



February 12, 2025, 6:00 PM
Planning Commission/Land Use Authority
Kane County Commission Chambers
76 N. Main Street, Kanab, Utah

To watch this meeting live:
Video call link: <https://meet.google.com/oux-rdjw-orn>
Or dial: (US) +1 339-707-7414 PIN: 555 977 356#

AGENDA

6:00 PM

Call to Order
Invocation
Pledge of Allegiance

1. Swearing in of New Board Members

Swearing in of Julie Millard and Lara Clayson as new Planning commission members.

2. Open and Public Meetings Training

Presented by Kane County Attorney Rob Van Dyke.

3. Update on Commission Actions

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

4. Approval of Minutes

December 11, 2024

LEGISLATIVE ITEMS

Public Hearing*

5. Zone Change/Ordinance 2025-01: Ence/LWS Building LLC

An application for a zone change from Commercial 1 (C-1) to Commercial 2 (C-2), lot I-54 containing 0.85 acres, located on Movie Ranch Road in the Movie Ranch Subdivision, Duck Creek Village, Utah. Submitted by Rod Ence.

Public Hearing*

6. Ordinance 2025-02: Kane County Land Use Ordinance Chapter 6

An ordinance revising Kane County Land Use Ordinance Chapter 6 Residential Zones, clarifying that helipads and the landing of helicopters are not allowed in residential zones.

Public Hearing*

7. Ordinance 2025-03: Kane County Land Use Ordinance Chapter 21

An ordinance revising Kane County Land Use Ordinance Chapter 21 Subdivisions, correcting inconsistencies and changing the name of the Kane County Standard Specifications and Drawing Details for Design and Construction to the Kane County Construction Design Standards.

Public Hearing*

8. Ordinance 2025-04: General Plan Revisions

Revising the Kane County General Plan to include a water conservation element as mandated by Utah Code 17-27a-(401-406).

Agenda items may be accelerated or taken out of order without notice as the Administration deems appropriate.

*Public hearings are intended for the public to provide input to the Commission or to pose questions individuals believe the Commission and staff should consider. Public hearings are not intended for individual members of the public to engage in conversation. While questions may be posed by a member of the public, the Commission will attempt to refrain from answering or engaging in conversation during the public hearing.

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 Shannon McBride at (435) 644-4966 or Wendy Allan at (435) 644-4364.

Planning Commission Meetings Statutory Authority, Rules & Procedures can be found online at kane.utah.gov; General; Land Use Ordinance 9-2-1 through 10.

1. Swearing in of New Board Members

Swearing in of Julie Millard and Lara Clayson as new Planning commission members.

2. Open and Public Meetings Training

Presented by Kane County Attorney Rob Van Dyke.

3. Update on Commission Actions

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

4. Approval of Minutes

December 11, 2024



MINUTES
December 11, 2024
Planning Commission/Land Use Authority
Kane County Commission Chambers
76 N. Main Street, Kanab, Utah

CHAIRMAN:	John Reese	
MEMBERS PRESENT:	John Reese, Doug Heaton, Gwen Brown, Matt Cox, Mason Haycock	
MEMBERS ABSENT:	Jeremy Chamberlain	
EX-OFFICIO MEMBER:	Commissioner Wade Heaton (absent)	
STAFF PRESENT	Shannon McBride, Land Use Administrator; Wendy Allan, Assistant P&Z Administrator	
6:00 PM	Meeting called to order Invocation Pledge of Allegiance	John Reese Matt Cox Gwen Brown

GENERAL BUSINESS

1. Update on Commission Decisions

No update given.

**2. Approval of minutes
November 13, 2024**

MOTION: Matt Cox made a motion to **approve** the minutes of November 13, 2024. Mason Haycock seconded the motion.

VOTE: The **motion passed** unanimously.

3. Approval of Meeting Schedule

Approval of the meeting schedule for 2025.

MOTION: Doug Heaton made a motion to approve the meeting schedule for 2025. Gwen Brown seconded the motion.

VOTE: The vote was **unanimous to approve**.

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

VOTE: The motion **passed unanimously**.

4. Public Hearing – Zone Change/Ordinance 2024-31: McLaws

An application for a zone change from Agricultural (AG) to Commercial 2 (C-2), on behalf of: Chamberlain Ranch Holdings LLC, parcel 1-9-15-1C containing 33.0 acres; Zion Mountain Development Inc., parcel 1-9-22-1 containing 152.28 acres; and East Zion Properties LLC, parcel 1-9-14-1A containing 104.2 acres, located near the North Fork Road roundabout on Highway 9. Submitted by Kevin McLaws.

Kevin McLaws (via google meets) informed the Planning Commission (P&Z) that this request is in preparation for the valuation of conservation easements. He explained that this is north of Highway 9 near the new visitor's center.

Shannon stated that this request is compliant with the general plan because it abuts the highway and is near a major intersection. Most of the area there will be commercial. Shannon showed the surrounding zones. Gwen is concerned about granting such a large amount of commercial zoning in that area.

Chairman Reese called the commission into public hearing.

(No Comments)

Chairman Reese called the commission out of public hearing.

MOTION: Mason Haycock made a motion to **recommend approving** the zone change from AG to C-2 for parcels 1-9-15-1C, 1-9-22-2, and 1-9-14-1A & Ordinance O-2024-31 to the County Commission based on the facts and findings as documented in the staff report. Seconded by Doug Heaton.

VOTE: Doug Heaton, Matt Cox, Mason Haycock, and John Reese vote aye. Gwen Brown voted nay. The motion to **recommend approval passed**.

FACTS & FINDINGS:

- These parcels meet the minimum acreage required to be zoned C-2. The parcel is currently zoned AG.
- The developer requests C-2 zoning which requires a zone change.
- If the zone change is approved all uses contained in the C-2 uses table will be allowed.
- **9-7C-2: USE REGULATIONS:**
 - A. Permitted Uses: The following uses are permitted in the C-2 zone:
Any permitted use listed in the L-C and C-1 zones.
Accessory uses and buildings, customarily incidental and subordinate to an approved permitted use.
Auditoriums, conference rooms, museums, theaters, libraries and community social centers.
Car wash (large).
Freight or trucking yard or terminal.
Heli pad commercial.
Propane storage tanks.

Repairing, renovating, painting and cleaning of goods, merchandise and equipment.

Retail and/or wholesale sale and/or rental of goods, merchandise and equipment, which may include storage and display outside an enclosed building.

B. Conditional Uses: The following uses are subject to the conditional use approval process outlined in chapter 15 of this title.

Accessory uses and buildings, customarily incidental and subordinate to an approved conditional use.

ATV's/UTV's rentals.

Dams and Reservoirs.

Hospital.

Hotel or motel.

Motor vehicle, trailer, camper and recreational vehicle sales agency.

Recreational Vehicle Parks.

Storage units.

Solar Power panels producing over 25 KW.

Substation.

C. Any combination of the above uses which meets all other provisions of this title.

D. Other: Any use not named which may be considered harmonious with the zone and current allowed uses can be considered for proposed inclusion into the chapter by the Kane County Planning Commission in a public hearing and approval of the County Commission. (Ord. O-2022-42, 7-26-2022)

- All surrounding parcels are zoned AG and C-2
- These parcels will gain access from Highway 9.
- All property owners within 500 ft. of this lot have been mailed a public notice and a sign has been posted near the parcel.
- **(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)
- **(C-2) 9-7C-1: PURPOSE:** The purpose of the commercial 2 zone is to provide for heavy commercial areas not appropriate near or in Residential Zones to meet larger commercial uses. (Ord. O-2022-42, 7-26-2022)
- **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 assure 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, Industrial and Commercial Land Use:** Industrial and commercial land uses are usually located at major highway intersections and near established communities. Much of the existing commercial and industrial activity has been annexed into adjacent communities.

5. Public Hearing – Zone Change/Ordinance 2024-32: McLaws

An application for a zone change from Commercial 1 (C-1) to Commercial 2 (C-2), on behalf of Zion Mountain Land Holdings LLC, parcel 1-9-14-6 containing 5.59 acres, located near the North Fork Road roundabout on Highway 9. Submitted by Kevin McLaws.

Shannon showed the location and surrounding zones. She has not received any opposition to this request. She recommends approval.

Kevin feels that Commercial 2 will be a better fit for what he wants to do and will keep the zoning consistent in the area. He mentioned that they were approved for 370 acres of conservation land in the Clear Creek Canyon area. His goal is to do eco-tourism with gardens, farms and a farmers market.

Chairman Reese called the commission into public hearing.

Chris Heaton- He noted that Kevin wants to do a farmers market and that requires Commercial 2 zoning.

Chairman Reese called the commission out of public hearing.

Shannon reminded the public online that this item will be on the County Commission agenda on December 17th.

Shannon reviewed the uses in the Commercial zones and noted that Commercial 1 allows for retail sales within a building and Commercial 2 allows for retail sales with outside display.

MOTION: Doug Heaton made a motion to **recommend approving** the zone change from C-1 to C-2 for parcel 1-9-14-6 & Ordinance O-2024-32 to the County Commission based on the facts and findings as documented in the staff report. Seconded by Mason Haycock.

VOTE: The vote was **unanimous to recommend approval**.

FINDINGS:

- The parcel meets the minimum acreage required to be zoned C-2. The parcel is currently zoned C-1.
- The developer requests C-2 zoning which requires a zone change.
- If the zone change is approved all uses contained in the C-2 uses table will be allowed.
- **9-7C-2: USE REGULATIONS:**
 - A. Permitted Uses: The following uses are permitted in the C-2 zone:
Any permitted use listed in the L-C and C-1 zones.
Accessory uses and buildings, customarily incidental and subordinate to an approved permitted use.
Auditoriums, conference rooms, museums, theaters, libraries and community social centers.
Car wash (large).
Freight or trucking yard or terminal.

Heli pad commercial.

Propane storage tanks.

Repairing, renovating, painting and cleaning of goods, merchandise and equipment.

Retail and/or wholesale sale and/or rental of goods, merchandise and equipment, which may include storage and display outside an enclosed building.

B. Conditional Uses: The following uses are subject to the conditional use approval process outlined in chapter 15 of this title.

Accessory uses and buildings, customarily incidental and subordinate to an approved conditional use.

ATV's/UTV's rentals.

Dams and Reservoirs.

Hospital.

Hotel or motel.

Motor vehicle, trailer, camper and recreational vehicle sales agency.

Recreational Vehicle Parks.

Storage units.

Solar Power panels producing over 25 KW.

Substation.

C. Any combination of the above uses which meets all other provisions of this title.

D. Other: Any use not named which may be considered harmonious with the zone and current allowed uses can be considered for proposed inclusion into the chapter by the Kane County Planning Commission in a public hearing and approval of the County Commission. (Ord. O-2022-42, 7-26-2022)

- All surrounding parcels are zoned AG, C-2 and R-1/2.
- These parcels will gain access from Highway 9.
- All property owners within 500 ft. of this lot have been mailed a public notice and a sign has been posted near the parcel.
- **(C-2) 9-7C-1: PURPOSE:** The purpose of the commercial 2 zone is to provide for heavy commercial areas not appropriate near or in Residential Zones to meet larger commercial uses. (Ord. O-2022-42, 7-26-2022)
- **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 assure 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, Industrial and Commercial Land Use:** Industrial and commercial land uses are usually located at major highway intersections and near established communities. Much of the existing commercial and industrial activity has been annexed into adjacent communities.

6. Public Meeting – Subdivision Final Plat: Roth

An application for a subdivision final plat for the Chillville Subdivision, creating 2 lots, parcel 3-6-36-1B, located east of Kanab and west of the Dark Sky RV Park. Submitted by

Britt Roth, property owner; Mike Stewart, Red Sands Geomatics; and Bart Battista, Cliffside Engineering.

Shannon explained that Mike Stewart is a surveyor on this project and Bart Battista is the engineer. Bart Battista stated that he is working to adjust the utility plan that will show the proposed power and water lines.

Shannon is recommending conditional approval.

MOTION: Gwen Brown made a motion to **recommend conditional approval** to the Kane County Commissioners, the Final Plat for the two-lot Chillville Subdivision, on behalf of Britt Roth. Seconded by Mason Haycock.

VOTE: The vote was unanimous to **recommend conditional approval**.

FINDINGS: The Chillville Subdivision, application and final plat complies with Utah State Code unannotated §17-27a-601, 603, 604, 604.5, 606, 607 and 608. The Chillville Subdivision final plat complies with Kane County Land Use Ordinance, Title 9, Chapter 21E-I, Subdivision Regulations. All requirements for rights-of-way and easements conform to the standards in the Kane County Land Use Ordinance requirements and the Kane County Standards Specifications and Drawing Details for Design and Construction, which requires 50-foot rights-of-way. The **private** drive will be a flag lot and will be accessed off of Mountain View Drive a county road. All notices are in conformance to the standards and notice requirements of 17-27a-201 & 202. A notice for the public meeting was posted in two public places; and on the Utah State and Kane County websites as a public meeting.

7. Public Meeting: Amended Plat: Best Friends

An updated plat submitted to correct technical issues in the Best Friends Animal Society Planned Unit Development Amended and Extended plat that was previously approved on March 22, 2022. The Recorder's office failed the initial recording and has requested adjustments to the roads to align with the 911 grid. Submitted by Tom Avant, Iron Rock Group, holding power of attorney.

Chris Heaton, Iron Rock Group, explained that this is round three on this plat. This is a cleanup project on the Best Friends plat. Some of the private loop roads have two different names on them. The recorder asked for clarification as to where one road stops and another one starts for the 911 grid. Chris and Bart Battista have worked with the Recorder's office and GIS to make sure things are good. Nothing else has changed.

Shannon is waiting for a final review from Civil Science. The engineer will make any corrections needed after that review. She recommends approval.

