

**COMMISSION MEETING  
PACKET**

**DATE:**

**February 24, 2026**

---

## 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, February 24, 2026** 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](http://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: February 11, 2026-\$1,414,496.76 and February 18, 2026-\$676,440.62

Approval of: Commission Meeting Minutes for February 10, 2026

Kane County Ordinance No. O 2026-5 An Ordinance Amending Kane County Code Title 2 Chapter 1 Council on Aging

**REGULAR SESSION:**

- 1. Kane County Ordinance No. O 2026-02 An Ordinance Amending the Zoning of Parcels 258-4, 258-5 and 258-7 in the Oak Ridge Estates Rural Unimproved Subdivision Zoned AG-FAA to Rural-10 / Commissioner Brown**
- 2. Kane County Ordinance No. O 2026-03 An Ordinance Amending the Zoning of Parcels 4-5-9-1A and 4-5-9-2 Off of Eight Mile Gap Road from Agricultural to Residential 5 / Commissioner Brown**
- 3. Land Use Update by Shannon McBride / Commissioner Brown**
- 4. Kane County Ordinance No. O 2026-6 An Ordinance Adopting Changes to Business License Regulations, Including Alcohol Licensing and Late Penalties / Full Commission**

**5. Review of Legislative Issues / Full Commission**

**6. 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: February 11, 2026-\$1,414,496.76 and  
February 18, 2026-\$676,440.62

Commission Meeting Minutes for February 10, 2026

Kane County Ordinance No. O 2026-5 An Ordinance  
Amending Kane County Code Title 2 Chapter 1 Council on  
Aging

**MINUTES  
OF THE KANE COUNTY  
BOARD OF COMMISSIONERS' MEETING  
February 10, 2026 at 10:00 AM  
IN THE KANE COUNTY COMMISSION CHAMBERS,  
76 NORTH MAIN, KANAB, UTAH**

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

Other County Officials in Attendance: Attorney Jeff Stott, Clerk/Auditor Chameill Lamb, Sheriff Tracy Glover, Janette Peatross, Keiren Chatterley, and Taylor Glover

**CALL MEETING TO ORDER:** Commissioner Brown

**WELCOME:** Commissioner Brown

**INVOCATION:** Stacey Baron

**PLEDGE OF ALLEGIANCE:** Pat Guerrero

**PUBLIC COMMENT:**

No public comment.

**CONSENT AGENDA:**

Check Edit Report: January 28, 2026-\$313,857.17 and February 4, 2026-\$490,500.66

Approval of: Commission Meeting Minutes for January 27, 2026

**Motion** to approve the Check Edit Report from January 28, 2026-\$313,857.17 and February 4, 2026-\$490,500.66 as well as the Commission Meeting Minutes for January 27, 2026 made by Commissioner Brown and motion carried with all commissioners present voting in favor.

**REGULAR SESSION:**

**1. Presentation from Stacey Baron and Mercy Stout Introducing REACH Survivor Services / Commissioner Kubeja**

Mercy Stout introduced REACH Survivor Services, a new nonprofit offering local victim services for domestic violence and sexual assault in Kane County. She also talked about their emergency safe housing program and their need for donations.

**2. Discuss/Vote on Kane County Resolution No. R 2026-7 A Resolution Designating April as Sexual Assault Awareness Month / Full Commission**

**Motion** to approve Kane County Resolution No. R 2026-7 a Resolution designating April as Sexual Assault Awareness Month 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/Vote on the Updated Bylaws for the Kane County Council on Aging / Commissioner Kubeja**

Commissioner Kubeja stated that the bylaws for the Council on Aging was very outdated, so this is just updating and simplifying them.

**Motion** to approve the updated bylaws as presented for the Kane County Council on Aging to be codified made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

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

**4. Discuss/Vote on the Tourism Business Development Workshop Grant Award / Commissioner Kubeja**

Commissioner Kubeja said that the State of Utah came to Janette and asked if they could do their tourism business development conference/workshop here in Kane County and it worked easier for them if they gave us a grant to put on this conference. This is us accepting the grant for \$52,380.22.

**Motion** to accept the Tourism Business Development Workshop Grant in the amount of \$52,380.22 made by Commissioner Brown and motion carried with all commissioners present voting in favor.

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

**5. Discuss/Vote on the Cooperative Wildfire System 2026 Participation Commitment Statement / Commissioner Brown**

Alexander Larsen, Kane County Fire Warden, presented the Cooperative Wildfire System (CWS) 2026 Participation Commitment Statement, which aims to reduce wildfire risk. He went over the proposed cost, which has already been budgeted for, stating that it could change throughout the year, but he would come back later in the year to update the commission.

**Motion** to approve the Cooperative Wildfire System 2026 Participation Commitment Statement as presented and give the chair of the commission the authority to sign any further documents with non-substantial changes to the final dollar amount made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

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

**6. Review of Legislative Issues / Full Commission**

**[HB510 Municipal Incorporation Modifications](#)**

**7. Commissioner Report on Assignments / Full Commission**

Commissioner Brown

- STEM Fest tomorrow at the Kanab Center
- Kane County Hospital will be holding a top out ceremony

Commissioner Kubeja

- Attended a Kane County Fair kickoff meeting
- Care and Share had their first big day last Wednesday, serving around 50 families
- Grand opening coming soon for the Care and Share
- Balloons and Tunes in two weeks
- Children's Justice Center will be putting a memorandum/agreement in place
- The commissioners attended a meeting with all the mayors

**Commissioner Meyeres**

- Trying to navigate what could happen with Big Water and an opportunity at the Dinosaur Visitor Center
- Childcare Center space

**Motion** to adjourn at 11:25 AM made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

**WHERE UPON MEETING WAS ADJOURNED**

---

Gwen Brown Chair

---

Chameill Lamb Clerk/Auditor

## KANE COUNTY ORDINANCE NO. O 2026-5

### AN ORDINANCE AMENDING KANE COUNTY CODE TITLE 2 CHAPTER 1 COUNCIL ON AGING

**WHEREAS** Kane County desires to amend the Kane County Code regarding the organization, responsibilities, and structure of the Kane County Council on Aging; and

**WHEREAS**, under the changes, the Council on Aging bylaws will focus primarily on the “Organization” and “Responsibilities” of the Council and will consolidate the section regarding “Programs and Personnel” into the section labeled “Organization”, as well as remove the “Budget and Audit” sections of the document; and

**WHEREAS** the Council no longer creates its own budget and its funding is factored into the budget of the Kane County Senior Citizens Department thus making the “Budget and Audit” section obsolete; and

**NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF KANE COUNTY,  
STATE OF UTAH, ORDAINS 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.

#### **2-1-1: ORGANIZATION:**

- A. Appointment; Membership: Kane County Council on Aging (KCCOA) board members shall be appointed by the Kane County Commissioners, with consideration of KCCOA board recommendations. Board membership shall not exceed thirteen (13) members, 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:
- i. Kane County Senior Citizens
  - ii. Representatives of health care and home health
  - iii. Veteran’s Affairs
  - iv. Representatives of supportive services provider organizations, such as transportation, workforce services, welfare services, and mental health services.
  - v. Persons with leadership experience in private and voluntary sectors; General Public all of whom shall be residents of the county, and the majority of whom must be ~~fifty five (55)~~ 60 years of age or older at the time of their appointment. All board members shall be voting members. Council members shall serve as members on the Kane County Council on Aging Board (KCCOA)

B. Terms: Staggered terms shall begin on January 1, and shall expire December 31 four (4) years thereafter. Board members shall be approved and appointed by the Kane County Commission. These terms are renewable, with Commission appointment.

C. Officers: The Board shall elect from its appointed members, a Chair, Vice Chair, and Secretary, whose term shall be for one year and the Board may create and fill other such positions/offices as it may deem necessary.

C. D. Executive Committee: The executive committee of the Board shall consist of the Chair, Vice Chair, and Secretary, all such officers to be selected by the members of the Board. The Active Living Center Director shall also serve on the executive committee in a non-voting capacity.

