

**COMMISSION MEETING
PACKET**

DATE:

July 14, 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, July 14, 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 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: July 1, 2026-\$90,196.26 and July 8, 2026-\$910,479.45

Approval of: Commission Meeting Minutes for June 30, 2026 and July 2, 2026

REGULAR SESSION:

1. **Introduction of Andrew Heaton, the New USU Extension AG Agent-Elizabeth Davis / Commissioner Brown**
2. **Discuss/Vote on Kane County Ordinance No. O 2026-20 An Ordinance Amending the Zoning of Parcel 323-8 in the Windmill Ranch Unimproved Subdivision Zoned AG-FAA to Agricultural / Commissioner Brown**
3. **Discuss/Vote on Certification by Chief Executive Officer on the Department of Justice (DOJ) Grant of up to \$800,000 / Full Commission**
4. **Review of Legislative Issues / Full Commission**
5. **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: July 1, 2026-\$90,196.26 and July 8,
2026-\$910,479.45

Commission Meeting Minutes for June 30, 2026 and
July 2, 2026

**MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
June 30, 2026 at 10:00 AM
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH**

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

Other County Officials in Attendance: Attorney Jeff Stott, Clerk/Auditor Chameill Lamb, Sheriff Tracy Glover, Taylor Glover, Keiren Chatterley, Isis Smith, and Shannon McBride

CALL MEETING TO ORDER: Commissioner Brown

WELCOME: Commissioner Brown

INVOCATION: Drew Chamberlain

PLEDGE OF ALLEGIANCE: Candice Brown

PUBLIC COMMENT:

Mary McElhone, Lorrie Mineer, Steve Mineer, Lane Slack, and Brandi Plumlee all spoke in opposition of the zone change on item #13.

Tracy Sanford, applicant for the zone change on item #13, stated that they are asking for the best solution to allow them to have more than two trailers on their property for summer seasonal use.

CONSENT AGENDA:

Check Edit Report: June 10, 2026-\$624,773.05, June 17, 2026-\$594,491.93 and June 24, 2026-\$202,484.20

Approval of: Commission Meeting Minutes for June 9, 2026

Motion to approve the Check Edit Report from June 10, 2026-\$624,773.05, June 17, 2026-\$594,491.93 and June 24, 2026-\$202,484.20 and the Commission Meeting Minutes for June 9, 2026 made by Commissioner Brown and motion carried with all commissioners present voting in favor.

REGULAR SESSION:

1. Presentation/Discussion on 5-County Association of Governments Programs, Services, and Annual Contribution Adjustments / Commissioner Meyeres

Darren Bushman presented on the Five County Association of Governments (AOG), highlighting the services provided to 38 cities, five school districts, and five counties, including aging support services, senior nutrition, veteran services, and community development programs. Bushman noted that the organization manages roughly \$14 million in services with about 80 employees, and currently operates with limited financial reserves, often relying on a line of credit to meet payroll. Darren proposed a new funding model for the AOG to build a financial reserve, which would involve contributions from counties (65%), cities (25%), and school districts (15%), resulting in an increased annual ask for Kane County from approximately \$18,000 to \$26,000.

2. Discuss/Vote on Bid Award for the Parcel Fabric Redraw / Full Commission

Taylor explained that the county initiated a project to redraw parcels using 911 service funds, noting that current data is inconsistent and hinders dispatch and GIS accuracy. They put out an RFP and received seven bids total with the winning bid going to Pro West.

Motion to award the bid to Pro West and the contract made by Commissioner Brown and motion carried with all commissioners present voting in favor.

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

3. Discuss/Vote on Amended Fire Response Agreement with Kanab City / Full Commission

Taylor stated that this agreement is for Kanab City to continue to provide fire service until the end of the year.

Motion to approve the amended Fire Response Agreement with Kanab City as presented and reviewed made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye

Commissioner Kubeja-aye
Commissioner Meyeres-aye

4. Discuss/Vote on Kane County Building Signage / Commissioner Kubeja

Commissioner Kubeja discussed the need to budget for signage updates for county buildings, including the Children's Justice Center. The commissioners agreed that the Children's Justice Center sign should maintain a welcoming, residential-like appearance while being replaced, and Commissioner Kubeja proposed that they continue working on defining the specific budget and designs for each building offline.