MOTION: Mason Haycock made a motion to **recommend approval** of the Best Friends Animal Society Planned Unit Development Amended and Extended Plat, containing 2,208.44 acres, to the County Commissioners. Approval is contingent upon the GIS, Recorders and

engineers review and approval of the revised plat, based on the findings outlined in the staff report. Seconded by Gwen Brown.

VOTE: The vote was **unanimous to recommend approval.**

FINDINGS: The amended and extended PUD/subdivision plat conforms to the requirements set forth in the **Kane County Land Use Ordinance** (Sections 9-21D-2 and 9-21D-3) and **Utah Code** (Sections §17-27a-201, §17-27a-202, §17-27a-206, §17-27a-208, §17-27a-608, and §17-27a-609). All application requirements have been met, and the project has been posted in two public places and on the Kane County and State websites, in accordance with legal posting requirements. The purpose of a Planned Unit Development, as outlined in **Section 9-20-1** of the Kane County Land Use Ordinance, is to encourage efficient use of land and resources, preserve open space, promote alternative transportation, and support innovative planning. The PUD overlay allows for variations in lot configurations to minimize disturbance of sensitive lands, enhance land use compatibility, and encourage creative site planning.

Chairman Reese noted that items 8 through 17 are all lot joiners. We will have one public hearing to include all lot joiners. The chairman asked the public to come to the mic and state their name and which agenda item they wish to speak to.

Chairman Reese called the commission into public hearing.

(No Comments)

Chairman Reese called the commission out of public hearing.

Shannon stated that all lot joiners have been reviewed and she recommends approval.

8. Public Hearing – Lot Line Adjustment: Faddis/Beechcraft properties LLC
An application to amend a subdivision plat for a lot line adjustment between lots 67 & 69, Ponderosa Villa, Plat C. Submitted by Mike Stewart, Red Sands Geomatics, holding power of attorney.

MOTION: Matt Cox made a motion to **approve** the amended subdivision plat for a Lot Line Adjustment, in the Ponderosa Villa Subdivision, Plat C, lots 67 & 69, based on the findings documented in the staff report. Seconded by Mason Haycock.

VOTE: The vote was **unanimous to approval.**

FINDINGS: Amending (lot line adjustment) the above stated lots conforms to the standards in Kane County Land Use Ordinance 9-21E-9 (A-F) and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609. All requirements have been met. The project has been posted in two public places, and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project.

9. Public Hearing – Lot Joinder: Gibson

An application to amend a subdivision plat for a lot joinder, joining lots 180, 181 & 182, becoming new lot 180 containing 2.01 acres, Swains Creek Pines, Unit 1. Submitted by Mike Stewart, Red Sands Geomatics, holding power of attorney.

MOTION: Matt Cox made a motion to **approve** the amended subdivision plat for a Lot Joinder in the Swains Creek Pines, Amended, Unit 1, lots 180, 181, & 182 becoming new lot 180, based on the findings documented in the staff report. Seconded by Gwen Brown.

VOTE: The vote was **unanimous to approve**.

FINDINGS: Amending (joining) the above-stated lots conforms to the standards in the Kane County Land Use Ordinance 9-21E-9 (A-F) and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609. All requirements have been met. The project has been posted in two public places, and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project. The new lot will retain the R-1/2 zone.

10. Public Hearing – Lot Joinder: Gosser

An application to amend a subdivision plat for a lot joinder, joining lots 14 & 15, becoming new lot 14 containing 0.81 acres, Mirror Lake Subdivision, Plat “B” and vacating (2) 7.5’ public utility easements. Submitted by Tom Avant, Iron Rock Group, holding power of attorney.

MOTION: Matt Cox made a motion to **recommend approval** to the Kane County Commissioners amending a subdivision plat for a lot joinder, combining lots 14 & 15 becoming new lot 14 and vacating two (2) 7.5 ft. public utility easements, in the Mirror Lake Subdivision Plat “B” based on the findings documented in the staff report. Seconded by Gwen Brown.

VOTE: The vote was **unanimous to recommend approve**.

FINDINGS: Amending (joining) lots 14 & 15 and vacating two (2) 7.5-foot public utility easements for the above-stated lots conforms to the standards in Kane County Land Use Ordinance, 9-21E-9, (A-F) and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609 and 609.5. All requirements have been met. The project has been posted in two public places and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project. A sign was posted showing the vacating of two (2) 7.5-foot public utility easements. The new lot will retain the Residential ½ zoning (R-1/2). Combining these lots complies with all state and local ordinances.

11. Public Hearing – Lot Joinder: Masada

An application to amend a subdivision plat for a lot joinder, joining lots 15 & 16, becoming new lot 15 containing 1.74 acres, Little Ponderosa Ranch, Block C. Submitted by Tom Avant, Iron Rock Group, holding power of attorney.

MOTION: Matt Cox made a motion to **approve** the amended subdivision plat for a Lot Joinder, on behalf of Masada Zion, LLC in the Little Ponderosa Ranch Subdivision, Block “C”,

consisting of lots 15 & 16 becoming new lot 15, based on the findings documented in the staff report. Seconded by Mason Haycock.

VOTE: The vote was **unanimous to approve**.

FINDINGS: Amending (joining) the above-stated lots conforms to the standards in the Kane County Land Use Ordinance 9-21E-9 (A-F) and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609. All requirements have been met. The project has been posted in two public places, and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project. The new lot will retain the R-1/2 zone.

12. Public Hearing – Lot Joinder: Morley

An application to amend a subdivision plat for a lot joinder, joining lots 39 & 40, becoming new lot 40 containing 2.84 acres, Little Ponderosa Ranch, Block H. Submitted by Tom Avant, Iron Rock Group, holding power of attorney.

MOTION: Matt Cox made a motion to **approve** the amended subdivision plat for a Lot Joinder, on behalf of Patrick & Dawn Marie Morley, in the Little Ponderosa Ranch Subdivision, Block “H” consisting of amended lots 39 & 40 becoming new lot 40, based on the findings documented in the staff report. Seconded by Doug Heaton.

VOTE: The vote was **unanimous to approve**.

FINDINGS: Amending (joining) the above-stated lots conforms to the standards in the Kane County Land Use Ordinance 9-21E-9 (A-F) and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609. All requirements have been met. The project has been posted in two public places, and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project. The new lot will retain the R-1/2 zone.

13. Public Hearing – Lot Joinder: Granda/Fernandez

An application to amend a subdivision plat for a lot joinder, joining lots 20 & 22, becoming new lot 20 containing 2.09 acres, Little Ponderosa Ranch, Block F. Submitted by Tom Avant, Iron Rock Group, holding power of attorney.

MOTION: Matt Cox made a motion to **approve** the amended subdivision plat for a Lot Joinder, on behalf of Mathew S. Granda and Tricia Fernandez, in the Little Ponderosa Ranch Subdivision, Block “F” consisting of amended lots 20 & 22 becoming new lot 20, based on the findings documented in the staff report. Seconded by Gwen Brown.

VOTE: The vote was **unanimous to approve**.

FINDINGS: Amending (joining) the above-stated lots conforms to the standards in the Kane County Land Use Ordinance 9-21E-9 (A-F) and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609. All requirements have been met. The project has been posted in two public places, and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project. The new lot will retain the R-1/2 zone.

14. Public Hearing – Lot Joinder: Capital T

An application to amend a subdivision plat for a lot joinder, joining lots 30 & 31, becoming new lot 30 containing 2.36 acres, Little Ponderosa Ranch, Block D. Submitted by Tom Avant, Iron Rock Group, holding power of attorney.

MOTION: Matt Cox made a motion to **approve** the amended subdivision plat for a Lot Joinder, on behalf of Capital T. Investments LLC, in the Little Ponderosa Ranch Subdivision, Block “D” consisting of amended lots 30 & 31 becoming new lot 30, based on the findings documented in the staff report. Seconded by Mason Haycock.

VOTE: The vote was **unanimous to approve**.

FINDINGS: Amending (joining) the above-stated lots conforms to the standards in the Kane County Land Use Ordinance 9-21E-9 (A-F) and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609. All requirements have been met. The project has been posted in two public places, and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project. The new lot will retain the R-1/2 zone.

15. Public Hearing – Lot Joinder: Urbank

An application to amend a subdivision plat for a lot joinder, joining lots 55 & 56, becoming new lot 55 containing 2.64 acres, Little Ponderosa Ranch, Block D. Submitted by Tom Avant, Iron Rock Group, holding power of attorney.

MOTION: Matt Cox made a motion to **approve** the amended subdivision plat for a Lot Joinder, on behalf of Randy and Sharon Urbank, in the Little Ponderosa Ranch Subdivision, Block “D”, consisting of amended lots 55 & 56 becoming new lot 55, based on the findings documented in the staff report. Seconded by Doug Heaton.

VOTE: The vote was **unanimous to approve**.

FINDINGS: Amending (joining) the above-stated lots conforms to the standards in the Kane County Land Use Ordinance 9-21E-9 (A-F) and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609. All requirements have been met. The project has been posted in two public places, and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project. The new lot will retain the R-1/2 zone.

16. Public Hearing – Lot Joinder: Frame

An application to amend a subdivision plat for a lot joinder, joining lots 17 & 19, becoming new lot 17 containing 1.81 acres, Ponderosa Ranch Estates, Plat A. Submitted by Brent Carter, New Horizon Engineering, holding power of attorney.

MOTION: Matt Cox made a motion to **approve** the amended subdivision plat for a Lot Joinder in the Ponderosa Ranch Estates Subdivision, Plat “A”, consisting of amended lots 17 & 19 becoming new lot 17, based on the findings documented in the staff report. Seconded by Gwen Brown.

VOTE: The vote was **unanimous to approve**.

FINDINGS: Amending (joining) the above-stated lots conforms to the standards in the Kane County Land Use Ordinance 9-21E-9 (A-F) and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609. All requirements have been met. The project has been posted in two public places, and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project. The new lot will retain the R-1/2 zone.

17. Discussion – Lot Joinder: Kampshoff

An application to amend a subdivision plat for a lot joinder, joining lots 488 & 489, becoming new lot 488 containing 1.37 acres, Swains Creek Pines, Unit 3. Submitted by Brent Carter, New Horizon Engineering, holding power of attorney.

MOTION: Matt Cox made a motion to **approve** the amended subdivision plat for a Lot Joinder in the Swains Creek Pines Subdivision, Unit 3, consisting of amended lots 488 & 489 becoming new lot 488, based on the findings documented in the staff report. Seconded by Mason Haycock.

VOTE: The vote was **unanimous to approve**.

FINDINGS: Amending (joining) the above-stated lots conforms to the standards in the Kane County Land Use Ordinance 9-21E-9 (A-F) and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609. All requirements have been met. The project has been posted in two public places, and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project. The new lot will retain the R-1/2 zone.

Shannon thanked Gwen Brown for her time on the Planning Commission.

Matt Cox made a motion to adjourn. Mason Haycock seconded the motion.
Meeting was adjourned at 6:33 pm.

Land Use Authority Chair
John Reese

Assistant Planning & Zoning Administrator
Wendy Allan

Public Hearing

5. Zone Change/Ordinance 2025-01: Ence/LWS Building LLC

An application for a zone change from Commercial 1 (C-1) to Commercial 2 (C-2), lot I-54 containing 0.85 acres, located on Movie Ranch Road in the Movie Ranch Subdivision, Duck Creek Village, Utah. Submitted by Rod Ence.



KANE COUNTY LAND USE AUTHORITY

Shannon McBride
LAND USE AUTHORITY
ADMINISTRATOR

Staff Report

DATE: January 9, 2025

To: Planning Commission
From: Shannon McBride, Land Use Administrator
Subject: Project #25001: Zone Change Application, C-1 to C-2, Ordinance O-2025-1
Lot I-54 (0.85 acres)

PUBLIC HEARING NOTIFICATION

The zone change request for Lot I-54 was publicly noticed as follows:

- Mailed to property owners within 500 feet of the subject area.
 - Posted on public websites and in two public locations.
 - A notification sign was placed near the lot.
-

REQUEST

On January 8, 2025, Rod Ence/LWS Building submitted a zone change application for Lot I-54 in the Movie Ranch Subdivision. The applicant seeks to rezone the lot, which consists of 0.85 acres and is located off Movie Ranch Road, from C-1 (Commercial 1 Zone) to C-2 (Commercial 2 Zone). Lot I-54 is currently zoned C-1.

Legal Description:

ALL OF NEW LOT 54 AMENDED AND EXTENDED PLAT OF LOTS 54 & 55 MOVIE RANCH SUBDIVISION UNIT A - AMENDED AND EXTENDED.

FACTS & FINDINGS

Lot Characteristics

- The lot meets the minimum acreage required to qualify for C-2 zoning.
- Surrounding lots are zoned AG, C-1, and C-2.

- Access to the lot is available from Highway 14 and Movie Ranch Road.

General Plan Compatibility

The Kane County General Plan supports the designation of industrial and commercial zones near highway intersections and established communities. It emphasizes property owners' rights while considering the broader impact on neighboring parcels and maintaining land-use balance.

Zoning Ordinance Purpose

The purpose of the C-2 zone is to provide areas for heavy commercial activities inappropriate for residential zones, supporting larger-scale commercial developments.

Zoning Regulations for C-2 Zone

Permitted Uses include (but are not limited to):

- Any permitted use listed in the L-C and C-1 zones.
- Auditoriums, theaters, libraries, community centers, and conference rooms.
- Large car washes.
- Retail and/or wholesale sale of goods and equipment, including outdoor display and storage.
- Freight or trucking yards, heli-pads, propane storage tanks, and repair services.

Conditional Uses include (but are not limited to):

- Recreational vehicle parks, hospitals, hotels, and motor vehicle dealerships.
- Substations, dams, and solar power facilities producing over 25 KW.

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 industrial and commercial land use.
2. The applicant's property rights and the potential impact on neighboring properties.
3. Compatibility with surrounding zoning designations.
4. Adherence to the purpose and allowed uses of the C-2 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, C-2 zoning regulations will apply as outlined in the Kane County Land Use Ordinance.