~~D.~~ E. Quorum: A quorum, consisting of at least fifty percent (50%) of the board members, shall be required to conduct business.

~~E.~~ F. Meetings: The board shall meet at least quarterly as called by the chair.

~~F.~~ G. Board members shall serve without compensation.

~~G.~~ H. Removal: Board members may be removed by the Kane County Commissioners for cause. Any member missing more than two (2) meetings three (3) meetings without cause shall be considered by the Commissioners for removal.

~~H. Aging And Nutrition Services Advisory Council: Four (4) council members, one of whom shall be the council chair, shall be appointed to the five (5) county aging and nutrition services advisory council. The appointments shall be made by the board of commissioners, upon recommendation of the council.~~

~~I. Human Service Council: The board of commissioners shall make necessary appointments to the human service council, upon recommendation of the council. (Ord. 1997-1, 10-6-1997, eff. Retroactive to 9-1-1997)~~

I. Five County Advisory Board Members: The Chair, Vice Chair, Secretary, and one member of the Board, to be appointed by the Board, shall serve as voting members of the Five County COA Board. The KCCOA Coordinator shall also attend, not as a voting person. These meetings are held quarterly at different counties in the Five County Area.

J. Vacancies in Office: When a vacancy arises, the Coordinator will advertise the vacancy as per county ordinance and review applications. The Kane County Commission will make the final approval and appointment with input from the KCCOA Board.

## **2-1-2: RESPONSIBILITIES**

The council shall:

- ~~—A.— Promote and develop programs to interest and provide for the welfare of senior citizens.~~
- ~~—B.— Cooperate with the state division of aging and public and private companion agencies on the state and national levels to more effectively meet the needs of and provide opportunities for senior citizens.~~
- ~~—C.— Integrate the activities of groups with kindred aims of providing opportunities for senior citizens to engage in volunteer or paid service to the community and to their fellow men, and providing opportunities in educational, recreational and social pursuits.~~
- ~~—D.— Be aware of and interested in the aspects and needs of the aging, promote appropriate public relations endeavors, and coordinate activities and fiscal management.~~
- ~~—E.— Seek resources at the local, state and national levels to provide services to senior citizens. (Ord. 1997-1, 10-6-1997, eff. retroactive to 9-1-1997)~~

## **2-1-3: PROGRAMS AND PERSONNEL:**

- ~~—A.— Coordinator, Program Personnel: The council shall appoint a county coordinator and program personnel. The council shall provide job descriptions for all such positions. The county coordinator and all program personnel shall follow and be subject to the county employee handbook.~~
- ~~—B.— Administration Of Program By Coordinator: The county coordinator shall administer and coordinate approved programs, supervise program personnel, monitor all funds to ensure proper accounting of all income and expenses, submit all proper statements to the county clerk for payment, and develop and provide opportunities for volunteer services by qualified senior citizens. (Ord. 1997-1, 10-6-1997, eff. retroactive to 9-1-1997)~~

## **2-1-4: BUDGET; AUDIT:**

~~The council shall annually recommend a budget to the board of commissioners, it being the desire of all concerned that the council be independent and self-sufficient insofar as possible, and subject only to a minimum of control and supervision by the board of commissioners. The council shall be audited annually. (Ord. 1997-1, 10-6-1997, eff. retroactive to 9-1-1997)~~

The responsibilities of the KCCOA include, but are not limited to:

- A. Assess: Research the scope of gaining 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.
- B. 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 [throughout Kane County].

- C. 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.
- D. Collaborate: The board shall 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.
- E. Enlist: Enlist the skills and talents of older adults and other volunteers to serve on project subcommittees.
- F. Oversight: It shall be the responsibility of the 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.
- G. Other Matters: The board shall conduct all other business matters as befitting the concerns of the KCCOA.

//

End of Ordinance

This Ordinance shall be deposited in the Office of the County Clerk, and shall take effect fifteen days after the date shown below.

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 24<sup>th</sup> day of February, 2026

\_\_\_\_\_  
 Gwen Brown, Chair  
 Board of Commissioners  
 Kane County

ATTEST:

\_\_\_\_\_  
 CHAMEILL LAMB  
 Kane County Clerk

Commissioner Brown voted \_\_\_\_\_  
 Commissioner Kubeja voted \_\_\_\_\_  
 Commissioner Meyeres voted \_\_\_\_\_

# **AGENDA ITEMS**

# ITEM # 1

**Kane County Ordinance No. O 2026-02 An Ordinance  
Amending the Zoning of Parcels 258-4, 258-5 and 258-7  
in the Oak Ridge Estates Rural Unimproved Subdivision  
Zoned AG-FAA to Rural-10**

## KANE COUNTY COMMISSION AGENDA REQUEST

**Date** of Commission Meeting Requested:

**Dept. / Business Name:** Land Use

**Topic/Re:** Ordinance 2026-02 Zone Change: Jeremy Hardman, Blake Helquist, Clint Helquist, Darin Peterson and Anthony Tippetts Jr.

**Public Hearing:** No

**Description:** An application to consider a Zone Change from Agriculture FAA (AG-FAA) to Rural Ten (RU-10). The intended use of the property will be for year-round glamping / cabin sites. Ordinance 2026-02

Parcel #s: 258-4, 258-5 & 258-7

Zoned: AG-FAA

Acreage: 10.78, 11.27, 11.17 respectively

P&Z voted unanimously to recommend approval of this zone change

**Attachments:** O-2026-02, Staff Report, map,

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:



**KANE COUNTY LAND USE AUTHORITY**  
Shannon McBride  
LAND USE AUTHORITY  
ADMINISTRATOR

## **Staff Report**

**DATE:** January 13, 2026

---

**To:** Planning Commission  
**From:** Shannon McBride, Land Use Administrator  
**Subject:** Project # 26006: Zone Change Application, AG -FAA to RU-10, Ordinance O-2026-02  
Parcels 258-4, 258-5, and 258-7, each consisting of 10+ acres

---

### **HEARING NOTIFICATION:**

- Mailed the property owners within 500 feet of the subject area.
  - Posted on the Utah State and Kane County's public websites.
  - A public notice was posted in two public locations.
  - A notification sign was posted on the parcel.
- 

### **REQUEST:**

On January 08, 2026, Jeremy Hardman, submitted a zone change application for parcels 258-4, 258-5 and 258-7, in the Oak Ridge RUS. He is requesting to rezone from AG-FAA to Rural 10. The intended use is to build a glamp-ground/cabins on all three parcels with a maximum of 14 sites on each 10 acres parcel. All three parcels consist of 30 +acres. They plan on a phased development of up to 42 units, limited by topography, guest experience, and zoning, followed by a gatherin hall/barn, small estaurant, fit shop/convenience store, shuttle service, tours, stargazing classes, community events, and outdoor gear rentals and maybe some employee housing units.

### **LEGAL DESCRIPTIONS:**

**Parcel Number** 258-4

**Tax District** 07\_01 - BRYCE WOODLAND AREA SUBDIVISIONS

**Acres** 10.78

**Situs Address** 2610 N OAK RIDGE RD

**Legal** PARCEL 1: ALL OF PARCEL 4 OAK RIDGE ESTATES, A RURAL UNIMPROVED SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE & OF RECORD IN THE OFFICE OF THE KANE COUNTY RECORDER, STATE OF UT.

Parcel Number 258-5

Tax District 07\_01 - BRYCE WOODLAND AREA SUBDIVISIONS

Acres 11.27

Situs Address 2670 N OAK RIDGE RD

Legal ALL OF PARCEL 5 OAK RIDGE ESTATES, A RURAL UNIMPROVED SUBDIVISION.

Parcel Number 258-7

Tax District 07\_01 - BRYCE WOODLAND AREA SUBDIVISIONS

Acres 11.17

Situs Address 2790 N OAK RIDGE RD

Legal ALL OF PARCEL 7 OAK RIDGE ESTATES, A RURAL UNIMPROVED SUBDIVISION.

