



April 8, 2026, 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. Update on Commission Actions

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

2. Approval of Minutes

March 11, 2026

**ADMINISTRATIVE
ITEM:**

3. Camp Kaia

Discussion and possible action regarding administrative updates to the Conditional Use Permit (CUP), including consideration of authorizing the Land Use Administrator to process amendments and to remove temporary compliance holds upon verification that all required permits have been obtained.

LEGISLATIVE ITEMS

Public Hearing

4. Zone Change/Ordinance 2026-11 / Shawn Midkiff

Recommend approval or denial for Zone change from Commercial 1 (C-1) to Commercial 2 (C-2).

Parcel #: 2-1-33-2

Zoned: C-1

Acreage: 10 acres

Public Hearing

5. Ordinance 2026-10

Recommend approval or denial of Ordinance 2026-10, Revising the Kane County General Plan, Acknowledgement Section and Chapter 1.

Public Hearing

6. Ordinance 2026-12

Recommend approval or denial of Ordinance 2026-12. An Ordinance Revising Kane County Land Use Ordinance Title 9, Chapter 15:

Conditional and Temporary Uses, Section 5, Article A: Time Limit, in the Kane County Land Use Ordinance.

Public Hearing

7. Ordinance 2026-09

An Ordinance revising Roof Heights throughout Kane County Land Use Ordinance, and Amending References to Utah Code Title 17, Chapter 27A to Title 17, Chapter 79, Within Chapter 1 of the Kane County Land Use Ordinance.

Agenda items may be accelerated or taken out of order without notice as the Commission Chair 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 Kresta Blomquist 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. Update on Commission Actions

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

2. Approval of Minutes

March 11, 2026



CHAIRMAN: John Reese

MEMBERS PRESENT: John Reese, Mason Haycock, Doug Heaton, Julie Millard, Larry Crutchfield, Matt Cox

MEMBERS ABSENT: Lara Clayson

EX-OFFICIO MEMBER: Commissioner Gwen Brown

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

6:00 PM Meeting called to order John Reese
Invocation Mason Haycock
Pledge of Allegiance Doug Heaton

GENERAL BUSINESS

1. Update on Commission Actions

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

Commissioner Brown summarized recent commission actions: approval of zone changes from FAA to RU10 for Jeremy Hardman and from AG to R5 for Sam Noel, and a site visit with Greg Wyatt pending future presentation on a zone change project from the February Planning Commission meeting.

**2. Approval of Minutes
February 11, 2026**

MOTION: A motion was made by Matt Cox to approve minutes for February 11, 2026.

SECOND: Doug Heaton.

VOTE: The motion passed unanimously.

ADMINISTRATIVE BUSINESS

3. Commercial CUP; Enhanced Home Builders LLC

Approve / Deny an application for a Commercial Conditional Use Permit to extend the height of commercial building's roof to 49 feet.

Lot #: 51-116

Zoned: C-1

Acreage: 1.14 acres

Applicant, Brent Moser introduced a commercial CUP application from Enhanced Homebuilders LLC to extend a commercial roof height to 49 feet on lot 51-116A. He described acquisition of Pinewoods Resort, the intended remodel, layout uses (meeting space, bedrooms, game rooms), and the aesthetic and functional drivers for increased roof height to manage snow.

Administrator Shannon McBride commented on a conversation she had with Fire Chief Bernard regarding the County's ordinance. She explained that while the Fire Chief did not have concerns with a 49-foot roof height, he also expressed support for the County's ordinance and indicated that he would respect and adhere to whatever decision the County ultimately makes. Ms. McBride also shared details of her discussion with Ross Hunt, Kane County Building Inspector, who stated that he would be agreeable to the 49-foot roof height provided that commercial fire sprinklers are installed in the structure and that a fire hydrant is located within 500 feet of the lodge.

Members of the Planning Commission then discussed various perspectives and asked questions related to potential fire safety mitigation measures and possible view obstruction impacts associated with the proposal.

MOTION: Doug Heaton made a motion to approve this CUP based upon the application materials submitted and the foregoing findings of fact by the Kane County Land Use Administrator, to extend the roof height to 49 ft. for a future building on lot 51-116A subject to all conditions set forth herein and any other requirements enforceable in law or equity.

SECOND: Matt Cox.

VOTE: The vote was unanimous.

MOTION: Matt Cox made a motion to go in and out of public hearing at the call of the chair.

SECOND: Julie Millard.

VOTE: The vote was unanimous.

LEGISLATIVE BUSINESS

4. Zone Change/Ordinance 2026-07/JZB Enterprises, LLC

An application to consider a Zone Change from Commercial 1 (C-1) to Commercial 2 (C-2).
The intended use of the property will be a carwash, laundromat, and eventually storage units.
Ordinance 2026-07

Lot #: 194-24

Zoned: Commercial 1 (C-1)

Acreage: 1 acre

The applicant described planned uses (car wash, laundromat, future storage) and noted that the neighboring property is already rezoned to C2; no opposition was received. Two support letters were received in favor of the zone change.

Chairman Reese called the commission into public hearing.

No comments.

Chairman Reese called the commission out of public hearing.

MOTION: Matt Cox made a motion to recommend approving the zone change for lot 194-24 from C-1 to C-2 & Ordinance O-2026-07 to the County Commission based on the facts and findings as documented in the staff report.

SECOND: Mason Haycock.

VOTE: The vote was unanimous.

5. Ordinance 2026-08; Presented by Taylor Glover, Kane County Government Affairs

An Ordinance revising Kane County Land Use Ordinance, Title 9, Chapter 27, to Recognize Historic Livestock Trails as Established Roadways.

Commissioners asked whether non-road trails would become roads and about maintenance and budget impacts; Taylor explained mapping and a separate process for non-road trails and confirmed maintenance responsibilities would not change.

Chairman Reese called the commission into public hearing.

No comments.

Chairman Reese called the commission out of public hearing.

MOTION: Matt Cox made a motion to recommend this item to the Kane County Commission.

SECOND: Julie Millard.

VOTE: The vote was unanimous.

6. Ordinance 2026-09

An Ordinance revising Kane County Land Use Ordinance, Title 9, Chapter 7, Commercial Roof Heights and amending references to Utah Code Title 17, Chapter 27A to Title 17, Chapter 79, within chapter 1 of the Kane County Land Use Ordinance.

Jeff Stott, Kane County Attorney, reviewed ordinance 2026-09 proposing revisions to commercial roof-height rules and recommended replacing a permissive conditional-use allowance with explicit permitted heights. Examples from Kanab City were cited and he advised consulting fire experts regarding ladder and safety considerations before finalizing height limits.

Commissioners discussed whether to set a fixed maximum building height or retain conditional use permits to evaluate taller structures on their merits, citing concerns about views, surrounding tree cover, and public safety arguments such as fire-department response capabilities. Participants noted the difficulty of defensibly denying CUPs without concrete safety or mitigation reasons and debated whether a permitted height would simplify administration or inappropriately constrain property owners.

Chairman Reese called the commission into public hearing.

No comments.

Chairman Reese Heaton called the commission out of public hearing.

MOTION: Doug Heaton made a motion to not recommend approving the height portion of the ordinance to the Kane County Commissioners.

SECOND: Matt Cox.

VOTE: The vote was unanimous.

Chairman Reese called the commission into public hearing.

No comments.

Chairman Reese Heaton called the commission out of public hearing.

Administrator McBride explained the reason behind the second part of ordinance 2026-09, citing the recent move of all County Land Use references in Utah state code title 17 from chapter 27A to chapter 79.

MOTION:(For second portion of O-2026-09) Matt Cox made a motion to recommend approving the amending of references to Utah Code Title 17, Chapter 27A to Title 17, Chapter 79, within chapter 1 of the Kane County Land Use Ordinance to the Kane County Commissioners.

SECOND: Julie Millard.

VOTE: The vote was unanimous.

7. Ordinance 2026-10

An Ordinance Revising the Kane County General Plan, Acknowledgement Section and Chapter 1.

The Planning Commission briefly discussed the proposed updates to Chapter 1 of the Kane County General Plan, which primarily consist of routine revisions to census figures and other numerical data to ensure the chapter reflects the most current information available.

Administrator McBride explained that the changes were intended to update demographic and statistical references without altering the underlying policies or direction of the plan. Some of the updates in the physical packet were new changes that were suggested by Commissioner Brown earlier in the week. Because these changes had been made so close to scheduled meeting, they were not sent in the review packet and the planning commission did not have a chance to review them ahead of time. During the discussion, Commissioner Doug Heaton stated that he would like additional time to review the updated information and recommended that the item be tabled for a future meeting to allow the Commission an opportunity to examine the revisions more closely before taking action.

Chairman Reese called the commission into public hearing.

No comments.

Chairman Reese Heaton called the commission out of public hearing.

MOTION: Matt Cox made a motion to table this item including the public hearing.

SECOND: Doug Heaton.

Matt Cox made a motion to adjourn.

Meeting was adjourned at 7:24 pm.

Land Use Authority Chair
John Reese

Land Use Administrative Assistant
Kresta Blomquist

Public Hearing

3. Zone Change/Ordinance 2026-11 / Shawn Midkiff

Recommend approval or denial for Zone change from Commercial 1 (C-1) to Commercial 2 (C-2).

Parcel #: 2-1-33-2

Zoned: C-1

Acreage: 10 acres



Request for a Zone Change



Application Fee \$400

*Application fee is non-refundable after staff review.

Owner / Applicant Name: Shawn Midkiff

Date: 3/9/26 Address: [Redacted]

City: [Redacted] State: [Redacted] Zip Code: [Redacted]

Phone: [Redacted] Email: [Redacted]

Parcel / Lot #: 2-1-33-2

Location and Legal Description of Property:

Parcel # 2-1-33-2

Paria

Current Zone: C1 Proposed Zone: C2

Intended Use and Reason for Zone Change:

Camp Ground

I (we) certify that the proposed Zone Change will conform to the Kane County Zoning Ordinance and that no changes will be made without prior approval.

[Redacted Signature]

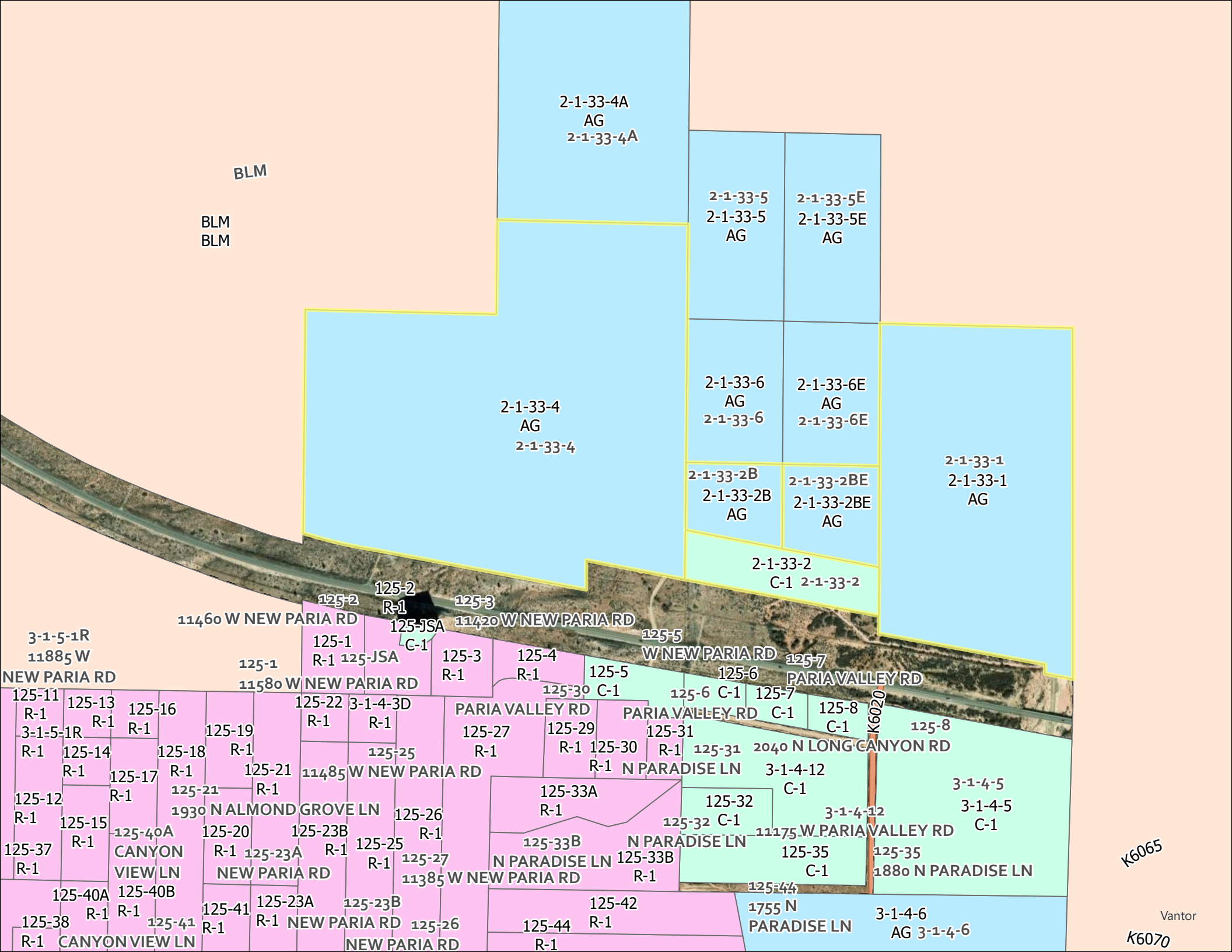
Owner's Signature

*If acting on behalf of the property owner, please include a Power of Attorney.