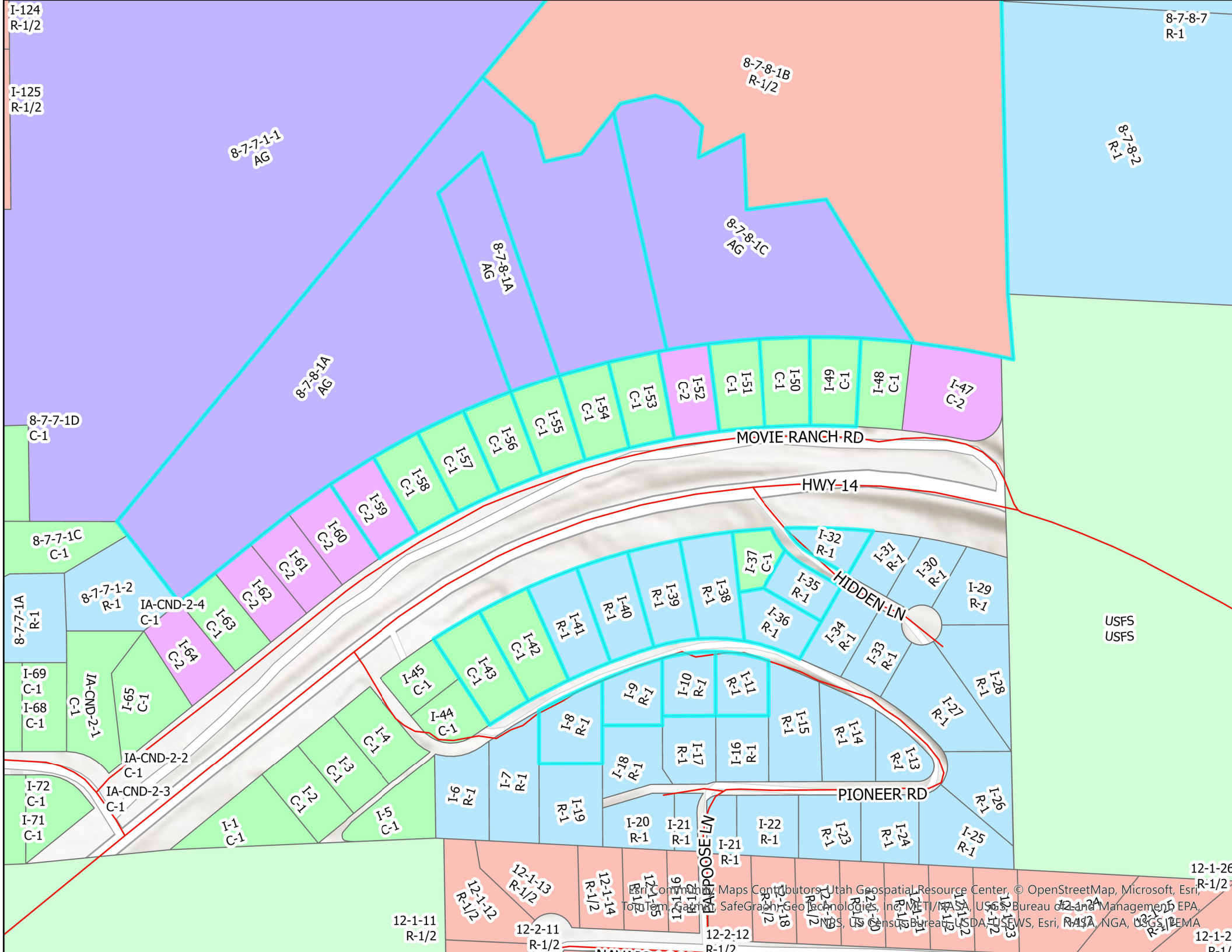
LEGAL CONTEXT

Zoning ordinances restrict a property owner's common-law rights to use their property and should be interpreted narrowly against restriction and favorably toward permitted uses. This is consistent with *Patterson v. Utah County Bd. of Adjustment*, 893 P.2d 602 (UT App 1995).

MOTION: I move to recommend denying/approving the zone change from C-1 to C-2 for lot I-54 & Ordinance O-2025-1 to the County Commission based on the facts and findings as documented in the staff report.







I-124
R-1/2

8-7-8-7
R-1

I-125
R-1/2

8-7-8-2
R-1

8-7-7-1-1
AG

8-7-8-1B
R-1/2

8-7-8-1A
AG

8-7-8-1C
AG

8-7-8-1A
AG

8-7-7-1D
C-1

MOVIE RANCH RD

HWY-14

8-7-7-1C
C-1

8-7-7-1-2
R-1

IA-CND-2-4
C-1

8-7-7-1A
R-1

I-69
C-1
I-68
C-1

IA-CND-2-1
C-1

IA-CND-2-2
C-1

IA-CND-2-3
C-1

I-72
C-1
I-71
C-1

I-1
C-1

I-2
C-1

I-3
C-1

I-4
C-1

I-5
C-1

I-6
C-1

I-7
C-1

I-8
C-1

I-9
C-1

I-10
C-1

I-11
C-1

I-12
C-1

I-13
C-1

I-14
C-1

I-15
C-1

I-16
C-1

I-17
C-1

I-18
C-1

I-19
C-1

I-20
C-1

I-21
C-1

12-1-11
R-1/2

12-2-11
R-1/2

12-2-12
R-1/2

12-1-26
R-1/2

12-1-2A
R-1/2

12-1-2
R-1/2

Esri, Contributor, Maps Contributors, Utah Geospatial Resource Center, © OpenStreetMap, Microsoft, Esri, Esri, Contributor, SafeGraph, GeoTechnologies, Inc, MTI/USA, USGS, Bureau of Land Management, EPA, NOAA, US Census Bureau, USDA, USFS, Esri, NOAA, USGS, FEMA

KANE COUNTY ORDINANCE NO. O 2025-1

**AN ORDINANCE AMENDING THE ZONING OF LOT I-54
FROM COMMERCIAL 1 TO COMMERCIAL 2**

WHEREAS, the Kane County Board of Commissioners finds that said zone change is in accordance with the Kane County Land Use Ordinance 9-7C-1: **PURPOSE:** The purpose of the Commercial 2 zone is to provide for heavy commercial areas not appropriate near or in Residential Zones to meet larger commercial uses. (Ord. O-2022-42, 7-26-2022)

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

WHEREAS, the statutory authority for enacting this ordinance is Utah State Code Sections 27-27a-201- 205, 17-27a-308, and 17-27a-505;

WHEREAS, the Kane County Planning Commission and Kane County Board of Commissioners desire to make the recommended zone change to lot I-54 from C-1 to C-2;

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

Lot I-54: Legal Description: ALL OF NEW LOT 54 AMENDED AND EXTENDED PLAT OF LOTS 54 & 55 MOVIE RANCH SUBDIVISION UNIT A -AMENDED AND EXTENDED.

Is hereby rezoned from C-1 to C-2 and shall from here forth be zoned.

---- END OF ORDINANCE ----

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

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

ADOPTED this ____ day of _____, 2025.

ATTEST:

Celeste Meyeres Chair
Board of Commissioners
Kane County

Chameill Lamb
Kane County Clerk

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

Public Hearing

6. Ordinance 2025-02: Kane County Land Use Ordinance Chapter 6

An ordinance revising Kane County Land Use Ordinance Chapter 6 Residential Zones, clarifying that helipads and the landing of helicopters are not allowed in residential zones.

KANE COUNTY ORDINANCE NO. O 2025-2

**AN ORDINANCE AMENDING TITLE 9 CHAPTER 6 RESIDENTIAL ZONES IN THE
KANE COUNTY LAND USE ORDINANCE**

WHEREAS, the Kane County Planning Commission and Kane County Board of Commissioners desire to make recommended changes to Chapter 6, Residential Zones (R-1/2, R-1, R-2 and R-5) Article A, Section 6. Modifying Regulations and the Uses Table of the Kane County Land Use Ordinance; and

WHEREAS, the purpose of amending the above chapters is to add clarification that helipads are not allowed and the landing of helicopters in the R-1/2, R-1, R-2, and R-5 zones in Kane County to be consistent with the intent of residential zones, and;

WHEREAS, the Kane County Planning Commission, after a duly noticed public hearing, recommended for approval the amendment as stated above of the Kane County Land Use Ordinance; and

WHEREAS, the Kane County Board of Commissioners desires to implement the recommended amendment; and

WHEREAS, the authority for this ordinance is found in Utah Code §17-27a-102, 201, and §17-53-501;

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

Chapter 6 of the Kane County Land Use Ordinance is amended as set forth below. Additions to the Ordinance are indicated with an underline, and deletions from the ordinance are indicated with a strike-through. Instructions to the codifiers are italicized and inside parenthesis.

//

9-6A-6: USES TABLE:

Use	R- ¹ / ₂	R-1	R-2	R-5			
Use			R- ¹ / ₂	R-1	R-2	R-5	
Accessory buildings and uses customarily incidental to conditional uses			C	C	C	C	
Accessory buildings and uses customarily incidental to permitted uses			P	P	P	P	
Accredited private educational institution having a curriculum similar to that ordinarily given in public schools			C	C	C	C	
Animal shelter, commercial			-	-	C	C	

Animal shelter, private	P	P	P	P
Apartments	-	-	-	-
Assisted living buildings	C	P	P	P
Barndominium	-	P	P	P
Bed and breakfast	-	-	C	C
Building with a height greater than 35 feet	C	C	C	C
Campground/glamp-ground	-	-	-	-
Cemetery private	C	C	C	C
Child daycare or nursery	C	C	C	C
Church	C	C	C	C
Commercial construction, storage yard	-	-	-	C
Condos	-	-	-	-
Construction equipment and supply trailer, temporary	C	C	C	C
Construction field office, temporary	C	C	C	C
Duplex (one per lot or parcel)	-	C	P	P
Electrical power substation or overhead lines with base structure greater than 70 feet in height	C	C	C	C
Group home ¹	P	P	P	P
Guest home	-	P	P	P
Helipad or the landing of helicopters	-	-	-	-
Home occupation	P	P	P	P
Internal Accessory Dwelling Unit (IADU)	P	P	P	P
Kennel and/or catteries (private)	P	P	P	P

//

End of Ordinance

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

The County Clerk is directed to publish a short summary of this Ordinance with the names of the members voting for and against it, together with a statement that a complete copy of the ordinance

is available at the Office of the County Clerk, for at least one publication in a newspaper of general circulation in the county, or as otherwise permitted and required by Utah State Law.

ADOPTED this ____ day of February 2025.

ATTEST:

Chameill Lamb
Kane County Clerk

Celeste Meyeres Chair
Board of Commissioners
Kane County

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

Public Hearing

7. Ordinance 2025-03: Kane County Land Use Ordinance Chapter 21

An ordinance revising Kane County Land Use Ordinance Chapter 21 Subdivisions, correcting inconsistencies and changing the name of the Kane County Standard Specifications and Drawing Details for Design and Construction to the Kane County Construction Design Standards.

KANE COUNTY ORDINANCE NO. O 2025-3

**AN ORDINANCE REVISING KANE COUNTY LAND USE ORDINANCE
CHAPTER 21 SUBDIVISION TO CORRECT A FEW INCONSISTENCIES WITH
COMPLIANCE AND THE NAME KANE COUNTY DESIGN STANDARDS WITH
UTAH CODE 17-27A-604.1 ET. SEQ.**

WHEREAS the Kane County Planning Commission recommended changes to Kane County Land Use Ordinance Chapter 21, Subdivision Regulations in order to become compliant with S.B. 174 (2023) as set forth mostly in Utah Code 17-27a-604.1; and

WHEREAS, the Kane County Planning Commission, after a duly noticed public hearing, recommended for the approval the amendments; and

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

WHEREAS, the Kane County Commission desires to clarify definitions and procedures as found in Chapter 21; and

WHEREAS, the authority for this ordinance is found in Utah Code §17-27a-101 et. al., and §17-53-201;

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

Section 1. Ordinance Amendment.

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

//

9-21A-2: SCOPE:

B. No lot within a subdivision created and recorded prior to November 16, 1982, or approved by the Kane County land use authority and the Kane County commission and recorded in the office of the Kane County recorder under the provisions of this chapter, shall be further divided, rearranged or reduced in area, except as provided in this chapter. The boundaries of any lot shall not be altered in any manner, so as to create

more lots than initially recorded, or any nonconforming lot, without first obtaining the approval of the administrative land use authority ~~and the Kane County commission~~ as provided in this chapter.

//

//

9-21A-4: EXCEPTIONS:

Where unusual topographic or other exceptional conditions exist, the Kane County ~~commission~~ Administrative land use authority may allow an applicant to vary from the requirements of this chapter ~~after receiving the recommendation of the land use authority~~, provided that such variances shall not substantially impair the intent of this chapter. (Ord. 2013-10, 11-4-2013, eff. 11-19-2013)

//

//

9-21A-5: DEFINITIONS:

~~Construction Design Standards or Construction Design Standards:~~ The regulations, guidelines and standards that apply to the construction and maintenance of subdivision improvements including but not limited to roads, utility infrastructure, and other improvements.

//

//

9-21B-1: SUBDIVISION CREATION:

A. No subdivision shall be created and no lot or parcel shall be subdivided without:

1. Submitting an application to the Administrative Land Use Authority for the subdivision, and

//

9-21B-3: INFRASTRUCTURE INSPECTIONS:

A. Preconstruction Conference: Prior to starting any infrastructure construction, a preconstruction conference will be held. Attendees shall be: owner/developer, design engineer, utility companies, underground utility subcontractors, earthwork subcontractor, paving contractor, County Engineer and other appropriate parties. Items to be discussed shall include: schedule, inspection procedure, reports, compliance with "Kane County Standard Specifications and Drawing Details for Design and Construction Construction Design Standards".