**FACTS & FINDINGS:**

**Parcel Characteristics**

- Parcels 258-4, 5 & 7 meet the minimum acreage required to be zoned RU-10. The parcel is currently zoned AG-FAA.
- The owner requests the parcel be zoned RU-10 which requires a zone change.
- Surrounding parcels are zoned AG & AG-FAA.
- All property owners within 500 ft. of this lot have been mailed a public notice, and a sign has been posted on the road accessing the subdivisions that surround the parcels.
- The parcels would gain access from Lutherwood Road and Oak Ridge Road.
- **AG 9-5A-1: PURPOSE:**

To preserve appropriate areas for permanent and temporary agricultural and open space areas as defined herein. Uses normally and necessarily related to agriculture are permitted as set forth in the use matrix below and uses adverse to the continuance of agricultural activity are discouraged in general and specifically prohibited only as set forth herein. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

Campground, glamp-ground, up to 7 sites for lots of 10 acres or more.	C	-
---	---	---

- **RURAL 10 ZONE 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)

**9-5C-6: USES TABLE:**

Use	Rural 10	Rural 40
Accessory buildings and uses customarily incidental to conditional uses	C	C
Accessory buildings and uses customarily incidental to permitted uses	P	P
Animal shelter, commercial	C	C
Animal shelter, private	P	P
ATV tours & rentals	-	-
Building with a height greater than 35 feet	C	C
Cabins -- not to exceed 1500 Sq. ft. Limited to up to 14 sites for the first 10 acres, and an additional 8 sites for each additional 10 acres up to a maximum of 70 sites on 80 acres or more	C	C
Campground/glamp-ground with up to 14 sites for the first 10 acres, and an additional 8 sites for each additional 10 acres up to a maximum of 70 sites on 80 acres or more	C	C
Educational Shop	C	C
Fruit, fruit juice store; fruit and/or vegetable stand, or store	P	P
Gift shop; incidental to permitted uses	P	P
Golf courses	C	C
Helicopter tours	-	-
Helipad, private	-	C
Parks and other recreational areas	C	C
Parking lot incidental to a use conducted on the premises	P	P
Public parks and playground	P	P
Reception center and/or wedding chapel	P	P
Recreational center, recreational camp, facilities or area that is private and/or commercial	P	P
Recreational vehicle park	-	C
Restaurant	C	C
Shooting Range	C	C

Spa	C	C
Temporary buildings for uses incidental to construction work, including living quarters for a guard, night watchman or family, which buildings must be removed upon completion or abandonment of the construction work	P	P
Tourist and tour guide companies or services	C	P
4x4 Vehicle tours & rentals	-	-

- **Kane County General Plan, Preamble:** Given these basic premises, the Kane County Commission will use this Plan to guide land use decisions for the county. Where decisions regarding property rights versus property values are being made, deference shall be given to property rights. This Plan will ensure that present and future residents and visitors to Kane County will be housed under safe, sanitary, and attractive conditions. Land uses in the unincorporated county will reflect the intent of the Commission to expect intensive, urban-scale uses and to provide self-supported basic services without county financial support.
- **Kane County General Plan, Pg. 6 Land Use Goals** Unincorporated land uses will remain at densities which can be adequately serviced and which retain the qualities of a rural, open setting with uses not typically found in a town or city. Residential Land Uses Goal #1: To provide for residential areas that support and complement the unique rural quality and character of Kane County. Objective: Minimum allowable densities in unincorporated zoning districts will be determined by the land use ordinance.
- If the zone change is approved the uses contained in the RU-10 uses table will be allowed.

## CONCLUSION:

The Planning Commission must evaluate this zone change request by considering the following:

1. Alignment with the Kane County General Plan and its provisions for recreational use.
2. The applicant's property rights and the potential impact on neighboring properties.
3. Compatibility with surrounding zoning designation.
4. Adherence to the purpose and allowed uses of the RU-10 Zone.

Given these considerations, a recommendation should balance Kane County's best interests, future planning objectives, and private property rights. If the zone change amendment is adopted, RU-10 zoning regulations will apply as outlined in the Kane County Land Use Ordinance as stated above.

## LEGAL CONTEXT

Because zoning ordinances are in derogation of a property owner's common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed, and provisions permitting property uses should be liberally construed in favor of the property owner; *Patterson v. Utah County Bd. of Adjustment*, 893 P.2d 602, 606 (UT App 1995)

**MOTION: I move to recommend approving /denying the zone change for parcels 258-4, 258-5 and 258-7 from AG-FAA to RU-10 & Ordinance O-2026-02 to the County Commission based on the facts and findings as documented in the staff report.**





76 North Main Street | Kanab, Utah 84741 | p: (435) 644-4966 | [www.kane.utah.gov](http://www.kane.utah.gov)  
Shannon McBride | Land Use Administrator | e-mail: [smcbride@kane.utah.gov](mailto:smcbride@kane.utah.gov)

**KANE COUNTY ORDINANCE NO. O 2026-02**

**AN ORDINANCE AMENDING THE ZONING OF PARCELS 258-4, 258-5 AND 258-7  
IN THE OAK RIDGE ESTATES RURAL UNIMPROVED SUBDIVISION ZONED  
AG-FAA TO RURAL -10**

**WHEREAS**, the Kane County Planning Commission, after due and legal notice, held a public hearing on February 11, 2026, and forwarded a recommendation to the Kane County Commission regarding this ordinance; and

**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 Commission has reviewed the proposed ordinance, the staff report, the Planning Commission recommendation, and finds the amendment to be in the best interest of the public health, safety, and welfare; and

**WHEREAS**, the statutory authority for enacting this ordinance is Utah State Code Sections §17-79a-201-202 & 205, and 17-79-503;

**WHEREAS**, the Kane County Planning Commission and Kane County Board of Commissioners desire to implement the recommended zone change to parcels 258-4, 258-5 and 258-7, from Agriculture FAA to Rural 10;

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

**LEGAL DESCRIPTIONS:**

**Parcel 258-4**

**Tax District 07\_01 - BRYCE WOODLAND AREA SUBDIVISIONS**

**Acres 10.78**

**Situs Address** 2610 N OAK RIDGE RD

**Legal** PARCEL 1: ALL OF PARCEL 4 OAK RIDGE ESTATES, A RURAL UNIMPROVED SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE & OF RECORD IN THE OFFICE OF THE KANE COUNTY RECORDER, STATE OF UT, & MORE

**Parcel Number** 258-5

**Tax District** 07\_01 - BRYCE WOODLAND AREA SUBDIVISIONS

**Acres** 11.27

**Situs Address** 2670 N OAK RIDGE RD

**Legal** ALL OF PARCEL 5 OAK RIDGE ESTATES, A RURAL UNIMPROVED SUBDIVISION.;

**Parcel Number** 258-7

**Tax District** 07\_01 - BRYCE WOODLAND AREA SUBDIVISIONS

**Acres** 11.17

**Situs Address** 2790 N OAK RIDGE RD

**Legal** ALL OF PARCEL 7 OAK RIDGE ESTATES, A RURAL UNIMPROVED SUBDIVISION.

---

**ALL OF PARCELS 258-4, 258-5 and 258-7 of the Oak Ridges Estates, A Rural Unimproved Subdivision;**

Is hereby rezoned from Agriculture FAA to Rural 10 and shall from here forth be zoned Rural 10.