Planning Commission Action: Approve Deny

Signature - Planning Commission Chair

Date:



BLM

BLM
BLM

2-1-33-4A
AG
2-1-33-4A

2-1-33-5
2-1-33-5
AG

2-1-33-5E
2-1-33-5E
AG

2-1-33-4
AG
2-1-33-4

2-1-33-6
AG
2-1-33-6

2-1-33-6E
AG
2-1-33-6E

2-1-33-1
2-1-33-1
AG

2-1-33-2B
2-1-33-2B
AG

2-1-33-2BE
2-1-33-2BE
AG

2-1-33-2
C-1 2-1-33-2

11460 W NEW PARIA RD

11420 W NEW PARIA RD

W NEW PARIA RD

PARIA VALLEY RD

3-1-5-1R
11885 W

125-1

125-1
R-1 125-JSA

125-3
R-1

125-4
R-1

125-5
C-1

125-6
C-1

125-7
C-1

125-8
C-1

NEW PARIA RD

11580 W NEW PARIA RD

PARIA VALLEY RD

PARIA VALLEY RD

2040 N LONG CANYON RD

125-11 R-1

125-13 R-1

125-16 R-1

125-19 R-1

125-22 R-1

125-25 R-1

125-26 R-1

125-29 R-1

125-30 R-1

125-31 R-1

125-32 C-1

125-33A R-1

125-35 C-1

125-38 R-1

3-1-5-1R

125-14 R-1

125-17 R-1

125-20 R-1

125-23A R-1

125-25 R-1

125-27 R-1

125-30 R-1

125-33B R-1

125-35 C-1

125-37 R-1

125-40A R-1

125-41 R-1

125-42 R-1

125-44 R-1

125-46 R-1

125-48 R-1

125-12 R-1

125-15 R-1

125-18 R-1

125-21 R-1

125-23B R-1

125-25 R-1

125-27 R-1

125-30 R-1

125-33B R-1

125-35 C-1

125-37 R-1

125-40A R-1

125-41 R-1

125-42 R-1

125-44 R-1

125-46 R-1

125-48 R-1

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125-21 R-1

125-23A R-1

125-25 R-1

125-27 R-1

125-30 R-1

125-33B R-1

125-35 C-1

125-37 R-1

125-40A R-1

125-41 R-1

125-42 R-1

125-44 R-1

125-46 R-1

125-48 R-1

125-12 R-1

125-15 R-1

125-18 R-1

125-21 R-1

125-23A R-1

125-25 R-1

125-27 R-1

125-30 R-1

125-33B R-1

125-35 C-1

125-37 R-1

125-40A R-1

125-41 R-1

125-42 R-1

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125-48 R-1

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125-21 R-1

125-23A R-1

125-25 R-1

125-27 R-1

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125-35 C-1

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125-40A R-1

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K6065

Vantor

K6070



KANE COUNTY LAND USE AUTHORITY
Shannon McBride
LAND USE AUTHORITY
ADMINISTRATOR

Staff Report

DATE: March 17, 2026

To: Planning Commission
From: Shannon McBride, Land Use Administrator
Subject: Project # 26018: Zone Change Application, C-1 to C-2, Ordinance O-2026-11
Parcel 2-1-33-2 consisting of 10 acres

HEARING NOTIFICATION:

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

REQUEST:

On March 16, 2026, Shawn Midkiff, submitted a zone change application for parcel 2-1-33-2, North of Highway 89 in front of the gravel pit in the New Paria Area in Kane County, Utah, requesting to rezone from Commercial 1 to Commercial 2. The intended use is to develop the property with a campground/RV park.

LEGAL DESCRIPTION:

Parcel Number 2-1-33-2 BEG AT A PT WH IS 155.75 FT S OF THE NW COR OF THE SW/4SE/4 OF SEC 33 T42S R1W SLB&M & RUN TH S 339.25 FT, M/L, TO THE HWY SCENIC STRIP; TH S 79*58' E 1,348.0 FT, M/L, ALG SAID SCENIC STRIP TO THE E LINE OF SAID SW/4SE/4; TH N 334.11 FT, M/L; TH N 79*58' W 1,348.0 FT, M/L, TO THE PT OF BEG. CONT 10.0 AC, M/L.

THIS IS A REMAINING DESCRIPTION

FACTS & FINDINGS:

Lot Characteristics

- Parcel 2-1-33-2 meets the minimum acreage required to be zoned C-2.
- The lot is currently zoned C-1.
- The owner requests the lot be zoned C-2 which requires a zone change.
- Surrounding parcels are zoned C-1, C-2, AG

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

- The parcel abuts Highway 89.
- All property owners within 500 ft. of this lot have been mailed a public notice.
- The parcel gains access from Highway 89 and is the front parcel.
- **Commercial 1 USES 9-7B-1: PURPOSE:** The purpose of the Commercial 1 zone is to provide for the sale of goods and the performance of services and other activities for which the market extends beyond the immediate area. (Ord. O-2022-42, 7-26-2022; amd. Ord. O-2022-60, 11-22-2022)
- **9-7B-2: USE REGULATIONS:** Development of any parcel of land for any of the uses listed in this section exceeding fifteen thousand (15,000) square feet of total building floor area are not permitted in this zone.
 - A. Permitted Uses: The following uses are permitted in the C-1 zone:
 Accessory uses and buildings, customarily incidental and subordinate to an approved permitted use.
 Any permitted uses listed in the light commercial (L-C) zone.
 Restaurants.
 Retail sale and/or rental of goods, merchandise and equipment conducted wholly within an enclosed building.
 Tour Companies without ATV/UHV rentals.
 - B. Multi-Residential, Residential And Agricultural Uses: All uses listed in the multi-residential, residential and agricultural uses table are allowed in the C-1 Zone with their appropriate designation of permitted or conditional unless otherwise changed in the commercial uses table.
 - C. 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.
 Automobile car wash, not to exceed four (4) bays.
 Automobile sales
 Automobile fuel stations.
 Cell towers.
 Child daycare or preschool center which meets all state and local regulations.
 Commercial recreation and entertainment facilities, not to include sexually oriented businesses.
 Heli pad private.
 Private business and technical schools.
 Reception center and/or wedding chapel.
 - D. Any uses not set forth in this section or L-C are not allowed.
 - E. 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; amd. Ord. O-2023-12, 4-25-2023)
- **COMMERCIAL 2 USES C-2 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)

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

1. Existing Development Pattern

- Industrial and commercial land uses in Kane County are generally concentrated at major highway intersections and in proximity to established communities.
- If the zone change is approved the uses contained in the C-2 uses table will be allowed.

CONCLUSION:

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

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

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 as stated above.

LEGAL CONTEXT

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

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

MOTION: I move to recommend approving/denying the zone change for parcel 2-1-33-2 from C-1 to C-2 & Ordinance O-2026-11 to the County Commission based on the facts and findings as documented in the staff report.



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

KANE COUNTY ORDINANCE NO. O 2026-11

**AN ORDINANCE AMENDING THE ZONING OF PARCEL 2-1-33-2 IN THE NEW
PARIA AREA ABUTTING HIGHWAY 89 FROM COMMERCIAL 1 TO
COMMERCIAL 2**

WHEREAS, the Kane County Planning Commission, after due and legal notice, held a public hearing on April 8, 2026, and forwarded a recommendation to the Kane County Commission regarding this ordinance; and

WHEREAS, the Kane County Board of Commissioners finds that said zone change is in accordance with the Kane County Land Use Ordinance 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 Commission has reviewed the proposed ordinance, the staff report, the Planning Commission recommendation, and finds the amendment to be in the best interest of the public health, safety, and welfare; and

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

WHEREAS, the Kane County Planning Commission and Kane County Board of Commissioners desire to implement the recommended zone change to parcel 2-1-33-2, from Commercial 1 to Commercial 2;

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

LEGAL DESCRIPTION:

Parcel Number 2-1-33-2

Legal Legal BEG AT A PT WH IS 155.75 FT S OF THE NW COR OF THE SW/4SE/4 OF SEC 33 T42S R1W SLB&M & RUN TH S 339.25 FT, M/L, TO THE HWY SCENIC STRIP; TH S 79*58' E 1,348.0 FT, M/L, ALG SAID SCENIC STRIP TO THE E LINE OF SAID SW/4SE/4; TH N 334.11 FT, M/L; TH N 79*58' W 1,348.0 FT, M/L, TO THE PT OF BEG. CONT 10.0 AC, M/L.

THIS IS A REMAINING DESCRIPTION

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

Section 1. Severability.

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

Section 2. Effective Date

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

Section 3. Publication and Notice.

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

End of Ordinance.

ADOPTED this 14th day of April, 2026

Commissioner Brown voted: _____

Commissioner Meyeres voted: _____

Commissioner Kubeja voted: _____

COUNTY:

Kane County, a political subdivision of the State of Utah

By: _____

Gwen Brown

Chair, Kane County Commission

Corporate Acknowledgment

State of Utah

§
County of _____)

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

Witness my hand and official seal.

(Notary signature and seal)

Notary Printed Name _____ My Commission Expires

Residing in _____, County

Public Hearing

4. Ordinance 2026-10

Recommend approval or denial of Ordinance 2026-10,
Revising the Kane County General Plan, Acknowledgement
Section and Chapter 1.

KANE COUNTY

General Plan



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

Amended March 11, 2026 *

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <[https://datausa.io/profile/geo/kane-county-ut?>](https://datausa.io/profile/geo/kane-county-ut?)

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
Kresta Blomquist, 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 Millard
Lara Clayson

Kane County Staff

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

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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.

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 **current** 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, provided that those **decisions do not negatively impact the neighboring property owners or adversely affect the established character of the surrounding area.** 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 **of all residents**, not the interests of those who intrude on the zone. Zone

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).

changes will be made only after those interests for which the zone was created have expired or there is no interest left to protect.

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 of new and current residents 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.

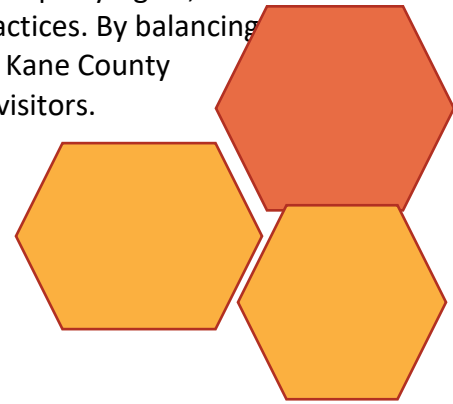
A basic premise of this General Plan (hereinafter, "Plan") is that land uses in unincorporated areas cannot be supported by county operated and financed municipal-scale services. Tax impacts will be kept low by resisting the temptation to solve private problems with public funds. County funds will be 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.

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

In summary, Kane County’s General Plan is rooted in respect of all private property rights, limited and efficient governance, and coordination of land management practices. By balancing economic opportunity, environmental stewardship, and community values, Kane County ensures a thriving and harmonious future for its residents, businesses, and visitors.



Chapter 1 – Land Use

Introduction

Kane County’s land use policy addresses:

1. The general distribution and location of land uses throughout the County; and
2. Appropriate standards for population density and building intensity of those land uses.

Kane County encompasses approximately 2.6 million acres (2,630,400 acres) of remote and environmentally significant land in southern Utah. The County is characterized by substantial variation in elevation, climate, vegetation, and geology. These natural conditions—particularly the availability of water—have historically shaped settlement patterns, land ownership, and land use throughout the region.

Approximately 85.5 percent of the County’s land base is managed by federal agencies, including the Bureau of Land Management (BLM), National Park Service (NPS), and U.S. Forest Service (USFS). Major federal holdings within Kane County include:

- Grand Staircase-Escalante National Monument
- Zion National Park
- Dixie National Forest
- Glen Canyon National Recreation Area
- Bryce Canyon National Park

The State of Utah also manages lands within the County, including:

- Coral Pink Sand Dunes State Park
- Kodachrome Basin State Park

An additional 4.2 percent of the County’s land base is administered by the Utah State Institutional and Trust Lands Administration (SITLA). These lands were granted at statehood to generate revenue for public schools and other trust beneficiaries. Unlike federal lands managed for multiple-use objectives, SITLA lands are constitutionally required to maximize long-term revenue. As such, they function more similarly to private lands and are considered part of the County’s developable land base.

Within Kane County, SITLA manages approximately 99,605 acres of surface estate and holds partial or full mineral rights beneath approximately 143,527 acres.

Privately owned lands are generally located along perennial watercourses and near higher-elevation forested areas where precipitation and soils support agriculture, livestock production, and community development. Because the majority of the County is publicly owned, the supply of developable private land is limited.

This pattern of federal, state, and private ownership significantly influences land use planning, infrastructure expansion, economic development, and long-term growth management. Effective planning requires coordination among jurisdictions and careful consideration of private property rights, water availability, resource stewardship, and the preservation of Kane County's rural character and natural landscape.

Agricultural Land Use



1. Purpose and Vision

Agriculture has historically been a foundational component of Kane County’s economy, settlement patterns, cultural identity, and working landscape. Although agricultural acreage represents a relatively small percentage of the County’s total land base—much of which is federally managed—agricultural operations remain essential to maintaining open space, protecting water rights, sustaining wildlife habitat, and preserving the County’s western heritage.

The County’s vision for agricultural land use is to maintain viable working landscapes through coordinated land use planning, protection of water resources, and preservation of access to federal and state grazing allotments, while accommodating appropriate growth consistent with state law and local priorities.