Motion to approve spending \$60K from MBA, \$65K from TRT/TRCC, and \$5K from OPIOID with a total of \$130K, which should be enough to include the Justice Center as presented to do signs for all the Kane County building as presented by Kris from Building and Grounds made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

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

5. Discuss/Vote on Funding Source and Amount for the Assessor's Office/DMV Remodel / Full Commission

Ryan and other county officials presented the urgent need for a remodel of the assessor's office, citing the building's age and deteriorating condition. Key issues identified included failing HVAC systems and persistent plumbing leaks, with evidence showing water damage to floors and insulation in the crawl space. Ryan advocated for a functional, minimalist approach that would extend the building's lifespan.

Motion to approve moving forward with the contract for the remodel of the Assessor's Office with \$200K coming from Building & Grounds budget between this and next year and \$300K from the MBA between this year and next year for \$500K total with all soft costs and contingency made by Commissioner Kubeja and motion carried with all commissioners present voting in favor.

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

6. Discuss/Vote on Rural County Grant Funds Recommended by the Kane County Economic Opportunity Board / Commissioner Meyeres

- A. \$25,000 for Façade/Tenant Improvement, Sign, and Beautification**
- B. \$26,490 Duck Creek Village Community Center Power Infrastructure**

Motion to approve the two presented projects of how to spend the Governors Office of Economic Development funding with one of them for \$25K for the Beautification Grant and the other for \$26,490 for the Duck Creek Village site prep and power installation made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

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

7. Review of Comments from Kanab City Regarding the Gateway Development Project Within the Future Annexation Boundaries / Full Commission

Attorney Stott and Shannon provided an overview of the Gateway Development Project, described as an R1-zoned subdivision located east of town near the Lone Spur and Stampin Up area. They explained that because the project is a subdivision, it proceeds through the administrator rather than the Planning and Zoning Commission. While Kanab City identified the project as falling within their future annexation boundaries, they did not object to the development.

Taylor Glover and Kyler Ludwig addressed comments from Kanab City regarding the need for coordinated transportation planning between the city and the county. City officials expressed concerns about future traffic bottlenecks on US 89 and the frontage road, advocating for east-west road corridors in new developments to provide alternative routes. Taylor confirmed that the county is committed to cohesive planning and has secured a transportation master planning grant from UDOT, with the firm Jones and DeMille selected to perform a 12-month master plan that will integrate municipal efforts.

8. Discuss/Vote on SRS Allocation / Full Commission

Taylor explained the election options for the Secure Rural Schools (SRS) funding, noting that the SRS payment is estimated at approximately \$104,000, which significantly exceeds the alternative 1908 Act 25% payment estimate of \$10,000. The commission opted for the SRS payment, adhering to the requirement that 85% of these funds be allocated to schools and roads. This 85% is split evenly between the school district and the recreation and transportation special service district, which historically uses the funds for road projects and equipment.

Motion to keep the allocation as presented, which is 85% going into the general operations of the SRS allocation and 3% going to the federal agencies and 12% continuing to go into search and

rescue made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

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

9. Discuss/Vote on Kane County Ordinance No. O 2026-15 An Ordinance Regulating Water Hauling Within the Unincorporated Areas of Kane County, State of Utah / Commissioner Brown

Commissioner Meyeres discussed a new ordinance regulating water hauling in unincorporated areas. Following a rule interpretation that restricted septic systems for dry sites, the county worked to return regulatory authority to the local level. The new ordinance prohibits new commercial water hauling, including for vacation rentals, and mandates that existing commercial users losing service for a year or longer cannot be reinstated. Residential water hauling from approved sources remains permissible subject to health board inspection, while no new subdivisions will be approved that rely on dry water hauling.

Motion to approve Kane County Ordinance O 2026-15 an Ordinance regulating water hauling within the unincorporated areas of Kane County, State of Utah made by Commissioner Brown and motion carried with all commissioners present voting in favor.

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

10. Discuss/Vote on Kane County Ordinance No. O 2026-16 An Ordinance Amending the Zoning of Lot 6-54 Located at 3935 East Mountain View Drive Vermillion Cliff Estates Subdivision from Residential 1 to Commercial 1 / Commissioner Brown

Shannon stated that the applicant is asking for a Commercial 1 zone change because they intend to use the property for a Harley repair and washing shop, with an additional snow cone service. The location is aligned with the general plan, as it is situated on a frontage road along US 89. With no negative feedback from neighbors and a unanimous recommendation for approval from the Planning and Zoning committee.

