Mayor
Colten Johnson
City Council
Arlon Chamberlain
Steven Shrope
Chris Heaton
Boyd Corry
Peter Banks

City Manager
Kyler Ludwig
City Attorney
Kent Burggraaf
City Recorder
Celeste Cram
City Treasurer
Danielle Ramsay

NOTICE OF MEETING
OF THE
KANAB CITY COUNCIL

Notice is hereby given that the Kanab City Council will hold a regular council meeting on the **11th day of August 2026**, in the City Council chambers at the Kanab City Office, **26 N 100 E, Kanab, Utah**. The Council Meeting will convene at 6:30 p.m. and the agenda will be as follows:

WORK MEETING

1) **MAYOR AND COUNCIL BUSINESS – LIAISON REPORTS**

2) **CITY STAFF BUSINESS**

BUSINESS MEETING

1) **CALL TO ORDER AND ROLL CALL**

2) **PUBLIC COMMENT PERIOD:** Members of the public are invited to address the Council. Participants are asked to keep their comments to 3 minutes and follow the rules of civility outlined in Kanab Ordinance 3-601.

3) **CONSENT ITEMS:** (Consent items contain routine, non-controversial items that require City Council action but need little or no City Council deliberation).

   A) Approval of City Council Minutes:
      Regular City Council Meeting – July 14, 2026

   B) Approval of Accounts Payable Vouchers
      Accounts Payable July 15, 2026 - $345,017.48
      Accounts Payable July 21, 2026 - $232,980.57
      Accounts Payable July 22, 2026 - $58,907.05
      Accounts Payable July 29, 2026 - $135,574.19
      Accounts Payable August 4, 2026 - $116,950.46

4) **BOARD COMMISSION, COMMITTEE APPOINTMENTS:**
   No Items

5) **PRESENTATIONS:**
   A) Presentation by August Granath on Kanab's Participation in the Utah Blueprint Program and Economic Development Initiatives.

6) **PUBLIC HEARING ITEMS:**
   A) Public Hearing and Consideration of a Resolution Supporting a Community Impact Board (CIB) Funding Application for Grant and Low-Interest Loan Assistance to Purchase a Fire Department Ladder Truck

7) **ACTION ITEMS READY FOR VOTE:**
   A) Discussion and Consideration of an Ordinance Amending the Zoning of Parcel K-C-2-1 (South Central) from R-1-8 (Single Family Residential) to C-2 (Commercial) (318 N 100 E).
   B) Discussion and Consideration of an Ordinance Amending the Zoning of Parcel K-376-2 from C-2 [Commercial] to R-1-15 [Rural Residential]. Parcel is located approximately at 1045 S HWY 89A (behind K-Town/Straws)
   C) Discussion and Consideration of a Final Plat for Phase 1 of the Hidden Canyon Subdivision (Guthrie).
   D) Discussion and Consideration of an Ordinance to the City's Land Use Ordinance Chapter 17 to reduce the minimum street frontage requirement in R-1-20 (Heely).
   E) Discussion and Consideration of an Ordinance the Subdivision Ordinance Chapter 2A and 2B adopting amendments to the Minor Subdivision Sections.
   F) Consideration of a Resolution Regarding the Boundaries of the Grand Staircase-Escalante and Bears Ears National Monuments.
   G) Discussion and Consideration of an Amendment to the Fire Protection Agreement with the Vermillion Cliffs Special Service District to Revise the Service Area Map to Include Properties Recently Annexed into the District.

8) **ITEMS FOR DISCUSSION:**
   A) Review of Rural Agriculture (RA) Zoning and Minimum Lot Size Classifications (2,5,10 acre).
   B) Discussion on Annexation of Property North of Kanab and the Property Owner Petition Process.
   C) Discussion on Potential Standard Contract Provisions for Adoption by Ordinance.
   D) Discussion on Future Parks and Recreation Priorities
   E) Closed Session to Discuss Pending or Reasonable Imminent Litigation.

9) **REVIEW AND DISCUSSION OF THE SEPTEMBER 8, 2026 CITY COUNCIL MEETING AGENDA.**

ADDITIONAL NOTICES:
Times listed for each item on the agenda may be accelerated, as time permits, or taken out of order.
The public comment period and public hearings are intended for the public to provide input to the Council or to pose questions individuals believe the Council and City 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 Council and City staff will attempt to refrain from answering or engaging in conversation during the public hearing.
An item listed on the agenda may be discussed in a closed portion of the public meeting, in which the public may be excused, if it meets the criteria outlined in the Open and Public Meetings Act (*see* Utah Code 52-4-204 and -205).
If you are planning to attend this public meeting and due to a disability need assistance in understanding or participating in the meeting, please notify the City eight (8) or more hours in advance of the meeting, and we will try to provide whatever assistance may be required. Please contact Celeste Cram at the Kanab City offices.

Kanab City Council Meeting
July 14th, 2026
Kanab City Offices
26 North 100 East
6:30 PM

Work Meeting

1. **Mayor and Council Business – Liaison Reports**

Councilmember Chamberlain – Planning Commission will talk about zone change tonight.
Councilmember Banks – None.
Councilmember Corry – None.
Mayor Johnson – Absent
Councilmember Heaton – The Fire Department has been very busy. He gave a big shout out to our police and fire. Fire just promoted two fire fighters to captains, Amy Smith and Alex Broadbent. The Police Department received an award from Lexipol for policy readiness. Also, the Police department hired Dane Glazier, who has 13 years' experience.
Councilmember Shrope – None.

City Staff Business –

Business Meeting

1. **Call to Order and Roll Call** – Mayor Pro-Tem Heaton called the meeting to order. Marsha Meyer with Interface Alliance offered the invocation. Councilmember Shrope led the pledge of allegiance.

In attendance: Mayor Pro-Tem Heaton, Councilmember Banks, Councilmember Corry, Councilmember Chamberlain and Councilmember Shrope; City Manager Kyler Ludwig; Land Use Coordinator Janae Chatterley; and Recorder Celeste Cram.

Not in attendance – Mayor Johnson, and City Attorney Kent Burggraaf.

2. **Public Comment Period – None.**

3. **Consent Items: (Consent contain routine, non-controversial items that require City Council action but need little or no City Council deliberation).**

   a) **Approval of City Council Minutes:**

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b) Approval of Accounts Payable Vouchers

Accounts Payable June 23, 2026 - $1,208,610.31
Accounts Payable June 25, 2026 - $249,610.00
Accounts Payable June 18, 2026 - $198,680.48

Councilmember Banks made a motion to approve the consent items as listed in the packet. Councilmember Chamberlain seconds, unanimous vote. Motion passed**.**

4. BOARD COMMISSION, COMMITTEE APPOINTMENTS: None.

5. PRESENTATIONS:

a) Employee Recognition

Mr. Ludwig stated that he wanted to publicly recognize Celeste Cram for receiving her CMC (Certified Municipal Clerk) designation. He stated that it took a lot of time and training and wanted to recognize her efforts.

6. PUBLIC HEARING ITEMS: None.

7. ACTION ITEMS READY FOR VOTE:

a) Discussion and Consideration of an Ordinance Approving a Zone Change for Parcel K-19-12A-Annex, Located West of the Future Ace Hardware Development (Approx. 50 West 830 South)

Mrs. Chatterley stated that the applicant agent, Iron Rock Engineering has submitted an application for a zone change on behalf of the property owner Kanab Double C, LLC for parcel K-19-12A-Annex. The request is to rezone from C2 (Commercial) to RR-1 (Rural Residential, 1-acre). The owner is requesting zone change to allow for a residential minor subdivision of three lots.

Tyler Heely asked some questions regarding sewer and street requirements if the property was subdivided. Planning Commission had a few questions regarding access to the property. Staff explained that currently there is an ingress/egress easement for the property, if the property is subdivided, the developer would be required to convert the easement to a public road, private road or private lane. Planning commission made a positive recommendation for zone change to RR-1; vote was unanimous.

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Councilmember Banks made a motion to approve the zone change from C-2 to RR-1 on Parcel K-19-12A-Annex and adopt Ordinance 07-1-26 O based on the findings and conditions outlined in Staff Report ZONE 26007. Councilmember Shrope seconds.

Councilmember Shrope – Yes
Councilmember Heaton – Mayor Pro-Tem
Councilmember Corry – Yes
Councilmember Banks – Yes
Councilmember Chamberlain – Yes
Motion passed.

b) Discussion and Consideration of Approving the Purchase of Playground Equipment through the Utah Outdoor Recreation Grant.

Mr. Ludwig stated In June, the City Council reviewed the Utah Division of Outdoor Recreation Community Parks and Recreation (CPR) Grant award for the Kanab City Park ADA Playground Project and authorized staff to execute the grant agreement and complete all required post-award documentation. The executed grant provides up to $49,702.63 toward construction of accessible playground equipment at Jacob Hamblin Park, with the City providing the required matching funds. The project must be completed prior to the grant expiration in September 2028. Since Council authorization, staff has executed the grant agreement and completed the required post-award documentation with the Utah Division of Outdoor Recreation.
The next phase of the project is the purchase of the playground equipment and related site amenities identified during the grant application and project design process. The proposed equipment will create an inclusive play environment that expands recreational opportunities for children of all abilities while improving accessibility within Kanab City Park. Approval of these purchases will allow staff to proceed with ordering equipment, coordinate delivery schedules, and maintain the project timeline established through the grant program. Staff will continue to administer the project in accordance with the grant requirements, including procurement, documentation, reimbursement requests, and reporting requirements established by the Utah Division of Outdoor Recreation.
Zipline – $49,947.09
ADA Merry Go Round + 2 ADA Swings- $17,514

Councilmember Shrope made a motion to authorize staff to proceed with the purchase of the zipline, merry go round and ADA swings. Councilmember Banks seconds. Unanimous vote, motion passed.

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c) Discussion and Consideration of the Purchase of Sand Filtration Equipment Replacement for the Kanab City Pool.

Mr. Ludwig stated that The Kanab City Swimming Pool's existing sand filtration system has reached the end of its useful life. During routine maintenance, staff discovered that the filter's internal laterals have cracked, allowing sand to be discharged back into the pool during backwash cycles. This condition reduces the effectiveness of the filtration system and will continue to worsen if left unaddressed. Staff confirmed that the existing Nemato sand filter is no longer manufactured and replacement parts are unavailable. Because the filter utilized proprietary threaded laterals, components from other manufacturers are not compatible and modifying the filter would void its NSF certification. As a result, repairing the existing filter is not considered a viable option. Staff obtained preliminary pricing for replacement filtration systems. Current estimates indicate that a comparable high-rate sand filter is available for approximately $59,881 to $85,765, depending on manufacturer, while regenerative media filtration systems range from $100,154 to $148,678.

Staff recommends purchasing a replacement sand filter now to account for manufacturing and shipping lead times, with installation scheduled after the close of the swimming pool season to minimize operational impacts. Because of the size and age of the existing filter, it may need to be cut apart and removed in sections before the new unit can be installed. Staff is looking to self-perform the installation. While regenerative media filtration offers reduced water consumption and lower long-term operating costs, its significantly higher initial purchase price does not justify the investment at this time. Staff believes a replacement high-rate sand filter provides the best value for the City while maintaining reliable filtration performance.

Councilmember Corry expressed concerns regarding the financial sustainability of the pool. He emphasized the importance of transparency and fiscal responsibility, particularly as local businesses in the tourism sector face economic challenges, and argued that the true cost of such services should be openly acknowledged. While clarifying that he is not “anti-pool”, Councilmember Corry stressed the need to be upfront with taxpayers about these expenditures even as he supported the filtration equipment purchase to maintain the facility’s safety and functionality.

Councilmember Chamberlain made a motion to authorize staff to purchase a replacement high-rate sand filter for the Kanab City Swimming Pool and proceed with installation following the conclusion of the 2026 pool season, with expenditures not to exceed $86,000 from the Capital Projects Fund. Councilmember Corry seconds. Unanimous vote, motion passed.

d) Discussion and Consideration of the Purchase of a Lakeside Raptor Sewer Rake System Using Sewer Impact Fees.

Mr. Ludwig stated that the installation of a mechanical sewer rake is a planned capital improvement identified in the City's wastewater capital improvement planning and is consistent with the City's Capital Facilities Plan. Over the past several years, Kanab City has collected wastewater impact fees to fund growth-related infrastructure improvements, including upgrades to the wastewater treatment system necessary to maintain service levels as the community continues to grow. The proposed sewer rake

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project is intended to improve the City's headworks by automating the removal of debris and screenings before wastewater enters the lagoon system. This investment will modernize the facility and improve operational efficiency. As part of project development, City staff and Civil Science evaluated available equipment options over several years. Following multiple site visits and discussions with operators at comparable wastewater facilities, staff determined that the Lakeside Raptor Sewer Rake best meets the City's operational needs and has incorporated the equipment into the project design.

Unlike most equipment purchases, staff is recommending the City proceed with a sole-source procurement of the Lakeside Raptor Sewer Rake rather than issuing a competitive solicitation. Staff's recommendation is based on several years of due diligence rather than a single vendor proposal. During the evaluation process, Public Works personnel visited multiple facilities utilizing the Lakeside Raptor system, reviewed its long-term performance, and consulted with operators responsible for maintaining similar wastewater facilities. Through this process, staff concluded that the Lakeside Raptor provides the best combination of reliability, ease of maintenance, operational efficiency, and compatibility with Kanab City's existing sewer lagoon system.

- Improve removal of debris and screenings from the wastewater system.
- Reduce manual labor and improve employee safety.
- Increase operational efficiency and equipment reliability.
- Reduce maintenance issues and unplanned downtime.
- Lower long-term operating and maintenance costs through preventative operation.

The building has been designed specifically to accommodate the rake system while allowing space for future aeration equipment and continued improvements to the wastewater treatment ponds.

Councilmember Shrope made a motion to approve the sole-source purchase of the Lakeside Raptor Sewer Rake for the City’s wastewater lagoons and authorize staff to proceed with procurement. Councilmember Corry seconds. Unanimous vote, motion passed.

8. ITEMS FOR DISCUSSION: None.

9. REVIEW AND DISCUSSION OF THE JULY 14, 2026 CITY COUNCIL MEETING AGENDA.

Minor Subdivision Ordinance
Parks Discussion
RA Zoning
SSD Fire Agreement
Annexation North of Kanab
CIB Ladder Truck

Councilmember Corry made a motion to adjourn. Councilmember Shrope seconds. Unanimous vote, meeting adjourned.

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Report Criteria:
Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
07/26	07/15/2026	39265	1080	AMERIGAS PROPANE LP	41-2100	2,185.44
07/26	07/15/2026	39266	12333	AVFUEL CORPORATION	10-2100	41.94
07/26	07/15/2026	39267	990	BLUE STAKES OF UTAH 811	51-2100	90.32
07/26	07/15/2026	39268	13753	BRADY INDUSTRIES	10-2100	80.82
07/26	07/15/2026	39269	1290	CASELLE	51-2100	33,106.80
07/26	07/15/2026	39270	13455	CENGAGE GROUP	10-2100	20.80
07/26	07/15/2026	39271	13810	CIT UTAH	10-2100	75.00
07/26	07/15/2026	39272	2260	DAT MANAGEMENT, INC	51-2100	340.00
07/26	07/15/2026	39273	13480	DEPT OF GOVERNMENT OPERATION	51-2100	7,927.95
07/26	07/15/2026	39274	12426	DIAMOND C. ASPHALT	45-2100	137,812.50
07/26	07/15/2026	39275	13808	DOUGLASS, INEZ	10-2100	25.00
07/26	07/15/2026	39276	11152	FEDEX	10-2100	21.60
07/26	07/15/2026	39277	560	GARKANE ENERGY COOPERATIVE, I	10-2100	22,586.80
07/26	07/15/2026	39278	13806	GATES, WHITNEY	51-2100	3.50
07/26	07/15/2026	39279	13811	GREAT WESTERN RECREATION, LLC	10-2100	979.00
07/26	07/15/2026	39280	12757	GROW CHIROPRACTIC	10-2100	60.00
07/26	07/15/2026	39281	880	KANE CO. SPECIAL SERVICE DIST.	10-2100	840.00
07/26	07/15/2026	39282	11266	LB 413071	51-2100	2,490.07
07/26	07/15/2026	39283	4690	LITTLE'S DIESEL SERVICE	51-2100	52.92
07/26	07/15/2026	39284	5930	PUBLIC EMPLOYEES LONG TERM	02-2100	789.01
07/26	07/15/2026	39285	1140	QUILL CORPORATION	10-2100	32.53
07/26	07/15/2026	39286	11843	RAMSAY SERVICE INC.	10-2100	51.74
07/26	07/15/2026	39287	12677	SG WATER STORE	10-2100	20.85
07/26	07/15/2026	39288	11755	SHERWOODS SEW WHAT	10-2100	54.00
07/26	07/15/2026	39289	13790	SLICK TRADES LLC	45-2100	116,795.00
07/26	07/15/2026	39290	535	SPENCER ASPHALT	45-2100	850.00
07/26	07/15/2026	39291	13340	ST. GEORGE CARQUEST	51-2100	560.32
07/26	07/15/2026	39292	13807	STAULCUP, AUSTIN	51-2100	18.25
07/26	07/15/2026	39293	12183	TAYLOR MADE FENCING, LLC	10-2100	1,866.50
07/26	07/15/2026	39294	13809	ULLIANCE, INC.	10-2100	3,750.00
07/26	07/15/2026	39295	9210	UTAH PUBLIC TREASURER	10-2100	1,000.00
07/26	07/15/2026	39296	2775	UTAH PUBLIC TREASURER	10-2100	2,000.00
07/26	07/15/2026	39297	2765	UTAH PUBLIC TREASURER	10-2100	1,000.00
07/26	07/15/2026	39298	4035	UTAH RISK MANAGEMENT	10-2100	5,725.90
07/26	07/15/2026	39299	710	UTAH STATE LIBRARY DIVISION	10-2100	1,752.92
07/26	07/15/2026	39300	3290	UTAH VALLEY UNIVERSITY	10-2100	10.00
Grand Totals:						345,017.48

Report Criteria:
Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
07/26	07/21/2026	39301	1360	#1 STAGE STOP	10-2100	128.38
07/26	07/21/2026	39302	13713	ADVANCED CONSTRUCTION AND DE	42-2100	102,624.64
07/26	07/21/2026	39303	1080	AMERIGAS PROPANE LP	41-2100	281.53
07/26	07/21/2026	39304	12768	BUGSY'S PEST CONTROL, LLC	41-2100	80.00
07/26	07/21/2026	39305	11140	CEM AQUATICS	41-2100	199.11
07/26	07/21/2026	39306	13455	CENGAGE GROUP	10-2100	40.28
07/26	07/21/2026	39307	12429	CIVIL SCIENCE INFRASTRUCTURE, IN	51-2100	14,430.00
07/26	07/21/2026	39308	1565	CLARK ELECTRIC	41-2100	2,618.56
07/26	07/21/2026	39309	13367	DEPT OF PUBLIC SAFETY TRUST FUN	10-2100	2,100.00
07/26	07/21/2026	39310	12426	DIAMOND C. ASPHALT	39-2100	4,675.00
07/26	07/21/2026	39311	9010	GLAZIER'S MARKET	10-2100	662.13
07/26	07/21/2026	39312	12757	GROW CHIROPRACTIC	10-2100	60.00
07/26	07/21/2026	39313	3900	KANAB CITY CORPORATION	51-2100	17,706.16
07/26	07/21/2026	39314	13812	KANAB HIGH SCHOOL CHEER TEAM	41-2100	581.00
07/26	07/21/2026	39315	13136	KANE COUNTY ATTORNEY'S OFFICE	10-2100	15.80
07/26	07/21/2026	39316	13497	KEYBANK	42-2100	7,392.14
07/26	07/21/2026	39317	12787	LANTIS FIREWORKS & LASERS	10-2100	20,000.00
07/26	07/21/2026	39318	11266	LB 413071	51-2100	707.34
07/26	07/21/2026	39319	11939	MESQUITE ELECTRIC LLC	42-2100	7,495.58
07/26	07/21/2026	39320	978	MORETON & COMPANY	10-2100	47,491.00
07/26	07/21/2026	39321	12233	NICHOLAS & COMPANY	41-2100	1,483.53
07/26	07/21/2026	39322	11843	RAMSAY SERVICE INC.	10-2100	398.00
07/26	07/21/2026	39323	13389	THE SHERWIN-WILLIAMS CO.	10-2100	134.81
07/26	07/21/2026	39324	9216	UTAH STATE TAX COMMISSION	41-2100	1,666.78
07/26	07/21/2026	39325	1635	WATERMAN WELDING	51-2100	8.80
Grand Totals:						232,980.57