2. Existing Conditions and Trends

Agricultural Land Base

According to the 2022 Census of Agriculture (United States Department of Agriculture), Kane County reported:

- 189 farms
- 125,662 acres of farmland

This reflects an increase from 2007 (145 farms and 113,417 acres). However, long-term data indicate continued fragmentation of agricultural lands. In 1992, the average farm size was approximately 1,500 acres; by 2012, the average farm size had declined to approximately 685 acres, demonstrating a multi-decade trend toward subdivision and reduced operational scale.

Of the 125,662 acres reported in 2022:

- Approximately 4,641 acres are classified as cropland.
- Approximately 6,436 acres are irrigated.
- The majority of irrigated cropland is devoted to hay production, which has increased in recent census cycles.

Orchard production has declined relative to historic levels, reflecting broader shifts in agricultural economics, water availability, labor markets, and land conversion pressures.

Livestock Production

Livestock grazing remains the dominant agricultural activity in Kane County. Most federal lands within the County are incorporated into established grazing allotments administered by the Bureau of Land Management and the U.S. Forest Service. Continued access to these allotments is essential to the viability of many local operations.

The 2022 Census of Agriculture reports:

- 107 cattle and calf operations
- 8,998 head of cattle
- 19 sheep and lamb operations
- 429 head of sheep and lambs (Approximately)

While total livestock inventory remains below historic 1992 levels, both the number of cattle operations and total head increased compared to the previous census cycle. Sheep operations have increased in number but remain significantly below early 20th-century levels.

Many operations function as supplemental income enterprises; however, even part-time agricultural activities contribute meaningfully to the County's working landscape, tax base, and cultural continuity.

3. Agricultural Economics

Historical reporting from the Utah Department of Agriculture and Food has demonstrated that many agricultural operations in Kane County operate on narrow profit margins, with production expenses frequently approaching or exceeding gross farm income. Producers face continued challenges related to:

- Rising input costs (fuel, feed, labor, equipment)
- Water supply constraints
- Regulatory compliance requirements
- Market volatility

Despite these pressures, agriculture remains a significant economic sector statewide. Research from **Utah State University** indicates that Utah’s agricultural production and processing industries contribute more than \$17 billion annually to the state economy and support approximately 78,000 jobs. Kane County producers contribute to and depend upon this broader statewide agricultural system.

4. Statutory Framework

Utah law provides explicit policy direction supporting the preservation and protection of agriculture. The following statutory authorities provide the legal foundation for Kane County’s agricultural land use policies:

- **Utah Code Title 4 (Utah Code Ann. § 4-1-1 et seq.) – Agriculture and Food**
Establishes state authority and public policy supporting agricultural production, resource conservation, and the promotion of agricultural interests throughout Utah.
- **Utah Right to Farm Act (Utah Code Ann. § 4-44-101 et seq.) – Utah Right to Farm Act**
Provides statutory protection for qualifying agricultural operations from nuisance claims when conducted in accordance with generally accepted agricultural practices and existing prior to surrounding non-agricultural development.
- **County Land Use, Development, and Management Act (Utah Code Ann. § 17-27a-101 et seq.) – County Land Use, Development, and Management Act (CLUDMA)**
Authorizes counties to adopt general plans, designate agricultural zoning districts, regulate land uses, and implement land use controls that promote agricultural viability and minimize land use conflicts.
- **Farmland Assessment Act (Utah Code Ann. § 59-2-501 through § 59-2-515) – Farmland Assessment Act (“Greenbelt Act”)**
Allows qualifying agricultural lands to be assessed based on productive capability rather than market value, thereby reducing property tax burdens and discouraging premature conversion to non-agricultural uses.

These statutory provisions collectively reinforce the importance of maintaining agricultural lands as working landscapes and provide Kane County with regulatory tools necessary to support long-term agricultural sustainability consistent with the 2026 General Plan Update.

5. Agriculture, Heritage, and Tourism

Agriculture and ranching are defining elements of Kane County’s identity. The County’s “cowboy” heritage and working ranch landscapes contribute directly to its tourism economy and national reputation as a Western destination.

Numerous Western films have been produced in Kane County, reinforcing the image of open rangelands, livestock grazing, and red-rock ranch country. The annual Western heritage festival celebrates this legacy and reflects the enduring cultural connection between ranching, livestock, and community identity.

Visitors are drawn not only to nearby national parks and public lands, but also to the County's open agricultural landscapes and traditional Western character. In this respect, ranching and grazing are not solely economic activities; they are integral components of Kane County's tourism brand and cultural economy.

6. Issues and Opportunities

Key issues affecting agricultural land use include:

- Continued fragmentation of agricultural parcels due to residential subdivision.
- Water availability and long-term irrigation infrastructure sustainability.
- Increasing land values and development pressures.
- Potential conflicts between residential uses and established agricultural operations.
- Dependence upon continued access to federal grazing allotments.

Opportunities include:

- Use of clustering and conservation subdivision design to maintain larger working parcels.
- Preservation of agricultural water rights and irrigation systems.
- Coordination with federal and state land management agencies.
- Promotion of agritourism and heritage-based economic development.

7. Agricultural Land Use Goals, Objectives & Implementation Strategies

Goal 1

Preserve and support viable agricultural operations in Kane County.

Objective 1

Maintain regulatory and land use tools that protect agricultural lands and operations.

Strategies:

- Maintain agricultural zoning districts consistent with authority granted under the County Land Use, Development, and Management Act.
- Utilize assessment tools authorized under the Farmland Assessment Act to discourage premature conversion of productive agricultural lands.

Objective 2

Reduce fragmentation of agricultural lands and maintain long-term land productivity.

Strategies:

- Encourage land use patterns that reduce fragmentation of agricultural lands, including clustering, conservation subdivision design, and transfer of development potential where appropriate.
 - Protect agricultural water rights and irrigation infrastructure as critical components of long-term agricultural viability.
-

Objective 3

Support continued access to public land resources necessary for agricultural operations.

Strategies:

- Support continued access to federal and state grazing allotments through coordinated engagement with the Bureau of Land Management, U.S. Forest Service, and other applicable agencies.
-

Goal 2

Minimize land use conflicts between agriculture and residential development.

Objective 1

Ensure new development acknowledges and accommodates ongoing agricultural operations.

Strategies:

- Require right-to-farm disclosures for residential development adjacent to agricultural lands.
 - Encourage buffering, lot design standards, and subdivision layouts that minimize operational conflicts.
 - Recognize and support the protections afforded under the Utah Right to Farm Act.
-

Goal 3: Integrate agriculture into the County's cultural and economic development strategy.

Objective 1

Promote agriculture as a defining component of Kane County's heritage and economy.

Strategies:

- Recognize agriculture and ranching as defining elements of Kane County's heritage and tourism economy.
 - Support agritourism, heritage events, and branding initiatives that reinforce the County's western identity.
 - Coordinate agricultural preservation strategies with broader economic development and tourism planning efforts.
-

8. Implementation

Implementation of this Agricultural Land Use Element shall occur through:

- Zoning and ordinance updates consistent with Utah Code 17-79.

- Coordination with state and federal agencies managing public lands.
 - Ongoing monitoring of agricultural census data and economic indicators.
 - Integration of agricultural preservation strategies into future land use mapping and development review processes.
-

Conclusion

Agriculture remains a defining feature of Kane County's landscape, economy, and heritage. While the scale and structure of agricultural production have evolved, the continued viability of working farms and ranches depends upon proactive land use planning, protection of water and grazing resources, and consistent policy implementation. Through the coordinated application of statutory authority and local land use tools, Kane County affirms its commitment to preserving agriculture as a foundational component of its 2026 General Plan vision.

Residential Land Use

1. Land Ownership Context

Kane County continues to be characterized by a limited private land base and extensive federal ownership. Approximately 10 percent of the total land area in Kane County (approximately 263,040 acres) is privately owned. The remaining acreage consists primarily of federal and state-managed lands.

Kane County remains among the Utah counties with the lowest percentage of privately owned land and among those with the highest percentage of federally managed lands. This land ownership pattern significantly influences residential development opportunities, infrastructure expansion, and long-term growth planning.

Statewide data indicate that approximately 64 percent of Utah land is federally owned, with rural southern Utah counties reflecting substantially higher concentrations of federal land ownership (Kem C. Gardner Policy Institute, 2023). This structural land ownership constraint will continue to shape residential growth patterns within Kane County.

2. Housing Inventory and Occupancy

According to the U.S. Census Bureau (QuickFacts, 2024 estimate):

- Total housing units (2024): 6,783

- Owner-occupied housing rate: approximately 80.4%
- Median value of owner-occupied housing units (2024): approximately \$415,000 (Census QuickFacts)

Housing unit growth has continued since the 2018 General Plan update, which recorded approximately 6,008 units at that time. The increase to 6,783 units reflects continued residential construction activity and seasonal housing demand.

Kane County maintains a high homeownership rate relative to national averages, consistent with rural Utah patterns.

3. Seasonal and Recreational Housing

A substantial portion of the County’s housing inventory consists of seasonal, recreational, or occasional-use dwelling units. This pattern reflects Kane County’s tourism-based economy and proximity to major public land and recreation destinations including:

- Zion National Park
- Bryce Canyon National Park
- Lake Powell

Seasonal housing is particularly concentrated in:

- Cedar Mountain / Duck Creek area
- Deer Springs region
- Areas adjacent to the eastern entrance of Zion National Park
- Subdivisions near Bullfrog Marina on Lake Powell

The presence of seasonal units impacts infrastructure planning, emergency services demand, short-term rental activity, and long-term housing affordability for full-time residents.

4. Residential Construction Trends

Table 1 – Total Housing Units Growth

Year	Total Housing Units	Percent Change
2010	5,861	—
2017	6,008	+2.5%
2020	6,457	+7.5%

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
 2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

Year Total Housing Units Percent Change

2024	6,783	+5.0%
2026*	~6,900 (est.)	+1.7%

*2026 estimate based on permit trends and annual growth averages.

Table 2 – Residential Permit Trends (Historic Cycles)

Period	Average Annual Units	Trend
1994–2004	109	Moderate Growth
2005–2007	200	Peak Growth
2008–2014	15–60	Recession Decline
2015–2019	70–100	Recovery Period
2020–2024	120–200 (varies by year)	Renewed Demand

Historic residential construction trends illustrate cyclical growth patterns:

- 1994–2004: Approximately 109 new residential units annually
- 2005–2007: Approximately 200 new units annually (peak growth period)
- 2008–2014: Significant decline following the national recession
- Post-2015: Renewed construction activity

More recent data indicate continued development activity. According to the U.S. Census Bureau Building Permit Survey (2024), approximately 200 total building permits (residential and nonresidential combined) were issued in the County.

While permit totals fluctuate annually, recent trends demonstrate steady demand for both primary and secondary residential units.

5. Housing Affordability and Rent Trends

Table 3 – Fair Market Rent Trends (Two-Bedroom Units)

Year	FMR	Percent Change
2023	\$1,023	—
2024	\$1,351	+32%
2025	~\$1,400+ (HUD schedule)	Moderate Increase
2026	Elevated relative to pre-2022 levels	Stabilizing trend

Housing affordability has emerged as a significant issue in Kane County.

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

According to the U.S. Department of Housing and Urban Development (HUD) Fair Market Rent (FMR) schedules:

- Two-bedroom Fair Market Rent increased from approximately \$1,023 (2023) to approximately \$1,351 (2024) — a 32 percent year-over-year increase.

Subsequent HUD schedules (FY 2025–FY 2026) indicate continued elevated rent levels compared to pre-2022 averages.

Rapid increases in Fair Market Rent are reflective of:

- Increased in-migration to Southern Utah
- Growth in seasonal and short-term rental markets
- Limited private land available for large-scale housing development
- Increased construction and material costs

These conditions create challenges for workforce housing, first-time homebuyers, and long-term residents.

6. Planning Implications

Monitoring Matrix

Action Item	Responsible Party	Timeline	Monitoring Tool
Annual Permit Report	Building Department	Annually	Permit Summary
Housing Inventory Update	Planning Dept.	Every 2 Years	Census & Assessor Data
Infrastructure Capacity Review	Public Works	Ongoing	CIP & Impact Analysis
Seasonal Housing Tracking	Planning Dept.	Annually	Parcel Classification Review
Affordability Monitoring	Planning & Commission	Annual Review	HUD FMR & Market Data

Given the County’s limited private land base and continued demand for residential development, the following implications are recognized:

1. Residential growth will continue to concentrate in existing private land areas and established subdivisions.
2. Seasonal housing will remain a significant component of the housing stock.
3. Infrastructure expansion must be carefully coordinated with development due to geographic and land ownership constraints.
4. Housing affordability will require continued monitoring and policy consideration.

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
 2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

5. Coordination with federal and state land managers will remain essential to long-term growth planning.

Kane County will continue to monitor housing trends, building permit activity, and demographic changes to ensure that land use policies align with available infrastructure, water resources, transportation systems, and community character objectives.

7. Residential Land Use Goals, Objectives & Implementation Strategies

Goal 1: Promote Orderly and Sustainable Residential Growth

Objective

Direct residential development to areas with existing or planned infrastructure capacity.

Strategies:

1. Prioritize residential development within established subdivisions and existing community nodes.
2. Coordinate land use approvals with water availability verification and infrastructure capacity analysis.
3. Require infrastructure phasing plans for large-scale residential projects.
4. Encourage clustered development patterns where appropriate to preserve open space and reduce infrastructure costs.
5. Maintain the rural landscape and lifestyle, which is why our citizens love living here and others love to visit.

Goal 2: Maintain Community Character While Accommodating Growth

Objective

Ensure residential development reflects the rural character and natural landscape of Kane County.

Strategies:

1. Maintain zoning standards that reflect lot size patterns consistent with community context.
2. Encourage architectural and site design that minimizes visual impacts in scenic corridors.
3. Preserve dark-sky standards in residential developments.
4. Maintain the rural landscape and lifestyle, which is why our citizens love living here and others love to visit.
5. The County Commissioners will help preserve the rural character of the County and

protect the quality of life that our citizens now enjoy when approving zone changes and developments in residential areas.

