



**MINUTES**  
**February 11, 2026**  
Planning Commission/Land Use Authority  
Kane County Commission Chambers  
76 N. Main Street, Kanab, Utah

---

VICE-CHAIRMAN: Matt Cox

MEMBERS PRESENT: Mason Haycock, Doug Heaton, Julie Millard, Lara Clayson, Larry Crutchfield, Matt Cox

MEMBERS ABSENT: John Reese

EX-OFFICIO MEMBER: Commissioner Gwen Brown

STAFF PRESENT Shannon McBride, Land Use Administrator; Kresta Blomquist, LU Administrative Assistant; Jeff Stott, Kane County Attorney

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

**GENERAL BUSINESS**

**1. Update on Commission Actions**

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

Commissioner Brown provided an update noting the recent approval of a zone change for Ramsey from agricultural to manufacturing.

**2. Approval of Minutes**

January 14, 2026

**MOTION:** Doug Heaton

**SECOND:** Mason Haycock

**VOTE:** The motion passed unanimously.

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

**VOTE:** The motion passed unanimously.

## **LEGISLATIVE BUSINESS**

### **3. Zone Change: Jeremy Hardman, Blake Helquist, Clint Helquist, Darin Peterson and Anthony Tippetts Jr.**

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

Jeremy Hardman presented a rezoning application to change parcels 258-4, 258-5, and 258-7 from AG FAA to RU-10 for low-density, year-round lodging, describing ownership, family operation, existing four cabins, and the presence of municipal water, electricity, fire hydrants, and safe highway access. He explained anticipated phased growth, estimated unit limits given topography, and potential on-site amenities such as a small restaurant; staff provided context about the rural unimproved subdivision classification and existing infrastructure that distinguishes this parcel.

Vice - Chairman Matt Cox called the commission into public hearing.

No Comments.

Vice-Chairman Matt Cox called the commission out of public hearing.

**MOTION:** Doug Heaton made a motion to recommend approval of the RU-10 zoning to the Kane County Commissioners.

**SECOND:** Mason Haycock seconded the motion.

**VOTE:** The vote was unanimous.

### **4. Zone Change: NL Land & Cattle Co LLC**

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

The commission heard a presentation from NL Land and Cattle Co, represented by Tom Avant, to change two parcels from Agricultural to R-5 to enable five-acre equestrian-style lots and to discourage vacation rentals. Tom described that this property is adjacent to BLM land and is suitable for horseback riding. He said that the BLM road will remain open and accessible and that any future subdivision will follow required improvements; staff noted clay soils in the area and recommended larger five-acre lots as appropriate.

Vice - Chairman Matt Cox called the commission into public hearing.

Ali Route- described personal flood and erosion damage allegedly caused by prior parcel division nearby and urged caution on further development, noting connections between past parceling and downstream impacts.

Maria VanHart- emphasized clay soils in the 8 Mile Gap area and septic-perc concerns related to the soils. She reported a neighbor's marginal percolation issues, and questioned the suitability of the land for equestrian use.

Nicole Schmuker- raised traffic and road-use concerns, noting expectations about access to 8 Mile Gap Road and use of Sunflower Valley Estates' paved road.

Paul Child- Also agreed with Nicole's concern of traffic. He cited observed speeding and urged developer mitigation.

Martin Greenbank- Martin requested preservation of an existing BLM access road.

Sam Noel- Sam Noel described local roots, the family's land ownership and intent to develop a small portion for jobs and housing, and emphasized inclusion of equestrian and ATV use plus access to BLM.

Shanell Heeley- expressed support for rural parceling and noted maintenance issues on 8 Mile Gap Road.

Lorraine Christian- the immediate west adjacent landowner, described long-term residence, concerns about losing rural character and night skies, highlighted severe clay and soil piping at her site, and requested larger lot sizes for zoning changes.

Vice - Chairman Matt Cox called the commission out of public hearing.

Larry asked Tom about why R-5 was chosen. Tom explained that R-5 was the next zone option down from AG. Some lots may be over 5 acres when the subdivision is actually planned. The final lot sizes will be based on the suitability of the land for building. With R-5 zoning, the lots will not be able to go smaller than 5 acres.

Tom then addressed the road requirements for the R-5 zone.

**MOTION:** Mason Haycock made a motion to recommend approval to the Kane County Commissioners.

**SECOND:** Lara Clayson seconded the motion.

**VOTE:** The vote was unanimous.

## **5. Zone Change: Noel Christopher Eberz, Gregory Wyatt**

An application to consider a Zone Change from Agriculture (AG) to Commercial Two (C-2). The intended use of the property will be a 60-unit hotel development. Ordinance 2026-04  
Parcel #s: 4-7-2-1 & 4-7-3-1A  
Zoned: AG  
Acreage: 645.2 & 280 respectively

Applicants Jennie Peterson and Greg Wyatt introduced themselves and described their hospitality experience and current 17-unit Costa Rica property as precedent for a proposed 60-unit, low-density hotel and retreat on part of the Old Fort Ranch. They emphasized local hiring, year-round employment, low-visibility design, and that no subdivision is planned for the rezoned area.