~~Items to be discussed shall include: schedule, inspection procedure, reports, compliance with "Kane County Standard Specifications and Drawing Details for Design and Construction".~~

//

//

9-21E-8: FINAL PLAT DISTRIBUTION:

- A. Mylar: Kane County recorder.
- ~~B. One signed copy: Land use authority administrator.~~
- ~~C. One signed copy: Kane County engineer.~~
- ~~D. One signed copy: Kane County building department.~~
- ~~E. One signed copy: Developer/subdivider. (Ord. 2013-10, 11-4-2013, eff. 11-19-2013)~~

//

//

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

- A. General Requirements:
 - 1. A subdivision plat or planned unit development plat may be amended or vacated by complying with the requirements of this section and Utah Code 17-27a-608 and 609.
 - 2. A complete application shall be submitted by the property or person having power of attorney to act in behalf of the owner.
 - 3. If the application for an amended plat includes a request to further subdivide or to create any additional lots, the application may only be approved if:
 - a. Eighty percent (80%) of the owners, or persons having legal authority to act on behalf of the owner, for any portion of property contained in the plat consents to the proposed amendment; and
 - b. The administrative land use authority makes a finding of good cause for the amendment.
 - c. If the amended plat is a lot joinder/simple boundary adjustment it shall remain one lot once joined together.

- B. Submission Items:
 - 1. Application and fees;
 - 2. Notarized affidavit that applicant is owner or authorized by the owner to make application for proposed plat amendment or abandonment;
 - 3. Provide names and addresses of all property owners within 500-300 feet of the affected property;
 - ~~4. Three (3) copies of plat map;~~

4. One copy of the plat and electronic submission of plat map:

//

9-21E-10: FINAL PLAT APPROVAL PROCEDURE:

~~A. The following image details the process and procedure for obtaining approval of a final plat with the following corrections:~~

~~— 1. Any reference to the Land Use Authority will mean the Administrative Land Use Authority.~~

~~— 2. The two boxes that refer to the County Commission should be disregarded as the Administrative Land Use Authority has the final discretion to approve a final plat application.~~

Delete Flow chart

1. Submit water system designs for approval to the Southwest Utah Public Health Department and the Utah Department of Environmental Quality.

2. Obtain approval from both departments as stated above.

3. Submit sewer treatment construction drawings and design calculations to Utah Department of Environmental Quality (if applicable).

4. Obtain Plan approval.

5. Finalize body politic approval for water, sewer, septic systems.

6. Submit Construction Design Drawings.

7. Finalize any conditions on the Preliminary Plat

8. Final Development Agreement.

9. Submit letter of credit/bond/financial assurance.

10. Review by Administrative Land Use Authority and County Engineer.

11. Schedule meeting with the Administrative Land Use Authority and County Engineer.

12. Obtain signature for final plat.

13. Allowed to close on reserve lots and sale of all lots.

14. Certificate of approval of construction of infrastructure improvements

15. Release of financial security. Retain 10% for one year.

16. Issue of Building Permits.

//

9-21F-1: DEDICATION OF IMPROVEMENTS AND COUNTY OWNERSHIP OF SUBDIVISION ROADS:

C. The subdivider shall notify the administrative land use authority County in writing once all improvements are completed, at which time the Kane County Engineer will perform a final improvement inspection. Any dedicated improvements shall be deemed an offer by the subdivider which shall be irrevocable until one year after all of the improvements are completed. After one year, a final inspection will take place before officially accepting any preliminarily accepted improvements, and before releasing any bonds from any improvements. The County Commission may, at its option, accept the offer of dedication only if it finds that the subdivider has constructed, installed and maintained the public improvements required by this chapter and that the improvements comply with the minimum standards and requirements of this chapter and the "~~Kane County Standard Specifications and Drawing Details for Design and Construction~~" "The Kane County Construction Design Standards" at the time of acceptance. (Ord. 2013-10, 11-4-2013, eff. 11-19-2013; amd. Ord. O-2022-15, 3-22-2022)

//

9-21F-2: TIMELINESS FOR ACTING ON ACCEPTANCE:

Unless the Kane County Land Use Authority Administrator extends the time for making a decision as to whether or not Kane County will accept dedicated public improvements, the dedication may be acted upon within one year following the completion of the public improvements in accordance with the "~~Kane County Standard Specifications and Drawing Details for Design and Construction~~" Construction Design Standards", but in no event shall such approval occur without the approval of the Kane County Engineer. In the event the Kane County Engineer does not approve the dedicated public improvements, the subdivider shall be so advised in writing and of the reason for the nonapproval. (Ord. 2013-10, 11-4-2013, eff. 11-19-2013)

//

//

9-21F-2: TIMELINESS FOR ACTING ON ACCEPTANCE:

Unless the Kane County Land Use Authority Administrator extends the time for making a decision as to whether or not Kane County will accept dedicated public improvements, the dedication may be acted upon within one year following the completion of the public improvements in accordance with the "Kane County ~~Standard Specifications and Drawing Details for Design and Construction~~ Construction Design Standards", but in no event shall such approval occur without the approval of the Kane County Engineer. In the event the Kane County Engineer does not approve the dedicated public improvements, the subdivider shall be so advised in writing and of the reason for the nonapproval. (Ord. 2013-10, 11-4-2013, eff. 11-19-2013)

//

//

9-21F-7: RIGHT-OF-WAY IMPROVEMENTS FOR COMMERCIAL DEVELOPMENTS:

A commercial development right-of-way will be required to be improved to the Kane County Standards ~~Specifications and Drawing Details for Design and Construction (3.1)~~ Design Standards (A.)(1)(iv.) prior to a building permit being issued to any parcel or development as follows:

//

9-21G-1: GENERAL PROVISIONS:

C. The "Kane County ~~Standard Specifications And Drawing Details For Construction~~ Design Standards ~~And Construction~~". (Ord. 2013-10, 11-4-2013, eff. 11-19-2013)

9-21G-2: LOTS:

J. All residential lots in subdivisions shall front on a public street or on a private street or court approved by the Administrative Kane land use authority ~~and the Kane County commission~~, except as may be approved for planned unit developments or other special dwellings. (Ord. 2013-10, 11-4-2013, eff. 11-19-2013)

//

9-21G-7: EASEMENT STANDARDS:

D. All power lines, telephone lines, and other normally overhead utility lines shall be placed underground by the subdivider unless the Kane County engineer determines it is not feasible to do so. This determination would be based upon application by a subdivider, supported by recommendation of the county engineer, and approved by the Kane County Administrative Land Use Authority ~~and Kane County Commission~~. (Ord. 2013-10, 11-4-2013, eff. 11-19-2013)

//

//

9-21G-10: SANITARY SEWAGE DISPOSAL:

- A. Except as otherwise provided below, the subdivider shall provide, or have provided, an approved piped sanitary sewage system to the property line of every lot in the subdivision. The sewage system shall meet the minimum standards and requirements of the State Department of Environmental Quality. Certification of compliance shall be provided to the Kane County Administrative Land Use Authority by the subdivider.
- B. Where the Kane County General Plan or other plans indicate that construction or extension of sanitary sewers may serve the subdivision area within a reasonable time, the Kane County Administrative Land Use Authority may require the installation and capping of sanitary sewer mains and house connections by the subdivider.

//

//

9-21G-11: WATER SUPPLY:

All culinary water systems and plans, whether public or private, shall conform to County ordinances, including, but not limited to, this chapter and the "Kane County ~~Standard Specifications and Drawing Details for Design and Construction~~ Construction Design Standards", and shall be approved by the appropriate State and Local authorities. (Ord. 2013-10, 11-4-2013, eff. 11-19-2013)

//

9-21H-1: REQUIREMENTS:

Construction standards and building codes, including the "Kane County ~~Standard Specifications And Drawing Details For Design And Construction~~ Construction Design Standards" adopted by Kane County, shall be followed by the subdivider, developer and contractor. (Ord. 2013-10, 11-4-2013, eff. 11-19-2013)

//

9-21M-4: APPROVAL; EFFECT OF APPROVAL:

A. If an applicant meets the requirements of section 9-21M-3 of this article the Administrative Land Use Authority ~~after hearing the application in a public meeting shall recommend approval of the application to the County Commission or~~ shall approve or deny the application.

B. If recommended for approval the ~~application~~ plat shall be recorded ~~forwarded to the County Commission for final approval.~~

~~C. Upon final approval of the County Commission, the plat shall be signed by the appropriate official of the County Commission and the Land Use Authority.~~

D. A platted unimproved subdivision with a recorded approved plat shall be considered in compliance with this chapter as of the date of recording.

E. A building permit shall not be denied on the basis that a lot or parcel is part of a platted unimproved subdivision, approved under this article.

F. A lot or parcel approved under this article shall not be restricted from being sold or offered for sale under sections [9-21A-6](#) and [9-21B-4](#) of this chapter. (Ord. 2013-10, 11-4-2013, eff. 11-19-2013; amd. Ord. O-2019-13, 6-11-2019)

//

//

9-21N-3: BONA FIDE AGRICULTURAL DIVISION APPLICATION:

No land shall be divided under the definition set forth in Utah code section 17-27a-103(60)(c)(i) without first submitting an application that complies with this article.

Notwithstanding articles A through J of this chapter, the administrative land use authority may approve an application for a bona fide agricultural division, if the following criteria and requirements are met: (Ord. 2013-10, 11-4-2013, eff. 11-19-2013; amd. Ord. O-2015-12, 7-27-2015, eff. 8-11-2015)

B. The administrative land use authority finds that the proposed division is a "bona fide division or partition of agricultural land for agricultural purposes" as defined in section [9-21N-2](#) of this article.

C. The administrative land use authority shall presume that the proposed division is not a bona fide division or partition of agricultural land for agricultural purposes unless the applicant overcomes the presumption by a preponderance of the evidence.

K. The applicant shall submit an agreement of understanding with the Kane County administrative land use authority ~~commission~~ that in unincorporated areas of the county, dedicated roads will not be accepted, improved or maintained by the county, until the subdivision complies with articles A through J of this chapter, specifically including the width of the easement and the condition of the road.

//

Section 2. Severability.

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

Section 3. Effective Date

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

Section 4. Publication and Notice.

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

End of Ordinance.

ADOPTED this 25th day of February 2025.

ATTEST:

CHAMEILL LAMB
Kane County Clerk

Celeste Meyeres, Chair
Board of Commissioners
Kane County

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

Public Hearing

8. Ordinance 2025-04: General Plan Revisions

Revising the Kane County General Plan to include a water conservation element as mandated by Utah Code 17-27a-(401-406).

KANE COUNTY

General Plan



For the Physical Development of the Unincorporated Area Pursuant to
Section 17-27a-403 of Utah State Code

Amended February 2025 *

Should any part of the Kane County General Plan be determined invalid, no longer applicable, or need modification, those changes shall affect only those parts of the Plan that are deleted, invalidated or modified, and shall have no effect on the remainder of the General Plan.

This document was prepared under the guidance and direction of the Kane County Land Use Authority, Planning and Zoning Commission, and the Board of County Commissioners.

Acknowledgments

Every effective planning process includes a multitude of individuals if it is to be successful. This effort is no different. Many individuals have had an impact on the preparation and adoption of this Plan. However, most important are the residents of Kane County, who have responded to surveys, interviews, and attended public meetings and hearings. All who did so should be commended for their desire to be a participant in determining the future of the County. Some specific individuals and groups have had intensive involvement in the Kane County planning process, and are acknowledged below:

Kane County Commission

Celeste Meyeres
Patty Kubeja
Gwen Brown

Kane County Land Use Authority

Shannon McBride, Land Use Administrator
Wendy Allan, Assistant Planning & Zoning Administrator
Charee Shepherd, Zoning Administrator/
Building Inspector

Kane County Public Lands/Government Affairs

Taylor Glover, Director
Morgan Shakespear, Executive Assistant

Kane County Water Conservancy District

Mike Noel, Executive Director
Amanda Buhler, Office Manager

Planning & Zoning Commission

John Reese
Doug Heaton
Jeremy Chamberlain
Matt Cox
Mason Haycock
Julie Cofield
Lara Clayson

Kane County Staff

Chameill Lamb, County Clerk/Auditor
Robert Van Dyke, County Attorney
Ryan Maddux, County Assessor
Janette Peatross, Tourism Director
Bert Harris, Roads Supervisor
Kelly Stowell, Economic Development

Table of Contents

Preamble

Vision Statement

Chapter One: Land Use

Chapter Two: Transportation & Circulation

Chapter Three: Environment

Chapter Four: Public Service & Facilities

Chapter Five: Rehabilitation & Conservation

Chapter Six: Economic Development

Chapter Seven: Affordable Housing

Chapter Eight: Water Use and Preservation

Appendix One: U.S.C. § 17-27a-403

Appendix Two: Kane County Water Conservancy District Water Conservation Plan Update 2023

Appendix Three: Kane County General Plan Maps:

Map One—SITLA

Zoning Map

Roads

Flood Plain

Land Status

Cannabis/Hemp

Preamble

In order to provide for the health, safety, and general welfare of both residents and visitors of Kane County, the Kane County Board of Commissioners hereby adopts the following General

Plan. [The Plan](#) outlines goals and policies for unincorporated land use, transportation and access management, conservation of natural resources, protection against natural and human-caused hazards, provision of public services, preservation of historic resources, development of the economic base, accommodation of affordable housing, and collaboration with federal and state land management agencies.

Commented [MS1]: Added this to break up the long sentence.

Vision Statement

Kane County, Utah is a land of breathtaking contrasts. Spanning 3,992 square miles of land and 138 sq. miles of water¹ extending from the sandstone deserts of Glen Canyon and Lake Powell to the 10,000-foot-high alpine meadows of the Paunsaugunt Plateau. Lack of precipitation and difficulty of access has resulted in a land use pattern, which is dominated by public lands surrounding a small base of private lands located primarily along perennial watercourses.