6. Coordinate with federal and state agencies where residential areas border public lands.
-

Goal 3: Address Housing Affordability and Workforce Needs

Objective

Monitor housing costs and rental trends to support housing opportunities for full-time residents.

Strategies:

1. Evaluate zoning tools that allow diverse housing types where appropriate.
 2. Encourage mixed housing product types in growth areas.
 3. Coordinate with regional housing partners to assess workforce housing demand.
 4. Monitor short-term rental impacts on long-term housing supply.
-

Goal 4: Plan for Seasonal and Recreational Housing Impacts

Objective

Recognize and plan for the infrastructure and service demands created by seasonal and second-home development.

Strategies:

1. Track seasonal housing percentages annually.
 2. Evaluate impacts of part-time occupancy on emergency services and road maintenance.
 3. Coordinate with tourism and economic development stakeholders.
 4. Ensure subdivision approvals include adequate road and utility standards for peak seasonal demand.
-

Goal 5: Strengthen Data Monitoring and Forecasting

Objective

Maintain updated housing and permit data to inform policy decisions.

Strategies:

1. Publish annual building permit summaries.
 2. Update housing inventory estimates every two years using Census and County Assessor data.
 3. Track lot inventory within platted subdivisions.
-

Industrial and Commercial Land Use

1. Existing Development Pattern

Industrial and commercial land uses in Kane County are generally concentrated at major highway intersections and in proximity to established communities. Over time, much of the County's commercial and industrial activity has been annexed into incorporated municipalities, particularly within and around Kanab City.

However, several significant commercial and resort-based developments remain in unincorporated Kane County, including:

- **Amangiri**, located near the eastern boundary of Kane County;
- **Best Friends Animal Sanctuary**, located approximately ten (10) miles north of Kanab in Angel Canyon;
- **Duck Creek Village**, Located off highway 14 on Cedar Mountain
- **East Zion**, A resort-oriented development near the eastern boundary of Zion National Park, including Buffalo Ridge, Zion National Park Discover Center, Zion Ponderosa Resort, Zion Spirit

These projects have been approved as Planned Unit Developments (PUDs) or specialty zones and reflect the County's long-standing approach of encouraging master-planned commercial and resort developments that are compatible with surrounding lands, infrastructure capacity, and environmental constraints.

2. Economic Trends and Employment (2025–2026 Update)

According to recent labor market data from the Utah Department of Workforce Services and the U.S. Bureau of Labor Statistics, Kane County's unemployment rate was approximately 3.4 to 3.5 percent in 2025, reflecting continued labor market stability and a relatively low level of joblessness.

As of the most recent workforce data (2023–2025 estimates):

- Kane County's total employed resident workforce is approximately 3,490 individuals.¹

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

- The largest employment sectors (by resident workforce share) include:²
 - Other Services (except Public Administration): approximately 18.5%
 - Educational Services: approximately 12.1%
 - Accommodation and Food Services: approximately 9.7%

These figures demonstrate that Kane County’s economy remains heavily influenced by service-oriented and tourism-related sectors, while also maintaining a stable educational and nonprofit employment base.

Accommodation, food services, and tourism-related industries continue to represent a significant portion of the County’s employment structure due to proximity to national parks and recreational amenities.

While manufacturing and information sectors remain comparatively small components of the local economy, continued infrastructure investment and regional growth may provide opportunities for gradual diversification over time.

3. Policy Direction

Kane County shall:

1. Encourage commercial and industrial development in logical growth areas near existing infrastructure and transportation corridors.
2. Support master-planned developments that mitigate impacts to scenic resources, public lands, and adjacent properties.
3. Promote economic diversification to reduce reliance on a single employment sector.
4. Coordinate land use approvals with water availability, transportation planning, emergency services, and public infrastructure capacity.
5. Support employment opportunities that provide stable, year-round jobs consistent with the County’s rural character and environmental stewardship goals.

Public Facilities and Developed Recreation

A. County Administrative and Community Facilities

Most County administrative and maintenance facilities are located within incorporated communities, primarily in Kanab City, the County seat.

Key public facilities include:

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

- **Jackson Flat Reservoir**, immediately south of Kanab, with approximately 4,228 acre-feet of storage capacity. Developed by the Kane County Water Conservancy District, the reservoir supports both water storage and recreational access.
- The **North Event Center** in Orderville, a 15,960 square-foot facility constructed in 2013 at the Kane County Fairgrounds to host community events, conferences, and recreation programming.
- The **Kanab Center**, developed by the Kane County Municipal Building Authority (MBA), which combines new construction with historic renovation for a total of approximately 43,500 square feet of community facility space. The Kanab Center houses municipal offices, senior services, gym facilities, and community arts and youth programs.
- The **Kane County Recreation Center**, is a 29,320 square-foot public facility designed to support community recreation, wellness, and youth programming. The center includes three full-sized recreation courts and administrative office space to accommodate organized sports, community events, and recreational services.
- Kane County Community Outreach Center, is a 14,977.33 square-foot public facility designed to support Kane County addiction service, Kane County Care and Share and event storage.

These facilities represent long-term investments in community infrastructure and services.

B. Developed Recreation

Kane County recognizes the importance of developed recreation areas to quality of life, tourism, and economic vitality. The Kane County Land Use Ordinance shall continue to provide opportunities for developed recreational land uses that:

- Are compatible with surrounding land uses;
- Protect scenic and environmental resources;
- Are supported by adequate infrastructure; and
- Enhance public access to outdoor and cultural recreation opportunities.

Annexation / Urban Development

Kane County Commission may approve annexation / urban development within an adopted expansion area of a municipality if the county notifies the municipality of the proposed annexation / urban development; and the municipality consents in writing to the proposed urban development within an adopted municipal expansion area.

Kanab City's Annexation map

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
 2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

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%
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%

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
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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.

Policy Direction

State and federal land management agencies shall coordinate diligently and proactively with Kane County regarding public land management decisions to ensure:

1. Consistency with the goals, objectives, and policies of this General Plan;
2. Protection of the health, safety, and welfare of County residents;
3. Continued access for multiple-use activities, including grazing, recreation, and responsible resource development; and

Consideration of local economic and infrastructure impacts. **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.

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
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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.
- G. Lands within the Kanab City Annexation map area for Urban Development

*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. A study of the valley area near Duck Creek Village was of particular concern where the high ground water level caused septic systems to be inundated with water and soil absorption to be reduced. The study indicated the best solution was to utilize land currently owned by the United States Forest Service.

Kane County along with the U.S. Forest Service under the authority of the National Forest Townsite Act²² conveyed/transferred approximately 70 acres of land in the Dixie National Forest for community services (i.e. sewer) it serves the Duck Creek Area (and an 8-mile radius therein). The transfer provides services that include water and wastewater, fire protection, solid waste management, and other future qualifying community needs (i.e. schools, medical, and utilities).

Referred to as the Duck Creek Townsite Act Land Conveyance project, the development plan associated with this conveyance includes a development plan where the KCWCD

²² July 31, 1958 (PP.L 85-569, 72 Stat. 438, 16 U.S.C. 478a, as amended). Townsites - When the [Secretary](#) of Agriculture determines that a tract of [National Forest System](#) land in Alaska or in the eleven contiguous Western States is located adjacent to or contiguous to an established community, and that transfer of such land would serve indigenous community objectives that outweigh the public objectives and values which would be served by maintaining such tract in Federal ownership, he may, upon application, set aside and designate as a townsite an area of not to exceed six hundred and forty acres of [National Forest System](#) land for any one application. After public notice, and satisfactory showing of need therefor by any county, city, or other local governmental subdivision, the Secretary may offer such area for sale to a governmental subdivision at a price not less than the fair market value thereof: *Provided, however,* That the [Secretary](#) may condition conveyances of townsites upon the enactment, maintenance, and enforcement of a valid [ordinance](#) which assures any land so conveyed will be controlled by the governmental [subdivision](#) so that use of the area will not interfere with the protection, management, and development of adjacent or contiguous [National Forest System](#) lands. <www.law.cornell.edu/uscode/text/16/478a>

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
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will take over management of two existing sewer lagoons along with acreage to operate them. The approved, Duck Creek Village will be converted to a regional wastewater collection and treatment system (sewer) from septic tanks. It is estimated there will be approximately 150 connections in the first phase. The approximately 85 connections that service Forest Service facilities (which currently utilize the lagoons) will be under the operation of the KCWCD. Thereafter, a phased approach will be initiated to convert the Duck Creek Area to the regional system (as the system warrants it). Kane County supports the mitigation of pollution and contamination concerns as expressed in both the collaborated study cited above and the Duck Creek Wastewater Facilities Plan.²³

Kane County has also implemented or supported the establishment of wellhead protection zones. For more details information on Well Source Protection Zone can be found in Kane County Land Use Ordinance 9-26 Water Source Protections Areas. The presence of the vast Navajo Sandstone Aquifer is recognized as an important municipal and industrial water resource for the county.

3. Recognize the difference between agricultural use and low-density residential use.

Past land use designations and zoning districts have equated the term *agriculture* with almost all unincorporated private lands. A major controversy which has arisen in recent applications of Kane County's zoning regulation is the division of land designated as *agriculture* for primarily low-density residential uses. The County Commission recognizes the need to protect agricultural land, especially irrigated cropland, for its agricultural production value and contribution to the preservation of open space. Lands which do not contribute significantly to the agricultural base will be recognized as potential low density residential areas.

With regard to low density residential use, Kane County endeavors to provide for residential neighborhoods of a rural character which provide for a limited number of livestock. Ultimately, this rural residential attribute contributes to the benefit and enjoyment of the residents and provides a sustainable opportunity for households to continue agricultural pursuits for their families and community. Furthermore, it provides innumerable benefits for the community and the environment in the form of open space conservation and aesthetic enjoyment.

²³ Updated 2014, Sunrise Engineering, Joseph K. Phillips; email correspondence 10/17/17.

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
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In order to protect agricultural pursuits on unincorporated private land, Kane County has set a minimum of 10 acres for agricultural land or land splits subject to further ordinance or State law requirements as may be applicable. Recreational use of forest land must also be recognized and treated as a separate land use with a different set of constraints, particularly wild land fire prevention.

Kane County has also created by Ordinance (1994-3) the ability for a land owner to create an Agricultural Protection Area on their property that has been zoned for agricultural use. An Agricultural Protection Area preserves a designated area of not less than ten acres for permanent agricultural and open space use and cannot be built upon. It creates a conservation easement that protects the land in perpetuity.

4. Acknowledge the distinction between forest/recreational use and multiple-use range.

An earlier version of Kane County's General Plan grouped forest land with range land, designating them as *multiple-use*. This has been a major concern to the owners of (private) forest land, as well as to ranchers. Many feel that the *multiple-use* designation was meant to apply only to public lands. Recent discussions have led to the conclusion that a distinction must be made between public and private forest lands, public and private rangelands, and irrigated croplands.

Kane County created the Escalante Region Multiple-Use/Multiple-Functions Grazing Zone to help with public concern on grazing public lands versus private lands and agricultural pursuits. Forest Recreational Zones have been changed to *Residential* and all zones 10 acres and larger have been zoned *Agriculture* with additional zones Rural 10 and Rural 40 added to bridge the gap for Rural development of Agriculture zoned land to help benefit and protect agricultural pursuits on private lands.

5. Protect the limited irrigated cropland base.

According to the 2012 Census of Agriculture²⁴ there are 183 farms (125,441 acres) in Kane County. Of this amount, 3,953 acres are irrigated. This total represents a 41% reduction in farmland in Kane County since the 1992 Census of Agriculture.²⁵ While many of these operations are 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,

²⁴ 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>

²⁵ 1992 Census of Agriculture, www.agcensus.usda.gov/Publications/1992/State_and_County_Highlights>

the dramatic decreases in agricultural activity are unsustainable in terms of economic and environmental factors.

Historically, agricultural pursuits have been a vital base of economic activity in Kane County. The Utah Agricultural Statistics and Utah Department of Agriculture and Food 2014 Annual Report²⁶ states that Farm Income from livestock (and products) was estimated at \$9.8 million; crops were estimated at \$451,000. The total number of cattle and calves inventory in Kane County was \$8.2 million. However, when Gross Farm Income (\$11.135 million) is deducted from Farm Production Expenses (\$13.092 million) there is a realized net loss of Farm Income <\$1.957 million>.

Agricultural pursuits are not as pronounced in the 21st century, but they still provide valuable opportunities for supplemental income and open space preservation. Much of the vegetation manipulation on both public and private rangeland is tied directly to overcoming impacts caused by past encroachment of woody species such as sage brush, pinyon-juniper, wild land fire suppression, or to improve the forage value for livestock and wildlife. This limited, valuable land base is threatened by conversion to other uses.

6. Recognize the constraints to development caused by the natural environment.

The physical layout of parts of Kane County presents limitations to development. The presence of flood plains, steep slopes, unstable soils, faults, and similar physical constraints must be recognized as legitimate reasons for the restrictions of allowable land uses.

7. Develop systematic wildland fire protection.

The remote nature of many structures in unincorporated areas, combined with the presence of significant vegetation, creates a serious wild land-urban interface (WUI). As development continues, the need to protect private investments and residents is vital. To address these issues, a multi-jurisdictional group of agencies, organizations, and individuals have collaborated to develop the Southwest Utah Regional Wildfire Protection Plan (SURWPP). SURWPP endeavors to provide oversight and guidance to residents through education and awareness of the dangers of wildfire. Its planning

²⁶ U.S. Department of Agriculture and National Agricultural Statistics Service; <www.nass.usda.gov> County Estimates: Farm Income and Expenses by County – 2012.