**Section 1. 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 2. Effective Date**

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

**Section 3. 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 on this day of February 24, 2026.

Commissioner Brown voted: \_\_\_\_\_  
Commissioner Meyeres voted: \_\_\_\_\_  
Commissioner Kubeja voted: \_\_\_\_\_

---

COUNTY:  
Kane County, a political subdivision of the State of Utah

By: \_\_\_\_\_  
Gwen Brown  
Chair, Kane County Commission

**Corporate Acknowledgment**

State of Utah  
§  
County of \_\_\_\_\_)

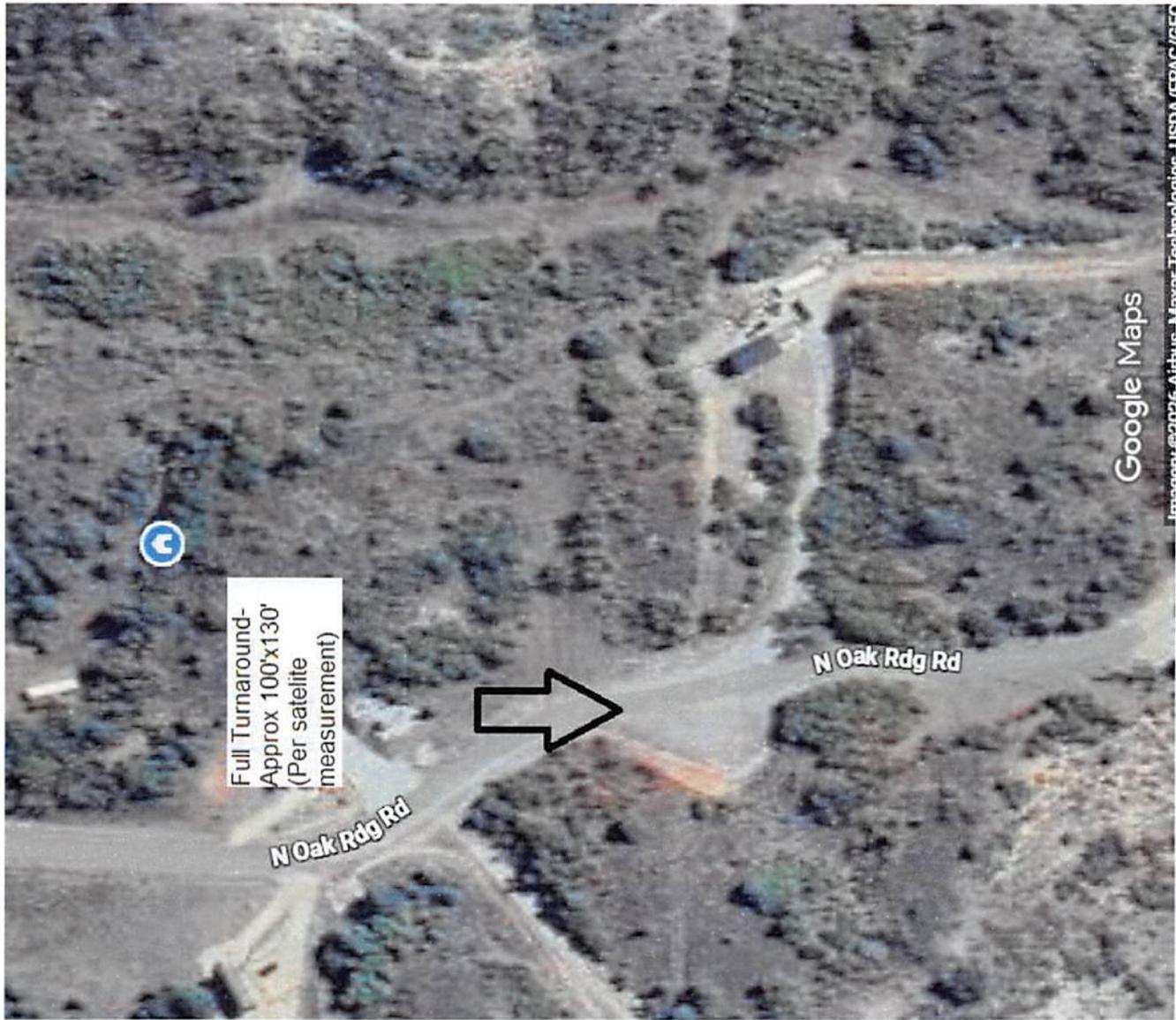
On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_\_\_, personally appeared before me  
Date Month Year  
Gwen Brown, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the chair of the Kane County Commission and that said document was signed by him/her in behalf of said Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and also acknowledged to me that said Corporation executed the same.

Witness my hand and official seal.

---

*(Notary signature and Seal)*

Notary Printed Name \_\_\_\_\_ My Commission Expires \_\_\_\_\_  
Residing in \_\_\_\_\_, County \_\_\_\_\_



Google Maps

Imagery ©2016 Airbus, Maxar Technologies, USDA, NOAA, GEBCO







Protected Left  
Hand Turn



Dear Members of the Zoning Board, In regards to parcels: 258-4, 258-5, and 258-7.

My name is Tony Tippetts. I am a cybersecurity advisor, a husband, and the father of two young children. My wife and I were born and raised in Utah, and we currently live and work along the Wasatch Front. Our family places a high value on responsibility, stewardship, and long-term planning in everything we do.

As outlined in the Zone Change application, my partners and I have acquired additional adjoining parcels associated with the property located at 2670 N Oakridge Road. Our decision to invest together was intentional and measured. We are not seeking short-term or speculative use of the land, but rather a thoughtful, sustainable project that we are accountable for over time.

Although I do not live in Kane County full time, my involvement reflects a long-term commitment to this area and to doing things the right way. We recognize that zoning decisions affect neighbors, infrastructure, and community character, and we take that responsibility seriously. From the beginning, our goal has been to work cooperatively with the County and surrounding property owners and to remain responsive to reasonable conditions or limitations placed on the project.

The property's location is both central and remote. While this offers access to many destinations, it also presents practical challenges related to basic services and amenities. The proposed RU-10 zoning would allow us to strategically expand in a manner that supports visitors and families staying in the area without detracting from its rural character. Our intent is to provide modest, well-managed uses that improve functionality and safety while remaining compatible with surrounding land uses.

We believe this approach supports existing communities rather than competing with them, by encouraging longer stays, repeat visitation, and consistent use of local services and labor. More importantly, it allows us to be good stewards of the land and good neighbors over the long term.

Thank you for the time, care, and consideration you give to these decisions. I appreciate the opportunity to participate in this process and respectfully request your consideration of the proposed zone change.

Respectfully,

Tony Tippetts



Kresta Blomquist &lt;klblomquist@kane.utah.gov&gt;

---

**FW: Cleaner**

---

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

Tue, Feb 17, 2026 at 9:04 AM

---

**From:** lisa76bridges5@icloud.com <lisa76bridges5@icloud.com>  
**Sent:** Monday, February 16, 2026 3:38 PM  
**To:** smcbride@kane.utah.gov  
**Subject:** Cleaner

To whom it may concern!

My name is Lisa Bridges. I am a long time resident of Panguitch Utah. I have grown up and raised my own family in this beautiful area.

I currently work as a Short Term Vacation Rental cleaner and have worked with Tony Tippetts and Jeremy Hardman as they have managed a small home nearby. They have done their best to keep me busy through the entire year. For any additional or ad-hoc labor I have done, they have always been fair in their dealings and maintained regular communication.

As they continue to grow in Alton, I feel that they will be fair and will maintain work for their contractors, as much as possible, through the year.

Thank you!

Signed: Lisa A.Bridges



Kresta Blomquist &lt;klblomquist@kane.utah.gov&gt;

---

**FW: Proposed zone change for parcels 258-4, 258-5, and 258-7.**

1 message

---

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

Tue, Feb 17, 2026 at 9:06 AM

---

**From:** Hyrum Chamberlain <hyrumchambo@yahoo.com>  
**Sent:** Monday, February 16, 2026 4:54 PM  
**To:** smcbride@kane.utah.gov  
**Subject:** Proposed zone change for parcels 258-4, 258-5, and 258-7.

To Whom It May Concern,

My name is Hyrum Chamberlain, and I am the owner of Rusty Axe Firewood LLC, a local firewood supplier serving Kane County.

I am writing to express my full support for the proposed zone change for parcels 258-4, 258-5, and 258-7.