The Kane County Commission is dedicated to aligning the scope of county governance with our nation's founding principles. This includes providing adequate protection without unduly restricting the liberties of residents and visitors. It is the responsibility of the Kane County Commission to facilitate a land use pattern, which honors the rights of private unincorporated landowners to make reasonable use of their lands within the constraints presented by the land itself, as well as traditional uses, customs, culture, and available public services. Responsibility for private land use decisions properly rests with those landowners who make them. Kane County will not unduly regulate private land use nor will public funds be used to bail out those who make unwise land use decisions.

Kane County's private land base is approximately 10 percent² of the 4,100 combined square miles found inside its boundaries. Owners of this limited private land base will be provided with a wide array of opportunities to use their property without undue constraints employing the guise of concepts such as *sustainable development*. County land use legislation will protect people from each other and refrain from trying to protect people from themselves; and only protect the government from private interests where absolutely necessary. Zoning districts have been established to provide fundamental fairness in land use regulation and to protect property values, not the interests of those who intrude on the zone. Zone changes will be made only after those interests for which the zone was created have expired or there is no interest left to protect.

¹ Total 4,110 sq. mi. Utah Geological and Mineral Survey, "The Geology of Kane County", H. Doelling, F. Davis, C. Brandt, 1989, Division of Utah Dept. of Natural Resources, Bulletin 124, pgs. 1,7. And, Bureau of Economic and Business Research, "An Analysis of Long-Term Economic Growth in Southwestern Utah: Past and Future Conditions" University of Utah.

² Utah Association of Counties, "2015 Utah Counties Fact Book", <uacnet.org/members/uac research>, (Their data from SITLA statewide GIS mapping).

The limited base of private property will not be condemned for public use unless absolutely necessary. When it is necessary, the owner will be compensated at or above market value. All wealth and resources used by society are generated in the private sector. Private sector solutions are consistently more efficient than public sector solutions.

Kane County places a high value on the preservation of private property rights and will maintain a land use environment that allows individuals and businesses to succeed. Private sector enterprises will not be subsidized with county funds. For governments to do so interrupts the delicate balance of supply and demand. If the free-market system will not support an enterprise, there is either too much of that enterprise or it is not a need. Kane County will not compete with private enterprise. Kane County will employ private resources rather than compete with them. Over regulation is highly discouraging to the private sector. Kane County will regulate only as is necessary to protect the general population from real hazards.

A basic premise of this General Plan (hereinafter, "Plan") is that land uses in unincorporated areas cannot be supported by county operated and financed municipal-scale services. Tax impacts will be kept low by resisting the temptation to solve private problems with public funds. County funds will be expended to maintain a limited base of county approved and accepted infrastructure (primarily roads), and will not be used to improve infrastructure.

Federal land managers have recognized that to be most effective, they must coordinate with state and local governments as equal partners in the public lands planning process. Congressional policy requires that federal planners coordinate with state and local governments,³ and that federal plans be consistent with adjacent jurisdictions within the constraints of federal law.

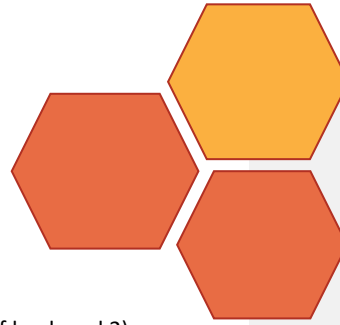
The Kane County Commission is a proactive equal partner in all public lands planning processes, which impact the county land base. Kane County requires coordination in all efforts pertaining to federal and state lands. Kane County will resist by all legal means the encroachment of federal planning and implementation, which interrupts our citizens' access to state and federally managed lands. Creating barriers to access is contrary to sound management practices and to Kane County's vision for these lands. Federal lands will be managed for multiple-use access. Placing public lands into a vacuum where they cannot be utilized and enjoyed is contrary to wise management practices which should employ natural resources for the public social and economic benefit.

In summary, Kane County's General Plan is rooted in respect for private property rights, limited and efficient governance, and coordination of land management practices. By balancing

³ Federal Land Policy & Management Act (FLPMA), See 43 U.S.C. §1711.

economic opportunity, environmental stewardship, and community values, Kane County ensures a thriving and harmonious future for its residents, businesses, and visitors.

DRAFT



Kane County's policy on land use addresses: 1) the general distribution of land; and 2) standards of population density and building intensity of land uses as deemed appropriate.

Commented [MS2]: Wording changed from 2018 plan. Needs to be double checked.

Introduction

Kane County, Utah encompasses approximately 2.6 million acres (2,630,400 acres)⁴ of some of the most remote and rugged land in the continental United States. Much of the county was among the last lands systematically explored and surveyed by the federal government. The county is a land of extremes in elevation, vegetation, precipitation and landscapes.

Climate, elevation, and the presence of adequate water have determined the present-day land ownership and use patterns of Kane County. Most of the land base (85.5 percent)⁵ is managed by federal agencies: Bureau of Land Management, National Park Service and U.S. Forest Service. This encompasses the Grand Staircase-Escalante National Monument, Zion National Park, Dixie National Forest, Glen Canyon National Recreation Area, BLM-Kanab Field Office, and Bryce Canyon National Park. The State of Utah manages Coral Pink Sand Dunes State Park and Kodachrome State Park, along with a small state wildlife preserve. The privately owned land base is located along perennial water courses and at the base of high elevation forests where precipitation allows enough vegetation growth to support raising livestock, yet not isolated by heavy snowpack.

An additional 4.2 percent⁶ of the land base is controlled by the (Utah) State Institutional and Trust Lands Administration (SITLA). These *surface and mineral* lands were granted to Utah at the time of statehood (1894) for the purpose of generating revenue for schools and other public institutions. The state received four sections in each township, which created a checkerboard scattered throughout the county. These lands are reserved for generating the maximum amount of revenue possible for the purposes of the trust. They are not a public lands base reserved for general public interests such as recreation or wildlife habitat. They must be considered part of the developable land base of the county, with more similarity to private lands than public lands. SITLA delineates between surface and mineral ownership of its trust lands because a portion of the acreage lies beneath privately owned and leased land. SITLA's surface land amounts to 99,605 acres, but the state trust owns partial or all the mineral rights on a total of 143,527 acres in Kane

⁴ <extension.usu.edu/files/publications/publication/AG_Econ_county-2005-2016.pdf>

⁵ Utah Association of Counties, "2015 Utah Counties Fact Book", <uacnet.org/members/uac_research>, (Their data from SITLA statewide GIS mapping).

⁶ <trustlands.utah.gov/download/financial/TrustAcreage_County_02212014.pdf> AND "Utah Land Status and Areas of Responsibility", June 2015, <trustlands.utah.gov/resources/maps/gis-data-and-maps/surface-and-mineral-maps>

County. (See enlarged map).⁷

Agricultural Land Use

****While agriculture has been an important base of economic activity in Kane County, the total amount of land devoted to agricultural pursuits is minor. Use of federal and state lands in Kane County is essential to protecting and preserving the economic and cultural aspects of the agricultural industry. According to the 2022 Census of Agriculture, Kane County listed 189 farms with a total of 125,662 acres. Although farms and acreage increased since the 2007 Census of Agriculture (145 farms and 113,417 acres, respectively)⁸, the numbers still indicate a 40% reduction of total farmland since the 1992 Census. In 1992, the average farm was 1,500 acres, whereas the 2012 Census indicates the average is 685 acres.**

Commented [MS3]: Shannon notes added strikethrough and "updated #5"

Of the 125,662 acres, 4,641 acres is cropland (a 49% drop from 2007), and approximately 6,436 acres are irrigated (an 8% drop). Most of the irrigated cropland is devoted to hay production, which is an increase of 61% (from 1,658 to 2,673 acres). The 2012 Census of Agriculture illustrates that land in orchards decreased again from 12 farms to seven (7). That represents an 83% drop from orchards listed in the 1992 Census of Agriculture.

Commented [MS4]: Shannon notes, "update"

Commented [MS5]: This 7 was changed from 10. The ending sentence may need to be updated.

The majority of BLM and National Forest land has been included in livestock grazing allotments. According to the 2022 Census of Agriculture, Kane County listed 107 cattle/calf operations running 8,998 head of cattle.⁹ This represents an increase of 21% in total head of cattle and a 27% increase in cattle/calf operations since the previous census. However, ranchers are still running 14% less (heads) than what they ran in 1992. There were fewer operations (106), but each operation ran more head of cattle. There was an increase in sheep/lamb operations (from 9 to 19) running 429 head, but it was still a dramatic reduction in total inventory (-83%) since 1928. While many of these operations were not the sole source of income for the operators, they are a vital tie to the traditional lifestyle valued by county residents and visitors. Furthermore, the dramatic decreases in agricultural activity are unsustainable in terms of economic and environmental factors. The 2014 Utah Agricultural Statistics/Utah Department of Agriculture and Food Annual Report (combined reports)¹⁰ showed Kane County farms operating at a loss. The Farm Income and Expenses summary indicates Gross Farm Income to be \$5.6 million, but Farm

⁷ "Utah Land Status and Areas of Responsibility", June 2015, <trustlands.utah.gov/resources/maps/gis-data-and-maps/surface-and-mineral-maps>, Enlarged map of Kane County (from original).

⁸ Data used from the 2012, 2007 and 1992 Census of Agriculture; USDA, National Agriculture Statistics Service, <www.agcensus.usda.gov/Publications/> county level data, Utah.

⁹ 2012 Census of Agriculture; 2014 UT Ag Stats & UT Dept. of Ag & Food Annual Report, County Estimates, Selected Items & Years, Utah; U.S. Department of Agriculture and National Agricultural Statistics Service, <www.nass.usda.gov>

¹⁰ Utah Department of Agriculture and Food, News and Publications, 2014 UDAF Annual Report & USDA-NASS Statistics, Utah. Last updated May 30, 2014, Accessed 6 June 2015. <www.ag.utah.gov>

Production Expenses are \$6.9 million (for a net loss of \$1.4 million).

Historically, agricultural pursuits have been a vital base of economic activity in Kane County and throughout the State of Utah. According to LuAnn Adams, Utah Commissioner of Agriculture and Food, "...Utah State University reports that our industry's production and processing segments contribute more than \$17 billion to our economy and generate 78,000 jobs..."¹¹ And though agricultural pursuits are not as pronounced in the 21st century, they still provide valuable opportunities for supplemental income and open space preservation. **

Commented [MS6]: Still the commissioner?

Commented [MS7]: These paragraphs need to be double checked

The cowboy lifestyle has helped develop the character of Kane County, as has been represented in multiple western movies filmed in the area. It is surprising how many people visit the county just to see where the movies were filmed and take pictures of livestock and cowboys. The local festival and tradition called *Western Legends* depends on the cowboy icon and is centered on that historical figure. In essence, ranching and livestock grazing has a direct link to the local tourism industry.

Residential Land Use

Commented [MS8]: Shannon note, "update"

The private land base in Kane County is approximately 10% or 263,040 acres.¹² Kane County ranks fifth in the scarcity of privately owned land (first is Wayne County 3.7%, then Grand 4.3%, Garfield 5.1%, and Emery 8.1%) and ranks third in the abundance of federal lands (Garfield is first at 90%, and Wayne is second at 85.7%).¹²

The total number of occupied units that previously projected by the *American Community Survey-5 Year Estimates* was 3,077 between 2009 and 2014; 649 of these units were rentals. Over one-third of the total units in the county were seasonal or recreational units *at that time*. This indicates the large presence of seasonal dwelling units found primarily on Cedar Mountain and in the Deer Springs region below Bryce Canyon National Park. The U.S. Census Bureau estimated there were 5,861 total housing units in Kane County as of July 1, 2016.¹³ However, in 2017, the Kane County Assessor's Office counted 6,008¹⁴ housing units, reflecting a 3.9% increase.

Other important unincorporated communities include the Vermillion Cliffs, Palomar Estates, and Church Wells/Paria area in the eastern portion of Kane County. Johnson Canyon and Deer Springs in North-Central Kane County. The Peaches Subdivision outside the Eastern entrance of Zion

¹¹ 2014 Utah Department of Agriculture and Food Annual Report, Commissioner's Letter of Greeting, page 5.

¹² Utah Association of Counties, "2015 Utah Counties Fact Book", <uacnet.org/members/uac research>, (Their data from SITLA statewide GIS mapping). By county: Emery pg. 15, Garfield pg. 17, Grand pg. 19, Kane pg. 25, San Juan pg. 37, and Wayne pg. 55.

¹³ U.S. Census Bureau, Quick Facts <www.census.gov/quickfacts/fact/table/kanecountyutah.US#viewtop>

¹⁴ Ryan Maddux, Kane County Deputy Assessor, June 22, 2017; figures represent stick built, mobile and manufactured homes, both primary and secondary residential.

National Park on Kane County's western side. Elk Ridge community on Highway 14 and all the subdivisions in the Duck Creek area, as well as the housing complexes near Bullfrog Marina on Lake Powell.

According to the U.S. Census Bureau,¹⁵ new residential construction in Kane County averaged 109 units annually from 1994 to 2004. This activity was attributable to the county's higher levels of seasonal dwelling units. The next period of high growth began in 2005 to 2007, when residential construction averaged 200 new units each year. Construction dropped to 60 units in 2008 steadily declining until 2014 when the total number of approved permits hit a low of 15.

Commented [MS9]: Shannon note, "Or potentially make these numbers regularly updated quarterly each census."

Since 2015, construction has begun increasing once again as evidenced by the number of building permits issued for new residences and commercial buildings. There were 73 permits issued for residences and six for commercial.¹⁶ In 2016, 94 permits were issued for new residences and 19 for commercial; by the first half of 2017, Kane County was positioned to exceed the last two years of new residential permits with 53 already issued. There were two commercial permits issued by June 2017 with at least three potential large commercial projects set to be permitted by fall. This is not counting permits for remodels, which include additional rooms for vacation rentals and expansion of motels or hotels. As of November 2017, the combined total, which counts those permits, is at 127.