Report Criteria:
Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
07/26	07/22/2026	39326	12144	BANKCARD CENTER	10-2100	58,907.05
Grand Totals:						58,907.05

Report Criteria:
Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
07/26	07/29/2026	39327	1080	AMERIGAS PROPANE LP	10-2100	148.25
07/26	07/29/2026	39328	12333	AVFUEL CORPORATION	10-2100	27,096.07
07/26	07/29/2026	39329	11692	BUGSY'S PEST CONTROL	10-2100	85.00
07/26	07/29/2026	39330	11140	CEM AQUATICS	41-2100	4,839.84
07/26	07/29/2026	39331	9760	COLONIAL	02-2100	23.00
07/26	07/29/2026	39332	12310	DUTTON, JAKE	51-2100	102.00
07/26	07/29/2026	39333	13763	ENCOMPASS COUNSELING	10-2100	1,214.00
07/26	07/29/2026	39334	13532	ENFUSION TECHNOLOGIES	10-2100	5,500.00
07/26	07/29/2026	39335	13208	FREEDOM MAILING SERVICES, INC.	51-2100	1,672.43
07/26	07/29/2026	39336	13817	FUTURE PRO INC.	41-2100	16,530.00
07/26	07/29/2026	39337	615	HONEY'S MARKETPLACE	51-2100	2,320.31
07/26	07/29/2026	39338	13816	KABONIC, MIKKEL	51-2100	52.64
07/26	07/29/2026	39339	880	KANE CO. SPECIAL SERVICE DIST.	10-2100	31,543.30
07/26	07/29/2026	39340	12788	KANE CO. SPECIAL SERVICE DIST.	10-2100	4,824.00
07/26	07/29/2026	39341	13815	KAYES, CHRISTOPHER	51-2100	18.86
07/26	07/29/2026	39342	13814	LEE, AARON	51-2100	67.00
07/26	07/29/2026	39343	11328	LEXIPOL LLC	10-2100	6,800.05
07/26	07/29/2026	39344	13818	PLAYGROUND BOSS LLC	41-2100	17,514.00
07/26	07/29/2026	39345	5930	PUBLIC EMPLOYEES LONG TERM	02-2100	600.45
07/26	07/29/2026	39346	1140	QUILL CORPORATION	10-2100	41.03
07/26	07/29/2026	39347	13495	RDO EQUIPMENT CO.	51-2100	173.74
07/26	07/29/2026	39348	12611	SALT LAKE COMMUNITY COLLEGE	10-2100	107.00
07/26	07/29/2026	39349	12677	SG WATER STORE	10-2100	27.80
07/26	07/29/2026	39350	13813	SPRINGFIELD-GREENE	10-2100	24.99
07/26	07/29/2026	39351	8550	THE UNIFORM CENTER	10-2100	131.97
07/26	07/29/2026	39352	9593	UNITED RENTALS, INC	41-2100	3,454.48
07/26	07/29/2026	39353	4035	UTAH RISK MANAGEMENT	10-2100	1,751.98
07/26	07/29/2026	39354	1650	UTAH RISK MANAGEMENT AGENCY	10-2100	8,910.00
Grand Totals:						135,574.19

Report Criteria:
Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
08/26	08/04/2026	39355	10685	ALSCO	10-2100	426.36
08/26	08/04/2026	39356	13753	BRADY INDUSTRIES	10-2100	439.08
08/26	08/04/2026	39357	13197	CAPSON, JENIFER	41-2100	500.00
08/26	08/04/2026	39358	13773	CLARK, HAYLE	51-2100	9.54
08/26	08/04/2026	39359	12122	EMERGENCY VEHICLE SYSTEMS	10-2100	7,096.91
08/26	08/04/2026	39360	13687	GLAZIER, BROOKE	41-2100	500.00
08/26	08/04/2026	39361	12757	GROW CHIROPRACTIC	10-2100	60.00
08/26	08/04/2026	39362	3880	INTERMOUNTAIN FARMERS ASSOCIA	10-2100	3,449.48
08/26	08/04/2026	39363	12482	KANE COUNTY	10-2100	8,224.45
08/26	08/04/2026	39364	10719	LANDMARK TESTING & ENGINEERIN	39-2100	6,000.00
08/26	08/04/2026	39365	11266	LB 413071	51-2100	344.58
08/26	08/04/2026	39366	10647	MOUNTAIN WEST COMPUTERS	10-2100	661.00
08/26	08/04/2026	39367	12233	NICHOLAS & COMPANY	41-2100	540.72
08/26	08/04/2026	39368	2125	RAINBOW SIGN & BANNER	10-2100	1,761.44
08/26	08/04/2026	39369	13780	REED, MIKE	10-2100	1,200.00
08/26	08/04/2026	39370	1240	SCHOLZEN PRODUCTS	51-2100	3,013.52
08/26	08/04/2026	39371	13380	TREELINE CONSTRUCTION	10-2100	2,107.00
08/26	08/04/2026	39372	9210	UTAH PUBLIC TREASURER	10-2100	1,000.00
08/26	08/04/2026	39373	2775	UTAH PUBLIC TREASURER	10-2100	2,000.00
08/26	08/04/2026	39374	2765	UTAH PUBLIC TREASURER	10-2100	1,000.00
08/26	08/04/2026	39375	1650	UTAH RISK MANAGEMENT AGENCY	10-2100	67,968.37
08/26	08/04/2026	39376	4720	VEHICLE LIGHTING SOLUTIONS INC	10-2100	8,074.68
08/26	08/04/2026	39377	1635	WATERMAN WELDING	51-2100	573.33
Grand Totals:						116,950.46

Governor's Office *of* Economic Development

Center for Rural Development

Plan Here. Build Here.

Rural Economic Blueprint Program

June 30th, 2026

Initial Assessment for Kanab City

Presented by August Granath – Technical Outreach Manager

Agenda

Initial Assessment

- Methodology
- Economic Data
- SWOT Analysis

Next Steps

Methodology – How We Gathered Insights

- **Hard Numbers**
  - Economic data from Census Bureau, ESRI, and Utah Department of Workforce Services
- **Input From The Community**
  - One on One Interviews with Key Stakeholders (17 interviews)

Economic Data

- Population
- Workforce
- Industry Breakdown
- Major Employers

Economic Data

Kanab, Utah, and USA Population (1990 – 2025)

Year	Kanab Population	Growth Rate (Annualized)	Utah Population	Growth Rate (Annualized)	USA Population	Growth Rate (Annualized)
1990	3,289	1.4%	1,722,850	3.0%	248,709,873	1.1%
2000	3,564		2,233,198		281,421,906	
2010	4,312		2,763,885		308,745,538	
2020	4,691		3,271,608		331,516,113	
2021	5,005	2.7%	3,339,874	1.6%	332,100,166	0.6%
2022	5,125		3,393,928		333,996,304	
2023	5,254		3,449,259		336,755,052	
2024	5,269		3,502,983		340,003,797	
2025	5,332		3,538,904		341,784,857	

Most Recent Estimated City Population: 5,332

- Kanab City's population has grown by 641 people (2.7% annualized) from April 1, 2020, to July 1, 2025
- This is about double of the 1.4% annual growth rate for the preceding 30-year period from 1990 – 2020.
- Comparing the same periods, statewide population growth has dropped from 3% to 1.6% annual growth, while nationwide growth has slowed from 1.1% to 0.6% annual growth.

Economic Data

Workforce Statistics (2020 – 2024 American Community Survey 5-Year Estimates)

Median household income: $85,486

- ~$10,000 below Utah's median household income of $95,166
- ~$5,000 above the national median household income of ~$80,734

Employment Status for Kanab, Utah, and USA Population Age 16+ (2020 – 2024)

Employment Status	Kanab (#)	Kanab (%)	Utah (%)	USA (%)
Employed	2,481	57.9	66.9	59.7
Unemployed	123	2.9	2.5	3.3
Armed Forces	26	0.6	0.3	0.5
Not in Labor Force	1,656	38.6	30.4	36.5

Economic Data

Workforce Statistics (2020 – 2024 American Community Survey 5–Year Estimates)

Percentage of population 25+ with Bachelor's Degrees or higher: 28%

- 9% below Utah's rate of 37%
- 7% below the national rate of 35%

Educational Attainment for Kanab, Utah, and USA Percentage of Population Age 25+ (2020 – 2024)

Educational Attainment	Kanab	Utah	USA
Less than a High School Diploma	7	7	11
High School Diploma	22	23	26
Some College or an Associate Degree	44	34	28
Bachelor's Degree or Higher	28	37	35

Economic Data

Kanab City
Industry Breakdown by Percentage of Labor Force (Census Bureau, 2024)

Industry	Jurisdiction (Jobs)	Jurisdiction (% of Jobs)	USA (% of Jobs)	Location Quotient
Total	2,481	100.0%	100.0%	–
Other Services (Excluding Public)	**518**	**20.9%**	**4.7%**	**4.4**
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Admin/Support/Waste Management	69	2.8%	4.5%	0.6
Agriculture/Forestry/Fishing	**50**	**2.0%**	**1.1%**	**1.8**
Real Estate/Rental/Leasing	35	1.4%	1.7%	0.8
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Mining/Quarrying/Oil & Gas	0	0.0%	0.3%	0.0
Utilities	0	0.0%	0.9%	0.0

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*These statistics are organized by employment site, which is likely why Kanab High School and Kanab Middle School are is listed separately.

Kanab Major Employers (DWS, September 2025)

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HONEY'S MARKETPLACE	50–99	Supermarkets and Other Grocery Retailers
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SWOT Analysis

Strengths
Weaknesses
Opportunities
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  - Foundational economic and employment stability is anchored by non-seasonal entities with strong workforce retention. Specifically, Best Friends Animal Sanctuary (the county's largest employer), GarKane Energy, the Bureau of Land Management (BLM) regional office, and highly paid engineering and professional services jobs.

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Next Steps

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- Incorporate any revisions into the Initial Assessment
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- Review existing goals in existing plans
- Develop a set of Goals, Strategies, and Projects with Working Team and Steering Committee
- Write Draft Plan and Bring to Legislative Body for Consideration and Approval

Governor's Office *of* Economic Development

Center for Rural Development

Plan Here. Build Here.

Rural Economic Blueprint Program

July 22nd, 2026
Strategic Plan for Kanab City
Presented by August Granath – Technical Outreach Manager

Agenda

Initial Assessment

- Methodology
- Economic Data
- SWOT Analysis

Next Steps

Methodology – How We Gathered Insights

- **Hard Numbers**
  - Economic data from Census Bureau, ESRI, and Utah Department of Workforce Services
- **Input From The Community**
  - One on One Interviews with Key Stakeholders (17 interviews)

Economic Data

- Population
- Workforce
- Industry Breakdown
- Major Employers

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- **Public Land Management Pendulum**
  - Add a note on changes to Monument size every four years etc.

Strategic Plan

- Ideal Vision for a Future Economy as informed by Stakeholder Input
- Review of Existing Strategic Plan
- Draft Goals, Strategies, Tactics, and Projects

Ideal Vision for a Future Economy

- **Balanced Growth that Preserves Community Identity**
  - Stakeholders noted that they want to strike a sustainable balance between embracing luxury resort growth while protecting Kanab's warm, safe, rural identity.

- **Youth Retention and "Return Pathways"**
  - Transform Kanab from a place where "youth is the greatest export" into a community where local kids can obtain higher education/training, return home, buy a house, and earn a family-sustaining wage.
- **Economic Diversification and Year-Round Resilience**
  - Smooth out the extreme seasonal variablity in the tourism economy by fostering non-tourism, non-seasonal export industries. Remote work, light manufacturing, natural resources, and healthcare are all opportunity sectors for Kanab.

- **Expand The Tourism Season**
  - Drive steady, year-round commercial traffic into hotels, short-term rentals, and restaurants during quiet months by investing in youth sports tourism, events, and conferences.

- **Downtown Placemaking and Dedicated Third Spaces**
  - Enhance community quality of life, taking into account that "your first audience is your locals", and subsequently improve the visitor experience and quality of visit. Investing in community gathering spaces, pedestrian infrastructure, and beautification are opportunities here.

Existing Objectives in Kanab City's 2022 General Plan

- **Goal 1: Support positive economic development**
  - Increase efforts in re-building resource-based industries
  - Gather and maintain data on businesses looking to relocate
  - Assist current local businesss in retention and expansion
  - Increase programs to market and promote Kanab economically
  - Promote the existence of a reliable 100% fiber optic broadband network throughout the City to support various industries

- **Goal 2: Attract postive business and industry**
  - Focus economic development efforts on attracting specific business types

- **Goal 3: Continue the economic revitalization of downton**
  - Explore opportunities to establish a business assistance program
  - Continue efforts towards streetscape improvements and historic preservation
  - Create a community development area.

- **Goal 4: Continue support for and promotion of community events**
  - Foster continued success of the Western Legends Round Up and other community events

Draft Goals, Strategies, and Projects

SEE ATTACHED SPREADSHEET

Next Steps

- Incorporate any revisions into the Strategic Plan
- Write Draft Plan and Bring to Legislative Body for Consideration and Approval

Mayor
Colten Johnson
City Council
Arlon Chamberlain
Steven Shrope
Chris Heaton
Boyd Corry
Peter Banks

City Manager
Kyler Ludwig
City Attorney
Kent Burggraaf
City Recorder
Celeste Cram
City Treasurer
Danielle Ramsay

KANAB
UTAH

DATE: August 11, 2026
TO: Mayor and City Council
SUBJECT: Community Impact Board Funding – Ladder Truck Public Hearing
PREPARED BY: Kyler Ludwig, City Manager

Background:

Kanab City is pursuing funding assistance through the Utah Permanent Community Impact Fund Board (CIB) to acquire a new aerial ladder fire truck. The current estimated cost of the apparatus is approximately $1.8 million.

As part of the CIB application process, applicants are required to hold a formal public hearing to solicit public comment regarding the proposed project, its financing plan, and the anticipated financial impacts. The purpose of this public hearing is to seek public feedback for the proposed CIB project before the City's application is presented to the CIB Board. The CIB requires applicants to discuss the project scope, proposed financing, and potential loan obligations during the public hearing.

The project has been added to the Utah Project Portal and has been included in both the City's CASI and the Five County Association of Governments' list of proposed Community Impact Board projects for this funding cycle. Staff anticipates presenting the application to the CIB Board in October 2026.

Analysis:

The Community Impact Board (CIB) utilizes a funding model that typically combines grants with low-interest loans, with the grant-to-loan ratio determined by the Board based on a community's financial capacity, project need, and overall eligibility. As part of this application, Kanab City intends to request $500,000 in CIB grant funding and a 10-year low-interest loan for the remaining eligible project costs. If supported by the Board we anticipate an interest rate from 0.5% to 2.0%, depending on the Board's final funding determination.

The estimated cost of the aerial ladder truck is approximately $1.8 million. With anticipated year-end savings, the City expects to have approximately $400,000 available in the Fire Apparatus Replacement Fund to apply toward the purchase. In addition, the City has

accumulated approximately $300,000 in fire impact fees generated through commercial development. Both existing and future fire impact fee revenues may be used to repay debt associated with this impact fee-eligible project, providing a dedicated revenue source that minimizes the long-term impact on the General Fund.

The City is also actively pursuing funding through the federal Assistance to Firefighters Grant (AFG) program. Kanab City has successfully advanced through the initial review phase and has submitted a request for $500,000 in grant funding. If awarded, AFG funding would reduce the amount of CIB financing required and further lower the City's long-term debt obligation.

To prepare the project for CIB consideration, the City has entered the project into the Utah Project Portal and included it in the City's Capital Asset Self-Inventory (CASI). The project has also been submitted through the Five County Association of Governments as one of the region's proposed CIB projects for the current funding cycle, consistent with the CIB application process. Staff anticipates presenting the funding request to the Community Impact Board during its October 2026 funding cycle.

The need for this project has been documented in the accompanying Aerial Apparatus Replacement – Field Evidence & Standards Comparison report. The attached document provides photographs and analysis demonstrating the operational limitations of the City's existing 55-foot aerial apparatus at several of Kanab's multi-story buildings.

Legal:
The public hearing satisfies a required component of the Community Impact Board application process. Final loan and grant agreements, if awarded, will be presented to the City Council for approval and legal review prior to execution.

Financial:

The estimated cost of the aerial ladder truck is approximately $1.8 million, which exceeds the City's ability to fund the project through local resources alone. While the City has dedicated local funding through the Fire Apparatus Replacement Fund and fire impact fees, the project is not financially feasible without significant grant assistance and low-interest financing. Staff is optimistic that a combination of Community Impact Board (CIB) grant funding, favorable loan terms, and other grant opportunities will make this critical public safety investment achievable.

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Celeste Cram
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Recommendations/Actions:

It is recommended that the City Council:

1. Conduct the required public hearing to receive comments regarding the proposed Community Impact Board funding application.
2. Determine whether there is public support for the proposed CIB project.
3. Adopt the resolution supporting Kanab City's application to the Utah Permanent Community Impact Fund Board for grant and loan funding for the acquisition of an aerial ladder fire truck.
4. Authorize staff to proceed with submitting the Community Impact Board application requesting a $500,000 grant and associated low-interest loan financing.

Kanab City Fire Department

Aerial Apparatus Replacement — Field Evidence & Standards Comparison

Prepared for Public Comment Meeting

Current apparatus: 55-foot quint (aerial/pumper combination). KFD requires quint pumping capacity for the department's building stock, but the current 55-foot stick does not demonstrate adequate reach, scrub area, or manufacturer-recommended operating angle at any of the town's principal multi-story structures documented in this exhibit — Kanab Middle School (gym), Lofts on 10 in Sedona Valley, and SpringHill Suites. Site Selection and Setup Methodology. The buildings documented here were selected from various commercial occupancies in Kanab, including several of the largest structures in town. The buildings this apparatus would realistically be called to serve. At each site, the apparatus was positioned at the closest accessible point and best achievable angle, in several cases at or near the Fire Department Connection (FDC), where an apparatus would logically operate during an actual incident. Vegetation, parking configuration, and building setbacks prevented closer positioning. These are ordinary commercial buildings approached as they would be on a real call, not selected worst cases. At every location, the current 55-foot quint came up short.

This document pairs field photographs, taken with the current apparatus at operational structures within Kanab, against nationally recognized aerial apparatus positioning and operating standards. Each photo is presented as a numbered exhibit with a plain-language caption, a statement of what the photo demonstrates, and a citation to the source standard or research.

The blue text under each exhibit is a live link to the source for that finding: a national standard, a U.S. Fire Administration report, or a fire service publication. All sources are listed again in the Appendix.

Contents

Section 1 — Kanab Middle School (Gym)

Section 2 — Lofts on 10, Sedona Valley (Lofts Road setup, near FDC)

Section 3 — SpringHill Suites, Kanab

Appendix — Standards & Research Sources Cited

Section 1 — Kanab Middle School (Gym)

Set up location: parking lot adjacent to the gym. All five photos in this section document the same building. Across every angle and every standoff distance attempted — including the closest achievable access point and the manufacturer's recommended operating angle — the current 55-foot quint does not reach adequately. None of these exhibits shows the apparatus achieving usable rescue- or roof-access-grade reach at this structure.