Rusty Axe Firewood LLC currently supplies firewood to the existing units on the subject property. Our relationship has been ongoing and reliable, and we provide consistent deliveries to meet both heating and recreational needs.

As a firewood supplier, our business is heavily winter-focused due to residential heating demand, with significantly slower activity during the summer months. The proposed expansion would help generate additional summer demand, balancing seasonal fluctuations and supporting more stable year-round operations without changing the nature of my business.

Approving this zone change would also help keep spending with a local Kane County business, support the continued availability of locally sourced heating fuel, and reduce reliance on out-of-county suppliers.

For these reasons, I respectfully encourage approval of the proposed zone change.

Sincerely,

Hyrum Chamberlain  
Owner, Rusty Axe Firewood LLC

## Rezone Application – Parcels 258-4, 258-5, and 258-7

Dear Planning and Zoning Board Members,

Thank you for reviewing our application to rezone parcels 258-4, 258-5, and 258-7 from AG-FAA to RU-10.

### Project Description

We propose a low-density cabin and glamping resort offering year-round tourism services. Current amenities for guests are inconveniently distant (nearest stores and restaurants are 20+ minutes away with seasonal hours). We plan a phased development of up to 42 units, limited by topography, guest experience, and zoning, followed by a gathering hall/barn, small restaurant, gift shop/convenience store, shuttle services, tours, stargazing classes, community events, and outdoor gear rentals. Due to local labor shortages, we may also provide seasonal and long-term staff housing, as permitted under RU-10 density standards. Most amenities will require conditional use permits, which we are committed to obtaining and complying with.

This project supports Kane County's goal of dispersing tourism pressure from Zion National Park by creating a central hub that can help visitors enjoy other areas of the county and connect them to Bryce Canyon.

### Who we are

- The Hardmans (my family of five) live locally; I am a real estate appraiser and part-time Wasatch County Assessor employee; my wife and I manage daily operations.

-The Tippetts (family of four, Utah County); Tony handles software and administration while working full time as a cybersecurity advisor.

-The Helquist brothers (Salt Lake Valley); Blake and Clint own a painting company and manage property improvements.

-The Petersons (family of five, West Jordan); Darin, an engineer and fitness instructor, contributes expertise and labor.

All of us come from middle class backgrounds and are doing our best to accomplish the American Dream. We are not a large corporation but rather a group of friends from Utah that have fallen in love with the area.

### Our Property and Location

The three contiguous parcels total approximately 30 acres, adjacent to the long-established Camp Lutherwood RV park and campground. Existing improvements include cabins on two parcels and a cabin with detached garage/apartment on the third. The area has few full-time residents (none on our road except my family), fire hydrants, a full turnaround accommodating large vehicles, and safe access via a protected left-turn from Hwy 89 onto our dirt road. We anticipate modest traffic increases consistent

with low-density rural tourism and are open to addressing road improvements during conditional use review.

Hilly topography ensures low density, guest seclusion, and natural sound/sight barriers to neighboring properties.

### Our History and Changes

Our 2023 zone change request for glamping on one parcel was denied. Since then, we acquired two adjacent parcels—one from the neighbor who previously opposed the request. They sold due to their health and lifestyle changes. This expansion allowed my family to relocate permanently to Long Valley in mid-2025. We have been warmly welcomed by the community and are committed to serving local needs.

### Why RU-10 is a Good Fit

Long Valley Junction's secluded natural beauty near Hwys 14 and 89—roughly equidistant from Bryce Canyon and Zion—makes it ideal for low-impact tourism growth. While AG zoning permits glamping, year-round operations are challenging with tents alone. RU-10 better enables viable year-round recreation and tourism uses while preserving rural character.

The RU-10 purpose statement in county code states: "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... 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."

Our location, protected highway access, and proven winter occupancy (74% last winter vs. market 34%; 86% this winter vs. market 40%, per AirDNA and our records) position us to deliver steady economic benefits with minimal impact.

### Community and Economic Benefits

In the area steady and proximal work is near impossible to acquire, secondary homes and short term rentals dominate the area, and neutral community gathering locations are sparse.

#### Jobs:

Since starting in 2022, we have prioritized winter occupancy to provide steady off-season work for cleaners, often at break-even or loss to us. Expansion will create additional roles for local cleaners (e.g., mothers working school hours) and tradespeople, reducing long commutes to distant towns.

### **Housing:**

Local housing shortages hinder staffing; we previously hired commuters from Cedar City/Parowan. Staff housing would enable workers and families to live affordably in the area.

### **Community Hub:**

A gathering hall/barn would host events celebrating the area's ranching and pioneer heritage, benefiting residents and enriching visitor experiences.

### **Mitigation of Impacts**

We recognize potential concerns about development. Our property borders a decades-old RV park with no adverse effects on us, thanks to hilly topography, low density, and natural barriers that minimize noise, light, and visibility. We are fully committed to preserving neighbors' quiet enjoyment and addressing any issues identified in conditional use review.

### **Conclusion**

We love this area for what it is and do not wish to change the essence of Long Valley. Living here has given us a love of the people, the land and the history that resonate deeply with the spirit of the American West. This land is rugged and difficult, impossible to tame, but it refines the character of the men and women that try to make it home. This pioneer ethos should be celebrated and preserved. There is an opportunity here that will honor those that came before and empower those that are here now.

This project represents responsible stewardship by Utah families who have made Long Valley more than our preferred recreational area but for some of us, our home. It aligns with RU-10's purpose, supports county tourism goals, and delivers jobs, housing, and community amenities with minimal impact and no investment of public funds. We welcome questions, site visits, or additional information.

Thank you for your consideration.

Sincerely, Jeremy Hardman

**Filename:** Zone Change Letter  
**Directory:** C:\Users\Sam\Documents  
**Template:** C:\Users\Sam\AppData\Roaming\Microsoft\Templates\Normal.dotm  
**Title:**  
**Subject:**  
**Author:** Sam Ung  
**Keywords:**  
**Comments:**  
**Creation Date:** 12/29/2025 5:29:00 PM  
**Change Number:** 4  
**Last Saved On:** 1/5/2026 2:01:00 PM  
**Last Saved By:** Sam Ung  
**Total Editing Time:** 332 Minutes  
**Last Printed On:** 1/5/2026 2:01:00 PM  
**As of Last Complete Printing**  
    **Number of Pages:** 3  
    **Number of Words:** 1,010 (approx.)  
    **Number of Characters:** 5,758 (approx.)



Kresta Blomquist &lt;klblomquist@kane.utah.gov&gt;

---

**FW: Zone change.**

---

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

Tue, Feb 17, 2026 at 8:59 AM

---

**From:** Blake&Britt <bbhelquist@gmail.com>  
**Sent:** Monday, February 16, 2026 2:08 PM  
**To:** smcbride@kane.utah.gov  
**Subject:** Zone change.

Dear Members of the Board,

Thank you for taking the time to consider our zone change request for parcels 258-4, 258-5, and 258-6—from AG-FAA to RU-10. This change would allow us to pursue thoughtful, low-impact development that fits the area's rural character while bringing real benefits to our family and the broader community.

I'm Blake Helquist, just turned 40, raised right here in Utah my whole life. I've built my career in construction and served in the Army National Guard as a Blackhawk mechanic. My wife Brittany runs a home hair salon, which has been a blessing because it lets her be home every day for our kids—our son Luke, 17, and daughter Lydia, who just turned 12. We're an outdoors-loving family at heart, and southern Utah has always been our happy place. We spend several weeks each year camping down there, and our property has become our true escape: a spot to roll up our sleeves on projects, unplug from the Salt Lake City rush, and soak in the peace of the pines and open skies.

We fell in love with this location near the Highway 14 and 89 intersection years ago. It's perfectly positioned between Bryce Canyon and Zion—easy access to the big wonders—yet close enough to the charm of Orderville, Panguitch, and Duck Creek for those small-town touches we treasure. The area still feels genuine and uncrowded, giving everyone room to breathe and connect with nature.