According to the U.S. Department of Housing and Urban Development, Kane County was one of the five top counties in the nation with the largest rent increase based on the areas Fair Market Rent (FMR).¹⁷

According to available data, Kane County, Utah, experienced a significant increase in Fair Market Rent (FMR) for a two-bedroom apartment between 2023 and 2024. The FMR rose from \$1,023 in 2023 to \$1,351 in 2024, marking a 32.06% increase year-over-year

Industrial and Commercial Land Use

Industrial and commercial land uses are usually located at major highway intersections and near established communities. Much of the existing commercial and industrial activity has been

¹⁵ United States Bureau of the Census, Building Permits from 1994 to 2014, Kane County, Utah; <<http://censtats.census.gov/cgi-bin/bldgprmt/bldgdisp.pl>>

¹⁶ Per Kane County Building Department, January 2025

¹⁷ Published in the Novogradac Journal of Tax Credits, September 2013, Vol. IV, Issue IX, "HUD Proposes Fiscal Year 2014 Fair Market Rents". Kane County had a 28.46 percent increase in rents (approximately \$175). Fair Market Rent is an amount needed to pay rent and utilities "of a privately owned, decent and safe rental housing unit of a modest nature with suitable amenities."

annexed into adjacent communities. However, there are exceptions to this trend. For example: Best Friends Animal Sanctuary is located approximately 10 miles north of Kanab in Angel Canyon, an unincorporated section of Kane County; Canyon Lands Resort Community Zone (Amingiri) is located at the eastern boundary of Kane County; and Buffalo Ridge is located at the boundary of Zion National Park. These are all Planned Unit Developments and Kane County encourages this trend to continue.

Commented [MS10]: Changed wording from "they" in 2018 plan

According to the Utah Department of Workforce Services,¹⁸ employment in Kane County increased 2.4% between December 2013 and December 2014 generating a net gain of 70 jobs. The strongest industry expansion occurred in "other services," which includes the county's largest employer Best Friends Animal Sanctuary. However, "leisure and hospitality" are still the leading industry in the county, with 1,012 jobs.¹⁹ In 2014-15, Alton Coal Mine employed as many as 54 miners and 46 dedicated truck drivers. Over a 40-year span, it is estimated that 150-200 jobs will be generated.²⁰ The least job gain will be in information and manufacturing.

Public Facilities/Developed Recreation Land Use

Most Kane County administrative and maintenance facilities have been located inside incorporated communities in the county seat of Kanab. The Jackson Flat Reservoir, which is immediately south of Kanab, is a 4,228 acre/foot reservoir that is an important water storage facility and recreation spot. This project was undertaken by the Kane County Water Conservancy District and includes 232 acres of historic ranch owned by the Jackson family. The groundbreaking ceremony was held in April, 2011.

The North Event Center is a 15,960 sq. ft. special events building constructed in 2013 in Orderville at the Kane County Fairgrounds to house community events and conferences. It includes two recreation courts at each end of the building with a two-story office/classroom area in the middle. It is made of metal construction with built-in cabinets, shelving, and overhead bay doors.

Commented [MS11]: 2018 plan reads, "cabinets and shelving and overhead bay doors."

Kane County's Municipal Building Authority (MBA) completed a community center in Kanab City that is a combination of a new 15,700 sq. ft. building and remodeled portions of Kanab's old middle school for a combined total of approx. 43,500 sq. ft. of facility space. It is called the 'Kanab Center' and will house the Kanab City Offices, the Kane County Senior Citizen Center, the Community Gym, the Creative Underground (for 4-H and Art),. It will also have a combined

¹⁸ Utah Department of Workforce Services; Economy Snapshot; <jobs.utah.gov/wi/regions/county/kane.html>

¹⁹ Utah Department of Workforce Services; Nonfarm Jobs; <<http://jobs.utah.gov/wi/pubs/eprofile/index.html>>

²⁰ Per Larry Johnson, General Manager, Alton Coal Development, LLC, "Coal Hollow Project" 463 N. 100 W, Ste. 1, Cedar City, UT 84721. June, 2015

total of approx. 12,100 sq. ft.²¹ including outdoor space that is useable for a performance plaza, reception plaza, senior plaza, and patio.

The Kane County Land Use Ordinance shall provide additional opportunities for developed recreational land use.

Public Lands

With 89.7% of the county land base in public ownership (85.5% Federal; 4.2% State), land use and management decisions made by state and federal land managers with heavily on the use of private land. The National Park Service, U.S. Forest Service, Bureau of Land Management, Utah State School and Institutional Trust Lands Administration, and the Utah State Department of Natural Resources shall diligently and proactively **coordinate** all public land use management decisions with Kane County in order to ensure the goals, objectives, and policies of this General Plan are maintained, and the general health, safety, and welfare of the citizens are protected.

<i>Jurisdiction</i>	<i>Acres</i>	<i>Percentage</i>
Bureau of Land Management	1,653,394	62.9%
Grand Staircase-Escalante National Monument	763,100*	29.0%
Kanab Resource Area (Non-Monument)	890,294*	33.9%
National Park Service	469,026	17.9%
Glen Canyon National Recreation Area	450,698	0.3%
Zion National Park	9,418	0.4%
U.S. Forest Service (Dixie National Forest)	123,482	4.7%
Total Federal Land Base	2,245,902	85.5%
Dept. of Natural Resources	4,086	0.2%

²¹ As of 8/1/18 additions to the Kanab Convention Center have made the total square footage just over 15,000 sq. feet. The total cost has exceeded \$6 million with the new additions and state-of-the-art kitchen facilities.

School and Institutional Trust Lands (SITLA)	99,864	3.8%
Coral Pink Sand Dunes State Park	3,727	0.1%
Kodachrome State Park	3,148	0.1%
Total State Land Base	110,825	4.2%
Alton Town	1,506	0.06%
Big Water Town	3,904	0.15%
Glendale Town	4,992	0.19%
Kanab City	9,362	0.36%
Orderville Town	1,024	0.04%
Unincorporated	249,936	9.5%
Total Private Land Base	270,724	10.3%
Total Land Base	2,627,409	100%

Source: 1) *An Analysis of Long-Term Economic Growth in Southwestern Utah*; Bureau of Economic and Business Research; June 2008. 2) 2010 U.S. Census. 3) Utah State Geographic Information Database (SGID, May 2011). 4) Kane County Recorder. Columns may not total due to rounding. *Reflects new monument boundaries.

Land Use – Key Issues

1. Diversity of land forms and the vast extent of land-base.

The land (and water) base in Kane County stretches over 4,100 square miles of terrain ranging from high-elevation forest lands around Navajo Lake, where deep snow covers the land November through May, to the Colorado River canyons around Lake Powell, where annual precipitation is less than 10 inches. A landscape-level (one plan fits all) approach to land use policies cannot be applied to such a varied landscape. What may be applicable to recreation homes on Cedar Mountain, does not apply to ranching lands held inside the Grand Staircase-Escalante National Monument. Private lands

surrounding Kanab have different characteristics than the lands surrounding Big Water or the Church Wells/Paria area.

Because of this wide diversity, this plan recognizes the need to develop land use policies based upon different regions. These regions will allow the county to develop policies which correspond to major public lands management units, as well as reflecting the varied conditions of private lands. Recommended regions include (*see new map*):

- A. *Glen Canyon Region* – All land inside the Glen Canyon National Recreation Area.
- B. *Grand Staircase* – All land from the boundary of the Glen Canyon Region to the Western Kane County Region and National Forest Region. *
- C. *Municipality Region & Unincorporated Municipalities* – This region includes all municipalities in the county, which include developments, subdivisions, and unincorporated towns under county jurisdiction.
- D. *National Forest Region* – All land designated National Forest.
- E. *Western Kane County Region* – All land on the west side of the county (excluding Zion National Park Region) to the Grand Staircase Region (on the east), up the National Forest Region (to the north). *
- F. *Zion National Park Region* (east entrance) – All land within Zion National Park that is within Kane County.

*The Western Kane County Region will be modified to include the acreage that was removed from the Grand Staircase-Escalante National Monument and placed under the Kanab Field Office's jurisdiction.

These regions will serve as a means to focus more directly on the specific needs and challenges presented there. They can also serve as the focus of any future formal regional organization which might be pursued under the provisions of state law. An in-depth analysis of these regions can be found in the Kane County Resource Management Plan.

2. Avoiding the extension of municipal-scale services in unincorporated areas.
A guiding principle which has been present in every Kane County plan since 1970 has been the recognition that unincorporated areas of the county cannot be expected to accommodate municipal-scale land uses. Residential or commercial land uses which require large investments in infrastructure such as roads, water, waste disposal, schools, etc. cannot occur on a land base where such services are not available. Past limitations due to the lack of services have sometimes disqualified private land for development.

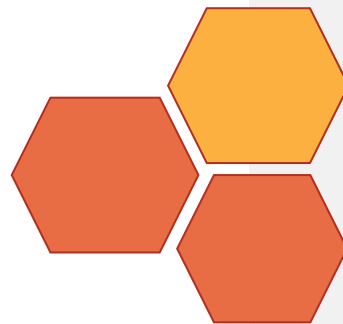
Kane County will allow development within the perimeters of county land uses and zoning ordinances with the understanding that infrastructure improvement, development, and maintenance will be at the expense of the subdivider and/or land owners who enjoy the benefits of such improvements. Kane County will not allow development that requires county-financed or maintained services. Landowners who require such services will be required to finance, install, and maintain services without expecting or receiving county-provided services. The installation of water systems and fire hydrants does not imply or require county provided road maintenance or snow removal.

The Kane County Commission has supported efforts of the Southwest Utah Public Health Department to tighten the regulations allowing the installation of septic tank systems. Southwest Utah Public Health Department collaborated with the Utah Department of Environmental Quality, Forest Service, and Kane County Water Conservancy District (KCWCD) to determine the potential pollution and degradation of the groundwater source on Cedar Mountain.

DRAFT

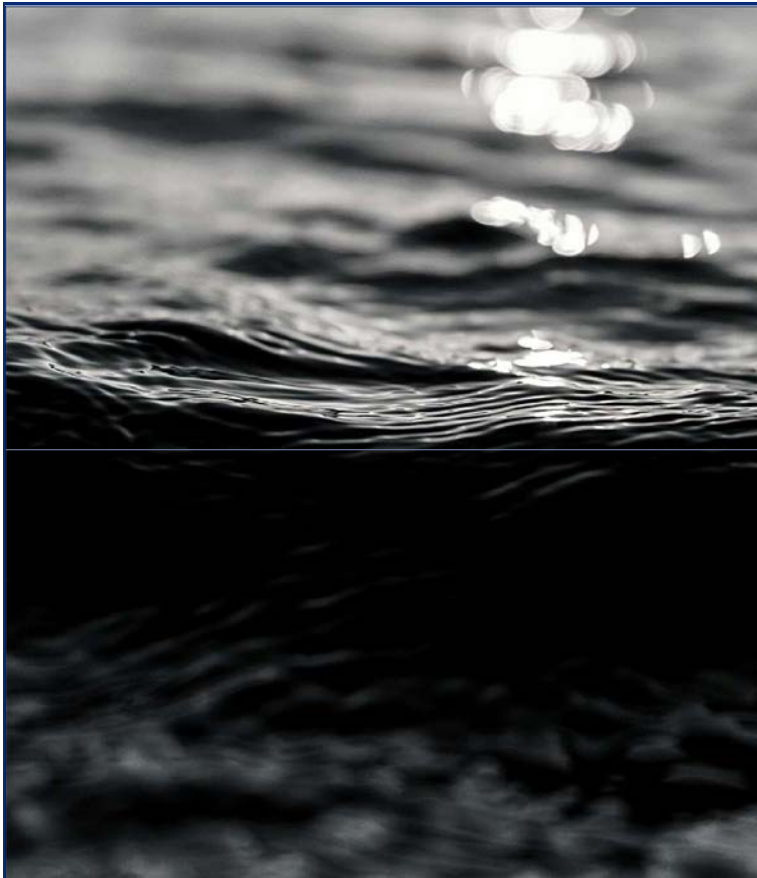
DRAFT

Chapter 8 – Water Use & Prevention



WATER
CONSERVATION
PLAN
UPDATE

2023



KANE COUNTY WATER CONSERVANCY DISTRICT



Message from Executive Director Michael Noel

When I started as the Executive Director and General Manager of the Kane County Water Conservancy District, I could have never predicted what we would have accomplished over the next 25 years and as an organization, we are just getting started!

In our beautiful desert, conserving water is essential. When we do it responsibly, conserving water ensures that Kane



County can maintain its rural way of life. A life that promotes strong families, healthy communities, and vibrant economies.

We work hard at KCWCD to make sure that Kane County's water needs are met today and long into the future. With these water- conserving measures, Kane County will have water for many, many years to come.

Our hope, which our goals and plans reflect, is that each citizen of Kane County can enjoy fruitful, responsible water use and that each visitor can be enriched because of that responsible use.

"With these water- conserving measures, Kane County will have water for many, many years to come. "

"Our hope. . .is that each citizen of Kane County can enjoy fruitful, responsible water use. . ."

Table of Contents

1

Introduction and History

Explanation of System

2

3

Water Conservation Goals

Program, Initiatives, and Measures

4

5

Implementation and Evaluation Process

Summary		6
7	Acknowledgements	
Introduction and History		

The Kane County Water Conservancy District (KCWCD) was organized in 1992 as a voter-approved political subdivision of the State of Utah under the Water Conservancy Act. KCWCD has been actively engaged in water conservation and development since 1997. As of 2022, KCWCD maintains nearly \$50 Million in water system infrastructure and owns over 40,000 acre feet of water rights. It distributes water to over 3,600 retail culinary connections over 100 miles of pipeline.

KCWCD was organized for the purpose of conserving and developing water for multiple uses including: domestic, municipal, agricultural, commercial, industrial, wildlife and stock watering. A seven member board appointed by the Kane County Commission provides oversight.