Exhibit 1.1

Caption: Recommended-angle setup, parking lot next to the gym — this is the closest achievable access point.

What this demonstrates: Even from the closest practical access point and at a proper operating angle, the tip does not provide adequate working reach at this building. This is the best-case setup available at this structure, and it is still inadequate, establishing that the gym exceeds the current apparatus's effective operational envelope even under ideal positioning conditions.

Source: Manufacturer-recommended operating angle range (70°–75°) — Fire Rescue Truck, "What is the Angle of the Aerial Ladder?"

Exhibit 1.2

Caption: Recommended-angle setup — the ladder does not quite reach the top of the building.

What this demonstrates: Even holding the aerial within the manufacturer's proper operating angle range, the tip falls short of the roofline. This is a direct, visual demonstration of a vertical-reach shortfall, not an operator positioning error.

Source: Aerial reach estimation using vertical height vs. horizontal reach (a 100 ft nominal aerial may deliver only ~93 ft horizontal, since ground-to-turntable height counts toward the vertical figure) — FirefighterNation, "Two Quick Drills on Aerial Positioning"

Exhibit 1.3

Caption: Recommended-angle setup, the ladder does not quite reach the top of the building (second view).

What this demonstrates: A second, confirming angle on the same shortfall: proper technique and proper angle, insufficient stick length to clear the roof edge.

Source: Reach/placement estimation via the Pythagorean relationship between elevation, extension, and ground distance — Montgomery County Fire & Rescue Service, Aerial Apparatus Positioning & Use, Driver Certification Module 4

Exhibit 1.4

Caption: Closest approach achievable to the building.

What this demonstrates: This is the nearest the apparatus could be spotted while maintaining a workable setup. Even at this closest practical standoff, a substantial gap remains between the tip and the building face — the scrub area (the surface the tip can actually touch) is well short.

Source: Scrub area defined as the vertical surface reachable by the aerial tip, governed by apparatus design, positioning, and extension limits — FireRescue1, "Know the Aerial's Scrub Area"

Exhibit 1.5

Caption: Closest approach achievable to the building. (second view).

What this demonstrates: This photo captures the core operational tradeoff a 55-foot stick forces on this structure: to get the tip anywhere near the building, the operator must abandon the manufacturer's recommended angle range, sacrificing structural margin and control precision for a few additional feet of reach — and still comes up short of the second floor. Across all five exhibits in this section, no setup — close or far, recommended angle or not — produces adequate reach at this building.

Source: Recommended aerial operating angle range of 70°–75° for optimal reach/stability balance — Fire Rescue Truck, "What is the Angle of the Aerial Ladder?"

Section 2 — Lofts on 10, Sedona Valley (Setup: Lofts Road, near FDC)

Set up location: Lofts Road, adjacent to the building's Fire Department Connection (FDC). This is the complete photo set for the Lofts on 10 property — there is no separate 'direct approach' set. This section documents both the best-case, recommended-angle setup and the compromises required to attempt roof access from the same position; neither configuration produces adequate reach.

2A. Recommended Setup — Elevated Water Application

Exhibit 2.1

Caption: Recommended setup for high water application, Lofts Road near the FDC.

What this demonstrates: Even at a proper operating angle — the best-case configuration for this position — the apparatus does not demonstrate adequate working capability at this building. Reaching this height requires standing off at a distance that leaves inadequate scrub area for rescue-grade operations; this is not a demonstration of adequate reach, but of the compromise the current apparatus forces even under ideal setup conditions.

Source: Elevated master stream positioning practice for structural fire attack — Firehouse, "How the Best Fire Apparatus Operators Maximize Vehicle Positioning"

Exhibit 2.2

Caption: Recommended setup for high water application, Lofts Road near the FDC (second view).

What this demonstrates: The visible horizontal gap between the tip and the building corner, even in this 'recommended' configuration, shows the apparatus cannot achieve both proper angle and adequate proximity at the same time — height is only reached by standing off far enough to lose usable scrub area across the building face.

Source: Scrub area is reduced when apparatus stands off too far from the building; effective positioning must balance standoff against reach — FireRescue1, "Know the Aerial's Scrub Area"

Exhibit 2.3

Caption: Recommended setup for high water application, Lofts Road near the FDC (third view).

What this demonstrates: Height at the roofline is only achieved here with the apparatus set back a considerable distance from the building — this is not adequate rescue positioning. This is the reach/standoff tradeoff in practice: any usable height requires giving up proximity, which would compromise rescue operations if this were a live incident.

Source: Right-triangle reach estimation (elevation, extension, and ground distance) for aerial pre-planning — Montgomery County Fire & Rescue Service, Aerial Apparatus Positioning & Use, Module 4

2B. Non-Recommended Angle — Roof Access Attempts

Exhibit 2.4

Caption: Non-recommended angle set up for accessing the roof, Lofts Road near the FDC. It still will not reach.

What this demonstrates: A 1996 U.S. Fire Administration investigation into aerial ladder collapses found that four of five documented national collapse incidents — including one fatal collapse during an active multi-occupant rescue — involved operating the ladder beyond its recommended extension at a low elevation angle, the same category of setup shown here. To bring the tip close enough to the roof edge for a firefighter transition, the apparatus was forced into a shallow angle well outside the manufacturer's recommended 70°–75° operating range. Aerial ladder personnel load capacity decreases sharply as elevation angle decreases: one manufacturer's own load chart, cited in that USFA investigation, rated a 100-foot aerial ladder to safely carry 12 people above 70° elevation, but only 5 people at 30° and 4 people in the horizontal position. Even on a modern, code-compliant apparatus not at structural collapse risk, this same angle-dependent reduction in safe load capacity means fewer occupants can be moved at once, forcing a slower, sequential descent at precisely the moment time is most critical — the exact operating condition the U.S. Fire Administration identified as the common denominator in the aerial ladder failures it investigated.

Source: U.S. Fire Administration / FEMA, "Aerial Ladder Collapse Incidents," Technical Report Series (1996)

Exhibit 2.5

Caption: Non-recommended angle set up for accessing the roof, Lofts Road near the FDC (second view).

What this demonstrates: A second confirming view of the same non-recommended, shallow-angle setup addressed in Exhibit 2.4. For reference, recommended tip placement for roof access is 4–6 inches off the roof edge with roughly six feet of clearance above the edge for a safe firefighter transition — a standard that is difficult to meet at a non-recommended angle. This is the same reduced-capacity, angle-dependent load condition the U.S. Fire Administration identified as the common denominator across the majority of aerial ladder collapse incidents it investigated nationally, including a fatal collapse during an active rescue.

Source: U.S. Fire Administration / FEMA, "Aerial Ladder Collapse Incidents," Technical Report Series (1996)

Exhibit 2.6

Caption: Non-recommended angle set up to test how close the apparatus could get to the building.

What this demonstrates: Close-up of the pedestal and elevation cylinder at a shallow angle, with the building visible at nearly the same height as the mount. This documents the mechanical position behind Exhibits 2.4–2.5 and shows how little elevation margin remains when the apparatus is set up this close.

Source: Aerial apparatus stability and elevation cylinder operation guidance — general aerial apparatus positioning standards, Montgomery County Fire & Rescue Service Driver Certification Program

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C. Measured Angle Reading (Supporting Evidence)

Exhibit 2.7

Caption: Elevation angle indicator gauge on the aerial pedestal, showing the actual measured degree reading during a non-recommended-angle setup.

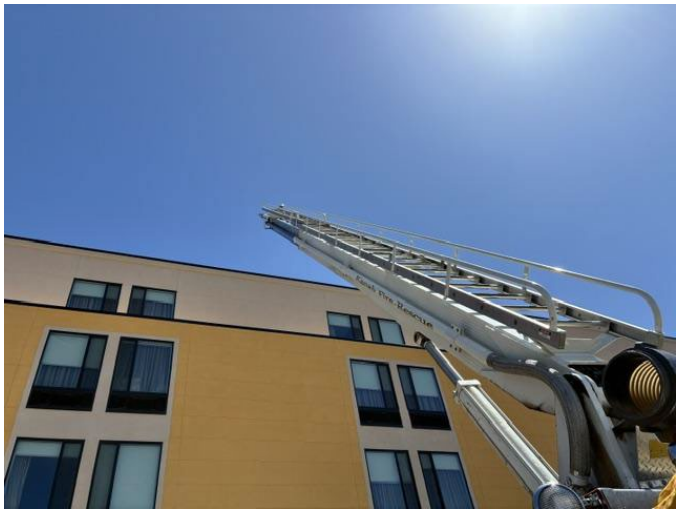
What this demonstrates: This is a direct instrument reading rather than a visual estimate — it documents, in degrees, how far outside the manufacturer's recommended 70°–75° operating range the apparatus had to be set to attempt the roof access shown in Exhibits 2.4–2.5. This is the strongest single piece of quantified evidence in the photo set and should be highlighted at the meeting.

Source: Manufacturer-recommended operating angle range of 70°–75° for aerial ladders — Fire Rescue Truck, "What is the Angle of the Aerial Ladder?"

Section 3 — SpringHill Suites, Kanab

This section documents the current 55-foot quint at SpringHill Suites in Kanab, a 4-story lodging property. As with the Middle School gym and the Lofts on 10, none of the following exhibits shows the apparatus achieving adequate rescue- or roof-access-grade reach at this building, including the setups that hold the manufacturer's recommended operating angle.

Exhibit 3.1



Caption: SpringHill Suites, Kanab — ladder at a steep angle; tip approaching the roofline of the 4-story structure.

What this demonstrates: Even at an angle within or near the manufacturer's recommended range, the tip does not achieve adequate working reach at the building — it approaches the roofline but does not establish a usable scrub area for rescue or roof-access operations.

Source: Manufacturer-recommended operating angle range (70°–75°) — Fire Rescue Truck

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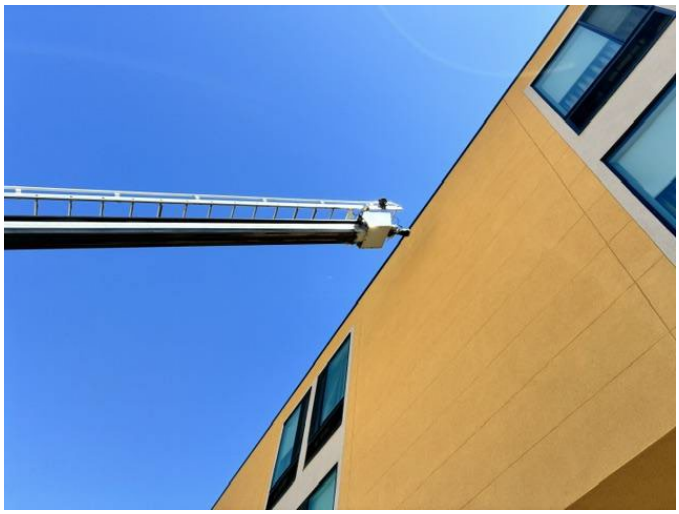
Exhibit 3.2

Caption: SpringHill Suites, Kanab — tip extended with a visible horizontal gap from the building corner.

What this demonstrates: This illustrates a clear scrub-area shortfall — the tip is in open air rather than on the building face, meaning no rescue or roof-access work could be performed from this position.

Source: Scrub area defined as the building surface reachable by the aerial tip — FireRescue1, "Know the Aerial's Scrub Area"

Exhibit 3.3



Caption: SpringHill Suites, Kanab — tip just reaching the third-floor parapet, the latter could not reach the third-floor window even out of the recommended manufacturing angle. or near-flat angle. (This is a four-floor building)

What this demonstrates: This ladder was unable to reach the roofline at all, the same forced tradeoff documented at the Middle School and the Lofts.

Source: Angle-of-elevation effects on load distribution and stress — Fire Rescue Truck

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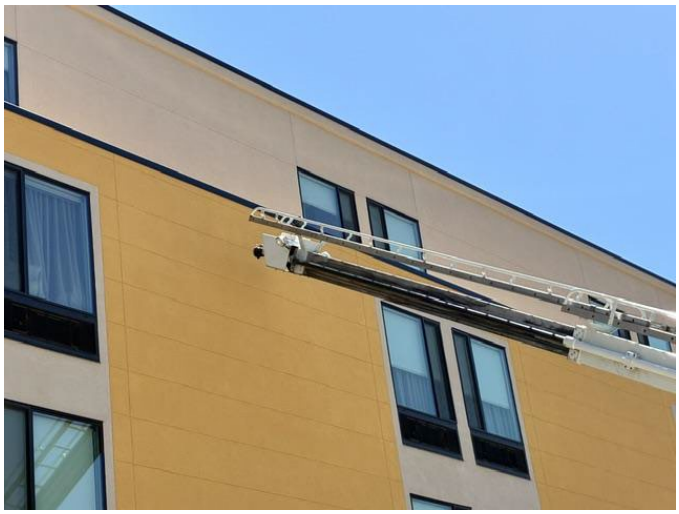
Exhibit 3.4

Caption: SpringHill Suites, Kanab — apparatus positioned close in; tip reaches only to roughly the 3rd floor of the 4-story building.

What this demonstrates: Close positioning alone does not solve the reach problem — even close in, the tip falls well short of the roofline, leaving the top floor unreachable for rescue.

Source: Reach/placement estimation via elevation, extension, and ground distance — Montgomery County Fire & Rescue Service, Module 4

Exhibit 3.5



Caption: SpringHill Suites, Kanab — closest approach in this set; tip at top-floor window level, still below the roofline.

What this demonstrates: This is the closest practical approach achieved at this building, and it still falls short of full roof clearance — confirming that no combination of standoff distance and angle tested here produces adequate reach.

Source: Scrub area and standoff distance tradeoffs — FireRescue1

Note: Exhibits 3.1–3.5 are a representative subset of the 8 photos received for this building. Two equipment/turntable close-ups and one wide-angle distance shot were omitted as duplicative; they remain available to add if useful for the meeting.

Appendix — Standards & Research Sources Cited

Full source list for all findings referenced in this document:

1. Fire Rescue Truck — "What is the Angle of the Aerial Ladder?" (manufacturer-recommended 70°–75° operating angle range)

https://www.firerescuetruck.com/what-is-the-angle-of-the-aerial-ladder/

2. FireRescue1 — "Know the Aerial's Scrub Area"

https://www.firerescue1.com/fire-products/fire-apparatus/articles/know-the-aerials-scrub-area-Ij9ADQlXPeynGfUo/

3. Montgomery County Fire & Rescue Service — Aerial Apparatus Positioning & Use, Driver Certification Program Module 4

https://www.montgomerycountymd.gov/mcfrs-psta/Resources/Files/Driver/Aerial_Units/Module%204%20-%20Aerial%20Apparatus%20Positioning%20&%20Use.pdf

4. Fire Engineering — "Mastering Tip Placement: Key Strategies for Efficient and Effective Aerial Operations"

https://www.fireengineering.com/fire-apparatus/aerial-apparatus/mastering-tip-placement-key-strategies-for-efficient-and-effective-aerial-operations/

5. FirefighterNation — "Two Quick Drills on Aerial Positioning" (vertical vs. horizontal reach)

https://www.firefighternation.com/firefighting/two-quick-drills-on-aerial-positioning/

6. Firehouse — "How the Best Fire Apparatus Operators Maximize Vehicle Positioning"

https://www.firehouse.com/apparatus/type/aerial/article/53058295/how-the-best-fire-apparatus-operators-maximize-vehicle-positioning

7. Fire Engineering — "Positioning Apparatus for Maximum Efficiency and Safety" (1.5x building height collapse zone standard)

https://www.fireengineering.com/fire-apparatus/fire-apparatus-positioning-apparatus-for-maximum-efficiency-and-safety-p2/

8. UL Fire Safety Research Institute (FSRI) — Coordinated Fire Attack: Multi-Family Dwellings (13 live-fire experiments, garden-style apartments)

https://fsri.org/resource/coordinated-fire-attack-multi-family-dwellings

9. USFA/FEMA — Hotel and Motel Fires (2014–2016), Topical Fire Report Series Vol. 19, Issue 4

https://www.usfa.fema.gov/downloads/pdf/statistics/v19i4.pdf

10. Firehouse — "Positioning Aerial Apparatus on the Fire Scene, Part 2" (corner positioning, upwind placement)

https://www.firehouse.com/apparatus/article/10544444/positioning-aerial-apparatus-on-the-fire-scene-part-2

11. U.S. Fire Administration / FEMA — "Aerial Ladder Collapse Incidents," Technical Report Series (1996). Documents five national aerial ladder collapse incidents, four of which involved low-angle, over-extended operation, including a fatal collapse during an active multi-occupant rescue in New York City.

https://rib.msb.se/Filer/pdf/17063.pdf

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CAPITAL ASSET SELF-INVE

INTRODUCTION

The Capital Asset Self Inventory (CASI) is a tool to help a community, special service district, or county
to be utilized by an entity without the need for outside assistance to take what's already known within th
will also meet the requirements laid out by the Community Impact Board (CIB) to have a Capital Asset S
identifiying what asset catagories you have and their corrosponding tab within this worth document. Sho
relevant to your entity, you may skip over that tab and not fill it out. Click on the tab that works with yo
information. Once finished with filling out the relevant parts of this document, an optional tab at the enc
Improvement Plan. While the Capital Asset Improvement Plan is not required to meet the requirements
can help your community begin to create a plan to improve its assets going into the future.

DISCLAIMER

All information on the Capital Asset Self-Inventory is intended to be completed by city/town/special serv
and should not require engineering assistance. This community completed inventory is not intended to r
asset inventory. No exact information is required on this self-inventory, but information should be estim
If your community has questions or requires assistance please contact your local AOG planner.

COMMUNITY INFO Enter information into the shaded areas

Community Name: Kanab City		Community Office Address:
Phone Number:	Email Address:	City/Town: Kanab
Community Website Address:		Mayor Contact: Name: Colten Johnson Phone: 435-644-2534 Email: cjohnson@kana
1st Community Contact for Capital Asset Knowledge: Name: Kyler Ludwig Phone: 435-899-8437 Email: kludwig@kanab.utah.gov		2nd Community Contact Name: Jake Dutton Phone: 435-899-9573 Email: jdutton@kanab

ENTORY

create its capital asset inventory. It is meant
heir jurisdiction and document it. This tool
Self Inventory. This document is started by
ould a tab cover information that is not
ur identified asset area and enter in relevent
d creates the beginning of a Capital Asset
of CIB, the Capital Asset Improvement Plan

vice district/county staff and elected officials,
eplace a professionally completed capital
ated to the closest correct value or location.