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

objectives help identify strategies that reduce the risk of wildfire around homes and communities.

The Five County Association of Governments has published a 5-year Multi-Jurisdictional Natural Hazard Mitigation Plan that covers wildland fire protection for the county similar to SURWPP planning objectives and strategies that help reduce the risk of wildfire around homes and communities. Kane County understands the most effective wildfire management tool is wise harvest of the resource as well as vegetation treatments that create fire lines. As the forest is harvested, dead and dry fuel woods must be removed during the cleanup process. Ripe and diseased trees must be removed to promote a perpetually young healthy forest with the added benefit of economic stimulus as wood products are harvested. Treatment plans that include fire-resistant vegetation will serve to protect both private and public land from catastrophic wildfire.

Coordination with the Forest Service is essential for any wildfire mitigation plan to be successful, as is having Kane County participate in the revision of any Forest Service management plan. A Wildland Fire Plan is in the process of being developed for Kane County and is projected to be completed in 2019.

Land Use Goals

Unincorporated land uses will remain at densities which can be adequately serviced and which retain the qualities of a rural, open setting with uses not typically found in a town or city. Intensive, urban-scale uses will be directed to municipalities where basic services can be accommodated.

Residential Land Uses

Goal #1: Provide for residential areas that support and complement the unique rural quality and character of Kane County.



Objective: Minimum allowable densities in unincorporated zoning districts will be determined by the Land Use Ordinance. Provide appropriate locations where residential neighborhoods can be established, maintained, and protected. Also, encourage the establishment of public and semi-public sites such as churches, schools, libraries, parks and recreation, which serve the requirements of the residents. The intent is to prohibit those uses that would be harmful to residential neighborhoods.

1. U.S. Bureau of Labor Statistics, Employment, Hours, and Earnings
2. Data USA, Kane County, UT <[https://](https://datausa.io)



Policy: Standards for subdivisions will be determined by the Land Use Ordinance as adopted by the Kane County Commissioners

Goal #2: Continue the development of land use policies based upon the division of the county into regions, which reflect the diversity of land uses and ownership.



Objective: Develop policies that correspond to major public land management units, as well as reflect the varied conditions of private lands in the various regions.



Policy: The Land Use Ordinance will determine the standards for the development of land.

Goal #3: Recognize the constraints of development caused by the natural environment.



Objective: Develop policies which provide a reasonable means for assessment of the geologic, flood, or other natural hazards that may exist on land, lot, or parcel for which development application is sought.



Policy: Standards for subdivisions and development will be determined by the Land Use Ordinance as adopted by the Commissioners.

Goal #4: Develop a systematic wild land fire protection system on both private and public lands.

Objective: Protect private and public investments, as well as residents, by providing oversight and guidance in wild land fire protection system planning.

Policy: Work in cooperation with the Color Country Interagency Fire Center in implementing the goals of the Southwest Utah Regional Wildfire Protection Plan (SURWPP). Promote the interest, education, and long-term involvement of residents in realizing the danger of wildfire and identifying strategies that will reduce the risks around their homes and in their communities. (An example would be the Kane County Sherriff's office assisting with clean up in multiple Cedar Mountain subdivisions through mass mailings informing residences of the need to clean the downed timber off of lots with excess timber.)

Kane County understands the most effective wildfire management tool for public land is wise harvest of resources as well as vegetation treatment to create fire lines. The Kane County building department enforces fire protection on private lots and residences through the Wild Land Urban Interface Code to protect residences from wildfires. As the forest is harvested, dead and dry fuel woods must be removed during the cleanup process. Ripe and diseased trees must be removed to promote a perpetually young healthy forest and it has the added benefit of economic stimulus as wood products are harvested. Treatment plans that include fire-resistant vegetation will serve to protect both private and public land from catastrophic wildfire. Coordination with the Forest Service is essential for any wildfire mitigation plan to be successful; as is having Kane County participate in the revision of any Forest Service management plan. A Five Counties Hazard Mitigation Plan with a Wildland Fire Plan element was developed in 2019.

Commercial Land Uses

Goal #1: Encourage and provide for commercial uses in locations with infrastructure in place to serve the public.

Objective: Develop commercial uses compatibly with the use and character of the surrounding area.

Policy: The Land Use Ordinance and associated zoning map will determine the standards for commercial uses at appropriate locations.

Agricultural Land Uses

Goal #1: Ensure the retention of a viable and vibrant agricultural base by preserving appropriate areas for permanent and temporary agricultural and open space uses through Agricultural Protection Zones and Conservation Easements.

Objective: Recognize and protect important agricultural lands, especially irrigated cropland, for its agricultural production value and contribution to the preservation of open space. Encourage the establishment of *Agriculture Protection Areas* as authorized by state law.

Policy: The Land Use Ordinance and associated zoning map will determine the standards for agricultural uses.

The following pages are identical to those previously reviewed, with revision marks shown for reference.

KANE COUNTY

General Plan



Should any part of the Kane County General Plan be determined invalid, no longer applicable, or in violation of any law, the provisions of this General Plan shall remain in effect for the Physical Development of the Unincorporated Area Pursuant to Section 17-27a-403 of Utah State Code

Amended March 11, 2026 *

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <[https://datausa.io/profile/geo/kane-county-ut?>](https://datausa.io/profile/geo/kane-county-ut?)

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:

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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-

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
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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.

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.

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

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).

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.

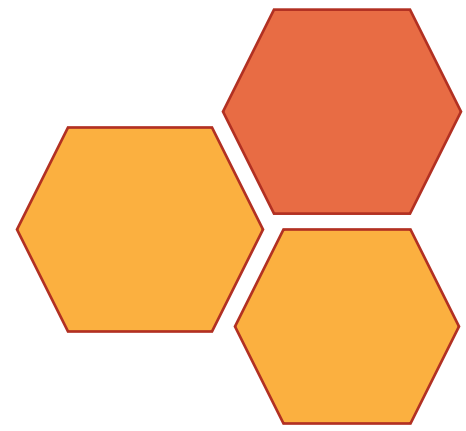
Federal land managers have recognized that to be most effective, they must coordinate with state and local governments as equal partners in the public lands planning process. Congressional policy requires that federal planners coordinate with state and local governments,³ and that federal plans be consistent 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 economic opportunity, environmental stewardship, and community values, Kane County ensures a thriving and harmonious future for its residents, businesses, and visitors.

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

Chapter 1 – Land Use



~~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.~~

Introduction

Kane County's land use policy addresses:

1. The general distribution and location of land uses throughout the County; and
2. Appropriate standards for population density and building intensity of those land uses.

Kane County encompasses approximately 2.6 million acres (2,630,400 acres) of remote and environmentally significant land in southern Utah. The County is characterized by substantial variation in elevation, climate, vegetation, and geology. These natural conditions—particularly the availability of water—have historically shaped settlement patterns, land ownership, and land use throughout the region.

Approximately 85.5 percent of the County's land base is managed by federal agencies, including the Bureau of Land Management (BLM), National Park Service (NPS), and U.S. Forest Service (USFS). Major federal holdings within Kane County include:

- Grand Staircase-Escalante National Monument
- Zion National Park
- Dixie National Forest
- Glen Canyon National Recreation Area
- Bryce Canyon National Park

The State of Utah also manages lands within the County, including:

- Coral Pink Sand Dunes State Park
- Kodachrome Basin State Park

An additional 4.2 percent of the County's land base is administered by the Utah State Institutional and Trust Lands Administration (SITLA). These lands were granted at statehood to generate revenue for public schools and other trust beneficiaries. Unlike federal lands managed for multiple-use objectives, SITLA lands are constitutionally required to maximize long-term revenue. As such, they function more similarly to private lands and are considered part of the County's developable land base.

Within Kane County, SITLA manages approximately 99,605 acres of surface estate and holds partial or full mineral rights beneath approximately 143,527 acres.

Privately owned lands are generally located along perennial watercourses and near higher-elevation forested areas where precipitation and soils support agriculture, livestock production, and community development. Because the majority of the County is publicly owned, the supply of developable private land is limited.

This pattern of federal, state, and private ownership significantly influences land use planning, infrastructure expansion, economic development, and long-term growth management. Effective planning requires coordination among jurisdictions and careful consideration of private property rights, water availability, resource stewardship, and the preservation of Kane County's rural character and natural landscape.

~~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~~

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/>

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 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.~~

~~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)⁸. 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.~~

~~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~~

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>

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 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. **

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.

Agricultural Land Use



1. Purpose and Vision

Agriculture has historically been a foundational component of Kane County's economy, settlement patterns, cultural identity, and working landscape. Although agricultural acreage represents a relatively small percentage of the County's total land base—much of which is federally managed—agricultural operations remain essential to maintaining open space,

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>

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

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

protecting water rights, sustaining wildlife habitat, and preserving the County's western heritage.

The County's vision for agricultural land use is to maintain viable working landscapes through coordinated land use planning, protection of water resources, and preservation of access to federal and state grazing allotments, while accommodating appropriate growth consistent with state law and local priorities.

2. Existing Conditions and Trends

Agricultural Land Base

According to the 2022 Census of Agriculture (United States Department of Agriculture), Kane County reported:

- 189 farms
- 125,662 acres of farmland

This reflects an increase from 2007 (145 farms and 113,417 acres). However, long-term data indicate continued fragmentation of agricultural lands. In 1992, the average farm size was approximately 1,500 acres; by 2012, the average farm size had declined to approximately 685 acres, demonstrating a multi-decade trend toward subdivision and reduced operational scale.

Of the 125,662 acres reported in 2022:

- Approximately 4,641 acres are classified as cropland.
- Approximately 6,436 acres are irrigated.
- The majority of irrigated cropland is devoted to hay production, which has increased in recent census cycles.

Orchard production has declined relative to historic levels, reflecting broader shifts in agricultural economics, water availability, labor markets, and land conversion pressures.

Livestock Production

Livestock grazing remains the dominant agricultural activity in Kane County. Most federal lands within the County are incorporated into established grazing allotments administered by the Bureau of Land Management and the U.S. Forest Service. Continued access to these allotments is essential to the viability of many local operations.

The 2022 Census of Agriculture reports:

- 107 cattle and calf operations
- 8,998 head of cattle
- 19 sheep and lamb operations
- 429 head of sheep and lambs (Approximately)

While total livestock inventory remains below historic 1992 levels, both the number of cattle operations and total head increased compared to the previous census cycle. Sheep operations have increased in number but remain significantly below early 20th-century levels.

Many operations function as supplemental income enterprises; however, even part-time agricultural activities contribute meaningfully to the County's working landscape, tax base, and cultural continuity.

3. Agricultural Economics

Historical reporting from the Utah Department of Agriculture and Food has demonstrated that many agricultural operations in Kane County operate on narrow profit margins, with production expenses frequently approaching or exceeding gross farm income. Producers face continued challenges related to:

- Rising input costs (fuel, feed, labor, equipment)
- Water supply constraints
- Regulatory compliance requirements
- Market volatility

Despite these pressures, agriculture remains a significant economic sector statewide. Research from **Utah State University** indicates that Utah's agricultural production and processing industries contribute more than \$17 billion annually to the state economy and support approximately 78,000 jobs. Kane County producers contribute to and depend upon this broader statewide agricultural system.

4. Statutory Framework

Utah law provides explicit policy direction supporting the preservation and protection of agriculture. The following statutory authorities provide the legal foundation for Kane County's agricultural land use policies:

- **Utah Code Title 4 (Utah Code Ann. § 4-1-1 et seq.) – Agriculture and Food**
Establishes state authority and public policy supporting agricultural production, resource conservation, and the promotion of agricultural interests throughout Utah.

- **Utah Right to Farm Act (Utah Code Ann. § 4-44-101 et seq.) – Utah Right to Farm Act**
Provides statutory protection for qualifying agricultural operations from nuisance claims when conducted in accordance with generally accepted agricultural practices and existing prior to surrounding non-agricultural development.
- **County Land Use, Development, and Management Act (Utah Code Ann. § 17-27a-101 et seq.) – County Land Use, Development, and Management Act (CLUDMA)**
Authorizes counties to adopt general plans, designate agricultural zoning districts, regulate land uses, and implement land use controls that promote agricultural viability and minimize land use conflicts.
- **Farmland Assessment Act (Utah Code Ann. § 59-2-501 through § 59-2-515) – Farmland Assessment Act (“Greenbelt Act”)**
Allows qualifying agricultural lands to be assessed based on productive capability rather than market value, thereby reducing property tax burdens and discouraging premature conversion to non-agricultural uses.

These statutory provisions collectively reinforce the importance of maintaining agricultural lands as working landscapes and provide Kane County with regulatory tools necessary to support long-term agricultural sustainability consistent with the 2026 General Plan Update.

5. Agriculture, Heritage, and Tourism

Agriculture and ranching are defining elements of Kane County’s identity. The County’s “cowboy” heritage and working ranch landscapes contribute directly to its tourism economy and national reputation as a Western destination.

Numerous Western films have been produced in Kane County, reinforcing the image of open rangelands, livestock grazing, and red-rock ranch country. The annual Western heritage festival celebrates this legacy and reflects the enduring cultural connection between ranching, livestock, and community identity.

Visitors are drawn not only to nearby national parks and public lands, but also to the County’s open agricultural landscapes and traditional Western character. In this respect, ranching and grazing are not solely economic activities; they are integral components of Kane County’s tourism brand and cultural economy.

6. Issues and Opportunities

Key issues affecting agricultural land use include:

- Continued fragmentation of agricultural parcels due to residential subdivision.

- Water availability and long-term irrigation infrastructure sustainability.
- Increasing land values and development pressures.
- Potential conflicts between residential uses and established agricultural operations.
- Dependence upon continued access to federal grazing allotments.