Our hopes for these parcels are simple and deeply personal:

- A lasting family retreat where we can keep making memories, working side by side, and getting away from the everyday grind.
- Something solid that could one day support us in retirement—maybe even letting us settle here full-time when the kids are grown and we're ready for a quieter chapter.
- A way to share this special corner of Utah with more families who need that same kind of reset, without overwhelming the land or the neighbors.

What draws us even more is how well the surrounding neighbors already work together—like a real community that looks out for one another. In winter and during heavy rains, the roads here can turn tough: snow drifts, mud, limited access that makes everyday life and travel a challenge for everyone. Thoughtful growth under RU-10—things like a few well-placed cabins or seasonal setups—could help ease some of those burdens over time. More visitors mean more hands pitching in for road maintenance, shared resources, and steady support for local services, all while keeping things slow and respectful. It's not about rushing change; it's about building slowly, in a way that strengthens the whole area and honors what makes it special.

We've poured heart, sweat, and real commitment into these parcels already, treating them with care because we truly love this place. Brittany and the kids feel the same deep pull—it's our safe haven, and we're in it for the long haul as good neighbors and stewards.

2/17/26, 9:19 AM

Kane County Utah Mail - FW: Zone change.

I appreciate your careful review and the chance to share our story. We're grateful for your time and open to any questions or thoughts you have.

Sincerely,

Blake Helquist

**Clint Helquist**  
4964 S Jordan Canal Rd  
Taylorsville, UT 84129  
801-548-2678

February 16, 2026

Kane County Commission  
76 North Main Street  
Kanab, Utah 84741

Re: Zone Change Request – Parcels 258-4, 258-5, and 258-7 From AG-FAA to RU-10

Dear Commissioners,

Thank you for taking the time to consider our request for a zone change. I fully recognize that zoning decisions have lasting impacts on neighborhoods and Kane County as a whole, and I appreciate your careful stewardship of these matters. I do not take lightly the responsibility that comes with land ownership in rural Kane County, and I approach this request with respect for both neighbors and the long-term character of the area.

Southern Utah holds deep personal significance for my family. Our great-grandfather immigrated to Utah in 1875, and generations have called this region home. While economic opportunities eventually drew some of us closer to Salt Lake City, our ties to southern Utah remain strong and enduring. Many of the most meaningful experiences in my children's lives—my 13-year-old son and 10-year-old daughter—have occurred here: paddleboarding at Navajo Lake, hiking to Strawberry Point and Cascade Falls, fishing near Duck Creek, exploring Dixie National Forest, and marveling at the truly dark skies that simply do not exist in urban areas. These experiences build character, broaden perspective, and instill a deep respect for the land and its stewardship.

This request to rezone the parcels from AG-FAA to RU-10 is intended to support more sustainable and predictable use of the property. The strict seasonality of current operations makes it difficult to provide steady work for cleaners, snow removal crews, and maintenance services who rely on consistent income. RU-10 zoning would not materially change the rural character of the area. The property is located approximately one and a half miles off the highway and accessed by a dirt road, which naturally limits traffic, density, and intensity of use. This is not a proposal for subdivision-style growth or high-density development, but rather for stability and compliance within an already rural-residential pattern—including low-impact, year-round cabin or glamping accommodations that remain consistent with the area's rural-residential character and existing patterns.

I am aware that a neighboring property owner has expressed opposition to this request, and I fully respect their right to share their concerns. At the same time, notable development and investment have occurred on and around their parcel since we acquired our property. Recent construction of a larger cabin over the past year and the ongoing operation of their own

short-term rental are consistent with the established pattern of rural residential and low-impact recreational use already present in the neighborhood and immediate area. Our request does not introduce a fundamentally new or intensified land use; rather, it seeks reasonable alignment of our parcels' zoning with the character, scale, and practical uses that are demonstrably occurring nearby. I remain open to any reasonable conditions or mitigations the County deems appropriate to ensure compatibility.

The property's location between Bryce Canyon and Zion National Parks places it within a well-established tourism corridor. Its proximity to Bryce Canyon, Zion National Park, Coyote Buttes, and Brian Head makes well-managed, responsible lodging an important component of the broader visitor experience. Providing compliant accommodations helps responsibly distribute visitors across the corridor and provides steadier income for essential local workers such as maintenance, cleaning, and snow removal crews—without altering the area's low-density, rural feel.

This is not a short-term financial endeavor—simpler investment opportunities exist elsewhere. Instead, it represents a long-term commitment rooted in family history, responsible stewardship, and sustainable participation in the rural economy. I am committed to working with the County in good faith and in full compliance with all applicable regulations.

I am available to answer any questions, provide additional information, or discuss potential conditions to ensure the change aligns fully with Kane County's vision for this area.

I respectfully request your consideration and approval of the zone change from AG-FAA to RU-10 for Parcels 258-4, 258-5, and 258-7.

Thank you again for your time and for your dedicated service to Kane County.

Sincerely,

Clint Helquist

# ITEM # 2

**Kane County Ordinance No. O 2026-03 An Ordinance  
Amending the Zoning of Parcels 4-5-9-1A and 4-5-9-2 Off  
of Eight Mile Gap Road from Agricultural to Residential 5**

## KANE COUNTY COMMISSION AGENDA REQUEST

**Date** of Commission Meeting Requested:

**Dept. /Business Name:** Land Use

**Topic/Re:** Ordinance 2026-03 Zone Change: NL Land and Cattle Co.

**Public Hearing:** No

**Description:** An application to consider a Zone Change from Agriculture (AG) to Residential Five (R-5). The intended use of the property will be to split the property. Ordinance 2026-03

Parcel #s: 4-5-9-1A & 4-5-9-2

Zoned: AG

Acreage: 63.45, 45.41 respectively

P&Z voted unanimously to recommend approval of this zone change

**Attachments:** O-2026-03, Staff Report, map,

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:



**KANE COUNTY LAND USE AUTHORITY**  
Shannon McBride  
LAND USE AUTHORITY  
ADMINISTRATOR

## **Staff Report**

**DATE:** January 15, 2026

---

**To:** Planning Commission  
**From:** Shannon McBride, Land Use Administrator  
**Subject:** Project #26005: Zone Change Application, AG to R-5, Ordinance O-2026-03  
Parcels 4-5-9-1A consisting of 63.45 acres and 4-5-9-2 consisting of 45.41 acres

---

### **HEARING NOTIFICATION:**

- Mailed the property owners within 500 feet of the subject area.
  - Posted on the Utah State and Kane County's public websites.
  - A public notice was posted in two public locations.
  - A notification sign was posted on the parcel.
- 

### **REQUEST:**

On December 31, 2026, Samuel Noel, NL Land & Cattle Co. LLC, submitted a zone change application for parcels 4-5-9-1A and 4-5-9-2, south of Eight Mile Gap Road, close proximity to the Arizona border and at the base of Sunflower Estates Subdivision in Kane County, Utah, requesting to rezone from AG to Residential 5. The intended use is to split the property.

### **LEGAL DESCRIPTION:**

**Parcel Number** 4-5-9-2

**Tax District** 18 - VERMILLION CLIFFS SPECIAL SERVICE DISTRICT

**Acres** 45.41

**Situs Address**

**Legal** ALL OF SECTIONAL LOT'S 5 & 6 OF SEC 9 T44S R5W SLB&M. CONT 57.60 AC, M/L.

LESS 10.0 AC TO 4-5-9-2B;

LESS 2.19 AC TO 4-5-9-1A1, LEAVING 45.41 AC, M/L.