Motion to approve Ordinance O 2026-16 an Ordinance amending the zoning of lot 6-54 located at 3935 East Mountain View Drive Vermillion Cliff Estates Subdivision from Residential 1 to Commercial 1 made by Commissioner Brown and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-no vote (lost service)
Commissioner Meyeres-aye

11. Discuss/Vote on Kane County Ordinance No. O 2026-19 An Ordinance Amending and Extending Lots 8A-H-27, 28, 29, & 30 in the Little Ponderosa Ranch Subdivision Block “H” and Vacating a Portion of Rocky Road to Realign with what is on the Ground and Adding that Portion into Lots 27-30 / Commissioner Brown

Shannon stated that this ordinance includes vacating a portion of Rocky Road to align the recorded plat with the actual road location on the ground, absorbing that land into the specified lots.

Motion to approve Ordinance O 2026-19 an Ordinance amending and extending lots 8A-H-27, 28, 29, & 30 in the Little Ponderosa Ranch Subdivision Block “H” and vacating a portion of Rocky Road to realign with what is on the ground and adding that portion into Lots 27-30 based on the findings in the staff report made by Commissioner Brown and motion carried with all commissioners present voting in favor.

Commissioner Brown-aye
Commissioner Kubeja-no vote (lost service)
Commissioner Meyeres-aye

12. Discuss/Vote on Kane County Ordinance No. O 2026-17 An Ordinance Amending the Zoning of Lots 8A-H-27, 28, 29, & 30 Located in the Little Ponderosa Ranch Block “H” Amended and Extended Plat from Residential ½ to Residential 1 / Commissioner Brown

Shannon stated that this is the same lots as the previous item. The applicant is wanting to go to R-1, which doesn’t change the use very much and it’s in compliance with the uses around it.

Motion to approve Ordinance O 2026-17 an Ordinance amending the zoning of Lots 8A-H-27, 28, 29, & 30 located in the Little Ponderosa Ranch Block “H” Amended and Extended Plat from Residential ½ to Residential 1 as documented in the staff report made by Commissioner Brown and motion carried with all commissioners present voting in favor.

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

13. Discuss/Vote on Kane County Ordinance No. O 2026-18 An Ordinance Amending the Zoning of Parcel 8-7-8-30 Located on the Edge of Mirror Lake Subdivision from Residential 5 to Commercial 2 / Commissioner Brown

Shannon stated that this property has gone through the appeal process with the attorney and it was recommended for denial by all of the P&Z members. She also mentioned that next month they will be looking at the ordinance regarding RV's and talk about what changes could be made.

Motion to deny Ordinance O 2026-18 amending the zoning of parcel 8-7-8-30 located on the edge of Mirror Lake Subdivision from Residential 5 to Commercial 2 made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

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

14. Discuss/Vote on the Indigent Defense Commission Award Offer and Grant Agreement FY27 / Commissioner Kubeja

Commissioner Kubeja presented the annual Indigent Defense Commission grant offer for fiscal year 2027, which supports the county's public defender services. Although the grant is under \$50,000, the required county match exceeds \$50,000 so she wanted to bring it to the commission.

Motion to approve the Indigent Defense Commission Award Offer and Grant Agreement as presented and reviewed made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

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

15. OPIOID Fund Annual Expenditure Report 2025-26 and Anticipated Expenses Report 2026-27 / Commissioner Kubeja

Commissioner Kubeja provided an update on the opioid settlement funds report, which is due annually to the Utah Association of Counties. The county utilizes these funds to cover the proportionate square footage share of debt service for the new recovery court facility, with \$25,000 anticipated for this purpose in the 26/27 fiscal year.