Date of last update M/D/Y	
26 North 100 East	
	Zip Code: 84741

ab.utah.gov

for Capital Asset Knowledge::

.utah.gov

CULINARY WATER

Enter info into shaded areas

Rate the r

Sources of culinary water			Total gallons	
	Number of	Average Gal / day	1.2 million /day	Connections:
Wells	18		Total length of pipe (linear feet)	Total storage
Springs	Need Upgrades			Average
Surface water				Pea

Storage methods used			Overall condition of
	Number of	Capacity (gallons)	Does your entity have access to suf
Tanks	5	6,010,000	Is the storage system adequate for
Reservoirs			Is the distribution system adequate for

Date of last Master Plan	Apr-24

What repairs/upgrades/additional facilities/plans are required within the next year?	Estimated time frame
See Water Impact Fee Facilities Plan	
Water Fill Station	1 Year
Chlorination Treatment Expansion	1 Year
Well #5	1 Year

What repairs/upgrades/additional facilities/plans are required within the next five years?	Estimated time frame
See Water Impact Fee Facilities Plan	
Cave Lakes	2 Years
Hidden Canyon Tank	5 Years
West Fork Well #6	3 Years

What repairs/upgrades/additional facilities/plans are required within the next ten years?	Estimated time frame
See Water Impact Fee Facilities Plan	
West Fork #7	7 Years

General inventory of related assets

Name	Type	Condition	Needs Attention
See Water Impact Fee Facilities Plan			
https://kanab.utah.gov/DocumentCenter/View/1964/2024-Kanab-Stormwater-			

need of attention:			
Residential	Commercial		
2373	279		
capacity in million	6010000		
daily use (gallons):	1,159,663		
ak usage (gallons):	1,476,478		
the water system:	Good		
fficient water going	Yes		
community needs?	Yes		
community needs?	Yes		
Rough cost estimate	Support needed	Priority	
$159,238.00		2	
$45,001.00		3	
$702,260.00		1	
Rough cost estimate	Support needed	Priority	
$2,077,524.00		1	
$5,044,793.00		3	
$1,270,025.00		2	
Rough cost estimate	Support needed	Priority	
$1,206,320.00			
General Notes			

SEWER SYSTEM	Enter info into shaded areas	Rate the need of attention: (1 being low need, 5 being high
Type of sewer system: Lagoon/Gravity	Total Capacity (gallons/minute): 811 gpm	
(If present) estimated remaing lifespan on treatment plant in years		(If present), remaining capacity for sewer lagoons as percentage of
Is the system adequate for its		Overall condition of the system

What repairs/upgrades/additional facilities/plans are required within the next year?	Estimated time frame
See Impact Fee Facilities Plan	
Sewer Rake	1 Year

What repairs/upgrades/additional facilities/plans are required within the next five years?	Estimated time frame
See Impact Fee Facilites Plan	
Ranchos Sewer Phase 1	3
1100 Sewer Project	2
Aeration	2

What repairs/upgrades/additional facilities/plans are required within the next ten years?	Estimated time frame
See Impact Fee Facilities Plan	
Lagoon Property	7

General inventory of related assets

Name	Type	Overall Condition	Needs Attention
See Impact Fee Facilities Plan			
https://kanab.utah.gov/DocumentCenter/View/1965/2024-Kanab-Wastewate			

	Date of last Master Plan	
Rough cost estimate	Support needed	Priority
$665,500.00		
Rough cost estimate	Support needed	Priority
$7,479,360.00		1
$1,383,973.00		2
$308,518.00		3
Rough cost estimate	Support needed	Priority
$1,500,000.00		1

General Notes

ROADS	Enter info into shaded areas	Rate the need of attention:	
		Paved	Gravel
	Total miles of maintained road per surface type:		
	Total miles of maintained road per surface type that are new:	51.6	
	miles of maintained road per surface type that are in good condition:		
	l miles of maintained road per surface type that are in fair condition:		
	miles of maintained road per surface type that are in poor condition:		
	s of maintained road per surface type that are in very poor condition:		
	Are roadways adequate for current use?		Yes

What repairs/upgrades/additional facilities/plans are required within the next year?	Estimated time frame
See Impact Fee Facilities Plan	
Salt and Snowplow Storage	1

What repairs/upgrades/additional facilities/plans are required within the next five years?	Estimated time frame
See Impact Fee Facilities Plan	
Rocky Road Conntection to 89-A	5
1100 S Widening	2

What repairs/upgrades/additional facilities/plans are required within the next ten years?	Estimated time frame
See Impact Fee Facilities Plan	
Kanab Creek Roundabout	7
600 East Extension	8
799 East Intersection Control	8

General inventory of related assets

Name	Type	Overall Condition	Needs Attention
See Impact Fee Facilities Plan			
https://kanab.utah.gov/DocumentCenter/View/1966/2024-Kanab-Transportation-Report			

Dirt

Date of last Master Plan
24-Apr

Rough cost estimate	Support needed	Priority
$548,004.00		1

Rough cost estimate	Support needed	Priority
$297,608.00		2
$1,144,033.00		1

Rough cost estimate	Support needed	Priority
$2,500,000.00		1
$1,990,347.00		3
$1,511,058.00		2

General Notes

FIRE PROTECTION

Enter info into shaded areas

F
(1 being lo

Station Operator:		Fire ISO Rating:	3/3X

Are the facilities adequate for their intended purpose?
Yes

Station Size

Are the fire station facilities fully compliant with the Americans with
Yes

Service Area De

Total number of firefighters:		Are staffing levels adequate for desired service level?
Volunteers:		
Part-time:		
Full-time:	12	

Kanab City, Ver

Are there any expected changes to staff in next five years:

What repairs/upgrades/additional facilities/plans are required within the next year?

See Impact Fee Facilities Plan
Ladder Truck

What repairs/upgrades/additional facilities/plans are required within the next five years?

See Impact Fee Facilities Plan

What repairs/upgrades/additional facilities/plans are required within the next ten years?

See Impact Fee Facilities Plan

General inventory of related assets

Name	Type	Overall Condition	Needs Attention
See Impact Fee Facilities Plan			

https://kanab.utah.gov/DocumentCenter/View/1963/2024-Kanab-Safety-Report-FINAL

Rate the need of attention: (low need, 5 being high need)	
Average response time (minutes):	5 Min
Number of bays:	
Total Square Feet:	11000
Description:	
million Cliffs SSD, Best Friends	
Date of last Master Plan	

Estimated time frame	Rough cost estimate	Support needed	Priority
1	$1,800,000.00		1

Estimated time frame	Rough cost estimate	Support needed	Priority

Estimated time frame	Rough cost estimate	Support needed	Priority

General Notes

LAW ENFORCEMENT

Enter info into shaded areas

Rate the need of attention:
(1 being low need, 5 being high

Are the law enforcement facilities adequate for their intended purpose?	Total number of Officers / Staff — Full-time
Are all law enforcement facilities fully compliant with the Americans with Disabilities Act?	Are staffing levels adequate for desired service level? Are there any expected changes to

What repairs/upgrades/additional facilities/plans are required within the next year?	Estimated time frame
See Impact Fee Facilities Plan	

What repairs/upgrades/additional facilities/plans are required within the next five years?	Estimated time frame
See Impact Fee Facilities Plan	

What repairs/upgrades/additional facilities/plans are required within the next ten years?	Estimated time frame
See Impact Fee Facilities Plan	

General inventory of related assets

Name	Type	Overall Condition	Needs Attention
See Impact Fee Facilities Plan			
https://kanab.utah.gov/DocumentCenter/View/1963/2024-Kanab-Safety-Rep			

Part-time	Size of Facility Total Square Feet
	Date of last Master Plan

Rough cost estimate	Support needed	Priority
Rough cost estimate	Support needed	Priority
Rough cost estimate	Support needed	Priority

General Notes

RECREATION AND CULTURAL

Enter info into shaded areas

Recreational & Cultural Facilities includes parks, trails, libraries, performing arts centers,

Rate the r

Name	Type	General Notes	ADA Compliant
See Impact Fee Facilities Plan	https://kanab.utah.gov/DocumentCenter/View/1962/2024-Kanab-Recreation-F		
Jacob Hamblin Park	Park		Yes
Ranchos Park	Park		Yes
Kanab Skate Park	Park		Yes
Kanab Basketball Courts	Park		Yes
Kanab Museum	Museum		No
Kanab Heritage House	Museum		No
Kanab City Pool	Pool		Yes
Kanab Tennis Courts	Park		Yes
Kanab City Library	Library		Yes
Vermillion Trail/Dog Park	Park		Yes
Ranchos Park	Park		Yes
Baseball Fields	Park		Yes

What repairs/upgrades/additional facilities/plans are required within the next year?

See Impact Fee Facilities Plan
Jacob Hamblin Park

What repairs/upgrades/additional facilities/plans are required within the next five years?

Ranchos Park Expansion
10th West
Dog Park
Mesa Hills Park

What repairs/upgrades/additional facilities/plans are required within the next ten years?

Catori Canyon Park

		Date of last Master Plan	
need of attention:		Apr-24	
Overall Condition	**Needs Attention**		
Report-FINAL			
Good			
Good			
Good			
Good			
Fair			
Fair			
Good			
Good			
Good			
Fair			
Good			
Good			
Estimated time frame	Rough cost estimate	Support needed	Priority
1	$1,000,000.00		1
Estimated time frame	Rough cost estimate	Support needed	Priority
3	$200,000.00		3
2	$100,000.00		1
3	$200,000.00		2
Estimated time frame	Rough cost estimate	Support needed	Priority

VEHICLE FLEET

Enter info into shaded areas

Includes fire trucks and engines, maintenance trucks, graders,

Rate the need of attention:

Type (van, truck, tractor, grader etc.)	Year	Function (Police, Fire, General Maintenance, Road Repair etc.)	Overall Condition	Adequate for its purpose
Ladder Truck	1983	Fire	Very Poor	No
Vehicle Fleet Managed on All Vehicles List				

What repairs/upgrades/additional facilities/plans are required within the next year?	Estimated time
Ladder Truck	1

What repairs/upgrades/additional facilities/plans are required within the next five years?	Estimated time

What repairs/upgrades/additional facilities/plans are required within the next ten years?	Estimated time

	Master Plan		
Replacement Horizon (years)			
1			
Rough cost	Support	Priority	
$1,800,000.00		1	
Rough cost	Support	Priority	
Rough cost	Support	Priority	

PLANS Includes general plans, master plans, etc.	**Enter info into shaded areas**	**Rate the need of attention on general plan:** (1 being low need, 5 being high need)
Does your community have a general plan?	Yes	Does your general plan address the following requ
What was the year of the general plan's last revision?	2023	Land Use
Is the general plan adequate for town needs?	Yes	Transportation
Are there any plans to update the general plan within the next few years?	Yes	Moderate Income
If yes, what year would that be started?	2027	Water Conservation

Does your community have any additional plans? If so, provide a short description of the plan(s) along

Impact Fee Facilities Plans

Do you have any unmet planning needs?

General Plan https://kanab.utah.gov/DocumentCenter/View/7

adequately ired sections?
Yes
Yes
Yes
Yes
g with a

778/Kanab-City-General-Plan

GENERAL ADMINISTRATION AND OTHER ASSETS

Includes: General Community assets like town halls, community centers, or undeveloped property. This tab is ment to the catch all for all other assets

Rate the r
(1 being low

Name	Type	General Notes	ADA Compliant
Kanab City Offices	Office Building		Yes

What repairs/upgrades/additional facilities/plans are required within the next year?

What repairs/upgrades/additional facilities/plans are required within the next five years?

What repairs/upgrades/additional facilities/plans are required within the next ten years?

Enter info into shaded areas		Date of last Master Plan
need of attention: need, 5 being high		
Overall Condition	**Needs Attention**	
Good		

Estimated time	Rough cost	Support	Priority
Estimated time	Rough cost	Support	Priority
Estimated time	Rough cost	Support	Priority

PRIORITIZATION

NOTE: This page will auto populate with the date that you have added into the other pa

This list will help you prioritize the need of replacement for your capital assets. After you have
per subcategory. Please contact your local AOG planner or the Community Development Off

CATEGORIES	SUBCATEGORIES
GENERAL COMMUNITY	RECREATION & CULTURAL
	VEHICLE FLEET
	PLANNING
	GENERAL ADMINISTRATION/OTHER
PUBLIC SAFETY	FIRE PROTECTION
	LAW ENFORCEMENT
	EMERGENCY MEDICAL SERVICE
	CRIMINAL JUSTICE
	ANIMAL CONTROL
PUBLIC WORKS	CULINARY WATER
	SECONDARY & STORMWATER SYSTEMS
	SEWER
	SOLID WASTE
	ROADS
	POWER
	NATURAL GAS

N SUMMARY SHEET

ages

e reviewed the ratings you assigned each subcategory, use those ratings to assign a Priority Number
fice at community@utah.gov or 801-468-0133 with any questions.

NEED OF ATTENTION (1 being low need, 5 being high need)	PRIORITY NUMBER
4	
4	
1	
1	
4	
3	
3	
0	
1	
4	
4	
3	
0	
4	
0	
0	

ROUGH CAPITAL ASSET IMPROVEMENT PLAN SUMI

NOTE: This page will auto populate with the date that you have added into the other pages, do not edit this page

This list will help you prioritize the need of replacement for your capital assets. Please contact your local AOG planner or the Co community@utah.gov or 801-468-0133 with any questions.

GENERAL ENTITY

GENERAL ADMINISTRATION/OTHER

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
0	0
0	0
0	0
0	0
0	0

RECREATION & CULTURAL

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
See Impact Fee Facilities Plan	0
Jacob Hamblin Park	1
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
Ranchos Park Expansion	0
10th West	3
Dog Park	2
Mesa Hills Park	3
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
Catori Canyon Park	0
0	0
0	0
0	0
0	0

VEHICLE FLEET

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
Ladder Truck	1
0	0
0	0
0	0
0	0

What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
0	0
0	0
0	0
0	0
0	0

What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
0	0
0	0
0	0
0	0
0	0

PLANNING

Do you have any unmet planning needs?
Impact Fee Facilities Plans

PUBLIC SAFETY ASSETS

FIRE PROTECTION

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
See Impact Fee Facilities Plan	0
Ladder Truck	1
0	0
0	0
0	0

What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
See Impact Fee Facilities Plan	0
0	0
0	0
0	0
0	0

What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
See Impact Fee Facilities Plan	0
0	0
0	0
0	0
0	0

LAW ENFORCEMENT

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
See Impact Fee Facilities Plan	0
0	0
0	0
0	0
0	0

What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
See Impact Fee Facilities Plan	0
0	0
0	0
0	0
0	0

What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
See Impact Fee Facilities Plan	0
0	0
0	0
0	0
0	0

EMERGENCY MEDICAL SERVICES

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
0	0
0	0
0	0
0	0
0	0

What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
0	0
0	0
0	0
0	0
0	0

What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
0	0
0	0
0	0
0	0
0	0

CRIMINAL JUSTICE

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
0	0
0	0
0	0
0	0

0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
0	0
0	0
0	0
0	0
0	0

ANIMAL CONTROL

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
0	0
0	0
0	0
0	0
0	0

PUBLIC WORK ASSETS

CULINARY WATER

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
See Water Impact Fee Facilities Plan	0
Water Fill Station	1 Year
Chlorination Treatment Expansion	1 Year
Well #5	1 Year
0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
See Water Impact Fee Facilities Plan	0
Cave Lakes	2 Years
Hidden Canyon Tank	5 Years

West Fork Well #6	3 Years
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
See Water Impact Fee Facilities Plan	0
West Fork #7	7 Years
0	0
0	0
0	0

SECONDARY & STORMWATER SYSTEMS

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
0	0
0	0
0	0
0	0
0	0

SEWER SYSTEM

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
See Impact Fee Facilities Plan	0
Sewer Rake	1 Year
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
See Impact Fee Facilites Plan	0
Ranchos Sewer Phase 1	3
1100 Sewer Project	2
Aeration	2
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
See Impact Fee Facilities Plan	0
Lagoon Property	7
0	0

0	0
0	0
SOLID WASTE	
What repairs/upgrades/additional facilities are required within the next year?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
0	0
0	0
0	0
0	0
0	0
ROADS	
What repairs/upgrades/additional facilities are required within the next year?	Estimated time
See Impact Fee Facilities Plan	0
Salt and Snowplow Storage	1
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
See Impact Fee Facilities Plan	0
Rocky Road Conntection to 89-A	5
1100 S Widening	2
0	0
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
See Impact Fee Facilities Plan	0
Kanab Creek Roundabout	7
600 East Extension	8
799 East Intersection Control	8
0	0
POWER	
What repairs/upgrades/additional facilities are required within the next year?	Estimated time
0	0
0	0

0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
0	0
0	0
0	0
0	0
0	0

NATURAL GAS

What repairs/upgrades/additional facilities are required within the next year?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next five years?	Estimated time
0	0
0	0
0	0
0	0
0	0
What repairs/upgrades/additional facilities are required within the next ten years?	Estimated time
0	0
0	0
0	0
0	0
0	0

MARY

mmunity Development Office at

Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0

Rough cost	Support	Priority	
$0.00	0		0
$1,000,000.00	0		1
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$200,000.00	0		3
$100,000.00	0		1
$200,000.00	0		2
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0

Rough cost	Support	Priority	
$1,800,000.00	0		1
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0

Rough cost	Support	Priority	
$0.00	0		0
$1,800,000.00	0		1
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0

Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0

Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0

Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0

$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$159,238.00	0		2
$45,001.00	0		3
$702,260.00	0		1
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$2,077,524.00	0		1
$5,044,793.00	0		3

$1,270,025.00	0		2
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$1,206,320.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$665,500.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$7,479,360.00	0		1
$1,383,973.00	0		2
$308,518.00	0		3
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$1,500,000.00	0		1
$0.00	0		0

$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$548,004.00	0		1
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$297,608.00	0		2
$1,144,033.00	0		1
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$2,500,000.00	0		1
$1,990,347.00	0		3
$1,511,058.00	0		2
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0

$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
Rough cost	Support	Priority	
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0
$0.00	0		0

PRIORITY	SOLID WASTE		Overall Condition	
N/A	Curbside	Yes	New	Lagoon
1	Consolidated/Dumpste	No	Good	Treatment Plant
2	Resident Responsibilit	Unsure	Fair	Individual Septic
3			Poor	Group Septic
4			Very Poor	Other
5				

Edit Project

This portal is intended solely for gathering official entity information. All data submitted here is subject to public disclosure.

General ✓ CIB ✓

Entity
Kanab City

Name
Ladder Truck

Description
This project includes the acquisition and outfitting of a ladder truck to support fire service demands associated with community growth. The apparatus is necessary to provide effective response to multi-story residential and commercial buildings, including apartments and hotels, where elevated access and suppression capabilities are required. Kanab City also provides fire service support to areas throughout Kane County, making this equipment critical for regional response needs. This investment ensures the City can maintain an appropriate level of service and safely respond to more complex structures as development continues.

Time Frame
Short-Term (1 Year)

Time Frame Priority
1

Project Type
Public Safety

Project Sub-Type
Fire & EMS

Project Status
Not Started

Total Project Cost
$1,800,000

Funding Sources
$500,000 Local Funds, $1,300,000 CIB

Attach Cost Estimate
Drop file or click to select

General Project Location
Edit Location

Save

Presented by: State of Utah

Utah Department of Workforce Services

Housing and Community Development Division

PERMANENT COMMUNITY IMPACT FUND BOARD

2025 ANNUAL POLICY MANUAL

Permanent Community Impact Fund Board
Salt Lake City, Utah (385) 341-0199

FEDERAL & STATE STATUTES

30 USC 191: Disposition of moneys received
Text contains those laws in effect on May 7, 2023
Title 30-MINERAL LANDS AND MINING

§191. Disposition of moneys received

(a) In general

All money received from sales, bonuses, royalties including interest charges collected under the Federal Oil and Gas Royalty Management Act of 1982 [30 U.S.C. 1701 et seq.], and rentals of the public lands under the provisions of this chapter and the Geothermal Steam Act of 1970 [30 U.S.C. 1001 et seq.], shall be paid into the Treasury of the United States; and, subject to the provisions of subsection (b), 50 per centum thereof shall be paid by the Secretary of the Treasury to the State other than Alaska within the boundaries of which the leased lands or deposits are or were located; said moneys paid to any of such States on or after January 1, 1976, to be used by such State and its subdivisions, as the legislature of the State may direct giving priority to those subdivisions of the State socially or economically impacted by development of minerals leased under this chapter, for (i) planning, (ii) construction and maintenance of public facilities, and (iii) provision of public service; and excepting those from Alaska, 40 per centum thereof shall be paid into, reserved, appropriated, as part of the reclamation fund created by the Act of Congress known as the Reclamation Act, approved June 17, 1902, and of those from Alaska, 90 per centum thereof shall be paid to the State of Alaska for disposition by the legislature thereof: *Provided*, That all moneys which may accrue to the United States under the provisions of this chapter and the Geothermal Steam Act of 1970 from lands within the naval petroleum reserves shall be deposited in the Treasury as "miscellaneous receipts", as provided by section 8733(b) of title 10. All moneys received under the provisions of this chapter and the Geothermal Steam Act of 1970 not otherwise disposed of by this section shall be credited to miscellaneous receipts. Payments to States under this section with respect to any moneys received by the United States, shall be made not later than the last business day of the month in which such moneys are warranted by the United States Treasury to the Secretary as having been received, except for any portion of such moneys which is under challenge and placed in a suspense account pending resolution of a dispute. Such warrants shall be issued by the United States Treasury not later than 10 days after receipt of such moneys by the Treasury. Moneys placed in a suspense account which are determined to be payable to a State shall be made not later than the last business day of the month in which such dispute is resolved. Any such amount placed in a suspense account pending resolution shall bear interest until the dispute is resolved.