Opportunities include:

- Use of clustering and conservation subdivision design to maintain larger working parcels.
- Preservation of agricultural water rights and irrigation systems.
- Coordination with federal and state land management agencies.
- Promotion of agritourism and heritage-based economic development.

7. Agricultural Land Use Goals, Objectives & Implementation Strategies

Goal 1

Preserve and support viable agricultural operations in Kane County.

Objective 1

Maintain regulatory and land use tools that protect agricultural lands and operations.

Strategies:

- Maintain agricultural zoning districts consistent with authority granted under the County Land Use, Development, and Management Act.
- Utilize assessment tools authorized under the Farmland Assessment Act to discourage premature conversion of productive agricultural lands.

Objective 2

Reduce fragmentation of agricultural lands and maintain long-term land productivity.

Strategies:

- Encourage land use patterns that reduce fragmentation of agricultural lands, including clustering, conservation subdivision design, and transfer of development potential where appropriate.
- Protect agricultural water rights and irrigation infrastructure as critical components of long-term agricultural viability.

Objective 3

Support continued access to public land resources necessary for agricultural operations.

Strategies:

- Support continued access to federal and state grazing allotments through coordinated engagement with the Bureau of Land Management, U.S. Forest Service, and other applicable agencies.

Goal 2

Minimize land use conflicts between agriculture and residential development.

Objective 1

Ensure new development acknowledges and accommodates ongoing agricultural operations.

Strategies:

- Require right-to-farm disclosures for residential development adjacent to agricultural lands.
 - Encourage buffering, lot design standards, and subdivision layouts that minimize operational conflicts.
 - Recognize and support the protections afforded under the Utah Right to Farm Act.
-

Goal 3: Integrate agriculture into the County's cultural and economic development strategy.

Objective 1

Promote agriculture as a defining component of Kane County's heritage and economy.

Strategies:

- Recognize agriculture and ranching as defining elements of Kane County's heritage and tourism economy.
 - Support agritourism, heritage events, and branding initiatives that reinforce the County's western identity.
 - Coordinate agricultural preservation strategies with broader economic development and tourism planning efforts.
-

8. Implementation

Implementation of this Agricultural Land Use Element shall occur through:

- Zoning and ordinance updates consistent with Utah Code 17-79.
 - Coordination with state and federal agencies managing public lands.
 - Ongoing monitoring of agricultural census data and economic indicators.
 - Integration of agricultural preservation strategies into future land use mapping and development review processes.
-

Conclusion

Agriculture remains a defining feature of Kane County's landscape, economy, and heritage. While the scale and structure of agricultural production have evolved, the continued viability of working farms and ranches depends upon proactive land use planning, protection of water and grazing resources, and consistent policy implementation. Through the coordinated application of statutory authority and local land use tools, Kane County affirms its commitment to preserving agriculture as a foundational component of its 2026 General Plan vision.

Residential Land Use

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 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.

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

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.

¹³U.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.

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>>

~~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.~~

Residential Land Use

1. Land Ownership Context

Kane County continues to be characterized by a limited private land base and extensive federal ownership. Approximately 10 percent of the total land area in Kane County (approximately 263,040 acres) is privately owned. The remaining acreage consists primarily of federal and state-managed lands.

Kane County remains among the Utah counties with the lowest percentage of privately owned land and among those with the highest percentage of federally managed lands. This land ownership pattern significantly influences residential development opportunities, infrastructure expansion, and long-term growth planning.

Statewide data indicate that approximately 64 percent of Utah land is federally owned, with rural southern Utah counties reflecting substantially higher concentrations of federal land ownership (Kem C. Gardner Policy Institute, 2023). This structural land ownership constraint will continue to shape residential growth patterns within Kane County.

¹⁶ Per Kane County Building Department, Janaury 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."

2. Housing Inventory and Occupancy

According to the U.S. Census Bureau (QuickFacts, 2024 estimate):

- Total housing units (2024): 6,783
- Owner-occupied housing rate: approximately 80.4%
- Median value of owner-occupied housing units (2024): approximately \$415,000 (Census QuickFacts)

Housing unit growth has continued since the 2018 General Plan update, which recorded approximately 6,008 units at that time. The increase to 6,783 units reflects continued residential construction activity and seasonal housing demand.

Kane County maintains a high homeownership rate relative to national averages, consistent with rural Utah patterns.

3. Seasonal and Recreational Housing

A substantial portion of the County's housing inventory consists of seasonal, recreational, or occasional-use dwelling units. This pattern reflects Kane County's tourism-based economy and proximity to major public land and recreation destinations including:

- Zion National Park
- Bryce Canyon National Park
- Lake Powell

Seasonal housing is particularly concentrated in:

- Cedar Mountain / Duck Creek area
- Deer Springs region
- Areas adjacent to the eastern entrance of Zion National Park
- Subdivisions near Bullfrog Marina on Lake Powell

The presence of seasonal units impacts infrastructure planning, emergency services demand, short-term rental activity, and long-term housing affordability for full-time residents.

4. Residential Construction Trends

Table 1 – Total Housing Units Growth

Year	Total Housing Units	Percent Change
2010	5,861	—
2017	6,008	+2.5%
2020	6,457	+7.5%
2024	6,783	+5.0%
2026*	~6,900 (est.)	+1.7%

*2026 estimate based on permit trends and annual growth averages.

Table 2 – Residential Permit Trends (Historic Cycles)

Period	Average Annual Units	Trend
1994–2004	109	Moderate Growth
2005–2007	200	Peak Growth
2008–2014	15–60	Recession Decline
2015–2019	70–100	Recovery Period
2020–2024	120–200 (varies by year)	Renewed Demand

Historic residential construction trends illustrate cyclical growth patterns:

- 1994–2004: Approximately 109 new residential units annually
- 2005–2007: Approximately 200 new units annually (peak growth period)
- 2008–2014: Significant decline following the national recession
- Post-2015: Renewed construction activity

More recent data indicate continued development activity. According to the U.S. Census Bureau Building Permit Survey (2024), approximately 200 total building permits (residential and nonresidential combined) were issued in the County.

While permit totals fluctuate annually, recent trends demonstrate steady demand for both primary and secondary residential units.

5. Housing Affordability and Rent Trends

Table 3 – Fair Market Rent Trends (Two-Bedroom Units)

Year	FMR	Percent Change
2023	\$1,023	—

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
 2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

Year	FMR	Percent Change
2024	\$1,351	+32%
2025	~\$1,400+ (HUD schedule)	Moderate Increase
2026	Elevated relative to pre-2022 levels	Stabilizing trend

Housing affordability has emerged as a significant issue in Kane County.

According to the U.S. Department of Housing and Urban Development (HUD) Fair Market Rent (FMR) schedules:

- Two-bedroom Fair Market Rent increased from approximately \$1,023 (2023) to approximately \$1,351 (2024) — a 32 percent year-over-year increase.

Subsequent HUD schedules (FY 2025–FY 2026) indicate continued elevated rent levels compared to pre-2022 averages.

Rapid increases in Fair Market Rent are reflective of:

- Increased in-migration to Southern Utah
- Growth in seasonal and short-term rental markets
- Limited private land available for large-scale housing development
- Increased construction and material costs

These conditions create challenges for workforce housing, first-time homebuyers, and long-term residents.

6. Planning Implications

Monitoring Matrix

Action Item	Responsible Party	Timeline	Monitoring Tool
Annual Permit Report	Building Department	Annually	Permit Summary
Housing Inventory Update	Planning Dept.	Every 2 Years	Census & Assessor Data
Infrastructure Capacity Review	Public Works	Ongoing	CIP & Impact Analysis
Seasonal Housing Tracking	Planning Dept.	Annually	Parcel Classification Review
Affordability Monitoring	Planning & Commission	Annual Review	HUD FMR & Market Data

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <[https://datausa.io/profile/geo/kane-county-ut?>](https://datausa.io/profile/geo/kane-county-ut?)

Given the County's limited private land base and continued demand for residential development, the following implications are recognized:

1. Residential growth will continue to concentrate in existing private land areas and established subdivisions.
2. Seasonal housing will remain a significant component of the housing stock.
3. Infrastructure expansion must be carefully coordinated with development due to geographic and land ownership constraints.
4. Housing affordability will require continued monitoring and policy consideration.
5. Coordination with federal and state land managers will remain essential to long-term growth planning.

Kane County will continue to monitor housing trends, building permit activity, and demographic changes to ensure that land use policies align with available infrastructure, water resources, transportation systems, and community character objectives.

7. Residential Land Use Goals, Objectives & Implementation Strategies

Goal 1: Promote Orderly and Sustainable Residential Growth

Objective

Direct residential development to areas with existing or planned infrastructure capacity.

Strategies:

1. Prioritize residential development within established subdivisions and existing community nodes.
2. Coordinate land use approvals with water availability verification and infrastructure capacity analysis.
3. Require infrastructure phasing plans for large-scale residential projects.
4. Encourage clustered development patterns where appropriate to preserve open space and reduce infrastructure costs.

Goal 2: Maintain Community Character While Accommodating Growth

Objective

Ensure residential development reflects the rural character and natural landscape of Kane County.

Strategies:

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

1. Maintain zoning standards that reflect lot size patterns consistent with community context.
 2. Encourage architectural and site design that minimizes visual impacts in scenic corridors.
 3. Preserve dark-sky standards in residential developments.
 4. Coordinate with federal and state agencies where residential areas border public lands.
-

Goal 3: Address Housing Affordability and Workforce Needs

Objective

Monitor housing costs and rental trends to support housing opportunities for full-time residents.

Strategies:

1. Evaluate zoning tools that allow diverse housing types where appropriate.
 2. Encourage mixed housing product types in growth areas.
 3. Coordinate with regional housing partners to assess workforce housing demand.
 4. Monitor short-term rental impacts on long-term housing supply.
-

Goal 4: Plan for Seasonal and Recreational Housing Impacts

Objective

Recognize and plan for the infrastructure and service demands created by seasonal and second-home development.

Strategies:

1. Track seasonal housing percentages annually.
 2. Evaluate impacts of part-time occupancy on emergency services and road maintenance.
 3. Coordinate with tourism and economic development stakeholders.
 4. Ensure subdivision approvals include adequate road and utility standards for peak seasonal demand.
-

Goal 5: Strengthen Data Monitoring and Forecasting

Objective

Maintain updated housing and permit data to inform policy decisions.

Strategies:

1. Publish annual building permit summaries.
 2. Update housing inventory estimates every two years using Census and County Assessor data.
 3. Track lot inventory within platted subdivisions.
 4. Incorporate housing data into Capital Improvement Planning.
-

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. 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.

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

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

~~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.~~

~~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 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.~~

Industrial and Commercial Land Use

1. Existing Development Pattern

Industrial and commercial land uses in Kane County are generally concentrated at major highway intersections and in proximity to established communities. Over time, much of the County's commercial and industrial activity has been annexed into incorporated municipalities, particularly within and around Kanab City.

However, several significant commercial and resort-based developments remain in unincorporated Kane County, including:

- **Amangiri**, located near the eastern boundary of Kane County;
- **Best Friends Animal Sanctuary**, located approximately ten (10) miles north of Kanab in Angel Canyon;
- **Duck Creek Village**, Located off highway 14 on Cedar Mountain

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.

- **East Zion**, A resort-oriented development near the eastern boundary of Zion National Park, including Buffalo Ridge, Zion National Park Discover Center, Zion Ponderosa Resort, Zion Spirit

These projects have been approved as Planned Unit Developments (PUDs) or specialty zones and reflect the County’s long-standing approach of encouraging master-planned commercial and resort developments that are compatible with surrounding lands, infrastructure capacity, and environmental constraints.

2. Economic Trends and Employment (2025–2026 Update)

According to recent labor market data from the Utah Department of Workforce Services and the U.S. Bureau of Labor Statistics, Kane County’s unemployment rate was approximately 3.4 to 3.5 percent in 2025, reflecting continued labor market stability and a relatively low level of joblessness.

As of the most recent workforce data (2023–2025 estimates):

- Kane County’s total employed resident workforce is approximately 3,490 individuals.¹
- The largest employment sectors (by resident workforce share) include:²
 - Other Services (except Public Administration): approximately 18.5%
 - Educational Services: approximately 12.1%
 - Accommodation and Food Services: approximately 9.7%

These figures demonstrate that Kane County’s economy remains heavily influenced by service-oriented and tourism-related sectors, while also maintaining a stable educational and nonprofit employment base.

Accommodation, food services, and tourism-related industries continue to represent a significant portion of the County’s employment structure due to proximity to national parks and recreational amenities.

While manufacturing and information sectors remain comparatively small components of the local economy, continued infrastructure investment and regional growth may provide opportunities for gradual diversification over time.

3. Policy Direction

Kane County shall:

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

1. Encourage commercial and industrial development in logical growth areas near existing infrastructure and transportation corridors.
2. Support master-planned developments that mitigate impacts to scenic resources, public lands, and adjacent properties.
3. Promote economic diversification to reduce reliance on a single employment sector.
4. Coordinate land use approvals with water availability, transportation planning, emergency services, and public infrastructure capacity.
5. Support employment opportunities that provide stable, year-round jobs consistent with the County's rural character and environmental stewardship goals.

Public Facilities and Developed Recreation

A. County Administrative and Community Facilities

Most County administrative and maintenance facilities are located within incorporated communities, primarily in Kanab City, the County seat.