16. Review of Legislative Issues / Full Commission

Wildland Urban Interface bill
Preliminary Municipalities bill

17. Commissioner Report on Assignments / Full Commission

Commissioner Kubeja

- Great election
- Listened to a seminar on AI from a commissioner back in Virginia
- UAC had a meeting regarding AI Data Centers
- Attended a justice summit
- Big celebration for the 4th of July

Commissioner Meyeres

- Meeting this week with the Zion Regional Plan for Recreation to address some of the challenges we are facing
- White House put out a press release that there is a new reporting system that will be across all agencies regarding visitation
- Meetings this week with the North Rim and Grand Canyon manager and superintendent to get a report on how they are doing with their rebuild efforts and the funding
- Need to get the word out that Kane County is not burning and that we are still open for business
- These fires highlight that we need to return to comprehensive adaptive forest management

Commissioner Brown

- Rhonda with HR is training a new backup person
- Vermillion Cliffs Special Service District meeting is cancelled for tomorrow
- Tomorrow is the election audit and Thursday is the canvass

Motion to adjourn at 12:30 PM made by Commissioner Meyeres and motion carried with all commissioners present voting in favor.

WHERE UPON MEETING WAS ADJOURNED

Gwen Brown Chair

Chameill Lamb Clerk/Auditor

**MINUTES
OF THE KANE COUNTY
BOARD OF COMMISSIONERS' MEETING
July 2, 2026 at 10:00 AM
IN THE KANE COUNTY COMMISSION CHAMBERS,
76 NORTH MAIN, KANAB, UTAH**

Board of Canvassers: Commissioner Gwen Brown, Treasurer Keiren Chatterley, and Assessor Ryan Maddux

Other County Officials in Attendance: Clerk/Auditor Chameill Lamb

CALL MEETING TO ORDER: Commissioner Brown

WELCOME: Commissioner Brown

SPECIAL SESSION:

1. Canvass of the June 23, 2026 Republican Primary Election-Heather Narramore / Board of Canvass

Chameill explained that the purpose of the canvass is to verify election data accuracy, ensure transparency, and instill public confidence in the final outcome by transitioning unofficial results to official ones, which initiates the timeline for potential recounts and allows the Board of Canvassers to issue certificates of election or nomination to the successful candidates.

Heather presented the results of the Republican Primary Election saying that there were 3,409 active voters for the Republican primary, with a total of 1,821 ballots counted. This total included 1,665 mail-in ballots, 32 early in-person votes, 124 election day in-person votes, and 5 provisional ballots, which required proof of Utah ID and 30-day residency. A total of 43 ballots were challenged, primarily due to people not signing the affidavits or missing required information like the last four digits of a Social Security number or driver's license; of these, 22 ballots were cured, resulting in a 48% cure rate. Additionally, 17 ballots were rejected for arriving after the 8:00 p.m. deadline.

Motion to accept the canvass of the election results as presented made by Assessor Ryan Maddux and motion carried with all Board of Canvassers present voting in favor.

Commissioner Brown-aye
Assessor Ryan Maddux-aye
Treasurer Keiren Chatterley-aye

Motion to adjourn made by Commissioner Brown and motion carried with all Board of Canvassers present voting in favor.

WHERE UPON MEETING WAS ADJOURNED

Gwen Brown Chair

Chameill Lamb Clerk/Auditor

AGENDA ITEMS

ITEM # 1

Introduction of Andrew Heaton, the New USU Extension
AG Agent

ITEM # 2

Discuss/Vote on Kane County Ordinance No. O 2026-20
An Ordinance Amending the Zoning of Parcel 323-8 in the
Windmill Ranch Unimproved Subdivision Zoned AG-FAA
to Agricultural

KANE COUNTY COMMISSION AGENDA REQUEST

Date of Commission Meeting Requested:

Dept. /Business Name: Land Use

Topic/Re: Ordinance 2026-20 Zone Change: Solmonsens

Public Hearing: No

Description: Zone Change/AG-FAA to AG in Wind Mill Ranch/Joseph Solmonsens

Approve / Deny recommending a zone change, from AG-FAA to AG to add a glamping yurt to the property with full hookups.