To ensure that the future culinary water needs of Kane County are met, and to address the issues with current water systems being designed and constructed, KCWCD created this water management and conservation plan. This report will outline KCWCD's current water resources, current water needs and uses, projected water needs, and future plans for projected needs.

KCWCD Service Areas



DRAFT



Explanation of System

The Kane County Water Conservancy District serves Kane County, located in Southern Utah along the Utah-Arizona border. KCWCD's current service area can be broken into three service areas: Duck Creek, Johnson Canyon, and East Kane. The three areas are fed by several separate culinary water systems. Due to the different conditions between the systems, each will be presented separately.

Duck Creek	Johnson Canyon	East Kane*
2,986 culinary connections	524 culinary connections	65 culinary connections
5 active wells	3 active wells	2 active wells

1,400,000 gallons of storage capacity	750,000 gallons of storage capacity	350,000 gallons of storage capacity
8,000 total potential connections	3,700 total potential connections	Anticipated 200 total potential connections
Kane County Water Conservancy District Water Conservation Plan 2023		02

Duck Creek Area

The Duck Creek Water System covers Swains Creek, Harris Flat, Duck Creek South, Duck Creek MVWA, Strawberry Valley, Meadow View Heights, Zion View, Long Valley, and Lost Creek. Since 2006, the Conservancy District has taken over seventeen water systems in the Duck Creek area that were out of compliance with Utah State standards. The new KCWCD-operated systems meet state standards, provides fire protection, and allows for year-round water use. The Duck Creek area consists of almost 3,000 connections.

Within Duck Creek, water connections that currently serve residences can be divided into five areas separated by Forest Service land: Duck Creek Village, Strawberry Valley, Swains Creek, Long Valley and Harris Flat. Many of the connected users in the Duck Creek area are not primary residences. Most residences are used during the summer season, holidays, and weekends. However, with the introduction of year-round water service and fire protection, more residences are becoming primary homes.

In 2020 and 2021, the COVID Pandemic brought many new full-time residents to the rural Duck Creek Area. With social distancing practices during the pandemic, the outdoor activities the Duck Creek Area is known to have brought even more travelers and short-term renters. Also, throughout those two years, new connections onto the water systems far exceeded annual expectations. These reasons were the primary reasons for the increase in gallons billed in the service area.

Duck Creek Area

DRAFT

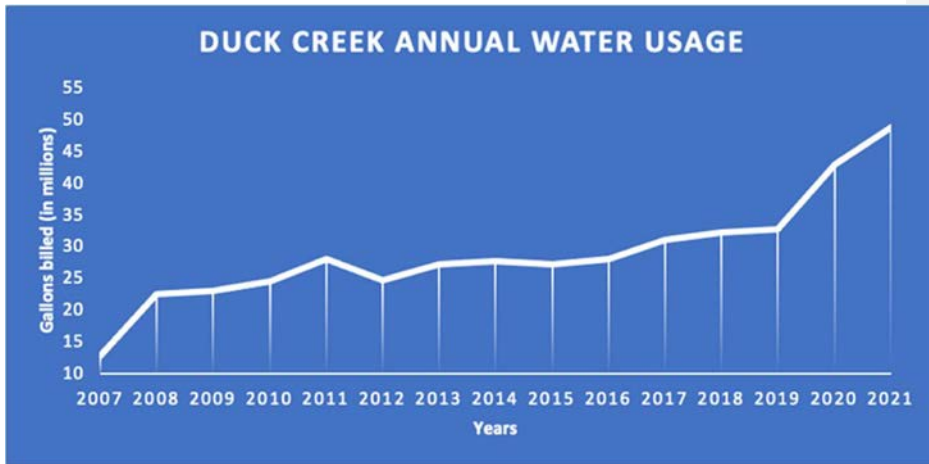


Figure DC 1

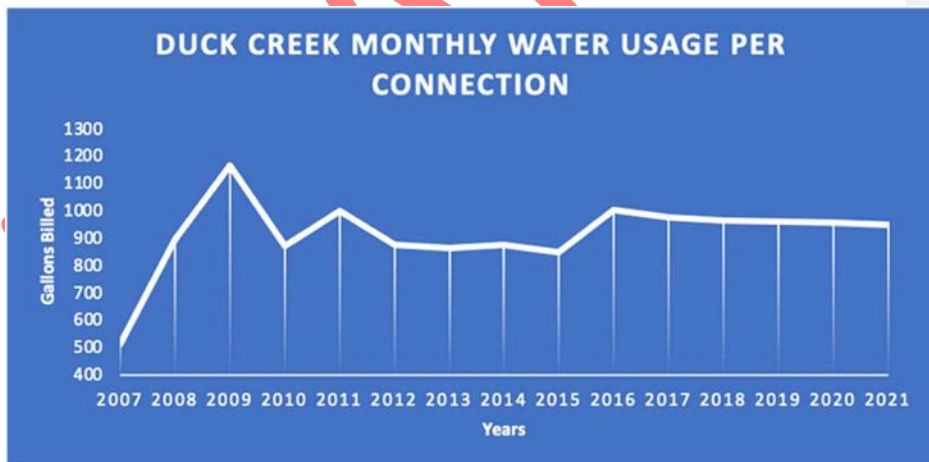


Figure DC 2

Johnson Canyon Area

DRAFT

Johnson Canyon Area covers Johnson Canyon and parts of east Kanab, also known as Vermillion Cliffs. The Johnson Canyon Area is a residential area with year-round usage. KCWCD began servicing culinary water to the area in 2001 with a total of 35 connections, which has increased through the regionalization of other private systems and natural growth to the area and has added other systems such as the East Kanab Water Company. Currently, the system feeds 524 connections.

Like other areas within KCWCD, the COVID-19 Pandemic brought many permanent residents to the Johnson Canyon Area. Because of the proximity of this service area to Kanab, this became a prime spot for growth and development. KCWCD installed over 100 connections just in the past two years, with over 600 possible connections coming online in the next five years. While the anticipated growth has yet to occur, the Johnson Canyon Area has already seen significant growth.

Johnson Canyon Area

DRAFT

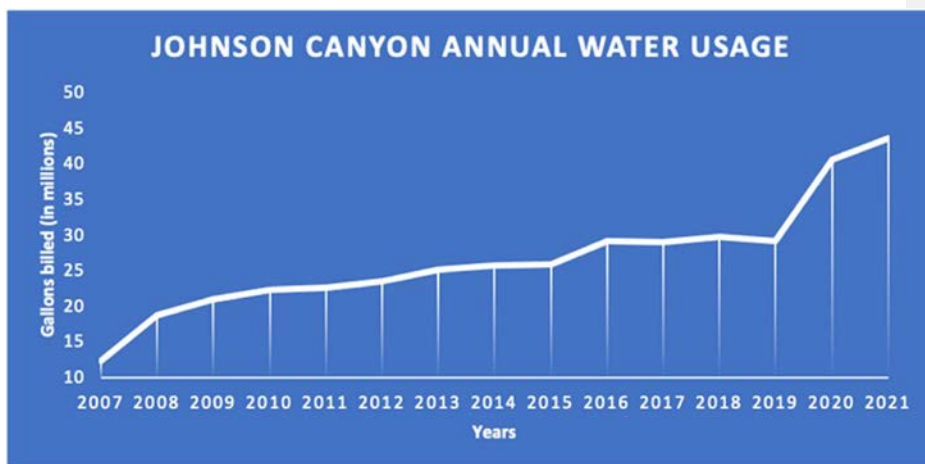


Figure JC 1

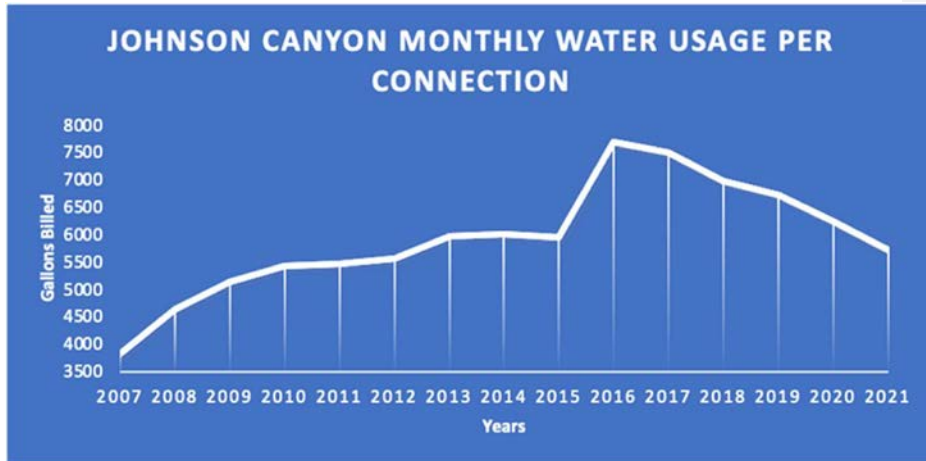


Figure JC 2

DRAFT

East Kane Area

DRAFT

In 2022, KCWCD adopted two private water systems in an unincorporated area of Kane County. The New Paria Water Company and Clark Bench Water Company approached KCWCD years ago as maintenance and management needs exceeded local

shareholders' abilities. Because of a generous grant from the Utah Division of Drinking Water, both systems are in the process of being updated to modern Utah State standards. Together, these systems make the East Kane Area of service for KCWCD, an area poised for growth. While the service area has yet to collect usage data, the water conserving measures KCWCD implements will directly affect this drier area of Kane County.

DRAFT

KCWCD Source Capacity

WATER WELL SUMMARY				
Well #	Location	Status	Depth (feet)	Pump (GPM)
WATER WELL SUMMARY				
Well #	Location	Status	Depth (feet)	Pump (GPM)
Duck Creek				
Well #1	Movie Ranch Rd.- Sec 07 T38S R7W SL S.	Inactive	800	50
Well #1	Movie Ranch Rd.- Sec 07 T38S R7W SL S.	Inactive	800	50
Well #2	Movie Ranch Rd.- Sec 07 T38S R7W SL N.	Active	900	350
		Active	1100	450
Well #3	Ranch Dr.- Sec 04 T38S R7W SL	Active	1100	450
Well #4	Duck Cr.- Pines-Sec 07 T38S R7W SL	Inactive	800	120

Well #5	Swains Cr.- Sec 27 T38S R7W SL	Inactive	800	120	1000	400
		Inactive	1000	400		
		Inactive	1000	250		
Well #6	Long V.-Sec 12 T38S R6W SL	Inactive			1000	250
Well #7	Bryce S. Sec 2 T38S R6W SL	Active			750	60
Well #8	Color Country	Inactive			800	60
Well #7	Bryce S. Sec 2 T38S R6W SL	Active	750	60		
Well #8	Color Country	Inactive	800	60		
Johnson Canyon						
Well #1	JC-LDS Ranch-Sec 02 T41S R5W SL	Active	260	350		
Well #1	JC-LDS Ranch-Sec 02 T41S R5W SL	Active			260	350
Well #1b	JC-Sec 26 T41S R5W SL	Inactive			410	75
Well #2	JC-Sec 27 T42S R5W SL	Active			350	200
Well #3	JC-Sec 26 T41S R5W SL	Inactive	410	75		
		Active	350	200		
		Active	800	400		
		Active	280	350	800	400
Irrigation Well	N. of Kanab, W. of	Active			280	350

	Hwy 89			
--	--------	--	--	--

Water Development

DRAFT

KCWCD continues to pursue development projects to ensure all culinary systems will serve current connections and the needed future connections. KCWCD Board of Directors have approved the drilling of two wells, one for culinary use and the other for irrigation.

While pursuing consistent water sources is vital to our growing area, KCWCD is also pursuing several different storage projects to furnish irrigation water and replenish aquifers near sources. In the Summer of 2022, after severe rain storms, KCWCD needed to repair a washout near Well #1 in Johnson Canyon. With that water line repair, an opportunity to improve the area for aquifer recharge presented itself. A dike was built near the well source to capture seasonal water flows.

For nearly 20 years, KCWCD has been working to build the Cove-East Fork of the Virgin River Reservoir, a 6,000 acre foot storage reservoir for three irrigation companies in Long Valley (Mount Carmel, Orderville, and Glendale.) The NEPA process is nearly complete and construction should begin in the near future. Recently, the town of Alton approached KCWCD to help build a 500 acre foot reservoir in their area.

KCWCD is continually looking for opportunities to improve the county's source, storage, and distribution of water to ensure meeting the area's needs today and well into the future.

Aquifer Recharge

DRAFT

In 2022, KCWCD received a grant from the Utah Division of Drinking Water for a hydrogeological study for the southern side of Kane County. The study focused on Water Rights Area 85, the Kanab Creek Drainage and the Johnson Canyon Drainage systems. The three aquifers tapped in the two drainages are the Navajo, Lamb Point, and Shinarump aquifers, with the Navajo aquifer being the main source. The study estimated the three aquifer's annual recharge. This study also estimated the level of increase in use, that expected growth would cause, on the KCWCD culinary water systems.

Item	Kanab Creek	Johnson Canyon	Total
Recharge from Precipitation	24,700 to 32,000	19,700 to 23,700	44,400 to 55,700
Recharge from Streams	1,250	50	1,300
Recharge from Unconsumed Irrigation Water	600	700	1,300
Total Recharge	26,550 to 33,850	20,450 to 24,450	47,000 to 58,300
Well Withdrawal ^a	≤1,100	≤4,360	≤5,460
Discharge by Springs and Seeps	2,880	2,220	5,100
Seepage to Streams	4,240	460	4,700
Evapotranspiration Loss from Shallow Groundwater	750	750	1,500
Total Discharge	≤8,970	≤7,790	≤16,760
Outflow from Southern Study Area Boundary and Other Well Discharges ^b	≥17,580 to ≥24,880	≥12,660 to ≥16,660	≥30,240 to ≥41,540

Population Projections

Year	Population
	7,667
2020	7,667
2025	8,721 9,920
2030	9,920
2035	11,284 12,836

2040	12,836
	14,601
2045	16,609
2050	16,609
	18,892
2055	21,490
2060	21,490

Conservation Goals

The State of Utah has proposed a goal to reduce the per capita water demand throughout specific regions. The KCWCD service boundary is within the Lower Colorado River South region. The goals of that region, proposed by the state, are to decrease per capita usage from the 2015 baseline by 14% by 2030, 19% by 2040, and 22% by 2065. The 2015 baseline gallons per capita per day (gpcd) for the Lower Colorado River South region is 305, and more specifically for Kane County it is 358.

