44%																								
2038	0.44%																								
		\$ 94,901.37		\$ 68,406.70		\$ 17,990.65		\$ 18,746.18		\$ 23,122.50		\$ 18,563.87		\$ 14,089.48		\$ 52,183.31		\$ 3,874.12		\$ 14,138.72		\$ 9,535.08		\$ 8,325.32	\$ 314,542.21

ITEM # 12

Discussion/Vote on Solid Waste TRT Mitigation
Funding

ITEM # 13

Review of Legislative Issues

ITEM # 14

Commissioner Report on Assignments