Lot #: 323-8

Current Zone: AG-FAA

Proposed Zone: AG

Acreage: approx. 10.742 acres

Ordinance 2026-20

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

Attachments: O-2026-20, Staff Report, map,

Dept. Head/Owner: Shannon McBride

Contact Information: Shannon McBride x4966

Meeting Requested by: Kresta Blomquist X4364

Internal Notes:

KANE COUNTY ORDINANCE NO. O 2026-20

**AN ORDINANCE AMENDING THE ZONING OF PARCEL 323-8
IN THE WINDMILL RANCH UNIMPROVED SUBDIVISION ZONED
AG-FAA TO AGRICULTURAL**

WHEREAS, the Kane County Planning Commission, after due and legal notice, held a public hearing on July 8, 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 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

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 parcel 323-8, from Agriculture FAA to Agricultural;

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

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

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 July 23, 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
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



KANE COUNTY LAND USE AUTHORITY
Shannon McBride
LAND USE AUTHORITY
ADMINISTRATOR

Staff Report

DATE: June 18, 2026

To: Planning Commission
From: Shannon McBride, Land Use Administrator
Subject: Project # 26040: Zone Change Application, AG -FAA to AGRICULTURAL (AG), O-2026-20
Parcel 323-8, 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 June 17, 2026, Joseph Solmonsén, submitted a zone change application for parcel 323-8, in the Windmill Ranch Rural Unimproved Subdivision. He is requesting to rezone from AG-FAA to AG. The intended use is to build a glamp-ground with one yurt on his 10+ acre parcel.

LEGAL DESCRIPTIONS:

Situs Address 5755 N JOHNSON CANYON RD

Legal ALL OF PARCEL 8 WIND MILL RANCH 2 RURAL UNIMPROVED SUBDIVISION.

BEG AT THE COR OF SEC'S 14, 15, 22 & 23 T42S, R5W, SLB&M, UT; & RUN TH S 00°31'29" W ALG THE LINE BETWEEN SAID SEC'S 22 & 23, 354.89 FT; TH N 89°16'21" W 1327.49 FT TO THE N-S CENTERLINE OF THE NE 1/4 OF SAID SEC 22; TH N 00°22'03" E ALG THE N-S CENTERLINE OF THE NE/4 OF SAID SEC 22, 349.82 FT TO THE E 1/16 COR OF SAID SEC'S 15 & 22; TH S 89°29'30" E ALG THE LINE BETWEEN SAID SEC'S 15 & 22, 1328.44 FT TO THE PT OF BEG CONT 10.742 AC.

SUBJ TO THE EXISTING JOHNSON CANYON COUNTY RD EASEMENT.
SUBJ TO A 15' WIDE UTILITY EASEMENT TO GARKANE ENERGY (0629-443/449)

FACTS & FINDINGS:

Parcel Characteristics

- The parcel is currently zoned AG-FAA.
- Parcel 323-8 meets the minimum acreage required to be zoned AG
- The owner requests the parcel be zoned AG 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 parcel would gain access from Johnson Canyon 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

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9-5A-3: USES TABLE:

	AG	AG FAA
Accessory buildings and uses customarily incidental to conditional uses	C	C
Accessory buildings and uses customarily incidental to permitted uses	P	P
Agricultural industry or business including all livestock marketing, production, and wholesale	P	P
Agricultural tourism (agritourism)	P	P
Animal feed lot	P	P
Animal feeding operation	C	C
Apiary (beehives)	P	P
Automatic car wash	-	-
Automobile fuel filling station	-	-

Aviary	P	P
Bed and breakfast	P	-
Beer sales at public recreational facilities	C	-
Billiards or pool hall	-	-
Bowling alley; commercial skating	-	-
Boxing arena	-	-
Campground, glamp-ground, up to 7 sites for lots of 10 acres or more.	C	-
Cannabis, Marijuana, Hemp (without state license)	-	-
Cannabis production establishment (with state cannabis production establishment license) (must be located at least twelve and a half (12.5) miles away from any community location as the crow flies)	P	P
Commercial dwelling or residential facilities for elderly or disabled persons	P	-
Construction equipment and supply trailer, temporary	P	-
Convenience store with gasoline sales	-	-
Cottage industry that may be permitted to employees that reside outside of the dwelling providing adequate off street parking can be made available on the property	C	C
Dams, reservoirs and hydroelectric facilities	C	C
Dude ranch, family vacation ranch	C	C
Dwelling	P	P
Electrical power substation	C	C
Farms devoted to raising of chickens, turkeys or other fowl or poultry, fish and frogs	P	P
Forestry	P	P
Guest homes	P	P
Home occupation	P	P
Hotel, motel, inn	-	-
Industrial hemp (with state industrial hemp license) (must be located at least twelve and a half (12.5) miles away from any community location as the crow flies)	P	P
Kennel and/or cattery commercial or private	P	P
Large CAFO-Light	-	-
Large CAFO-Heavy	-	-
Lodges	C	-
Logging and lumber harvesting	P	P