Key public facilities include:

- **Jackson Flat Reservoir**, immediately south of Kanab, with approximately 4,228 acre-feet of storage capacity. Developed by the Kane County Water Conservancy District, the reservoir supports both water storage and recreational access.
- The **North Event Center** in Orderville, a 15,960 square-foot facility constructed in 2013 at the Kane County Fairgrounds to host community events, conferences, and recreation programming.
- The **Kanab Center**, developed by the Kane County Municipal Building Authority (MBA), which combines new construction with historic renovation for a total of approximately 43,500 square feet of community facility space. The Kanab Center houses municipal offices, senior services, gym facilities, and community arts and youth programs.
- The **Kane County Recreation Center**, is a 29,320 square-foot public facility designed to support community recreation, wellness, and youth programming. The center includes three full-sized recreation courts and administrative office space to accommodate organized sports, community events, and recreational services.

These facilities represent long-term investments in community infrastructure and services.

B. Developed Recreation

Kane County recognizes the importance of developed recreation areas to quality of life, tourism, and economic vitality. The Kane County Land Use Ordinance shall continue to provide opportunities for developed recreational land uses that:

- Are compatible with surrounding land uses;
- Protect scenic and environmental resources;
- Are supported by adequate infrastructure; and
- Enhance public access to outdoor and cultural recreation opportunities.

Annexation / Urban Development

Kane County Commission may approve annexation / urban development within an adopted expansion area of a municipality if the county notifies the municipality of the proposed annexation / urban development; and the municipality consents in writing to the proposed urban development within an adopted municipal expansion area. [Kanab City's Annexation map.](#)

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%

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
 2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

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%
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.

Policy Direction

State and federal land management agencies shall coordinate diligently and proactively with Kane County regarding public land management decisions to ensure:

1. Consistency with the goals, objectives, and policies of this General Plan;
2. Protection of the health, safety, and welfare of County residents;

3. Continued access for multiple-use activities, including grazing, recreation, and responsible resource development; and
4. Consideration of local economic and infrastructure impacts.

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.
- G. Lands within the Kanab City Annexation map area for Urban Development

*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. A study of the valley area near Duck Creek Village was of particular concern where the high ground water level caused septic systems to be inundated with water and soil absorption to be reduced. The study indicated the best solution was to utilize land currently owned by the United States Forest Service.

Kane County along with the U.S. Forest Service under the authority of the National Forest Townsite Act²² conveyed/transferred approximately 70 acres of land in the Dixie National Forest for community services (i.e. sewer) it serves the Duck Creek Area (and an 8-mile radius therein). The transfer provides services that include water and wastewater, fire protection, solid waste management, and other future qualifying community needs (i.e. schools, medical, and utilities).

Referred to as the Duck Creek Townsite Act Land Conveyance project, the development plan associated with this conveyance includes a development plan where the KCWCD will take over management of two existing sewer lagoons along with acreage to operate them. The approved, Duck Creek Village will be converted to a regional wastewater collection and treatment system (sewer) from septic tanks. It is estimated there will be approximately 150 connections in the first phase. The approximately 85 connections that service Forest Service facilities (which currently utilize the lagoons) will be under the operation of the KCWCD. Thereafter, a phased approach will be initiated to convert the Duck Creek Area to the regional system (as the system warrants it). Kane County supports the mitigation of pollution and contamination concerns as expressed in both the collaborated study cited above and the Duck Creek Wastewater Facilities Plan.²³

Kane County has also implemented or supported the establishment of wellhead protection zones. For more details information on Well Source Protection Zone can be

²² July 31, 1958 (PP.L 85-569, 72 Stat. 438, 16 U.S.C. 478a, as amended). Townsites - When the [Secretary](#) of Agriculture determines that a tract of [National Forest System](#) land in Alaska or in the eleven contiguous Western States is located adjacent to or contiguous to an established community, and that transfer of such land would serve indigenous community objectives that outweigh the public objectives and values which would be served by maintaining such tract in Federal ownership, he may, upon application, set aside and designate as a townsite an area of not to exceed six hundred and forty acres of [National Forest System](#) land for any one application. After public notice, and satisfactory showing of need therefor by any county, city, or other local governmental subdivision, the Secretary may offer such area for sale to a governmental subdivision at a price not less than the fair market value thereof: *Provided, however,* That the [Secretary](#) may condition conveyances of townsites upon the enactment, maintenance, and enforcement of a valid [ordinance](#) which assures any land so conveyed will be controlled by the governmental [subdivision](#) so that use of the area will not interfere with the protection, management, and development of adjacent or contiguous [National Forest System](#) lands. <www.law.cornell.edu/uscode/text/16/478a>

²³ Updated 2014, Sunrise Engineering, Joseph K. Phillips; email correspondence 10/17/17.

found in Kane County Land Use Ordinance 9-26 Water Source Protections Areas. The presence of the vast Navajo Sandstone Aquifer is recognized as an important municipal and industrial water resource for the county.

3. Recognize the difference between agricultural use and low-density residential use.

Past land use designations and zoning districts have equated the term *agriculture* with almost all unincorporated private lands. A major controversy which has arisen in recent applications of Kane County's zoning regulation is the division of land designated as *agriculture* for primarily low-density residential uses. The County Commission recognizes the need to protect agricultural land, especially irrigated cropland, for its agricultural production value and contribution to the preservation of open space. Lands which do not contribute significantly to the agricultural base will be recognized as potential low density residential areas.

With regard to low density residential use, Kane County endeavors to provide for residential neighborhoods of a rural character which provide for a limited number of livestock. Ultimately, this rural residential attribute contributes to the benefit and enjoyment of the residents and provides a sustainable opportunity for households to continue agricultural pursuits for their families and community. Furthermore, it provides innumerable benefits for the community and the environment in the form of open space conservation and aesthetic enjoyment.

In order to protect agricultural pursuits on unincorporated private land, Kane County has set a minimum of 10 acres for agricultural land or land splits subject to further ordinance or State law requirements as may be applicable. Recreational use of forest land must also be recognized and treated as a separate land use with a different set of constraints, particularly wild land fire prevention.

Kane County has also created by Ordinance (1994-3) the ability for a land owner to create an Agricultural Protection Area on their property that has been zoned for agricultural use. An Agricultural Protection Area preserves a designated area of not less than ten acres for permanent agricultural and open space use and cannot be built upon. It creates a conservation easement that protects the land in perpetuity.

4. Acknowledge the distinction between forest/recreational use and multiple-use range.

An earlier version of Kane County's General Plan grouped forest land with range land, designating them as *multiple-use*. This has been a major concern to the owners of (private) forest land, as well as to ranchers. Many feel that the *multiple-use* designation was meant to apply only to public lands. Recent discussions have led to the conclusion that a distinction must be made between public and private forest lands, public and private rangelands, and irrigated croplands.

Kane County created the Escalante Region Multiple-Use/Multiple-Functions Grazing Zone to help with public concern on grazing public lands versus private lands and agricultural pursuits. Forest Recreational Zones have been changed to *Residential* and all zones 10 acres and larger have been zoned *Agriculture* with additional zones Rural 10 and Rural 40 added to bridge the gap for Rural development of Agriculture zoned land to help benefit and protect agricultural pursuits on private lands.

5. Protect the limited irrigated cropland base.

According to the 2012 Census of Agriculture²⁴ there are 183 farms (125,441 acres) in Kane County. Of this amount, 3,953 acres are irrigated. This total represents a 41% reduction in farmland in Kane County since the 1992 Census of Agriculture.²⁵ While many of these operations are 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.

Historically, agricultural pursuits have been a vital base of economic activity in Kane County. The Utah Agricultural Statistics and Utah Department of Agriculture and Food 2014 Annual Report²⁶ states that Farm Income from livestock (and products) was estimated at \$9.8 million; crops were estimated at \$451,000. The total number of cattle and calves inventory in Kane County was \$8.2 million. However, when Gross Farm Income (\$11.135 million) is deducted from Farm Production Expenses (\$13.092 million) there is a realized net loss of Farm Income <\$1.957 million>.

Agricultural pursuits are not as pronounced in the 21st century, but they still provide valuable opportunities for supplemental income and open space preservation. Much of the vegetation manipulation on both public and private rangeland is tied directly to

²⁴ 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>

²⁵ 1992 Census of Agriculture, www.agcensus.usda.gov/Publications/1992/State_and_County_Highlights>

²⁶ U.S. Department of Agriculture and National Agricultural Statistics Service; <www.nass.usda.gov> County Estimates: Farm Income and Expenses by County – 2012.

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>

2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

overcoming impacts caused by past encroachment of woody species such as sage brush, pinyon-juniper, wild land fire suppression, or to improve the forage value for livestock and wildlife. This limited, valuable land base is threatened by conversion to other uses.

6. Recognize the constraints to development caused by the natural environment.

The physical layout of parts of Kane County presents limitations to development. The presence of flood plains, steep slopes, unstable soils, faults, and similar physical constraints must be recognized as legitimate reasons for the restrictions of allowable land uses.

7. Develop systematic wildland fire protection.

The remote nature of many structures in unincorporated areas, combined with the presence of significant vegetation, creates a serious wild land-urban interface (WUI). As development continues, the need to protect private investments and residents is vital. To address these issues, a multi-jurisdictional group of agencies, organizations, and individuals have collaborated to develop the Southwest Utah Regional Wildfire Protection Plan (SURWPP). SURWPP endeavors to provide oversight and guidance to residents through education and awareness of the dangers of wildfire. Its planning objectives help identify strategies that reduce the risk of wildfire around homes and communities.

The Five County Association of Governments has published a 5-year Multi-Jurisdictional Natural Hazard Mitigation Plan that covers wildland fire protection for the county similar to SURWPP planning objectives and strategies that help reduce the risk of wildfire around homes and communities. Kane County understands the most effective wildfire management tool is wise harvest of the resource as well as vegetation treatments that create fire lines. As the forest is harvested, dead and dry fuel woods must be removed during the cleanup process. Ripe and diseased trees must be removed to promote a perpetually young healthy forest with the added benefit of economic stimulus as wood products are harvested. Treatment plans that include fire-resistant vegetation will serve to protect both private and public land from catastrophic wildfire.

Coordination with the Forest Service is essential for any wildfire mitigation plan to be successful, as is having Kane County participate in the revision of any Forest Service

management plan. A Wildland Fire Plan is in the process of being developed for Kane County and is projected to be completed in 2019.

Land Use Goals

Unincorporated land uses will remain at densities which can be adequately serviced and which retain the qualities of a rural, open setting with uses not typically found in a town or city. Intensive, urban-scale uses will be directed to municipalities where basic services can be accommodated.

Residential Land Uses

Goal #1: Provide for residential areas that support and complement the unique rural quality and character of Kane County.



Objective: Minimum allowable densities in unincorporated zoning districts will be determined by the Land Use Ordinance. Provide appropriate locations where residential neighborhoods can be established, maintained, and protected. Also, encourage the establishment of public and semi-public sites such as churches, schools, libraries, parks and recreation, which serve the requirements of the residents. The intent is to prohibit those uses that would be harmful to residential estate neighborhoods.



Policy: Standards for subdivisions will be determined by the Land Use Ordinance.

Goal #2: Continue the development of land use policies based upon the division of the county into regions, which reflect the diversity of land uses and ownership.



Objective: Develop policies that correspond to major public land management units, as well as reflect the varied conditions of private lands in the various regions.



Policy: The Land Use Ordinance will determine the standards for the development of land.

1. U.S. Bureau of Labor Statistics, Employed persons in Kane County, UT <<https://fred.stlouisfed.org/series/LAUCN490250000000005>>
2. Data USA, Kane County Ut <<https://datausa.io/profile/geo/kane-county-ut?>>

Goal #3: Recognize the constraints of development caused by the natural environment.



Objective: Develop policies which provide a reasonable means for assessment of the geologic, flood, or other natural hazards that may exist on land, lot, or parcel for which development application is sought.



Policy: Standards for subdivisions and development will be determined by the Land Use Ordinance.

Goal #4: Develop a systematic wild land fire protection system on both private and public lands.

Objective: Protect private and public investments, as well as residents, by providing oversight and guidance in wild land fire protection system planning.

Policy: Work in cooperation with the Color Country Interagency Fire Center in implementing the goals of the Southwest Utah Regional Wildfire Protection Plan (SURWPP). Promote the interest, education, and long-term involvement of residents in realizing the danger of wildfire and identifying strategies that will reduce the risks around their homes and in their communities. (An example would be the Kane County Sherriff's office assisting with clean up in multiple Cedar Mountain subdivisions through

mass mailings informing residences of the need to clean the downed timber off of lots with excess timber.)

Kane County understands the most effective wildfire management tool for public land is wise harvest of resources as well as vegetation treatment to create fire lines. The Kane County building department enforces fire protection on private lots and residences through the Wild Land Urban Interface Code to protect residences from wildfires. As the forest is harvested, dead and dry fuel woods must be removed during the cleanup process. Ripe and diseased trees must be removed to promote a perpetually young healthy forest and it has the added benefit of economic stimulus as wood products are harvested. Treatment plans that include fire-resistant vegetation will serve to protect both private and public land from catastrophic wildfire. Coordination with the Forest Service is essential for any wildfire mitigation plan to be successful; as is having Kane County participate in the revision of any Forest Service management plan. A Wildland Fire Plan is in the process of being developed and is projected to be completed in 2019.

Commercial Land Uses

Goal #1: Encourage and provide for commercial uses in locations with infrastructure in place to serve the public.

Objective: Develop commercial uses compatibly with the use and character of the surrounding area.

Policy: The Land Use Ordinance and associated zoning map will determine the standards for commercial uses at appropriate locations.

Agricultural Land Uses

Goal #1: Ensure the retention of a viable and vibrant agricultural base by preserving appropriate areas for permanent and temporary agricultural and open space uses through Agricultural Protection Zones and Conservation Easements.