(b) Deduction for administrative costs

In determining the amount of payments to the States under this section, beginning in fiscal year 2014 and for each year thereafter, the amount of such payments shall be reduced by 2 percent for any administrative or other costs incurred by the United States in carrying out the program authorized by this chapter, and the amount of such reduction shall be deposited to miscellaneous receipts of the Treasury.

(c) Rentals received on or after August 8, 2005

(1) Notwithstanding the first sentence of subsection (a), any rentals received from leases in any State (other than the State of Alaska) on or after August 8, 2005, shall be deposited in the Treasury, to be allocated in accordance with paragraph (2).

(2) Of the amounts deposited in the Treasury under paragraph (1)-

(A) 50 percent shall be paid by the Secretary of the Treasury to the State within the boundaries of which the leased land is located or the deposits were derived; and

(B) 50 percent shall be deposited in a special fund in the Treasury, to be known as the "BLM Permit Processing Improvement Fund" (referred to in this subsection as the "Fund").

(3) Use of fund.-

(A) In general.-The Fund shall be available to the Secretary of the Interior for expenditure, without further appropriation and without fiscal year limitation, for the coordination and processing of oil and gas use authorizations on onshore Federal and Indian trust mineral estate land.

(B) Accounts.-The Secretary shall divide the Fund into-

(i) a Rental Account (referred to in this subsection as the "Rental Account") comprised of rental receipts collected under this section; and

(ii) a Fee Account (referred to in this subsection as the "Fee Account") comprised of fees collected under subsection (d).

(4) Rental account.-

(A) In general.-The Secretary shall use the Rental Account for-

(i) the coordination and processing of oil and gas use authorizations on onshore Federal and Indian trust mineral estate land under the jurisdiction of the Project offices identified under section 15924(d) of title 42; and

(ii) training programs for development of expertise related to coordinating and processing oil and gas use authorizations.

(B) Allocation.-In determining the allocation of the Rental Account among Project offices for a fiscal year, the Secretary shall consider-

(i) the number of applications for permit to drill received in a Project office during the previous fiscal year;

(ii) the backlog of applications described in clause (i) in a Project office;

(iii) publicly available industry forecasts for development of oil and gas resources under the jurisdiction of a Project office; and

(iv) any opportunities for partnership with local industry organizations and educational institutions in developing training programs to facilitate the coordination and processing of oil and gas use authorizations.

(5) Fee account.-

(A) In general.-The Secretary shall use the Fee Account for the coordination and processing of oil and gas use authorizations on onshore Federal and Indian trust mineral estate land.

(B) Allocation.-The Secretary shall transfer not less than 75 percent of the revenues collected by an office for the processing of applications for permits to the State office of the State in which the fees were collected.

(d) BLM oil and gas permit processing fee

(1) In general

Notwithstanding any other provision of law, for each of fiscal years 2016 through 2026, the Secretary, acting through the Director of the Bureau of Land Management, shall collect a fee for each new application for a permit to drill that is submitted to the Secretary.

(2) Amount

The amount of the fee shall be $9,500 for each new application, as indexed for United States dollar inflation from October 1, 2015 (as measured by the Consumer Price Index).

(3) Use

Of the fees collected under this subsection for a fiscal year, the Secretary shall transfer-

(A) for each of fiscal years 2016 through 2019-

(i) 15 percent to the field offices that collected the fees and used to process protests, leases, and permits under this chapter, subject to appropriation; and

(ii) 85 percent to the BLM Permit Processing Improvement Fund established under subsection (c)(2)(B) (referred to in this subsection as the "Fund"); and

(B) for each of fiscal years 2020 through 2026, all of the fees to the Fund.

(4) Additional costs

During each of fiscal years of 2016 through 2026, the Secretary shall not implement a rulemaking that would enable an increase in fees to recover additional costs related to processing applications for permits to drill.

(Feb. 25, 1920, ch. 85, §35, 41 Stat. 450 ; May 27, 1947, ch. 83, 61 Stat. 119 ; Aug. 3, 1950, ch. 527, 64 Stat. 402 ; Pub. L. 85–88, §2, July 10, 1957, 71 Stat. 282 ; Pub. L. 85–508, §§6(k), 28(b), July 7, 1958, 72 Stat. 343 , 351; Pub. L. 94–273, §6(2), Apr. 21, 1976, 90 Stat. 377 ; Pub. L. 94–377, §9, Aug. 4, 1976, 90 Stat. 1089 ; Pub. L. 94–422, title III, §301, Sept. 28, 1976, 90 Stat. 1323 ; Pub. L. 94–579, title III, §317(a), Oct. 21, 1976, 90 Stat. 2770 ; Pub. L. 97–451, title I, §§104(a), 111(g), Jan. 12, 1983, 96 Stat. 2451 , 2456; Pub. L. 100–203, title V, §5109, Dec. 22, 1987, 101 Stat. 1330–261 ; Pub. L. 100–443, §5(b), Sept. 22, 1988, 102 Stat. 1768 ; Pub. L. 103–66, title X, §10201, Aug. 10, 1993, 107 Stat. 407 ; Pub. L. 106–393, title V, §503, Oct. 30, 2000, 114 Stat. 1624 ; Pub. L. 109–58, title III, §365(g), Aug. 8, 2005, 119 Stat. 725 ; Pub. L. 113–67, div. A, title III, §302, Dec. 26, 2013, 127 Stat. 1181 ; Pub. L. 113–291, div. B, title XXX, §3021(b), (c)(1), Dec. 19, 2014, 128 Stat. 3760 , 3761; Pub. L. 115–232, div. A, title VIII, §809(i)(1), Aug. 13, 2018, 132 Stat. 1843 .)

EDITORIAL NOTES

REFERENCES IN TEXT

The Federal Oil and Gas Royalty Management Act of 1982, referred to in subsec. (a), is Pub. L. 97–451, Jan. 12, 1983, 96 Stat. 2447 , which is classified generally to chapter 29 (§1701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of this title and Tables.

The Geothermal Steam Act of 1970, referred to in subsec. (a), is Pub. L. 91–581, Dec. 24, 1970, 84 Stat. 1566 , which is classified principally to chapter 23 (§1001 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of this title and Tables.

The Reclamation Act, approved June 17, 1902, referred to in subsec. (a), is act June 17, 1902, ch. 1093, 32 Stat. 388 , which is classified generally to chapter 12 (§371 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 371 of Title 43 and Tables.

CODIFICATION

Provisions of subsec. (a) which authorized the payment of monies to the Territory of Alaska were omitted as superseded by the provisions authorizing the payment of monies to the State of Alaska.

AMENDMENTS

2018-Subsec. (a). Pub. L. 115–232 substituted "section 8733(b) of title 10" for "the Act of June 4, 1920 (41 Stat. 813), as amended June 30, 1938 (52 Stat. 1252)".

2014-Subsec. (c)(3) to (5). Pub. L. 113–291, §3021(c)(1), added pars. (3) to (5) and struck out former par. (3) which read as follows: "For each of fiscal years 2006 through 2015, the Fund shall be available to the Secretary of the Interior for expenditure, without further appropriation and without fiscal year limitation, for the coordination and processing of oil and gas use authorizations on onshore Federal land under the jurisdiction of the Pilot Project offices identified in section 15924(d) of title 42."

Subsec. (d). Pub. L. 113–291, §3021(b), added subsec. (d)

2013-Subsec. (b). Pub. L. 113–67 amended subsec. (b) generally. Prior to amendment, text read as follows: "In determining the amount of payments to the States under this section, the amount of such payments shall not be reduced by any administrative or other costs incurred by the United States."

2005-Subsec. (c). Pub. L. 109–58 added subsec. (c).

2000-Subsec. (b). Pub. L. 106–393 amended subsec. (b) generally. Prior to amendment, subsec. (b) related to deductions for administration from the amount to be paid to States under this section or under other laws requiring payment to a State of revenues derived from the leasing of onshore lands owned by the United States for the production of the same types of minerals leasable under this chapter or of geothermal steam.

1993-Pub. L. 103–66 struck out last sentence, designated remaining provisions as subsec. (a) and in first sentence inserted "and, subject to the provisions of subsection (b)," before "50 per centum", and added subsec. (b). Prior to amendment, last sentence read as follows: "In determining the amount of payments to States under this section, the amount of such payments shall not be reduced by any administrative or other costs incurred by the United States."

1988-Pub. L. 100–443 struck out "notwithstanding the provisions of section 20 thereof," before "shall be paid".

1987-Pub. L. 100–203 inserted at end "In determining the amount of payments to States under this section, the amount of such payments shall not be reduced by any administrative or other costs incurred by the United States."

1983-Pub. L. 97–451, §111(g), inserted reference to interest charges collected under the Federal Oil and Gas Royalty Management Act of 1982.

Pub. L. 97–451, §104(a), struck out "as soon as practicable after March 31 and September 30 of each year" after "Secretary of the Treasury" and "of those from Alaska", and inserted at end provisions directing that payments to States be made not later than the last business day of the month in which such moneys are warranted by the United States Treasury to the Secretary as having been received, that warrants be issued by the Treasury not later than 10 days after receipt of the money by the Treasury, that moneys placed in a suspense account which are determined to be payable to a State be made not later than the last business day of the month in which a dispute is resolved, and that amounts placed in a suspense account pending resolution bear interest until the dispute is resolved.

1976-Pub. L. 94–579 substituted provisions setting forth determination of amount, time for payments, and manner of expenditure by the States of all moneys received from sales, etc., under provisions of this chapter and the Geothermal Steam Act of 1970, and proviso relating to naval petroleum reserve moneys, for provisions setting forth determination of amount and time for payment to the States of all moneys received from sales, etc., under the provisions of this chapter, and provisos relating to naval petroleum reserve moneys, additional moneys from sales, etc., under this chapter and the Geothermal Steam Act of 1970, and expenditure of State oil shale funds.

Pub. L. 94–422 inserted proviso that all moneys paid to any State from sales, bonuses, royalties, and rentals of oil shale in public lands may be used by any State for planning, construction, and maintenance of public facilities as legislature of State may direct.

Pub. L. 94–377 substituted "40 per centum thereof shall be paid into, reserved" for "52½ per centum thereof shall be paid into, reserved", inserted "and the Geothermal Steam Act of 1970, notwithstanding the provisions of section 20 thereof" before "shall be paid into the Treasury of the United States", "and the Geothermal Steam Act of 1970" before "from lands within the naval petroleum reserves" and before "not otherwise disposed of by this section", and provisos relating to the payment of an additional 12½ per centum of all money received from lands under provisions of this chapter and the Geothermal Steam Act of 1970 to the State within whose boundaries the lands are located, to be used for construction of public facilities, and relating to the use of funds received by Colorado and Utah under the specified leases.

Pub. L. 94–273 substituted "March" for "December" and "September" for "June".

1958-Pub. L. 85–508, §§6(k), 28(b), struck out provisions which related to disposition of proceeds or income derived by the United States from mineral school sections in the Territory of Alaska and substituted ", and of those from Alaska 52½ per centum thereof shall be paid to the State of Alaska for disposition by the legislators thereof" for ", and of those from Alaska 52½ per centum thereof shall be paid to the Territory of Alaska for disposition by the Legislature of the Territory of Alaska" before proviso.

1957-Pub. L. 85–88 inserted ", and of those from Alaska 52½ per centum thereof shall be paid to the Territory of Alaska for disposition by the Legislature of the Territory of Alaska" before proviso.

1950-Act Aug. 3, 1950, in providing that payments to States be made bi-annually instead of annually, substituted "as soon as practicable after December 31 and June 30 of each year" for "after the expiration of each fiscal year".

1947-Act May 27, 1947, extended provisions by allocating 37½% of the money received from sales, bonuses, royalties, and rentals of public lands to the Territory of Alaska, for the construction and maintenance of public schools or other public educational institutions and inserted provisions relating to disposition of proceeds or income derived by the United States from mineral school sections in the Territory of Alaska.

STATUTORY NOTES AND RELATED SUBSIDIARIES

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of Title 10, Armed Forces.

EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by section 104(a) of Pub. L. 97–451 applicable with respect to payments received by the Secretary of the Treasury after Oct. 1, 1983, unless the Secretary by rule, prescribes an earlier effective date, see section 104(c) of Pub. L. 97–451, set out as an Effective Date note under section 1714 of this title.

SAVINGS PROVISION

Amendment by Pub. L. 94–579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94–579, set out as a note under section 1701 of Title 43, Public Lands.

FINDINGS

Pub. L. 106–393, title V, §502, Oct. 30, 2000, 114 Stat. 1624 , provided that: "The Congress finds the following:

"(1) Section 10201 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 107 Stat. 407) amended section 35 of the Mineral Leasing Act (30 U.S.C. 191) to change the sharing of onshore mineral revenues and revenues from geothermal steam from a 50:50 split between the Federal Government and the States to a complicated formula that entailed deducting from the State share of leasing revenues '50 percent of the portion of the enacted appropriations of the Department of the Interior and any other agency during the preceding fiscal year allocable to the administration of all laws providing for the leasing of any onshore lands or interest in land owned by the United States for the production of the same types of minerals leasable under this Act or of geothermal steam, and to enforcement of such laws * * *'.

"(2) There is no legislative record to suggest a sound public policy rationale for deducting prior-year administrative expenses from the sharing of current-year receipts, indicating that this change was made primarily for budget scoring reasons.

"(3) The system put in place by this change in law has proved difficult to administer and has given rise to disputes between the Federal Government and the States as to the nature of allocable expenses. Federal accounting systems have proven to be poorly suited to breaking down administrative costs in the manner required by the law. Different Federal agencies implementing this law have used varying methodologies to identify allocable costs, resulting in an inequitable distribution of costs during fiscal years 1994 through 1996. In November 1997, the Inspector General of the Department of the Interior found that 'the congressionally approved method for cost sharing deductions effective in fiscal year 1997 may not accurately compute the deductions'.

"(4) Given the lack of a substantive rationale for the 1993 change in law and the complexity and administrative burden involved, a return to the sharing formula prior to the enactment of the Omnibus Budget Reconciliation Act of 1993 [Aug. 10, 1993] is justified."

FUNDS HELD BY COLORADO AND UTAH FROM INTERIOR DEPARTMENT OIL SHALE TEST LEASES

Pub. L. 94–579, title III, §317(b), Oct. 21, 1976, 90 Stat. 2771 , provided that: "Funds now held pursuant to said section 35 [this section] by the States of Colorado and Utah separately from the Department of the Interior oil shale test leases known as C–A; C–B; U–A and U–B shall be used by such States and subdivisions as the legislature of each State may direct giving priority to those subdivisions socially or economically impacted by the development of minerals leased under this Act for (1) planning, (2) construction and maintenance of public facilities, and (3) provision of public services."

OUTER CONTINENTAL SHELF; REVENUES FROM LEASES

Disposition of revenues from leases on submerged lands of outer Continental Shelf, see sections 1337 and 1338 of Title 43, Public Lands.

EXECUTIVE DOCUMENTS

ADMISSION OF ALASKA AS STATE

Effectiveness of amendment by Pub. L. 85–508 was dependent on admission of Alaska into the Union under sections 6(k) and 8(b) of Pub. L. 85–508. Admission was accomplished Jan. 3, 1959, on issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85–508. See notes preceding section 21 of Title 48, Territories and Insular Possessions.

Index	Utah Code
Title 59	Revenue and Taxation
Chapter 21	Mineral Lease Funds

Effective 5/5/2021

59-21-1. Disposition of federal mineral lease money -- Priority to political subdivisions impacted by mineral development -- Disposition of mineral bonus payments -- Appropriation of money attributable to royalties from extraction of minerals on federal land located within boundaries of Grand Staircase-Escalante National Monument.

(1) Except as provided in Subsections (2) through (4), all money received from the United States under the provisions of the Mineral Lands Leasing Act, 30 U.S.C. Sec. 181 et seq., shall:

(a) be deposited in the Mineral Lease Account of the General Fund; and

(b) be appropriated by the Legislature giving priority to those subdivisions of the state socially or economically impacted by development of minerals leased under the Mineral Lands Leasing Act, for:

(i) planning;

(ii) construction and maintenance of public facilities; and

(iii) provision of public services.

(2) Seventy percent of money received from federal mineral lease bonus payments shall be deposited into the Permanent Community Impact Fund and shall be used as provided in Title 35A, Chapter 8, Part 3, Community Impact Fund Act.

(3) Thirty percent of money received from federal mineral lease bonus payments shall be deposited in the Mineral Bonus Account created by Subsection 59-21-2(1) and appropriated as provided in that subsection.

(4) (a) For purposes of this Subsection (4):

(i) the "boundaries of the Grand Staircase-Escalante National Monument" means the boundaries:

(A) established by Presidential Proclamation No. 6920, 61 Fed. Reg. 50,223 (1996); and

(B) modified by:

(I) Pub. L. No. 105-335, 112 Stat. 3139; and

(II) Pub. L. No. 105-355, 112 Stat. 3247; and

(ii) a special service district, school district, or federal land is considered to be located within the boundaries of the Grand Staircase-Escalante National Monument if a portion of the special service district, school district, or federal land is located within the boundaries described in Subsection (4)(a)(i).

(b) Beginning on July 1, 1999, the Legislature shall appropriate, as provided in Subsections (4)(c) through (g), money received from the United States that is attributable to royalties from the extraction of minerals on federal land that, on September 18, 1996, was located within the boundaries of the Grand Staircase-Escalante National Monument.

(c) The Legislature shall annually appropriate 40% of the money described in Subsection (4)(b) to the Division of Finance to be distributed by the Division of Finance to special service districts that are:

(i) established by counties under Title 17D, Chapter 1, Special Service District Act;

(ii) socially or economically impacted by the development of minerals under the Mineral Lands Leasing Act; and

(iii) located within the boundaries of the Grand Staircase-Escalante National Monument.

(d) The Division of Finance shall distribute the money described in Subsection (4)(c) in amounts proportionate to the amount of federal mineral lease money generated by the county in which a special service district is located.

(e) The Legislature shall annually appropriate 40% of the money described in Subsection (4)(b) to the State Board of Education to be distributed equally to school districts that are:

(i) socially or economically impacted by the development of minerals under the Mineral Lands Leasing Act; and

(ii) located within the boundaries of the Grand Staircase-Escalante National Monument.

(f) The Legislature shall annually appropriate 2.25% of the money described in Subsection (4)(b) to the Utah Geological Survey to facilitate the development of energy and mineral resources in counties that are:

(i) socially or economically impacted by the development of minerals under the Mineral Lands Leasing Act; and

(ii) located within the boundaries of the Grand Staircase-Escalante National Monument.

(g) Seventeen and three-fourths percent of the money described in Subsection (4)(b) shall be deposited annually into the State School Fund established by Utah Constitution Article X, Section 5.

Amended by Chapter 339, 2021 General Session

Effective 7/1/2025

59-21-2 Mineral Bonus Account created -- Contents -- Use of Mineral Bonus Account money -- Mineral Lease Account created -- Contents -- Appropriation of money from Mineral Lease Account.

(1)

(a)There is created a restricted account within the General Fund known as the "Mineral Bonus Account."