The Planning & Zoning Commissioners and staff questioned revenue impacts, water sourcing, road improvements, lighting, and infrastructure responsibilities. Applicants confirmed water rights on-site, ongoing discussions with Fredonia and the water conservancy to model supply and fire protection, plans for downcast hooded lighting, limited road widening to allow vehicle passing, and intentions to maintain roads and on-site utilities as needed; several Planning & Zoning Commissioners commented on likely positive transient-tax impacts.

- Applicants stated they have water rights on the property and are in discussions with Fredonia and the water conservancy to model supply and fire protection for the development.
- Access to the site is primarily via a private easement road, not a county road, and applicants plan limited widening and culvert repairs while keeping the road predominantly dirt to preserve the experience.

The Applicants and the P&Z Commissioners discussed the level of detail needed for planning and agreed a development agreement with defined permitted uses could substitute for full engineering plans at this stage.

Vice- Chairman Matt Cox called the commission into public hearing and the following people gave public comment.

Sam Noel- emphasized that although the county often says it lacks funds, this project would bring significant outside investment and revenue. He expressed strong support for approving the proposal, praising the developers as entrepreneurs and risk-takers willing to commit substantial financial resources.

Chris Eberz, Land owner- expressed confidence that the project would bring economic benefits to Fredonia, Kanab, and the county with relatively low impact and high return. He explained his decision to grant the developer exclusive control of the property because he believes in the vision and sees potential for neighboring landowners to benefit as well. He concluded that he believes the project is a win-win for everyone involved and emphasized that he would not have agreed to the deal if he did not feel it was the right decision.

Maria VanHart- disagreed with the idea of approving the project solely for financial gain, stressing the importance of protecting the community's character while still supporting

responsible development. She expressed admiration for the proposed resort and voiced conditional support for ecotourism if safeguards are in place for the county and local residents.

Mandi Noel- supported the project, explaining that preserving natural views and preventing traditional subdivision development is important to her. She believes the proposal would keep the land visually pristine while also generating significant tax revenue for the community.

Shanell Heeley, supported the ecotourism project, noting it aligns with community concerns about density, visual impact, and preservation of nature. She suggested approving the project's intended uses rather than requiring a fully detailed plan upfront, recognizing that large developments take years to design and complete.

Ali Route-did not oppose the development itself but emphasized the need for safeguards, noting that future ownership or changing circumstances could lead to different, potentially incompatible uses. She urged the county to require reasonable planning and due diligence rather than granting broad zoning without clear limitations. Ali also raised broader concerns about tourism growth and occupancy levels.

Martin Greenbank- expressed overall support for the project and had no major objections, but requested that a helicopter pad not be included in the development.

Jeremy Hardman- expressed cautious support for the project, recognizing the challenges of completing such a development and the importance of preserving the area's character. He emphasized that the county should ensure strong long-term planning and protections in case the project does not proceed as intended.

Jacob Cluff- strongly supported the project, praising the developers' vision and planning while noting the site's limited visibility from Kanab and minimal community impact. They believe the proposal would bring revenue, jobs, and quality development without overburdening the area.

Cindy Nelson, Partner- expressed support for the project, explaining that the site is largely hidden from Kanab and designed as very low-density development across a large area. She believes this limited visibility and scale make it beneficial for the community, including through increased tax revenue.

Public speakers largely supported the low-impact resort, citing preserved views, economic benefits, and minimal visibility from Kanab, while requesting limits on density, visibility, and incompatible future uses such as a data center or helicopter pad.

Applicants expressed willingness to restrict uses through a development agreement and identify supporting infrastructure, potentially including employee housing. The Planning Commission emphasized the need for a clear list of permitted uses before recommending rezoning and directed staff and legal counsel to draft a use-agreement.

The committee ultimately recommended approving the zone change for parcels 4-7-2-1 and 4-7-3-1A from AG to C2, contingent on the applicant providing a use plan or agreement within a defined timeline, with zoning potentially reverting back to AG if no agreement is reached.

Vice-Chairman Matt Cox called the commission out of public hearing.

**MOTION:** Lara Clayson made a motion to recommend approving this item contingent on the applicant having a use agreement available to submit to the Kane County Commission.

**SECOND:** Larry Crutchfield and Julie Millard seconded the motion.

**VOTE:** The vote was unanimous.

### ADMINISTRATIVE BUSINESS

#### **6. Wind / Solar / Data Center Discussion**

Shannon opened the discussion referencing an ordinance provided by Commissioner Kubeja and recent phone calls she had received. She led the initial conversation before inviting input from the Commission.

County Engineer Tom Avant addressed issues like employment related to data centers, noting they create very few jobs once operational and require significant water and power—resources that are limited in Kane County.


Larry Crutchfield also provided an in-depth overview of data centers and discussed the potential cost impacts to residents for water and power. Ultimately, the decision was made not to pursue an ordinance on this issue.

#### **7. General Plan Chapter 1 Discussion**

Shannon said the draft chapter 1 was emailed to Planning Commissioners and requested that they review the material and submit suggested changes by email or phone. She asked them to look at the General Plan chapter-by-chapter over the coming year, to see if updates or additions were needed. Staff will research newer census and permit numbers, and are committed to bringing revised chapters back next month for consideration and voting.

Mason made a motion to adjourn. Lara seconded the motion.  
Meeting was adjourned at 8:10 pm.

  
\_\_\_\_\_  
Planning Commission Vice-Chair  
Matt Cox

  
\_\_\_\_\_  
Land Use Administrative Assistant  
Kresta Blomquist