Objective: Recognize and protect important agricultural lands, especially irrigated cropland, for its agricultural production value and contribution to the preservation of open space. Encourage the establishment of *Agriculture Protection Areas* as authorized by state law.

Policy: The Land Use Ordinance and associated zoning map will determine the standards for agricultural uses.

KANE COUNTY ORDINANCE NO. 2026-10
AN ORDINANCE AMENDING THE KANE COUNTY GENERAL PLAN
ACKNOWLEDGMENTS AND CHAPTER 1

SECTION 1. FINDINGS

WHEREAS, Kane County is authorized under Utah Code §17-79-102 to adopt and amend a General Plan and land use regulations to promote the health, safety, welfare, prosperity, and economic stability of the County; and

WHEREAS, The Acknowledgement Page and Chapter one is changed and updated as attached to this ordinance; and

WHEREAS, the Planning Commission has conducted a duly noticed public hearing pursuant to Utah Code §17-79-205; and

WHEREAS, the Planning Commission finds the proposed amendment to be consistent with the Kane County General Plan and in the best interest of the citizens of Kane County;

NOW, THEREFORE, the Kane County Planning Commission recommends adoption of the following amendment to the Kane County Commission:

PLEASE SEE ATTACHED GENERAL PLAN REVISIONS

SECTION 3. SEVERABILITY

If any provision of this ordinance is held invalid, the remaining provisions shall remain in full force and effect.

SECTION 4. EFFECTIVE DATE

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 28th day of April 2026.

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

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

By: _____
_____ Gwen Brown _____
Chair, Kane County Commission

Corporate Acknowledgment

State of Utah
§
County of _____)

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

Witness my hand and official seal.

(Notary signature)

(Notary Seal)

Notary Printed Name _____

My Commission Expires _____

Residing in _____, County

**MOTION: I move to recommend denying/
approving Ordinance 2026-10 to the County Commission
based on the facts and findings as documented in the
ordinance.**

Public Hearing

5. Ordinance 2026-12

Recommend approval or denial of Ordinance 2026-12. An Ordinance Revising Kane County Land Use Ordinance Title 9, Chapter 15: Conditional and Temporary Uses, Section 5, Article A: Time Limit, in the Kane County Land Use Ordinance.

KANE COUNTY ORDINANCE NO. O 2026-12

**AN ORDINANCE REVISING KANE COUNTY LAND USE ORDINANCE
TITLE 9 CHAPTER 15 CONDITIONAL AND TEMPORARY USES SECTION 5
ARTICLE A TIME LIMIT IN THE KANE COUNTY LAND USE ORDINANCE**

WHEREAS, the Kane County Planning Commission recommended changes to Kane County Land Use Ordinance Chapter 15 Article A Section 5 Time Limit; and

WHEREAS, it is the intent of this Ordinance to maintain consistency with other administrative acts throughout state and local codes; and

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

WHEREAS, the Kane County Commission desires to stay in compliance with Utah State Code regulations in particular with Utah Code §17-79-501 and 506; and

WHEREAS, the authority for this ordinance is found in Utah Code §17-79-101 et. al., and §17-79-201 & 205; and

WHEREAS, the reference of Land Use Authority for extending a conditional use permit can be approved by the Administrative Land Use Authority.

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 15 Conditional and Temporary Uses, Article A Section 5 Time Limit is amended to read as follows and 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.

//

9-15A-5: TIME LIMIT:

Action authorized by a conditional use permit must commence within one year of the time the permit is issued. If the permit holder has not commenced action under the permit within this time, the permit shall expire and the holder must apply for a new permit. The Administrative Land Use Authority may grant an extension for good cause shown which would require amending the original conditional use permit and going before the Planning Commission for approval. (Ord. O-2016-4, 10-15-2018)

//

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 14th day of April 2026.

Commissioner Brown voted: _____

Commissioner Meyeres voted: _____

Commissioner Kubeja voted: _____

COUNTY:

Kane County, a political subdivision of the State of Utah

By: _____

Gwen Brown
Chair, Kane County Commission

Corporate Acknowledgment

State of Utah

§

County of _____)

On this _____ day of _____, in the year 20____, personally appeared before me
Date Month Year

_____, whose identity is personally known to me (or proven on
Name of document signer
the basis of satisfactory evidence) and who by me duly sworn/affirmed, did say that he/she is the
chair of the Kane County Commission and that said document was signed by him/her in behalf
of said Corporation by Authority of its Bylaws, or (Resolution of its Board of Directors), and
also acknowledged to me that said Corporation executed the same.

Witness my hand and official seal.

(Notary signature)

(Notary Seal)

Notary Printed Name _____

My Commission Expires _____

Residing in _____, County

MOTION: I move to recommend approving/denying Ordinance 2026 -12 to the County Commission based on the facts and findings as documented in the ordinance.

Public Hearing

6. Ordinance 2026-09

An Ordinance revising Roof Heights throughout Kane County Land Use Ordinance, and Amending References to Utah Code Title 17, Chapter 27A to Title 17, Chapter 79, Within Chapter 1 of the Kane County Land Use Ordinance.

This agenda item is returning to the Planning Commission at the request of the Kane County Commissioners. They have asked for revisions, as outlined in the attached correspondence from County Attorney Jeff Stott. Jeff will provide the ordinance language at the Planning Commission meeting.

KANE COUNTY ORDINANCE NO. O 2026-09

**AN ORDINANCE REVISING KANE COUNTY LAND USE ORDINANCE
TITLE 9 CHAPTER 7 COMMERCIAL ROOF HEIGHTS AND AMENDING
REFERENCES FROM UTAH CODE TITLE 17, CHAPTER 27A TO TITLE 17,
CHAPTER 79, WITHIN CHAPTER 1 OF THE KANE COUNTY LAND USE
ORDINANCE**

WHEREAS, the Kane County Planning Commission recommended changes to Kane County Land Use Ordinance Chapter 7 Roof Heights 9-7A-4, 9-7B-4 and 9-7C-4; and

WHEREAS, the Utah State Legislature renumbered the County Land Use Development, and Management Act from Utah Code Title 17, Chapter 27a to Utah Code Title 17, Chapter 79, effective November 6, 2025; and

WHEREAS, the renumbering requires updates to statutory references throughout the Kane County Land Use Ordinance and associated applications and documents; and

WHEREAS, due to the comprehensive number of references to Utah Code Title 17, Chapter 27a, it is necessary to adopt a uniform interpretive provision to ensure continuity and accuracy in statutory citations; and

WHEREAS, it is the intent of this Ordinance to maintain consistency with current Utah law and to ensure that all statutory references remain valid and enforceable notwithstanding the renumbering by the Utah State Legislature; and

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

WHEREAS, the Kane County Commission desires to stay in compliance with Utah State Code regulations in particular with Utah Code §17-79-1-10; and

WHEREAS, the authority for this ordinance is found in Utah Code §17-79-101 et. al., and §17-79-201 & 205; and

WHEREAS, any reference within the Kane County Land Use Ordinance, related applications, forms, resolutions, permits, or other official county land use documents to “Utah Code Title 17, Chapter 27a” shall be deemed and construed to refer to “Utah Code Title 17, Chapter 79, Parts 1 through 10,” whether or not such reference has been specifically amended within the text.

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 1 General Provisions, Article 3 Intent and Purpose and Chapter 7 Roof Height Regulations is amended to read as follows and 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.

//

9-7A-4: HEIGHT REGULATIONS:

No building or structure shall be erected to a height greater than thirty-five feet (35'), unless otherwise approved through a conditional use permit. (Ord. O-2022-42, 7-26-2022)

9-7B-4: HEIGHT REGULATIONS:

No building or structure shall be erected to a height greater than thirty-five feet (35'), unless otherwise approved through a conditional use permit. (Ord. O-2022-42, 7-26-2022)

9-7C-4: HEIGHT REGULATIONS:

No building or structure shall be erected to a height greater than forty-five feet (45'), unless otherwise approved by the planning commission through a Conditional Use Permit. (Ord. O-2022-42, 7-26-2022)

Kanab City Ordinance: Section 20-4 Height Regulations No building shall be erected to a height greater than forty-five (45) feet, nor lower than twelve (12) feet, except that a building may be erected to a height of forty-eight (48) feet if the additional top three (3) feet is a parapet wall. Must also follow guidelines in Section Page - 2 - of 13 Adopted January 22, 2008; Amended May 13, 2025 Kanab Land Use Ordinance Chapter 20 – Commercial Zones 20-9.

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9-1-3: INTENT AND PURPOSE:

It is the intent and purpose of the board of county commissioners of Kane County, state of Utah, to avail itself of the powers granted under Utah state code section ~~17-27a-101~~ 17-79 101 et al., the county land use, development, and management act (CLUDMA), as amended, only in a manner that will promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of Kane County as seems appropriate in a rural setting, to this end. Any reference within the Kane County Land Use Ordinance, related applications, forms, resolutions, permits, or other official county land use documents to “Utah Code Title 17, Chapter 27a” shall be deemed and construed to refer to “Utah Code Title 17, Chapter 79, Parts 1 through 10,” whether or not such reference has been specifically amended within the text.

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 24th day of March 2026.

Commissioner Brown voted: _____

Commissioner Meyeres voted: _____

Commissioner Kubeja voted: _____

COUNTY:

Kane County, a political subdivision of the State of Utah

By: _____

Gwen Brown

Chair, Kane County Commission

Corporate Acknowledgment

State of Utah

§

County of _____)

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

Witness my hand and official seal.

(Notary signature)

(Notary Seal)

Notary Printed Name _____

My Commission Expires _____

Residing in _____, County

Current Kane County Ordinance with revisions from Attorney in red.

All references to Building Height limits in our Kane County code will be removed, which includes all of the following two pages:

Rural Zones

9-5C-3: HEIGHT REGULATIONS:

A building erected to a height greater than thirty five feet (35') requires a conditional use permit. (Ord. O-2023-03, 1-24-2023)

9-5C-6: USES TABLE:

Building with a height greater than 35 feet (Conditional Use)

Residential Zones

9-6A-3: HEIGHT REGULATIONS:

A building erected to a height greater than thirty five feet (35') requires a conditional use permit. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9-6A-6: USES TABLE:

Building with a height greater than 35 feet (conditional).

Multi Residential

9-6B-2: CONDITIONS:

E. Building Height: Buildings with a height over thirty five feet (35') need a conditional use permit.

C1 Zone

9-7B-4: HEIGHT REGULATIONS:

No building or structure shall be erected to a height greater than thirty-five feet (35'), unless otherwise approved through a conditional use permit.

Light Commercial Zone

9-7A-4: HEIGHT REGULATIONS:

No building or structure shall be erected to a height greater than thirty-five feet (35'), unless otherwise approved through a conditional use permit

C2 Zone

9-7C-4: HEIGHT REGULATIONS:

No building or structure shall be erected to a height greater than forty-five feet (45'), unless otherwise approved by the planning commission through a Conditional Use Permit. (Ord. O-2022-42, 7-26-2022)

Manufacturing

9-8-2: HEIGHT REGULATIONS:

None, except that within one hundred feet (100') of the boundary of any adjoining zone, no building shall exceed the height for the main buildings in such adjoining zone. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

Supplemental regulations

9-10-10: ADDITIONAL HEIGHT ALLOWED:

Public or quasi-public utility buildings, when authorized in a zone may be erected to a height greater than the zone height limit by a conditional use permit. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9-10-11: EXCEPTIONS TO HEIGHT LIMITATIONS:

Height regulations may be increased by a conditional use permit for permitted public, quasi-public, agriculture, manufacturing or industrial uses if approved by the Land Use Authority.

Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, towers, steeples, flagpoles, chimneys, smokestacks, water tanks, windmills, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits herein prescribed subject to a conditional use permit but no space above the height limit shall be allowed for purposes of providing additional floor space. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9-20-9: MULTI-RESIDENTIAL DEVELOPMENT STANDARDS (for PUD):

G. Height Restrictions: No building shall be erected to a height greater than thirty five feet (35') unless specifically approved as part of the zone change approval.

9-24-3: REGULATIONS AND DESIGN STANDARDS; SOLAR POWER PLANT:

A solar power plant shall comply with the regulations and design standards set forth below:

- A. Permitted Locations: A solar power plant is not allowed in any residential zone.
- B. Height: Height will be established through the conditional use permit process.

The following, in **red**, would be added to the code:

9-10-10 BUILDING HEIGHTS

In all zones, no building shall be constructed above a height of thirty-five (35) feet. Forty-five (45) feet maximum height (*or 49?*) shall be allowed for a pitched roof design as long as additional feet are in the roof and is not habitable.

Building Height Calculation: The height of a building or structure is the vertical dimension measured from the highest point on the exterior of the building or structure to the nearest point of finished grade. For purposes of measuring height, finished grade shall mean the highest grade within five (5) feet of the structure or wall of the building, which has a grading and/or drainage plan approved. The term "finished grade" may also mean natural grade when no terrain alteration is proposed, or where otherwise applicable. Fill which is not necessary to achieve positive drainage or slope stabilization, or which is otherwise proposed clearly to raise the finished floor elevations(s) for any other purpose, shall not be considered finished grade.

On sloping building sites, the height of the building or structure facing the downhill side, as measured from the highest point of the building or structure to the lowest point of finished grade on the downhill side, may be up to 125% of maximum height.

9-10-11: EXCEPTIONS TO HEIGHT LIMITATIONS:

The following are exceptions to the building height limitations: steeples, flagpoles, chimneys, weathervanes, statues, water tanks, and signs up to 2 feet in width. Additionally, for Non-Residential Zones, communication antennas and FAA required lighting. All height exceptions listed in this section are subject to a conditional use permit.

MOTION: I move to recommend denying/approving Ordinance 2026 -09 to the County Commission based on the facts and findings as documented in the ordinance.