As is shown in figure DC 2 on page 04 and figure JC 2 on page 06, the average monthly usage per connection is currently 1,000 gallons for Duck Creek Area, and 6000 gallons for Johnson Canyon Area. It can then be deduced that that equates ~33 gallons/day and 200 gallons/day for a total of 233 gallons per day per connection. The average household in Kane County, according to the US Census Bureau, between the year of 2017-202, had 2.45 persons. Rounding that number down to 2, you can further deduce that that 233 gallons per day per connection is only 116.5 gpcd.

Based on that information, KCWCD has already exceeded the regional goals for 2030. Therefore, KCWCD proposes their goal be to continue to work towards the 19% reduction by 2040 22% reduction by 2065 goal. To achieve this, KCWCD proposes to maintain current consumption as overall water use increases as more residents connect to the system.

The KCWCD has already implemented processes to achieve the state's consumption reduction goals, such as Educating Water Users, Leak Repair and Mitigation, and Water Metering and Graduated Rates. Continuing these current conservation measures and education will ensure the KCWCD will continue to meet the state goals in the future.

Conservation Goals

KCWCD has implemented several policies to encourage water conservation, but like all good stewards, vigilance is required to continue to educate our users on best practices and help them save water where and when they can.



GOAL 1: Educating Water Users

Water users will affect more of the waste in the water system than any other entity. Ensuring they are educated in proper water usage and conservation will prove extremely effective in conserving water.



GOAL 2: Leak Repair and Mitigation

Over 25 years, KCWCD adopted a number of private systems that were built according to private standards. At times, maintenance and repairs are required in a timely manner to save on water loss.



GOAL 3: Water Metering and Graduated Rates

Water metering is the first step in minimizing use and conserving water. Charging users more as they use more water is the next step in accomplishing the same goal.



Goal #1: Educating Water Users

There are several ways in which KCWCD educates its users to practice water conservation. The first and most important way KCWCD educates users is through the individual billing statements. The billing statements contain information on individual usage, broken down on a monthly basis for a 13-month period, showing users their year-over-year usage. Also, on the bottom of every billing statement, KCWCD encourages each user to visit our own conservation page on our District website and nationally recognized www.slowtheflow.org. Both websites offer numerous ways for individuals to conserve water, put it to best-use, and help make goals a reality.

Along with monthly bills, each quarter KCWCD sends a newsletter to all customers with water conservation tips. These newsletters highlight much of what is happening within the District, water development projects, increases in growth, and most importantly, conservation tips. For instance, the Duck Creek Area is seasonal. The newsletter before the season closes teaches people how to properly close up and winterize their cabins so that freezing breaks do not occur.

Former Governor of Utah, Gary Herbert, instituted the water initiative and goal to reduce per capita water use by 25% by the year 2025. This initiative was in response to drought conditions and to bring individual use in line with need instead of want. The 20-Gallon Challenge helps educate the public on how they can contribute to the goal by the year 2025. All it takes is a few small changes to a daily routine and it can make a big difference in the monthly water bill. There are some tips in the 20-Gallon Challenge that are easy to do and are low cost practices. Others require more effort and are higher cost.

Goal #2:
🌊 Leak Repair and
Mitigation

DRAFT

When Kane County voters approved the creation of the Kane County Water Conservancy District in 1994, it had no assets or water systems to maintain. Over the next 28 years, KCWCD took on over twenty private water systems and expand them to over 3,500 connections. Engineers attempted to assess the quality of the private water systems KCWCD adopted and many times, improvements were made to the systems to bring them up to state standards. Yet some of the those adoptions happened over 20 years ago and many things that occur require maintenance and repair.

KCWCD monitors for leaks and mitigates loss two different ways. First, water masters monitor all storage tanks through supervisory control and data acquisition (SCADA) systems for significant movement. The systems contain alarms that alert water masters when tanks get too low or lose significant amounts of water too quickly. Valves are controlled through the SCADA system so quick shut offs can occur and inspections can be made to quickly repair the leaks.

While this systemwide monitoring ensures quick rectification of any problems, there are often individual connection leaks that KCWCD monitors for as well. Every month, as all connection meters are read, the billing system warns the KCWCD billing coordinator of "high reads." Many times those "high reads" are caused by leaks past KCWCD meters.



Goal #3:
Water Metering and Graduated
Rates

DRAFT

Much of this report has focused on the culinary water systems KCWCD manages. All culinary connections have meters with radio transmitters for fast and easy reading. Those meters are installed on every culinary connection within all KCWCD systems and tracks all usage, though the meters are only checked monthly for billing purposes.

The large majority of KCWCD connections are in the Duck Creek Area, which because of the mountainous terrain precludes the area from having constant metering. Johnson Canyon is a much better suited system to utilize such a tool, though, even the canyon walls hinder some of the constant-reading technologies.

KCWCD's first experiment with constant meter monitoring will be in the newly adopted New Paria and Clark Bench water systems in the East Kane Area. As those systems are improved to state standards, the meters will also utilize a radio tower that will feed near constant monitoring of both of those separate systems.

KCWCD also maintains a strong relationship with area irrigation companies. The State of Utah recently passed bill HB 242, requiring all secondary water systems to meter each individual meter by 2030. At the request of the Kanab Irrigation Company, KCWCD pursued and received a grant to meter all secondary users within the irrigation company's system. This metering will greatly improve usages in that irrigation system as the company will be able to detect abusers and help shareholders better understand their usage.



Goal #3:
Water Metering and Graduated
Rates

DRAFT

The discussion on metering coincides with the discussion on graduated rates because of the connected nature of the activities. As a system measures usage through metered connections, it can better regulate and incentivize users to conserve water.

The following page shows current examples of the graduated rates the KCWCD Board of Directors has instituted for the smallest meters (largest portion of the meters) on the system. Because of the varying nature of each system, the rates required by them differ slightly, though the principle to hold high water users accountable for their usage is maintained.

These rates are looked at every year to make sure that connections are being responsible in their usage while also paying their share of the costs. Rates increased as recently as fiscal year 2023 and will most likely be raised again in fiscal year 2024.

Graduated rates incentivize users to minimize their use. The tiered prices for the higher gallons used creates a behavior in users to be more cautious in their use. If the first 1,000 gallons cost the same amount as the 50,000th gallon, there is little to keep users from turning off the faucet. When a user uses that 50,000th gallon, it costs 50% more than the first 1,000 gallons. Users will be more aware of that higher usage and attempt to limit it.



Goal #3:
Water Metering and Graduated
Rates

DRAFT

Duck Creek Area	
Base Rate	\$ 38.75
1000 gal (<10k gal)	\$ 3.00
1000 gal (>10k to <15k gal)	\$ 3.25
1000 gal (>15k gal)	\$ 3.50

Johnson Canyon Area	
Base Rate (<10k gal)	\$ 40.00
1000 gal (>10k to <15k gal)	\$ 2.00
1000 gal (>15k to <20k gal)	\$ 2.25
1000 gal (>20k to <25k gal)	\$ 2.50
1000 gal (>25k to <30k gal)	\$ 2.75
1000 gal (>30k gal)	\$ 3.00

Measures, Initiatives, and Incentives

1

MEASURE 1: HIGH READ ALERTS

Concerted effort to minimize loss from leaks

2

MEASURE 2: ANNUAL WATER AUDITS

Ensuring our system and our connections are free of leaks or problems

3

MEASURE 3: INCENTIVE PROGRAMS

Instituted efforts to save water

4

MEASURE 4: PUBLIC EDUCATION

Maintaining clear communication lines between KCWCD and users

Measure 1: High Read Alerts

DRAFT

After each billing cycle, the KCWCD billing coordinator analyzes customer meter reads for high usage that indicate customer or company water leaks and makes a personal phone call to all users with "high reads." At times, KCWCD water masters will close meter valves to stop leaks for customers. Because the Johnson Canyon Area and Duck Creek Area vary in their use so widely, each area has different thresholds for what is considered a "high read."

In 2021, the Johnson Canyon Area average water use per connection per month was 5,718 gallons. This average is substantially lower than state averages per connection. If a meter in the Johnson Canyon Area reads over 50,000 gallons of usage, it is considered a "high read" and protocols for mitigation are utilized. While KCWCD maintains the "high read" threshold of 50,000 gallons, the billing coordinator is well acquainted enough with the different user accounts that significant spikes in individual usage below the 50,000 gallon usage will prompt a phone call.

In 2021, the Duck Creek Area average water use per connection per month was only 950 gallons which is also substantially lower than state averages per connection. Because of the seasonal nature of the Duck Creek Area, averages throughout the year vary greatly. In the winter season, if a meter in the Duck Creek Area reads over 10,000 gallons of usage, it is considered a "high read." In the summer season, if a Duck Creek Area meter reads 15,000 gallons of usage, it is considered a "high read."

High reads are inspected at the meter barrel and the surrounding property to determine whether there is a possible leak. If a leak is discovered, the valve is turned off and the customer is notified. The meters that do not read are inspected and repaired or replaced immediately. Over time, meters or their electronic read transmitter (ERT) may begin to falter and need replacement.

Measure 2: Annual Water Audits

DRAFT

Each year, KCWCD selects a different subdivision and holds a water audit to investigate possible problems that may lead to water loss. With each audit, the water meter barrel is opened and inspected to see if there are any problems. When issues are found, the problem is documented and repairs are planned. The cord that connects the meter to the electronic read transmitter (ERT) will often get cut by the lid slamming down on the cord. The inside electronic components of the meter are checked to see they are operating correctly. Visual checks at times will reveal customer tampering. While meter audits generally yield smaller improvements per incident, on the aggregate, they are essential to the running of an efficient water distribution system.

DRAFT

Measure 3: Incentive Programs

DRAFT

Customers with abnormally high-water usage in 2014 were automatically entered into a contest to encourage water conservation in 2015. They could win an iPad if they were able to reduce their annual water consumption in 2015 by 10%. They were asked to take the 20-gallon challenge, which is a helpful tool to save 20 gallons of water each day. There was a total of 275 customers eligible to participate in the contest, of which, 166 of them saved at least 10%. The total amount of water saved was 8 million gallons in 2015.

Another contest rewarded the top 10 customers with a Sawyer Mini Water Filter for the highest percentage of water saved during the summer months (July, August, September) of 2016 compared with 2015. Customers typically use more water during these months than any other time of the year. The water filter serves as another way to conserve water by recycling contaminated water into a reliable culinary water source. The district doesn't have any published plumbing standards. Customers are instructed to meet industry standards. The district encourages high-efficiency plumbing fixtures and does recognize the benefit of such programs.

Measure 4: Public Education

DRAFT

There are various ways in which KCWCD educates its customers to practice water conservation. Each quarter a newsletter is sent out to all customers with water conservation tips. The website at www.kcwcd.com has many different resources for the public to learn about. One such resource is the link to slowtheflow.org. Whether you own your own home, you rent an apartment, or you are a business owner, saving water is a lot easier than most people think. All it takes is a few small changes to a daily routine and it can make a big difference in the monthly water bill. There are some tips on the slow the flow website that are easy to do and are low-cost practices. Others require more effort and are higher cost.

The District has plans to create a conservation garden at its Jackson Flat Reservoir to showcase and educate the public on efficient ways to set up landscaping and watering schedules. The District wants to preserve the heritage of beautiful yards and gardens but through efficient water distribution. A conservation garden will be one of the many public attractions at the Jackson Flat Reservoir.

Kane County Water Conservancy District has already implemented several water conservation measures and will continue efforts in this direction moving forward. The District is dedicated to wise use of water and the prevention of water waste.

Implementation and Evaluation Process

DRAFT

IMPLEMENTATION:

Plans will be implemented upon adoption by the KCWCD Board of Directors, anticipated July 2023. The public will be invited to the Board meeting that the Water Conservation Plan will be discussed and have an opportunity for input.

EVALUATION:

Evaluation will be assessed annually at the turn of the calendar year and will compare year-end usage totals with the previous year-end usage totals. Those figures will be compared to all previous years, accounting for growth, projects, system updates, and other factors that will affect usage. The implemented plan may change if circumstances require substantial variation.

Implementation and Evaluation Process

DRAFT

The Water Conservation Plan has been reviewed by the KCWCD board of directors and adopted it to be implemented as of January 1, 2023. The board is comprised of:

- David Schmucker (Paria River, East Kane County)
- McKay Chamberlain (Kanab Creek, Kanab)
- Clay Hansen (Virgin River, Glendale, Long Valley, Mt. Carmel, Orderville)
- Jon Lee (Sevier & Virgin River, Cedar Mountain)
- Ferril Heaton (Upper Kanab Creek, Alton)
- Michael East (Kanab Creek, Kanab)
- Benjamin Clarkson (Johnson Canyon, Kanab)

Any pertinent information concerning water conservation is reported to Mike Noel, Executive Director, and the Board of Directors. KCWCD is committed to continuing its conservation efforts and will implement its plans as warranted.

Summary

DRAFT

The Kane County Water Conservancy District prides itself in being well below the average water usage per connection in the State of Utah. The Board of Directors have guided KCWCD with policies that have contributed to this reality.

In the State of Utah, water conservation is of paramount importance. The State Legislature continues to write laws and attach funding to great water conservation measures that help the entire state save this precious resource. Their continued efforts will prove to be vital for the water future of the State of Utah.

With the help of the State, KCWCD's Board of Directors and Staff, and all the KCWCD water users, Kane County will continue to succeed in its efforts to use water for the most important parts of life.

DRAFT

DRAFT