**Parcel Number 4-5-9-1A**

**Tax District 18 - VERMILLION CLIFFS SPECIAL SERVICE DISTRICT**

**Acres 63.45**

**Situs Address**

**Legal ALL OF SECTIONAL LOT'S 3(40.19 AC) & 4(39.89 AC) OF SEC 9 T44S R5W  
SLB&M. CONT 80.08 AC, M/L.  
LESS 16.63 AC TO 4-5-9-1A1, LEAVING 63.45 AC, M/L.**

---

## **FACTS & FINDINGS:**

### **Parcel Characteristics**

- Parcels 4-5-9-1A and 4-5-9-2 meet the minimum acreage required to be zoned Residential 5. The parcel is currently zoned AG.
- The owner requests the parcels to be zoned R-5 which requires a zone change.
- Surrounding parcels are zoned BLM and AG.
- All property owners within 500 ft. of this parcel have been mailed a public notice, and a sign has been posted on the road accessing the parcels.
- The parcels would gain access from the Eight Mile Gap Road.
- Ordinance 9-6A-1: PURPOSE: To provide for residential neighborhoods of a rural character together with a limited number of livestock for the benefit and enjoyment of the residents. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

**Kane County General Plan, Preamble:** Given these basic premises, the Kane County Commission will use this Plan to guide land use decisions for the county. Where decisions regarding property rights versus property values are being made, deference shall be given to property rights. This Plan will ensure that present and future residents and visitors to Kane County will be housed under safe, sanitary, and attractive conditions. Land uses in the unincorporated county will reflect the intent of the Commission to expect intensive, urban-scale uses and to provide self-supported basic services without county financial support.

**Kane County General Plan, Pg. 6 Land Use Goals** Unincorporated land uses will remain at densities which can be adequately serviced and which retain the qualities of a rural, open setting with uses not typically found in a town or city. Residential Land Uses Goal #1: To provide for residential areas that support and complement the unique rural quality and character of Kane County. Objective: Minimum allowable densities in unincorporated zoning districts will be determined by the land use ordinance.

If the zone change is approved the uses contained in the R-5 uses table will be allowed.

## **CONCLUSION:**

The Planning Commission must evaluate this zone change request by considering the following:

1. Alignment with the Kane County General Plan and its provisions for recreational use.
2. The applicant's property rights and the potential impact on neighboring properties.
3. Compatibility with surrounding zoning designation.
4. Adherence to the purpose and allowed uses of the R-5 Zone.

Given these considerations, a recommendation should balance Kane County's best interests, future planning objectives, and private property rights. If the zone change amendment is adopted, R-5 zoning regulations will apply as outlined in the Kane County Land Use Ordinance as stated above.

## **LEGAL CONTEXT**

Because zoning ordinances are in derogation of a property owner's common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed, and provisions permitting property uses should be liberally construed in favor of the property owner; *Patterson v. Utah County Bd. of Adjustment*, 893 P.2d 602, 606 (UT App 1995)

**MOTION: I move to recommend approving/denying the zone change for parcels 4-5-9-1A and 4-5-9-2 from AG to R-5 & Ordinance O-2026-03 to the County Commission based on the facts and findings as documented in the staff report.**



76 North Main Street | Kanab, Utah 84741 | p: (435) 644-4966 | [www.kane.utah.gov](http://www.kane.utah.gov)  
Shannon McBride | Land Use Administrator | e-mail: [smcbride@kane.utah.gov](mailto:smcbride@kane.utah.gov)

**KANE COUNTY ORDINANCE NO. O 2026-03**

**AN ORDINANCE AMENDING THE ZONING OF PARCELS 4-5-9-1A AND 4-5-9-2  
OFF OF EIGHT MILE GAP ROAD FROM AGRICULTURAL TO RESIDENTIAL 5**

**WHEREAS**, the Kane County Planning Commission, after due and legal notice, held a public hearing on February 11, 2026, and forwarded a recommendation to the Kane County Commission regarding this ordinance; and

**WHEREAS**, the Kane County Board of Commissioners finds that said zone change is in accordance with the Kane County Land Use Ordinance 9-6A-1: PURPOSE: To provide for residential neighborhoods of a rural character together with a limited number of livestock for the benefit and enjoyment of the residents. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

**WHEREAS**, the Kane County Commission has reviewed the proposed ordinance, the staff report, the Planning Commission recommendation, and finds the amendment to be in the best interest of the public health, safety, and welfare; and

**WHEREAS**, the statutory authority for enacting this ordinance is Utah State Code Sections §17-79-201-202 &205, and 17-79-503;

**WHEREAS**, the Kane County Planning Commission and Kane County Board of Commissioners desire to implement the recommended zone change to parcel 4-5-9-1A and 4-5-9-2, from Agricultural to Residential 5;

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

**LEGAL DESCRIPTION:**

**Parcel Number 4-5-9-1A**

**Tax District 18 - VERMILLION CLIFFS SPECIAL SERVICE DISTRICT**

**Acres 63.45**

**Situs Address**

**Legal ALL OF SECTIONAL LOT'S 3(40.19 AC) & 4(39.89 AC) OF SEC 9 T44S R5W  
SLB&M. CONT 80.08 AC, M/L.**

**LESS 16.63 AC TO 4-5-9-1A1, LEAVING 63.45 AC, M/L.**

**Parcel Number 4-5-9-2**

**Tax District 18 - VERMILLION CLIFFS SPECIAL SERVICE DISTRICT**

**Acres 45.41**

**Situs Address**

**Legal** ALL OF SECTIONAL LOT'S 5 & 6 OF SEC 9 T44S R5W SLB&M. CONT 57.60  
AC, M/L.  
LESS 10.0 AC TO 4-5-9-2B;  
LESS 2.19 AC TO 4-5-9-1A1, LEAVING 45.41 AC, M/L.

Is hereby rezoned from Agriculture to Residential 5 and shall from here forth be zoned Residential 5.

**Section 1. 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 2. Effective Date**

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

**Section 3. 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.

ORDINANCE 2026-03

ADOPTED this 24th day of February, 2026

Commissioner Brown voted: \_\_\_\_\_  
Commissioner Meyeres voted: \_\_\_\_\_  
Commissioner Kubeja voted: \_\_\_\_\_

COUNTY:  
Kane County, a political subdivision of the State of Utah

By: \_\_\_\_\_  
Gwen Brown  
Chair, Kane County Commission

**Corporate Acknowledgment**

State of Utah  
§  
County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_\_\_, personally appeared before me  
<sub>Date</sub> <sub>Month</sub> <sub>Year</sub>  
Gwen Brown, whose identity is personally known to me (or proven on the basis of satisfactory  
evidence) and who by me duly sworn/affirmed, did say that he/she is the chair of the Kane  
County Commission and that said document was signed by him/her in behalf of said Corporation  
by Authority of its Bylaws, or (Resolution of its Board of Directors), and also acknowledged to  
me that said Corporation executed the same.

Witness my hand and official seal.

\_\_\_\_\_  
(Notary signature & Seal)

Notary Printed Name \_\_\_\_\_ My Commission Expires \_\_\_\_\_  
Residing in \_\_\_\_\_, County

# ITEM # 3

Land Use Update by Shannon McBride

# KANE COUNTY COMMISSION AGENDA REQUEST

**Date** of Commission Meeting Requested:

**Dept. / Business Name:** Land Use

**Topic/Re:** Land Use Update by Shannon McBride

**Public Hearing:** No

**Description:** Update on current development projects within Kane County

**Attachments:**

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:

# **Kane County Development Update**

## **Commission Presentation**

### **Overview**

Kane County experienced a significant development boom in 2021 and 2022 during the COVID-19 pandemic. Since that time, many projects approved by Planning & Zoning are only now beginning construction, several years later.

---

## **Major Regional Projects**

### **Discovery Center / Visitor Center – East Entrance to Zion National Park**

This project is actively moving forward and includes:

- New trail systems
- Construction of a roundabout
- Road realignment
- Development of the visitor center

Additionally, Kane County secured a grant to improve the roadway through Cane Beds and past Coral Pink Sand Dunes in anticipation of Zion National Park closing through-traffic to RVs in late 2026.