Medical cannabis (with state medical cannabis license) (must be located at least twelve and a half (12.5) miles away from any community location as the crow flies)	P	P
Nightclub/social club	-	-
Parks	P	P
Park model	P	P
Parks, public	P	P
Personal agriculture, including crop production, grazing and pasturing of animals	P	P
Plant materials nursery or greenhouse	P	P
Power generation for on site use under 50 kVA	P	P
Private airstrip	C	C
Private cemetery	P	P
Private roads	P	P
Processing and composting of State regulated Class A, B, and C biosolids and other acceptable organic waste such as chicken manure	C	C
Production agriculture, including crop and grazing and pasturing of animals	P	P
Public, quasi-public, and private service utility lines, pipelines, power lines, excluding overhead lines with base structure over 70 feet in height	P	P
Public riding stable, riding academy or riding ring, horse show barns, or facilities	P	P
Public use, quasi-public use, essential services, including accredited private school, with a curriculum corresponding to a public school	C	C
Radio and television transmitting stations and towers and wireless communications towers	C	C
Recreational grounds and facilities	C	C
Recreational vehicle park	-	-
Reservoir and hydroelectric facilities	C	C
Residential facilities	P	P
Second family dwelling for the household of a hired man or seasonal laborer, or members of owner's family	P	P
Seed/feed sales with no store front	P	P
Solar panels on a larger scale than residential producing 25 kW and above	C	C

Solar panels producing below 25 kW of energy	P	-
Solar power plant	C	-
Storage, placement, keeping, locating, parking, maintaining, and keeping of agricultural equipment	P	-
Surface mines, quarries and gravel pits	C	-
Tourist based companies	P	-
Truck stop and truck wash	-	-
Underground mining, including underground and surface for mining and transporting of minerals and for processing such minerals for sale or use	C	-

- **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 AG 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 AG Zone.

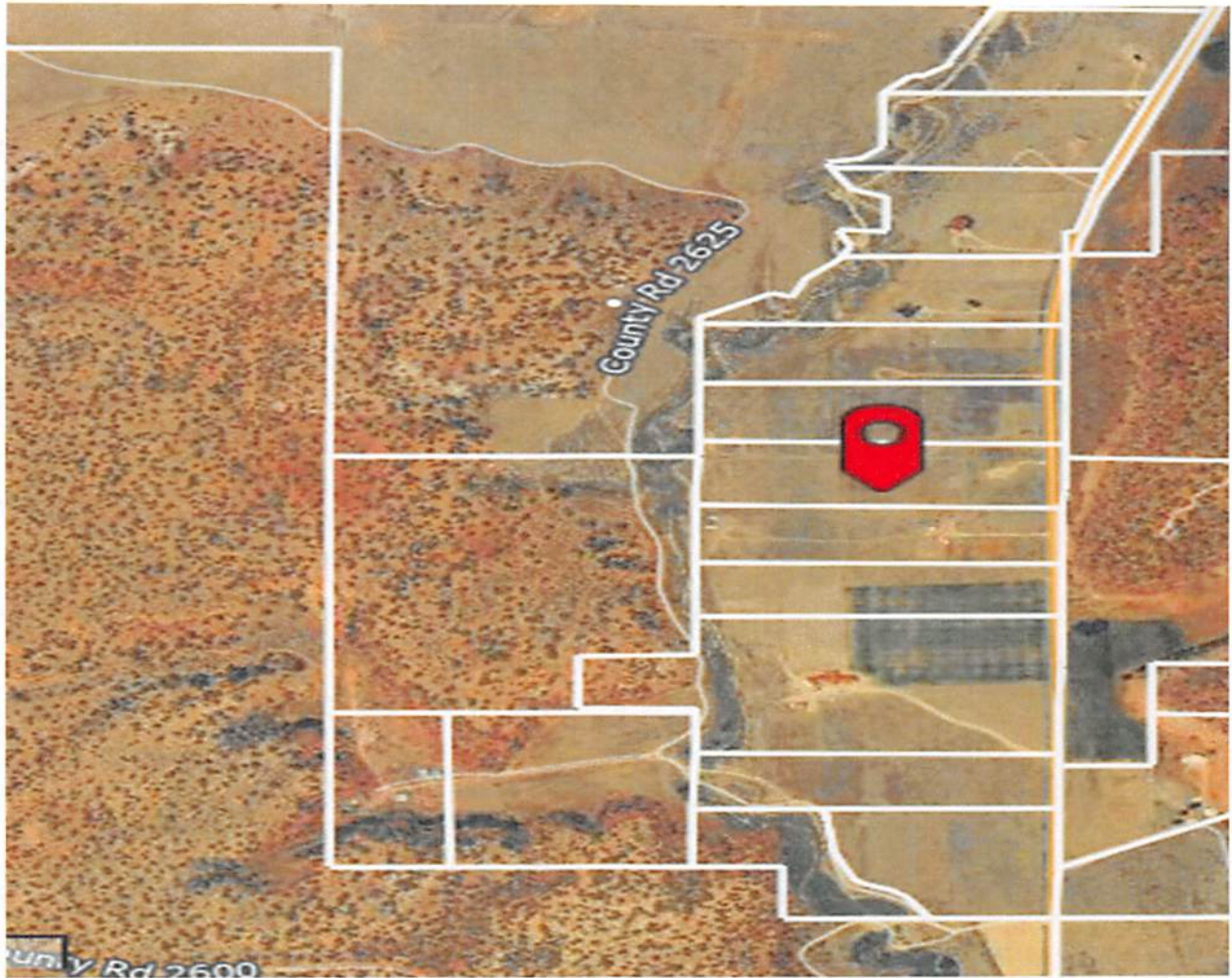
Given these considerations, a recommendation should balance Kane County's best interests, future planning objectives, and private property rights. If the zone change amendment is adopted, AG zoning regulations will apply as outlined in the Kane County Land Use Ordinance as stated above.