(b)The Mineral Bonus Account consists of federal mineral lease bonus payments deposited pursuant to Subsection 59-21-1(3).

(c)The Legislature shall make appropriations from the Mineral Bonus Account in accordance with Section 35 of the Mineral Lands Leasing Act of 1920, 30 U.S.C. Sec. 191.

(d)The state treasurer shall:

(i)invest the money in the Mineral Bonus Account by following the procedures and requirements of Title 51, Chapter 7, State Money Management Act; and

(ii)deposit all interest or other earnings derived from the account into the Mineral Bonus Account.

(e)The Division of Finance shall, beginning on July 1, 2017, annually deposit 30% of mineral lease bonus payments deposited under Subsection (1)(b) from the previous fiscal year into the Utah Wildfire Fund created in Section 65A-8-217, up to $2,000,000 but not to exceed 20% of the amount expended in the previous fiscal year from the Utah Wildfire Fund.

(2)

(a)There is created a restricted account within the General Fund known as the "Mineral Lease Account."

(b)The Mineral Lease Account consists of federal mineral lease money deposited pursuant to Subsection 59-21-1(1).

(c)The Legislature shall make appropriations from the Mineral Lease Account as provided in Subsection 59-21-1(1) and this Subsection (2).

(d)The Legislature shall annually appropriate 32.5% of all deposits made to the Mineral Lease Account to the Permanent Community Impact Fund established by Section 35A-8-303.

(e)The Legislature shall annually appropriate 2.25% of all deposits made to the Mineral Lease Account to the State Board of Education, to be used for education research and experimentation in the use of staff and facilities designed to improve the quality of education in Utah.

(f)The Legislature shall annually appropriate 2.25% of all deposits made to the Mineral Lease Account to the Utah Geological Survey Restricted Account, created in Section 79-3-403, to be used by the Utah Geological Survey for activities carried on by the Utah Geological Survey having as a purpose the development and exploitation of natural resources in the state.

(g)The Legislature shall annually appropriate 2.25% of all deposits made to the Mineral Lease Account to the Water Research Laboratory at Utah State University, to be used for activities carried on by the laboratory having as a purpose the development and exploitation of water resources in the state.

(h)

(i)The Legislature shall annually appropriate to the Division of Finance 40% of all deposits made to the Mineral Lease Account to be distributed as provided in Subsection (2)(h)(ii) to:

(A)counties;

(B)special service districts established:

(I)by counties;

(II)under Title 17D, Chapter 1, Special Service District Act; and

(III)for the purpose of constructing, repairing, or maintaining roads; or

(C)special service districts established:

(I)by counties;

(II)under Title 17D, Chapter 1, Special Service District Act; and

(III)for other purposes authorized by statute.

(ii)The Division of Finance shall allocate the funds specified in Subsection (2)(h)(i):

(A)in amounts proportionate to the amount of mineral lease money generated by each county; and

(B)to a county or special service district established by a county under Title 17D, Chapter 1, Special Service District Act, as determined by the county legislative body.

(i)

(i)The Legislature shall annually appropriate 5% of all deposits made to the Mineral Lease Account to the Department of Workforce Services to be distributed to:

(A)special service districts established:

(I)by counties;

(II)under Title 17D, Chapter 1, Special Service District Act; and

(III)for the purpose of constructing, repairing, or maintaining roads; or

(B)special service districts established:

(I)by counties;

(II)under Title 17D, Chapter 1, Special Service District Act; and

(III)for other purposes authorized by statute.

(ii)The Department of Workforce Services may distribute the amounts described in Subsection (2)(i)(i) only to special service districts established under Title 17D, Chapter 1, Special Service District Act, by counties:

(A)of the third, fourth, fifth, or sixth class;

(B)in which 4.5% or less of the mineral lease money within the state is generated; and

(C)that are significantly socially or economically impacted as provided in Subsection (2)(i)(iii) by the development of minerals under the Mineral Lands Leasing Act, 30 U.S.C. Sec. 181 et seq.

(iii)The significant social or economic impact required under Subsection (2)(i)(ii)(C) shall be as a result of:

(A)the transportation within the county of hydrocarbons, including solid hydrocarbons as defined in Section 59-5-101;

(B)the employment of persons residing within the county in hydrocarbon extraction, including the extraction of solid hydrocarbons as defined in Section 59-5-101; or

(C)a combination of Subsections (2)(i)(iii)(A) and (B).

(iv)For purposes of distributing the appropriations under this Subsection (2)(i) to special service districts established by counties under Title 17D, Chapter 1, Special Service District Act, the Department of Workforce Services shall:

(A)

(I)allocate 50% of the appropriations equally among the counties meeting the requirements of Subsections (2)(i)(ii) and (iii); and

(II)allocate 50% of the appropriations based on the ratio that the population of each county meeting the requirements of Subsections (2)(i)(ii) and (iii) bears to the total population of all of the counties meeting the requirements of Subsections (2)(i)(ii) and (iii); and

(B)after making the allocations described in Subsection (2)(i)(iv)(A), distribute the allocated revenues to special service districts established by the counties under Title 17D, Chapter 1, Special Service District Act, as determined by the executive director of the Department of Workforce Services after consulting with the county legislative bodies of the counties meeting the requirements of Subsections (2)(i)(ii) and (iii).

(v)The executive director of the Department of Workforce Services:

(A)shall determine whether a county meets the requirements of Subsections (2)(i)(ii) and (iii);

(B)shall distribute the appropriations under Subsection (2)(i)(i) to special service districts established by counties under Title 17D, Chapter 1, Special Service District Act, that meet the requirements of Subsections (2)(i)(ii) and (iii); and

(C)in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, may make rules:

(I)providing a procedure for making the distributions under this Subsection (2)(i) to special service districts; and

(II)defining the term “population” for purposes of Subsection (2)(i)(iv).

(j)

(i)The Legislature shall annually make the following appropriations from the Mineral Lease Account:

(A)an amount equal to 52 cents multiplied by the number of acres of school or institutional trust lands, lands owned by the Division of State Parks or the Division of Outdoor Recreation, and lands owned by the Division of Wildlife Resources that are not under an in lieu of taxes contract, to each county in which those lands are located;

(B)to each county in which school or institutional trust lands are transferred to the federal government after December 31, 1992, an amount equal to the number of transferred acres in the county multiplied by a payment per acre equal to the difference between 52 cents per acre and the per acre payment made to that county in the most recent payment under the federal payment in lieu of taxes program, 31 U.S.C. Sec. 6901 et seq., unless the federal payment was equal to or exceeded the 52 cents per acre, in which case a payment under this Subsection (2)(j)(i)(B) may not be made for the transferred lands;

(C)to each county in which federal lands, which are entitlement lands under the federal in lieu of taxes program, are transferred to the school or institutional trust, an amount equal to the number of transferred acres in the county multiplied by a payment per acre equal to the difference between the most recent per acre payment made under the federal payment in lieu of taxes program and 52 cents per acre, unless the federal payment was equal to or less than 52 cents per acre, in which case a payment under this Subsection (2)(j)(i)(C) may not be made for the transferred land; and

(D)to a county of the fifth or sixth class, an amount equal to the product of:

(I)$1,000; and

(II)the number of residences described in Subsection (2)(j)(iv) that are located within the county.

(ii)A county receiving money under Subsection (2)(j)(i) may, as determined by the county legislative body, distribute the money or a portion of the money to:

(A)special service districts established by the county under Title 17D, Chapter 1, Special Service District Act;

(B)school districts; or

(C)public institutions of higher education.

(iii)

(A)Beginning in fiscal year 1994-95 and in each year after fiscal year 1994-95, the Division of Finance shall increase or decrease the amounts per acre provided for in Subsections (2)(j)(i)(A) through (C) by the average annual change in the

Consumer Price Index for all urban consumers published by the Department of Labor.

(B)For fiscal years beginning on or after fiscal year 2001-02, the Division of Finance shall increase or decrease the amount described in Subsection (2)(j)(i)(D)(I) by the average annual change in the Consumer Price Index for all urban consumers published by the Department of Labor.

(iv)Residences for purposes of Subsection (2)(j)(i)(D)(II) are residences that are:

(A)owned by:

(I)the Division of State Parks;

(II)the Division of Outdoor Recreation; or

(III)the Division of Wildlife Resources;

(B)located on lands that are owned by:

(I)the Division of State Parks;

(II)the Division of Outdoor Recreation; or

(III)the Division of Wildlife Resources; and

(C)are not subject to taxation under:

(I)Chapter 2, Property Tax Act; or

(II)Chapter 4, Privilege Tax.

(k)The Legislature shall annually appropriate to the Permanent Community Impact Fund all deposits remaining in the Mineral Lease Account after making the appropriations provided for in Subsections (2)(d) through (j).

(3)

(a)Each agency, board, institution of higher education, and political subdivision receiving money under this chapter shall provide the Legislature, through the Office of the Legislative Fiscal Analyst, with a complete accounting of the use of that money on an annual basis.

(b)The accounting required under Subsection (3)(a) shall:

(i)include actual expenditures for the prior fiscal year, budgeted expenditures for the current fiscal year, and planned expenditures for the following fiscal year; and

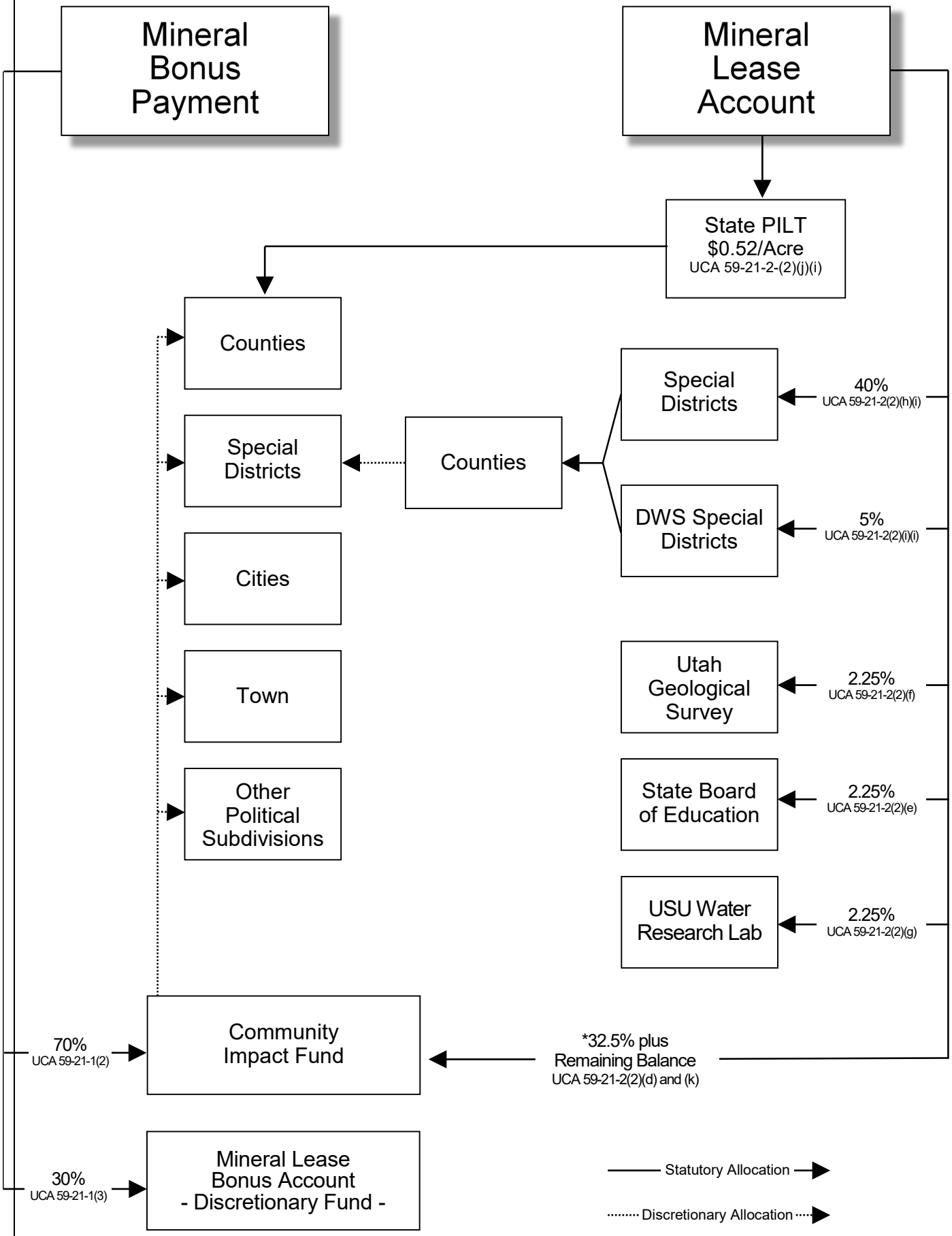
(ii)be reviewed by the Economic and Community Development Appropriations Subcommittee as part of its normal budgetary process under Title 63J, Chapter 1, Budgetary Procedures Act.

Amended by Chapter 113, 2025 General Session

Mineral Lease Funds Allocation

per Utah Code Annotated 59-21-1 and 59-21-2

06/01/2023



Index	Utah Code
Title 53C	School and Institutional Trust Lands Management Act
Chapter 3	Deposit and Allocation of Revenue from Trust Lands
Part 2	Federal-State Land Exchange
Section 201	Definitions.
Section 202	Collection and Distribution of revenues from federal land exchange parcels
Section 203	Land Exchange Distribution Account

53C-3-201 Definitions.

As used in this part:

(1) "Acquired lands" means lands acquired by the administration under the agreement.

(2) "Acquired mineral interests" means mineral interests acquired by the administration pursuant to Section 3(F), (K), (L), or (M) of the agreement.

(3) "Agreement" means the Agreement to Exchange Utah School Trust Lands Between the State of Utah and the United States of America, signed May 8, 1998, as ratified by the Utah School and Lands Exchange Act of 1998, Pub. L. No. 105-335.

(4) "Exchange" means a land or mineral interest exchange by the administration and the United States of America after March 1, 2007 that is directed by Congressional action.

(5) "Exchanged lands" means lands:

(a) acquired by the administration through an exchange; and

(b) reduced in value to take into account the presence of minerals subject to leasing under the Mineral Leasing Act, 30 U.S.C. Sec. 181 et seq.

(6) "Exchanged mineral interests" means mineral interests:

(a) acquired by the administration through an exchange; and

(b) reduced in value to take into account the presence of minerals subject to leasing under the Mineral Leasing Act, 30 U.S.C. Sec. 181 et seq.

(7) "Identified tracts" means the tracts identified in Section 3(F), (G), (J), (K), (L), and (M) of the agreement, generally referred to as the Cottonwood Tract, Westridge Coal Tract, Ferron Field, Mill Fork Tract, Dugout Canyon Tract, Muddy Tract, and North Horn Coal Tract.

(8) "Subject mineral" means a mineral that is covered by the Mineral Leasing Act, 30 U.S.C. Sec. 181 et seq.

Amended by Chapter 79, 2010 General Session

53C-3-202 Collection and distribution of revenues from federal land exchange parcels.

(1) The director shall collect all bonus payments, rentals, and royalties from the lease of:

(a) minerals on acquired lands;

(b) acquired mineral interests;

(c) minerals on exchanged lands; and

(d) exchanged mineral interests.

(2) No later than the last day of the second month following each calendar quarter, the director shall distribute:

(a) bonus payments received during the calendar quarter from the lease of coal, oil and gas, and coalbed methane on the identified tracts as follows:

(i) 50% to the United States; and

(ii) 50% to the Land Exchange Distribution Account created in Section 53C-3-203;

(b) rentals and royalties received during the calendar quarter from the lease of subject minerals on the acquired lands and the lease of acquired mineral interests as follows:

(i) 50% to the Land Grant Management Fund created by Section 53C-3-101; and

(ii) 50% to the Land Exchange Distribution Account created in Section 53C-3-203;

(c) mineral bonus, rental, and royalty revenue generated from the lease of subject minerals, other than oil shale, on exchanged lands or from the lease of exchanged mineral interests, other than interests in oil shale, as follows:

(i) 50% to the Land Grant Management Fund created by Section 53C-3-101; and

(ii) 50% to the Land Exchange Distribution Account created in Section 53C-3-203; and

(d) mineral bonus, rental, and royalty revenue generated from the lease of oil shale on exchanged lands or the lease of exchanged mineral interests that are interests in oil shale, net of amounts paid to the United States pursuant to a reserved interest of the United States in oil shale, as follows:

(i) 50% to the Land Grant Management Fund created by Section 53C-3-101; and

(ii) 50% to the Land Exchange Distribution Account created in Section 53C-3-203.

(3)

(a) Except as provided in Subsection (3)(c), the director may retain up to 3% of the money collected under Subsection (1) to pay for administrative costs incurred under Subsections (1) and (2).

(b) Except as provided in Subsection (3)(c), the director may deduct administrative costs before distributions are made under Subsection (2).

(c) The director may not deduct administrative costs from the portion of collections derived from minerals on exchanged lands or exchanged mineral interests that is equal to the United States' reserved interest in oil shale.

(d) The director shall keep the administrative cost deductions in separate accounts.

(e) The money retained under Subsection (3)(a) is nonlapsing.

(f) The director shall distribute in accordance with Subsection (2) the unused balance of the money retained under Subsection (3)(a) that exceeds $2,000,000 at the end of a fiscal year.

Amended by Chapter 342, 2011 General Session

Affected by 63I-1-253 on 7/1/2030
Effective 5/12/2020
53C-3-203. Land Exchange Distribution Account.

(1) As used in this section, "account" means the Land Exchange Distribution Account created in Subsection (2)(a).

(2) (a) There is created within the General Fund a restricted account known as the Land Exchange Distribution Account.

(b) The account shall consist of revenue deposited in the account as required by Section 53C-3-202.

(3) (a) The state treasurer shall invest money in the account according to Title 51, Chapter 7, State Money Management Act.

(b) The Division of Finance shall deposit interest or other earnings derived from investment of account money into the General Fund.

(4) The Legislature shall annually appropriate from the account in the following order:

(a) $1,000,000 to the Constitutional Defense Restricted Account created in Section 63C-4a-402; and

(b) from the deposits to the account remaining after the appropriation in Subsection (4)(a), the following amounts:

(i) 55% of the deposits to counties in amounts proportionate to the amounts of mineral revenue generated from the acquired land, exchanged land, acquired mineral interests, or exchanged mineral interests located in each county, to be used to mitigate the impacts caused by mineral development;

(ii) 25% of the deposits to counties in amounts proportionate to the total surface and mineral acreage within each county that was conveyed to the United States under the agreement or an exchange, to be used to mitigate the loss of mineral development opportunities resulting from the agreement or exchange;

(iii) 1.68% of the deposits to the State Board of Education, to be used for education research and experimentation in the use of staff and facilities designed to improve the quality of education in Utah;

(iv) 1.66% of the deposits to the Geological Survey, to be used for natural resources development in the state;

(v) 1.66% of the deposits to the Water Research Laboratory at Utah State University, to be used for water development in the state;

(vi) 11% of the deposits to the Constitutional Defense Restricted Account created in Section 63C-4a-402;

(vii) 1% of the deposits to the Geological Survey, to be used for test wells and other hydrologic studies in the West Desert; and

(viii) 3% of the deposits to the Permanent Community Impact Fund created in Section 35A-8-303, to be used for grants to political subdivisions of the state to mitigate the impacts resulting from the development or use of school and institutional trust lands.

(5) The administration shall make recommendations to the Permanent Community Impact Fund Board for the Permanent Community Impact Fund Board's consideration when awarding the grants described in Subsection (4)(b)(viii).

Amended by Chapter 234, 2020 General Session

Index Utah Code
Title 35A Utah Workforce Services Code
Chapter 8 Housing and Community Development Division
Part 3 Community Impact Fund Act

Effective 5/7/2025

35A-8-301 Legislative policy.