---

## **East Zion Development Activity**

We anticipate a continued shift in development toward the East Zion area, largely driven by Kevin McLaws, who owns thousands of acres zoned C-1. His projects emphasize open space through Planned Unit Developments (PUDs) and glamping-style resorts.

Three primary resort projects approved in 2022 are currently progressing:

### **Zion Spirit PUD**

- Originally approved as a Glamping Resort
- Rezoned to PUD in 2025
- 241 acres
- 19 one-acre-plus residential lots
- 61 cabins/glamping units

- Restaurant and clubhouse
- Currently working on final plat

## **Hidden Canyon CUP**

- Approved December 2025
  - 52 acres
  - 61 cabins
  - 70-seat restaurant
  - Conference center
  - Moving forward with development
- 

## **Project Updates**

- **Crimson Estates** – Approved and completed in 2021 (66 lots)
- **Sunflower** – 69 lots; started 2021, completed 2022; not yet sold out
- **Oaken Acres** – Approved 2022 (10 lots), completed 2023; no lots sold to date. Future phases (61 additional lots on 143 acres) approved for feasibility
- **Elohi** – 32 glamping sites, restaurant, employee housing. Project has not progressed due to water tank and road issues
- **Camp Kaia** – 60 glamping sites, restaurant, employee housing. Infrastructure underway; building permits under review. Started 2022
- **Camp Korongo** – Originally approved 2021; returned in 2023 with revised plan. Still working through design, infrastructure, and studies: Proposed development on 478 acres includes:
  - **45 hotel units**
    - 22 one-bedroom
    - 21 two-bedroom
    - 2 four-bedroom
  - **14 branded residential villas**, Twelve 8,000 sq. ft. units, Two 10,075 sq. ft. units
  - **Amenities:**
    - Spa
    - Fitness center
    - Kids club
    - Greeter cabin
    - Helipad
    - Adventure preserve featuring rock climbing, hiking and biking trails, archery, and equestrian center
- **Ori (White Camel Glamping Resort)** – 3 of 24 approved sites installed; includes plans for ninja court and food trucks. Started 2023
- **Solar Plant Project** – No significant progress. Connection agreement for power wheeling has not been secured. Applicant reappears annually

- **Gateway** – Preliminary plat completed; incomplete packet submitted 2025. Proposed 62 one-acre lots
  - **Cedars at Alton** – PUD zoning request denied in 2025; approved under R-1 zoning. Working on R-1 preliminary plat. Incomplete application submitted 2025
- 

## **Additional Developments**

### **Meadow at the Reserve (formerly The Reserve at Swains)**

- Phase 1 underway (8 lots, including one private helipad zoned C-1)
- Total project: 160 residential lots and 5 commercial lots on 202 acres
- Began zone change process in 2022
- Previously involved in litigation
- Plat amended and renamed in 2025
- Preliminary plat approved January 2026
- Awaiting Health Department signatures

### **Starlight Camping**

- Small-scale campground for camper vans, tents, and overlanders
- No RVs or large trailers permitted
- Maximum of 30 dry sites (no individual water or electric hookups)
- Four full private bathrooms with showers provided
- Started 2022; completed 2025

### **Other Completed or Ongoing Projects**

- **Lone Spur** – 20 lots completed (2023)
  - **Gateway Subdivision (Phase 1)** – 20 two-acre lots
  - **Tyler Heely Multi-Family Project**
    - Zone change to multi-residential
    - Added one five-plex and two eight-plexes completed in 2025
- 

## **Building Permits**

- **63 building permits issued in 2025**

# Kane County Permit Summary

(01/01/2025 to  
12/01/2025)

	Permit Issued	Total Valuation	Total Fees
<b>Residential Permit</b>			
Accessory Building	17	1,290,324.51	\$ 16,028.32
Addition	17	1,276,996.05	\$ 14,676.66
Carport	3	70,468.80	\$ 1,225.31
Deck	9	211,963.47	\$ 3,762.14
Electrical	74	67,636.00	\$ 7,992.86
Fence	1	0.00	\$ 342.40
Garage	8	444,538.02	\$ 5,975.06
Garage (Detached)	15	968,642.74	\$ 12,129.92
Manufactured Home	6	1,021,904.94	\$ 9,476.98
Mechanical	1	0.00	\$ 101.00
Multi-Family Dwellings	2	2,038,620.92	\$ 13,097.56
Other	8	160,067.98	\$ 3,344.31
Pool	1	0.00	\$ 302.00
Remodel	9	517,863.36	\$ 6,968.88
Single Family Dwelling	62	27,180,822.96	\$ 218,771.79
Solar	4	20,000.00	\$ 1,240.32
<b>Residential Permit Totals:</b>	<b>237</b>	<b>35,269,849.75</b>	<b>\$ 315,435.51</b>

<b>Commercial Permit</b>			
Cell Tower	1	0.00	\$ 15.00
Commercial	3	5,592,701.10	\$ 9,658.31
Shell Only	1	40,581.60	\$ 597.15
<b>Commercial Permit Totals:</b>	<b>5</b>	<b>5,633,282.70</b>	<b>\$ 10,270.46</b>

<b>Grand Totals:</b>	<b>Permit Issued</b> 242	<b>Total Valuation</b> 40,903,132.45	<b>Total Fees</b> \$ 325,705.97
----------------------	-----------------------------	---	------------------------------------

**Total Residential: 1883**

**REPORT SUMMARY**

Commercial Inspections: 119

Residential Inspections: 1883

Total Inspections: 2002

# ITEM # 4

**Kane County Ordinance No. O 2026-6 An Ordinance  
Adopting Changes to Business License Regulations,  
Including Alcohol Licensing and Late Penalties**

**KANE COUNTY ORDINANCE NO. O 2026-6**

**AN ORDINANCE ADOPTING CHANGES TO BUSINESS LICENSE REGULATIONS,  
INCLUDING ALCOHOL LICENSING AND LATE PENALTIES**

**WHEREAS**, the Kane County Board of Commissioners desire to make some changes to the previously adopted business license ordinance; and

**WHEREAS**, the Board would like to clarify the date for when business license fees are due; and

**WHEREAS**, Chapter 2 from Title 3, entitled “Alcoholic Beverages”, shall be removed from county ordinances.

**WHEREAS**, in its place, the Board recommends adding the below section 3-1-3 C to the Business License Provisions chapter.

**NOW THEREFORE, THE LEGISLATIVE BODY OF THE BOARD OF COMMISSIONERS OF KANE COUNTY, UTAH, HEREBY ADOPTS THE FOLLOWING CHANGES IN KANE COUNTY ORDINANCE O 2026-6:**

Kane County Code Title 3 Chapter 2 is removed from the Kane County Code.

Kane County Code Title Three, Chapter 1 is amended as set forth herein. All changes are in red. Additions are indicated with an underline and deletions are indicated with a strike-through. Instructions to the codifiers are italicized in parenthesis.

**Chapter 1  
BUSINESS LICENSE PROVISIONS**

**3-1-3 C: LATE PENALTY:**

Any license fee not paid in full by due on January 31, ~~that is paid later than February 20~~, or any license fee that is not paid within thirty (30) days after commencing business, shall be considered to be late, and a late penalty in such amount as established by resolution of the County Commission shall be assessed for each late application.

3-1-9 C. Separate Alcohol Business License. A separate business license, in addition to the primary business license, is required for any sales of alcohol. In addition to what is already required of a business license, applicants and holders of business licenses for alcohol sales also shall:

- 1) Include in the application a copy of the background check that is already required as part of the application to the state for an alcohol license (package agency, license, or permit); and

- 2) Meet all state requirements for lawfully possessing and being granted an alcohol license.

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.

End of Ordinance.

ADOPTED this 24<sup>th</sup> day of February, 2026.

Commissioner Brown voted \_\_\_\_\_  
Commissioner Kubeja voted \_\_\_\_\_  
Commissioner Meyeres voted \_\_\_\_\_

# ITEM # 5

Review of Legislative Issues

# ITEM # 6

Commissioner Report on Assignments