LEGAL CONTEXT

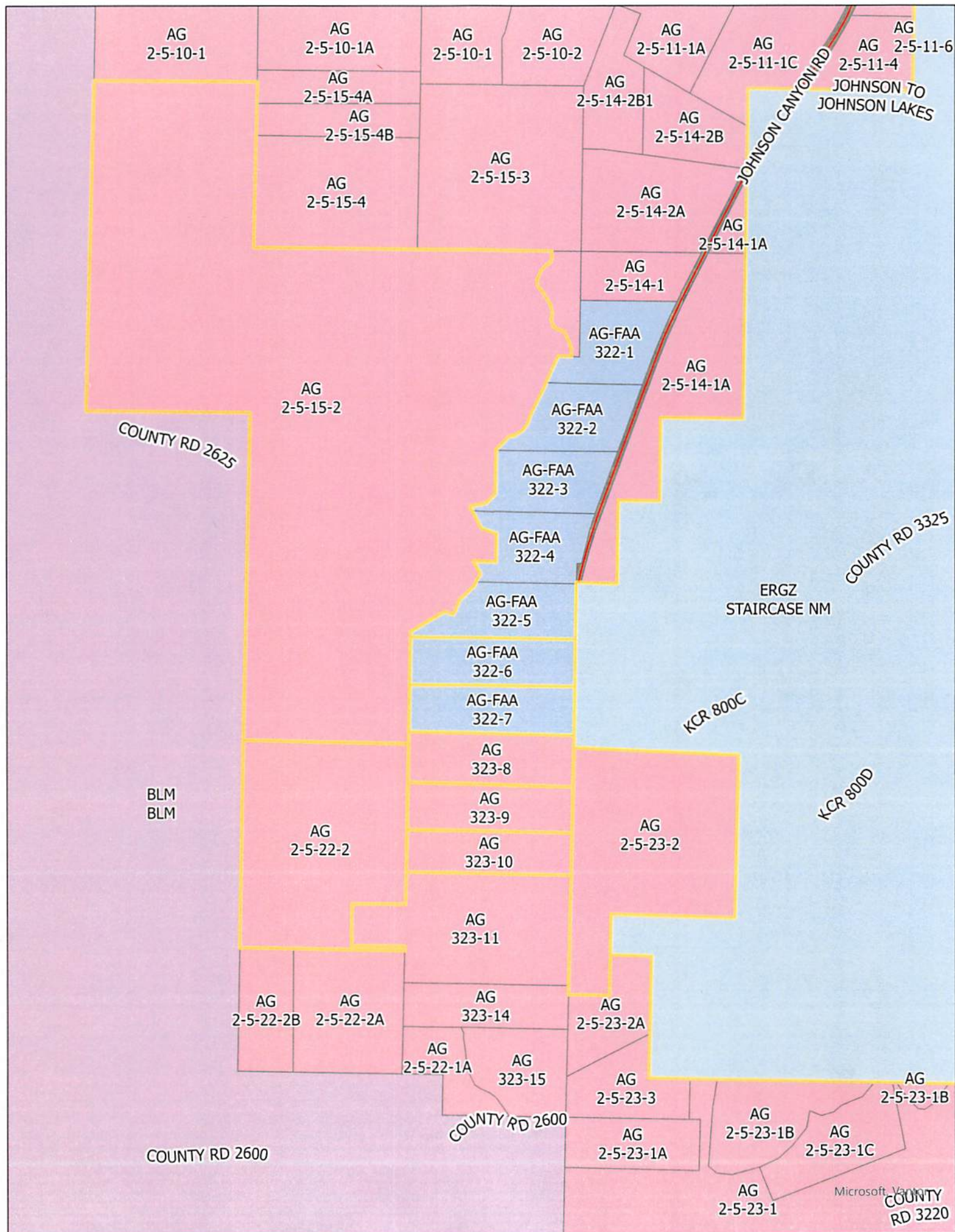
Because zoning ordinances are in derogation of a property owner's common-law right to unrestricted use of his or her property, provisions therein restricting property uses should be strictly construed, and provisions permitting property uses should be liberally construed in favor of the property owner; *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 parcel 323-8 from AG-FAA to AG & Ordinance O-2026-20 to the County Commission based on the facts and findings as documented in the staff report.