(1)Funds received by the state from federal mineral lease revenues under Section 59-21-2, bonus payments on federal oil shale lease tracts U-A and U-B, and all other bonus payments on federal mineral leases are to be used for planning, construction and maintenance of public facilities, and provision of public service, subject to the limitations provided for in Section 35 of the Mineral Leasing Act of 1920 (41 Stat. 450, 30 U.S.C. Sec. 191).
(2)To the extent allowed under the Mineral Leasing Act, any ambiguity as to whether a particular use of the lease revenue and bonus payments described in Subsection (1) is a permissible use under this part shall be resolved in favor of upholding the use.
(3)Priority for the use of the funds described in Subsection (1) shall be given to those communities designated as impacted by the development of natural resources covered by the Mineral Leasing Act.
(4)The policy of this state is to promote cooperation and coordination between the state and the state's agencies and political subdivisions with individuals, firms, and business organizations engaged in the development of the natural resources of this state.

Amended by Chapter 261, 2025 General Session

Effective 5/7/2025

35A-8-302 Definitions.

As used in this part:
(1)"Bonus payments" means that portion of the bonus payments received by the United States government under the Leasing Act paid to the state under Section 35 of the Leasing Act, 30 U.S.C. Sec. 191, together with any interest that had accrued on those payments.
(2)"Impact board" means the Permanent Community Impact Fund Board created under Section 35A-8-304.
(3)"Impact fund" means the Permanent Community Impact Fund established by this chapter.
(4)"Interlocal agency" means a legal or administrative entity created by a subdivision or combination of subdivisions under the authority of Title 11, Chapter 13, Interlocal Cooperation Act.
(5)"Leasing Act" means the Mineral Lands Leasing Act of 1920, 30 U.S.C. Sec. 181 et seq.
(6)"Qualifying sales and use tax distribution reduction" means that, for the calendar year beginning on January 1, 2008, the total sales and use tax distributions a city received under Section 59-12-205 were reduced by at least 15% from the total sales and use tax distributions the city received under Section 59-12-205 for the calendar year beginning on January 1, 2007.
(7)
(a)"Planning" means any of the following performed by or on behalf of the state, a subdivision, or an interlocal agency:
(i)a study, analysis, plan, or survey; or
(ii)activities necessary to obtain a permit or land use approval, including review to determine the need, cost, or feasibility of obtaining a permit or land use approval.
(b)"Planning" includes:
(i)the preparation of maps and guidelines;
(ii)land use planning;
(iii)a study or analysis of:
(A)the social or economic impacts associated with natural resource development;
(B)the demand for the transportation of individuals or goods;
(C)state, regional, and local development and growth;
(D)population and employment;
(E)development related to natural resources; and
(F)as related to any other activity described in this Subsection (7), engineering, financial analysis, legal analysis, or any other analysis helpful to the state, subdivision, or interlocal agency; and
(iv)any activity described in this Subsection (7) regardless of whether the activity is for a public facility or a public service.
(8)"Public facility" means a facility:
(a)in whole or in part, owned, controlled, or operated by the state, a subdivision, or an interlocal agency; and
(b)that serves a public purpose.
(9)
(a)"Public service" means a service that:
(i)is provided, in whole or in part, by or on behalf of the state, a subdivision, or an interlocal agency; and
(ii)serves a public purpose.
(b)"Public service" includes:

(i)a service described in Subsection (9)(a) regardless of whether the service is provided in connection with a public facility;
(ii)the cost of providing a service described in Subsection (9)(a), including administrative costs, wages, and legal fees; and
(iii)a contract with a public postsecondary institution to fund research, education, or a public service program.

(10)"Subdivision" means a county, city, town, county service area, special service district, special improvement district, water conservancy district, water improvement district, sewer improvement district, housing authority, building authority, school district, or public postsecondary institution organized under the laws of this state.

(11)

(a)"Throughput infrastructure project" means the following facilities, whether located within, partially within, or outside of the state:
(i)a bulk commodities ocean terminal;
(ii)a pipeline for the transportation of liquid or gaseous hydrocarbons;
(iii)electric transmission lines and ancillary facilities;
(iv)a shortline freight railroad and ancillary facilities;
(v)a plant or facility for storing, distributing, or producing hydrogen, including the liquification of hydrogen, for use as a fuel in zero emission motor vehicles, for electricity generation, or for industrial use;
(vi)a plant for the production of zero emission hydrogen fueled trucks; or
(vii)a mining facility described in Subsection 35A-8-309(9).

(b)"Throughput infrastructure project" includes:
(i)an ownership interest or a joint or undivided ownership interest in a facility;
(ii)a membership interest in the owner of a facility; or
(iii)a contractual right, whether secured or unsecured, to use all or a portion of the throughput, transportation, or transmission capacity of a facility.

Amended by Chapter 277, 2025 General Session

35A-8-303 Impact fund -- Deposits and contents -- Use of fund money.

(1) There is created an enterprise fund entitled the "Permanent Community Impact Fund."

(2) The fund consists of:
(a) all amounts appropriated to the impact fund under Section 59-21-2;
(b) bonus payments deposited to the impact fund under Subsection 59-21-1(2);
(c) all amounts appropriated to the impact fund under Section 53C-3-203;
(d) all amounts received for the repayment of loans made by the impact board under this chapter; and
(e) all other money appropriated or otherwise made available to the impact fund by the Legislature.

(3) The state treasurer shall:
(a) invest the money in the impact fund by following the procedures and requirements of Title 51, Chapter 7, State Money Management Act; and
(b) deposit all interest or other earnings derived from those investments into the impact fund.

(4) The amounts in the impact fund available for loans, grants, administrative costs, or other purposes of this part shall be limited to that which the Legislature appropriates for these purposes.

(5) Federal mineral lease revenue received by the state under the Leasing Act that is deposited into the impact fund shall be used:
(a) in a manner consistent with the provisions of:
(i) the Leasing Act; and
(ii) this part; and
(b) for loans, grants, or both to state agencies or subdivisions that are socially or economically impacted by the leasing of minerals under the Leasing Act.

(6) The money described in Subsection (2)(c) shall be used for grants to political subdivisions of the state to mitigate the impacts resulting from the development or use of school and institutional trust lands.

Renumbered and Amended by Chapter 212, 2012 General Session

Effective 5/1/2024

35A-8-304 Permanent Community Impact Fund Board created -- Members -- Terms -- Chair -- Expenses.

(1)There is created within the department the Permanent Community Impact Fund Board composed of 11 members as follows:
(a)the state treasurer or the state treasurer's designee;
(b)the chair of the Transportation Commission or the chair's designee;
(c)the executive director of the Governor's Office of Planning and Budget or the executive director's designee;
(d)a locally elected official who resides in Carbon, Emery, Grand, or San Juan County;
(e)a locally elected official who resides in Juab, Millard, Sanpete, Sevier, Piute, or Wayne County;
(f)a locally elected official who resides in Duchesne, Daggett, or Uintah County;
(g)a locally elected official who resides in Beaver, Iron, Washington, Garfield, or Kane County;

(h)a locally elected official from the county that:
(i)produced the most mineral lease money related to oil extraction during the four-year period immediately preceding the term of appointment, as determined by the department at the end of each term; and
(ii)does not already have a representative on the impact board;
(i)a locally elected official from the county that:
(i)produced the most mineral lease money related to natural gas extraction during the four-year period immediately preceding the term of appointment, as determined by the department at the end of each term; and
(ii)does not already have a representative on the impact board;
(j)a locally elected official from the county that:
(i)produced the most mineral lease money related to coal extraction during the four-year period immediately preceding the term of appointment, as determined by the department at the end of each term; and
(ii)does not already have a representative on the impact board; and
(k)an individual who resides in a county of the third, fourth, fifth, or sixth class, appointed by the governor with the advice and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies.
(2)
(a)The members specified under Subsections (1)(d) through (j) may not reside in the same county and shall be:
(i)nominated by the Board of Directors of the Southeastern Association of Local Governments, the Six County Association of Governments, the Uintah Basin Association of Governments, and the Five County Association of Governments, respectively, except that the members specified under Subsections (1)(h) through (j) shall be nominated by the Board of Directors of the Association of Governments from the region of the state in which the county is located; and
(ii)appointed by the governor with the advice and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies.
(b)Except as required by Subsection (2)(c), as terms of current board members expire, the governor shall appoint each new member or reappointed member to a four-year term.
(c)Notwithstanding the requirements of Subsection (2)(b), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
(d)When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.
(3)When the governor makes a new appointment or reappointment under Subsection (2)(b), or a vacancy appointment under Subsection (2)(d), the governor's new appointment, reappointment, or vacancy appointment shall be made with the advice and consent of the Senate in accordance with Title 63G, Chapter 24, Part 2, Vacancies.
(4)The terms of office for the members specified under Subsections (1)(a) through (c) shall run concurrently with the term of office for the commission, department, or office from which each member comes.
(5)
(a)The member specified under Subsection (1)(k) is the chair of the impact board.
(b)The chair of the impact board is responsible for the call and conduct of meetings.
(6)A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
(a)Section 63A-3-106;
(b)Section 63A-3-107; and
(c)rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
(7)A member described in Subsections (1)(d) through (k) shall comply with the conflict of interest provisions described in Title 63G, Chapter 24, Part 3, Conflicts of Interest.
(8)
(a)A majority of the members of the impact board constitutes a quorum.
(b)Action by a majority vote of a quorum of the impact board constitutes action by the impact board.
(9)The department shall provide staff support to the impact board.

Amended by Chapter 529, 2024 General Session

Effective 5/5/2021

35A-8-305 Duties -- Loans -- Interest.

(1) The impact board shall:
(a) make grants and loans from the amounts appropriated by the Legislature out of the impact fund to state agencies, subdivisions, and interlocal agencies that are or may be socially or economically impacted, directly or indirectly, by mineral resource development for:
(i) planning;
(ii) construction and maintenance of public facilities; and

(iii) provision of public services;
(b) establish the criteria by which the loans and grants will be made;
(c) determine the order in which projects will be funded;
(d) in conjunction with other agencies of the state, subdivisions, or interlocal agencies, conduct studies, investigations, and research into the effects of proposed mineral resource development projects upon local communities;
(e) sue and be sued in accordance with applicable law;
(f) qualify for, accept, and administer grants, gifts, loans, or other funds from:
(i) the federal government; and
(ii) other sources, public or private; and
(g) perform other duties assigned to it under Sections 11-13-306 and 11-13-307.
(2) Money, including all loan repayments and interest, in the impact fund derived from bonus payments may be used for any of the purposes set forth in Subsection (1)(a) but may only be given in the form of interest bearing loans to be paid back into the impact fund by the agency, subdivision, or interlocal agency.
(3) The impact board may make a grant or loan under Subsection (1) regardless of whether the activity results in more than one impact or outcome, including an increase in natural resource development or an increase in economic development.
(4) If the public service described in Subsection (1)(a) is a contract with a public postsecondary institution described in Subsection 35A-8-302(9)(b)(iii), the contract shall be:
(a) based on an application to the impact board from the impacted county; and
(b) approved by the county legislative body.

Amended by Chapter 339, 2021 General Session

Effective 5/14/2019
35A-8-306 Powers.
The impact board may:
(1) appoint, where it considers this appropriate, a hearing examiner or administrative law judge with authority to conduct hearings, make determinations, and enter appropriate findings of facts, conclusions of law, and orders under authority of the impact board under Sections 11-13-306 and 11-13-307;
(2) appoint additional professional and administrative staff necessary to effectuate Sections 11-13-306 and 11-13-307;
(3) make independent studies regarding matters submitted to it under Sections 11-13-306 and 11-13-307 that the impact board, in its discretion, considers necessary, which studies shall be made a part of the record and may be considered in the impact board's determination; and
(4) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to perform the impact board's responsibilities under this part.

Amended by Chapter 89, 2019 General Session

Effective 5/5/2021
35A-8-307 Impact fund administered by impact board -- Eligibility for assistance -- Review by board -- Administration costs -- Annual report.
(1)
(a) The impact board shall:
(i) administer the impact fund in a manner that will keep a portion of the impact fund revolving;
(ii) determine provisions for repayment of loans;
(iii) establish criteria for determining eligibility for assistance under this part; and
(iv) consider recommendations from the School and Institutional Trust Lands Administration when awarding a grant described in Subsection 35A-8-303(6).
(b)
(i) The criteria for awarding loans or grants made from funds described in Subsection 35A-8-303(5) shall be consistent with the requirements of Subsection 35A-8-303(5).
(ii) The criteria for awarding grants made from funds described in Subsection 35A-8-303(2)(c) shall be consistent with the requirements of Subsection 35A-8-303(6).
(c) In order to receive assistance under this part, subdivisions and interlocal agencies shall submit formal applications containing the information that the impact board requires.
(2) In determining eligibility for loans and grants under this part, the impact board shall consider the following:
(a) the subdivision's or interlocal agency's current mineral lease production;
(b) the feasibility of the actual development or the increased development of a resource that may impact the subdivision or interlocal agency directly or indirectly;
(c) current taxes being paid by the subdivision's or interlocal agency's residents;

(d) the borrowing capacity of the subdivision or interlocal agency, including:
(i) the subdivision's or interlocal agency's ability and willingness to sell bonds or other securities in the open market; and
(ii) the subdivision's or interlocal agency's current and authorized indebtedness;
(e) all possible additional sources of state and local revenue, including utility user charges;
(f) the availability of federal assistance funds;
(g) probable growth of population due to actual or prospective natural resource development in an area;
(h) existing public facilities and services;
(i) the extent of the expected direct or indirect impact upon public facilities and public services of the actual or prospective natural resource development in an area; and
(j) the extent of industry participation in an impact alleviation plan, either as specified in Title 63M, Chapter 5, Resource Development Act, or otherwise.
(3) The impact board may not fund an education project that could otherwise have reasonably been funded by a school district through a program of annual budgeting, capital budgeting, bonded indebtedness, or special assessments.
(4) The impact board may restructure all or part of the agency's or subdivision's liability to repay loans for extenuating circumstances.
(5) The impact board shall:
(a) review the proposed uses of the impact fund for loans or grants before approving them and may condition its approval on whatever assurances the impact board considers necessary to ensure that proceeds of the loan or grant will be used in accordance with the Leasing Act and this part; and
(b) ensure that each loan specifies the terms for repayment and is evidenced by general obligation, special assessment, or revenue bonds, notes, or other obligations of the appropriate subdivision or interlocal agency issued to the impact board under whatever authority for the issuance of those bonds, notes, or obligations exists at the time of the loan.
(6) The impact board shall allocate from the impact fund to the department those funds that are appropriated by the Legislature for the administration of the impact fund, but this amount may not exceed 2% of the annual receipts to the impact fund.
(7) The department shall include in the annual written report described in Section 35A-1-109, the number and type of loans and grants made as well as a list of subdivisions and interlocal agencies that received this assistance.

Amended by Chapter 339, 2021 General Session

Effective 3/26/2025

35A-8-308 Throughput Infrastructure Fund.

(1)There is created an enterprise fund known as the "Throughput Infrastructure Fund."
(2)The fund consists of money generated from the following revenue sources:
(a)amounts transferred to the fund by statute;
(b)any voluntary contributions received;
(c)appropriations made to the fund by the Legislature;
(d)the amounts received from the repayment of loans made by the impact board under Section 35A-8-309; and
(e)interest or other earnings deposited under Subsection (3).
(3)The state treasurer shall:
(a)invest the money in the fund by following the procedures and requirements of Title 51, Chapter 7, State Money Management Act; and
(b)deposit the interest or other earnings derived from those investments into the fund.

Amended by Chapter 451, 2025 General Session

Effective 3/26/2025

35A-8-309 Throughput Infrastructure Fund administered by impact board -- Uses -- Review by board -- Annual report -- First project.

(1)The impact board shall:
(a)make grants and loans from the Throughput Infrastructure Fund created in Section 35A-8-308 for a throughput infrastructure project;
(b)use money transferred to the Throughput Infrastructure Fund in accordance with statute to provide a loan or grant to finance the cost of acquisition or construction of a throughput infrastructure project to one or more local political subdivisions, including a Utah interlocal agency created under Title 11, Chapter 13, Interlocal Cooperation Act;
(c)administer the Throughput Infrastructure Fund in a manner that will keep a portion of the fund revolving;
(d)determine provisions for repayment of loans;
(e)establish criteria for awarding loans and grants; and
(f)establish criteria for determining eligibility for assistance under this section.
(2)The cost of acquisition or construction of a throughput infrastructure project includes amounts for working capital, reserves, transaction costs, and other amounts determined by the impact board to be allocable to a throughput infrastructure project.

(3)The impact board may restructure or forgive all or part of a local political subdivision's or interlocal agency's obligation to repay loans for extenuating circumstances.
(4)To receive assistance under this section, a local political subdivision or an interlocal agency shall submit a formal application containing the information that the impact board requires.
(5)
(a)The impact board shall:
(i)review the proposed uses of the Throughput Infrastructure Fund for a loan or grant before approving the loan or grant and may condition its approval on whatever assurances the impact board considers necessary to ensure that proceeds of the loan or grant will be used in accordance with this section;
(ii)ensure that each loan specifies terms for interest deferments, accruals, and scheduled principal repayment; and
(iii)ensure that repayment terms are evidenced by bonds, notes, or other obligations of the appropriate local political subdivision or interlocal agency issued to the impact board and payable from the net revenues of a throughput infrastructure project.
(b)An instrument described in Subsection (5)(a)(iii) may be:
(i)non-recourse to the local political subdivision or interlocal agency; and
(ii)limited to a pledge of the net revenues from a throughput infrastructure project.
(6)
(a)Subject to the restriction in Subsection (6)(b), the impact board shall allocate from the Throughput Infrastructure Fund to the board those amounts that are appropriated by the Legislature for the administration of the Throughput Infrastructure Fund.
(b)The amount described in Subsection (6)(a) may not exceed 2% of the annual receipts to the Throughput Infrastructure Fund.
(7)The board shall include in the annual written report described in Section 35A-1-109:
(a)the number and type of loans and grants made under this section; and
(b)a list of local political subdivisions or interlocal agencies that received assistance under this section.
(8)
(a)The first throughput infrastructure project funded by the impact board shall be a bulk commodities ocean terminal project financed through a mixture of grant and loans, of which no less than 20% of the project costs funded by the impact board is grants.
(b)Upon receipt of an application from an interlocal agency for a bulk commodities ocean terminal project, the impact board shall:
(i)grant up to 2% of the money in the Throughput Infrastructure Fund to the interlocal agency to pay or reimburse costs incurred by the interlocal agency preliminary to its acquisition of the throughput infrastructure project; and
(ii)fund the interlocal agency's application if the application meets all criteria established by the impact board.
(9)Notwithstanding Subsection (8) and following the procedures of this section, the impact board may issue a grant or loan for a throughput infrastructure project other than a bulk commodities ocean terminal project if the throughput infrastructure project:
(a)is funded from the interest or other earnings deposited into the Throughput Infrastructure Fund;
(b)is applied for by a political subdivision or interlocal agency to be distributed to a private entity described in Subsection (9)(c); and
(c)is engaged in by a private entity if the private entity:
(i)has the required permits to engage in mining fluorspar or gallium;
(ii)will engage in the mining activity in a community within the state that is economically impacted by the Leasing Act;
(iii)will draw money from the loan or grant by no later than two years from the day on which the impact board awards the loan or grant; and
(iv)agrees to reimburse the Throughput Infrastructure Fund in staggered payments during a period beginning three years from the day on which the impact board approves the loan or grant and ending seven years from the day on which the impact board approves the loan or grant.