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Shannon McBride | Land Use Administrator | e-mail: smcbride@kane.utah.gov



ITEM # 3

Discuss/Vote on Certification by Chief Executive Officer
on the Department of Justice (DOJ) Grant of up to
\$800,000

U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS

Certification by the Chief Executive Officer (or senior official) of the Applicant Government

On behalf of the applicant named below, and in support of its application, I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

- (1) I am the chief executive officer of the State or local government ("the jurisdiction") of which the applicant entity named below is a part (or a senior official of the jurisdiction, with the legal authority to bind the same), I have received appropriate legal advice as to this certification, and I have the authority to make this certification on my own behalf as chief executive officer (or senior official) and on behalf of the jurisdiction and the applicant entity. I understand that OJP will rely upon this certification as a material representation in any decision to make an award to the applicant entity.
- (2) I have carefully reviewed (or have received pertinent legal advice concerning) 8 U.S.C. §§ 1373(a) & (b) and 1644, including the prohibitions on certain actions by State and local government entities, agencies, and officials regarding information on citizenship and immigration status.
- (3) I (and the applicant entity) understand that, for purposes of this certification, the term "program or activity" means what it means under title VI of the Civil Rights Act of 1964 (*see* 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term "State" also shall include American Samoa (*cf.* 34 U.S.C. § 10251(a)(2)).
- (4) I (and the applicant entity) assure that the applicant entity (and its officials and other personnel) will comply with 8 U.S.C. §§ 1373 and 1644 in any "program or activity" receiving federal financial assistance under any award made by OJP pursuant to this application. I further certify that any subrecipient (at any tier) of such federal financial assistance (and its officials and other personnel) will also comply with 8 U.S.C. §§ 1373 and 1644.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 34 U.S.C. § 10271 or under 18 U.S.C. § 1001 or 1621, and may subject me and the applicant entity to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729–3730 and §§ 3801–3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by USDOJ, including by OJP and by the USDOJ Office of the Inspector General.

Signature of Chief Executive Officer (or senior official) of the Applicant Government

Gwen Brown

Printed Name of Chief Executive Officer (or senior official)

Kane County Utah

Name of Applicant Government Entity

7/14/2026

Date of Certification

Chair, Kane County Commission

Title of Chief Executive Officer (or senior official)

ITEM # 4

Review of Legislative Issues

ITEM # 5

Commissioner Report on Assignments