Amended by Chapter 451, 2025 General Session

Effective 5/7/2025
35A-8-310 Application -- Retroactivity.
(1)The provisions of Laws of Utah 2021, Chapter 339, apply to any claim for which a court of competent jurisdiction has not issued a final unappealable judgment or order.
(2)The Legislature finds that the provisions of Laws of Utah 2021, Chapter 339:
(a)do not enlarge, eliminate, or destroy vested rights; and
(b)clarify application of the law.

Amended by Chapter 261, 2025 General Session

Index	Utah Code
Title 73	Water and Irrigation
Chapter 10c	Water Development Coordinating Council
Section 3	Water Development Coordinating Council created -- Purpose -- Members.

Effective 5/1/2024

73-10c-3 Water Development Coordinating Council created -- Purpose -- Members.

(1)

(a)There is created within the Department of Natural Resources a Water Development Coordinating Council. The council is comprised of:

(i)the director of the Division of Water Resources;

(ii)the executive secretary of the Water Quality Board;

(iii)the executive secretary of the Drinking Water Board;

(iv)the director of the Housing and Community Development Division or the director's designee;

(v)the state treasurer or the state treasurer's designee;

(vi)the commissioner of the Department of Agriculture and Food, or the commissioner's designee; and

(vii)an individual appointed by the governor with the advice and consent of the Senate who is:

(A)familiar with water infrastructure projects, including planning, financing, construction, or operation; and

(B)employed by a water conservancy district that is subject to the asset management criteria of Section 17B-2a-1010.

(b)The council shall choose a chair and vice chair from among the council's own members, except the chair and vice chair may not be from the same department.

(c)A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(i)Section 63A-3-106;

(ii)Section 63A-3-107; and

(iii)rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(2)The purposes of the council are to:

(a)coordinate the use and application of the money available to the state to give financial assistance to political subdivisions of this state so as to promote the conservation, development, treatment, restoration, and protection of the waters of this state;

(b)promote the coordination of the financial assistance programs administered by the state and the use of the financing alternative most economically advantageous to the state and its political subdivisions;

(c)promote the consideration by the Board of Water Resources, Drinking Water Board, and Water Quality Board of regional solutions to the water and wastewater needs of individual political subdivisions of this state;

(d)assess the adequacy and needs of the state and its political subdivisions with respect to water-related infrastructures and advise the governor and the Legislature on those funding needs;

(e)conduct reviews and reports on water-related infrastructure issues as directed by statute;

(f)engage in planning and prioritization of water infrastructure projects in accordance with Chapter 10g, Part 6, Planning and Prioritization; and

(g)expend money from the Water Infrastructure Fund in accordance with Section 73-10g-107.

Amended by Chapter 335, 2024 General Session

ADMINISTRATIVE RULES

R990. Workforce Services, Housing and Community Development.
R990-8. Permanent Community Impact Fund Board Review and Approval of Applications for Funding Assistance.

As in effect on June 1, 2023

R990. Workforce Services, Housing and Community Development.
R990-8. Permanent Community Impact Fund Board Review and Approval of Applications for Funding Assistance.
R990-8-1. Purpose.

The Permanent Community Impact Fund Board (the Board) provides loans and/or grants to State agencies and subdivisions of the State which are or may be socially or economically impacted, directly or indirectly, by mineral resource development. Authorization for the Board is contained in Section 35A-8-301 et seq.

R990-8-2. Eligibility.

Only those applications for funding assistance which are submitted by an eligible applicant for an eligible project shall be funded by the Board.

Eligible projects include: a) planning; b) the construction and maintenance of public facilities; and c) the provision of public services. "Public Facilities and Services" means public infrastructure or services traditionally provided by local governmental entities.

Eligible applicants include state agencies and subdivisions of the state and Interlocal agencies as defined in Subsection 35A-8-302, which are or may be socially or economically impacted, directly or indirectly, by mineral resource development.

R990-8-3. Application Requirements.

A. Applicants shall submit funding requests on the Board's most current application form, furnished by the Housing and Community Development Division (HCDD). Applicants submitting incomplete applications will be notified of deficiencies and their request for funding assistance will be held by the Board's staff pending submission of the required information by the applicant.

Complete applications that have been accepted for processing will be placed on one of the Trimester's upcoming "Application Review Meeting" agendas.

B. Additional general information not specifically covered by the application form should also be furnished to the Board and its staff when such information would be helpful to the Board in appraising the merits of the project.

C. For proposed drinking water and sewer projects, sufficient technical information must be provided to the Utah Department of Environmental Quality (DEQ) to permit its review. The Board will not act on any drinking water or sewer project unless it receives such review from DEQ.

D. Planning grants and studies normally require a fifty percent cash contribution by the applicant. Planning assistance requests shall be reviewed or provided by the Community Development Office.

E. The Board requires each applicant to have a vigorous public participation effort. Each applicant shall hold at least one formal public hearing to solicit comment concerning the size, scope and nature of any funding request prior to its submission to the Board. In that public hearing, the public shall be advised the financing may be in the form of a loan, even if the application requests a grant.

Complete and detailed information shall be given to the public regarding the proposed project and its financing. The information shall include the expected financial impact including potential repayment terms and the costs to the public as user fees, special assessments, or property taxes if the financing is in the form of a loan. The Board may require additional public hearings if it determines the applicant did not adequately disclose to the public the impact of the financial assistance during the initial public hearing.

When the Board offers an applicant a financial package that is substantially different in the amounts, terms or conditions initially requested by the applicant, the Board may require additional public hearings to solicit public comment on the modified funding package.

A copy of the public notice and transcript or minutes of the hearing shall be attached to the funding request. Public opinion polls may be submitted in addition to the transcript or minutes.

F. Letters of comment outlining specific benefits or problems to the community and the state may be submitted with the application.

G. Each applicant shall notify in writing the applicable Association of Governments of the applicant's intention to submit a funding request to the Board. A copy of any comments made by the Association of Governments shall be attached to the funding request. The Board encourages regional review and prioritization of funding requests to help ensure the timely consideration of all worthwhile projects.

H. Section 9-8-404 requires state agencies, before expending any state funds or approving any undertaking, to take into account the effect of the undertaking on any district, site, building structure or specimen that is included in or eligible for inclusion in the National Register of Historic Places or the State Register and to allow the state historic preservation officer (SHPO) a reasonable opportunity to comment on the undertaking or expenditure. To comply with that duty, the Board requires each applicant to provide the Board's staff with a detailed description of the proposed project attached to the

application. The Board's staff will provide the SHPO with descriptions of applications which may have potential historic preservation concerns for the SHPO's review and comment in compliance with the Community Impact Board and SHPO Programmatic Agreement. The state historic preservation officer's comments on individual applications will be provided to the Board as part of the review process outlined in R990-8-4. If during the construction of the project the applicant discovers any cultural or paleontological resources, the applicant shall cease project activities which may affect or impact the cultural or paleontological resource, notify the Board and the SHPO of the discovery, allow the Board to take into account the effects of the project on cultural or paleontological resources, and not proceed until further approval is given by the Board.

I. Each applicant must provide evidence and arguments to the Board as to how the proposed funding assistance provides for planning, the construction and maintenance of public facilities, or the provision of public services.

J. Each applicant must demonstrate that the facilities or services provided will be available and open to the general public and that the proposed funding assistance is not merely a device to pass along low interest government financing to the private sector.

K. Each applicant must demonstrate that any arrangement with a lessee of the proposed project will constitute a true lease, and not a disguised financing arrangement. The lessee must be required to pay a reasonable market rental for the use of the facility. The applicant shall have no arrangement with the lessee to sell the facility to the lessee, unless fair market value is received.

L. Each applicant must submit evidence and legal opinion that it has the authority to construct, own, and lease the proposed project. In the case of a request for an interest-bearing loan, the applicant must provide an opinion of nationally-recognized bond counsel that the interest will not be subject to federal income taxes.

M. Each applicant shall certify to the Board that the applicant will comply with the provisions of Titles VI and VII of the Civil Rights Act of 1964, 42 USC 2000d et seq., which prohibit discrimination against any employee or applicant for employment or any applicant or recipient of services, on the basis of race, religion, color, or national origin. Each applicant shall comply with 41 CFR 60-1 (July 1968), which prohibits discrimination on the basis of sex; 45 CFR 90 (June 1979), which prohibits discrimination on the basis of age; Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and 28 CFR 35 (July 1991), which prohibit discrimination on the basis of disability; and the Utah Antidiscrimination Act, Section 34A-5-101 through 34A-5-112, which prohibits discrimination against any employee or applicant for employment because of race, color, sex, age, religion, national origin, or handicap. Each applicant shall certify compliance with the Americans with Disabilities Act to the Board on an annual basis and upon completion of the project.

R990-8-4. Board Review Procedures.

A. The Board will review applications and authorize funding assistance on a "Trimester" basis. The initial meetings of each "Trimester" are "Project Review Meetings". The final meeting of each "Trimester" is the "Project Funding Meeting". Board meetings shall be held monthly on the 1st Thursday of each month, unless rescheduled or cancelled by the chairman or by formal motion of the board. The Trimesters shall be as follows:

1. 1st Trimester: application deadline, June 1st; Project Review Meetings, July, August, September; Project Funding Meeting October.
2. 2nd Trimester: application deadline, October 1st; Project Review Meetings, November, December, January; Project Funding Meeting, February.
3. 3rd Trimester: application deadline, February 1st; Project Review Meetings, March April, May; Project Funding Meeting, June.

B. The process for review of new applications for funding assistance shall be as follows:

1. Submission of an application, on or before the applicable deadline to the Board's staff for technical review and analysis.
2. Incomplete applications will be held by the Board's staff pending submission of required information.
3. Complete applications accepted for processing will be placed on one of the Trimester's upcoming "Project Review Meeting" agendas.
4. At the "Project Review Meeting" the Board may either:
   a. deny the application;
   b. place the application on the "Pending List" for consideration at a future "Project Review Meeting" after additional review, options analysis and funding coordination by the applicant and the Board's staff;
   c. place the application on the "Priority List" for consideration at the next "Project Funding Meeting".

C. Applicants and their representatives shall be informed of any "Project Review Meeting" at which their applications will be considered. Applicants shall make formal presentations to the Board and respond to the Board's questions during the "Project Review Meetings". If an applicant or its representatives are not present to make a presentation, the board may either:

1. deny the application;
2. place the application on the "Pending List" for consideration at a future "Project Review Meeting".

D. No funds shall be committed by the Board at the "Project Review Meetings", with the exception of circumstances described in Subsection F.

E. Applications for funding assistance which have been placed on the "Priority List" will be considered at the "Project Funding Meeting" for that Trimester. At the "Project Funding Meeting' the Board may either:

1. deny the application;
2. place the application on the "Pending List" for consideration at a future "Project Review Meeting".

3. authorize funding the application in the amount and terms as determined by the Board.

F. In instances of bona fide public safety or health emergencies or for other compelling reasons, the Board may suspend the provisions of this section and accept, process, review and authorize funding of an application on an expedited basis.

R990-8-5. Community Impact Board (CIB) Application Lists.

A. A consolidated list of the anticipated capital needs for eligible entities, the CIB application list, shall be submitted by each county area, or in the case of state agencies, by HCDD. This list shall be produced as a cooperative venture of eligible entities within a county area.

B. The CIB application list shall contain a one-year short-term component, which shall be submitted to the Board, and a five-year medium-term component, which shall be maintained by the Association of Governments responsible for the CIB application list.

C. The CIB application list shall contain the following items: statement of jurisdiction, summary description, project time frame, anticipated time of submission to the Board, projected overall cost of project, anticipated funding sources, the individual applicant's priority for the applicant's projects, and the county area priority for each project. The county area priority for each project shall be developed as a cooperative venture of eligible entities within a county area.

D. Projects not identified in a county area's or HCDD's CIB application list will not be funded by the Board, unless the project addresses a bona fide public safety or health emergency, or for other compelling reasons.

E. The CIB application list shall be submitted to the Board annually and no later than May 1st of each year. The annual list shall be submitted in the uniform format required by the Board.

F. If the CIB application list from a county area does not contain the information required in Subsection R990-8-5(C), or is not in the uniform format required in Subsection R990-8-5(E), all applications from the affected county area will be held by the Board's staff until a future Trimester pending submission of the required information in the uniform format.

G. The Board has authorized its staff to hold any application that does not appear on the applicable CIB application list.

H. The regional Association of Governments is the compiler of the CIB application list for each region and may not amend the annual CIB application list, unless the CIB application list submitted to the Board is incomplete or in the incorrect format as provided in Subsection R990-8-5(F), then the Association of Governments may amend the CIB application list to submit the required information in the uniform format.

I. An applicant whose project addresses a bona fide public safety or health emergency, or who presents other compelling reasons for project funding, may request "Special Consideration" to have the project placed on a Board agenda.

J. "Special Consideration" projects on a Board agenda will be considered by the Board only if the Board passes a motion to consider the project.

R990-8-6. Modification or Alteration of Approved Projects.

A recipient of PCIFB grant funds may not, for a period of ten years from the approval of funding by the Board, change or alter the use, intended use, ownership or scope of a project without the prior approval of the Board. A recipient of PCIFB loan funds may not, for the term of the loan, change or alter the use, intended use, ownership or scope of a project without the prior approval of the Board. The recipient shall submit a written request for such approval and provide such information as requested by the Board or its staff, including at a minimum a description of the modified project sufficient for the Board to determine whether the modified project is an eligible use of PCIFB funds.

The Board may place such conditions on the proposed modifications or modified project as it deems appropriate, including but not limited to modifying or changing the financial terms, requiring additional project actions or participants, or requiring purchase or other satisfaction of all or a portion of the Board's interests in the approved project. Approval shall only be granted if the modified project, use or ownership is also an eligible us of PCIFB funds, unless the recipient purchases or otherwise satisfies in full the Board's interest in the previously approved or the proposed project.

R990-8-7. Procedures for Electronic Meetings.

A. These provisions govern any meeting at which one or more members of the Board or one or more applicant agencies appear telephonically or electronically pursuant to Section 52-4-207.

B. If one or more members of the Board or one or more applicant agencies may participate electronically or telephonically, public notices of the meeting shall so indicate. The notice shall specify the anchor location where the members of the Board not participating electronically or telephonically will be meeting and where interested persons and the public may attend, monitor, and participate in the open portions of the meeting. The Board may convene and conduct an electronic meeting without an anchor location in compliance with Subsection 52-4-207(4).

C. Notice of the meeting and the agenda shall be posted at the anchor location. Written or electronic notice shall also be provided to at least one newspaper of general circulation within the state and to a local media correspondent. These notices shall be provided at least 24 hours before the meeting.

D. Notice of the possibility of an electronic meeting shall be given to the members of the Board and applicant agencies at least 24 hours before the meeting. The notice shall describe how the members of the Board and applicant agencies may participate in the meeting electronically or telephonically.

E. When notice is given of the possibility of a member of the Board appearing electronically or telephonically, any member of the Board may do so and shall be counted as present for purposes of a quorum and may fully participate and vote on any matter coming before the Board. At the commencement of the meeting, or at such time as any member of the Board

initially appears electronically or telephonically, the Chair shall identify for the record all those who are appearing telephonically or electronically. Votes by members of the Board who are not at the anchor location of the meeting shall be confirmed by the Chair.

F. The anchor location shall be designated in the notice. The anchor location is the physical location from which the electronic meeting originates or from which the participants are connected. The anchor location must have space and facilities so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

R990-8-8. Major Infrastructure Set Aside Fund.

A. Creation of Fund

1. There is hereby created within the Permanent Community Impact Fund the Major Infrastructure Set Aside Fund.

2. The Purpose of this Fund is to allow the Board to participate and fund major transportation and other significant infrastructure studies and projects where the Board participation may exceed five million dollars ($5,000,000).

B. Transfer of Monies to the Fund

1. At each funding meeting, after action is taken on all projects on the prioritization list, the Board shall consider whether to transfer any money in the Permanent Community Impact Fund to the Major Infrastructure Set Aside Fund. The Board may transfer such amounts as it deems appropriate, in its discretion, based on motion and a majority vote of the Board.

2. When money is transferred to the Major Infrastructure Set Aside Fund the Board shall identify whether the money being transferred is Bonus or Mineral Lease money. The status of the money as Bonus monies or Mineral Lease monies shall continue while the monies are in the Major Infrastructure Set Aside Fund and may only be granted or loaned in accordance with that status.

3. The Division shall maintain an accounting of the funds in the Major Infrastructure Set Aside Fund as bonus funds or mineral lease funds and shall separately identify the status of the money in the Major Infrastructure Set Aside Fund in its briefings to the Board.

C. Use of the Fund

1. Money in the Major Infrastructure Set Aside Fund may only be used to fund major transportation and other significant infrastructure studies and projects. These projects would include pipelines, roadways, rail lines, and other major infrastructure activities where the cost may exceed five million dollars ($5,000,000) and where the project is within the purposes for the creation and use of the Fund. The Board, on motion and majority vote, shall designate and allow the use of the money from the Fund, specifying whether the money comes from the Bonus or Mineral Lease monies in the Fund.

2. Repayment on any loans from the Major Infrastructure Set Aside Fund shall be credited to and placed in the Major Infrastructure Set Aside Fund. Payments on Bonus money loans shall maintain their status as Bonus monies. The Division shall maintain a separate accounting of all loan payments in the Major Infrastructure Set Aside Fund.

D. Reconversion of Monies from the Fund

1. The Board may, at any time on motion and majority vote, reconvert and transfer funds from the Major Infrastructure Set Aside Fund back to the general Permanent Community Impact Fund. The motion and action of the Board shall specify if the money being transferred back to the general Permanent Community Impact Fund is Bonus or Mineral Lease money, and that status of the money shall continue in the general Permanent Community Impact Fund.

KEY: grants
Date of Last Change: July 1, 2021
Notice of Continuation: June 28, 2022
Authorizing, and Implemented or Interpreted Law: 35A-8-305; 35A-8-306; 35A-8-307

R990. Workforce Services, Housing and Community Development.
R990-9. Policy Concerning Enforceability and Taxability of Bonds Purchased.

As in effect on June 1, 2023

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R990-9-1. Enforceability.
In providing any financial assistance in the form of a loan, the (Board/Committee) representing the State of Utah (the "State") may purchase Bonds or other legal obligations (the "Bonds") of various political subdivisions (interchangeably, as appropriate, the "Issuer" or "Sponsor") of the State only if the Bonds are accompanied by a legal opinion of recognized municipal bond counsel to the effect that the Bonds are legal and binding under applicable Utah law.

R990-9-2. Tax-Exempt Bonds.
In providing any financial assistance in the form of a loan, the (Board/Committee) may purchase either taxable or tax-exempt Bonds; provided that it shall be the general policy of the (Board/Committee) to purchase Bonds of the Issuer only if the Bonds are tax-exempt and are accompanied by a legal opinion of recognized municipal bond counsel to the effect that interest on the Bonds is exempt from federal income taxation. This does not apply for Bonds carrying a zero percent interest taxation. This tax opinion must be provided by the Issuer in the following circumstances:

a. When Bonds are issued and sold to the State to finance a project which will also be financed in part at any time by the proceeds of other Bonds, the interest on which is exempt from federal income taxation.

b. When (i) Bonds are issued which are not subject to the arbitrage rebate provision or Section 148 of the Internal Revenue Code of 1986 (or any successor provisions of similar intent) (the "Code"), including, without limitation, Bonds covered by the "small governmental units" exemption contained in Section 148 (f) (4) (c) of the Code, and (ii) when Bonds are issued which are not subject to arbitrage rebate because the gross proceeds from the loan will be completely expended within six months after the issuance of the Bonds.

Notwithstanding the above, the (Board/Committee) may purchase taxable Bonds if it determines, after evaluating all relevant circumstances including the Issuer's ability to pay, that the purchase of the taxable Bonds is in the best interests of the State and the Issuer.

R990-9-3. Parity Bonds.
In addition to the policy stated above, it is the general policy of the (Board/Committee) that Bonds purchased by the (Board/Committee) shall be full parity Bonds with other outstanding Bonds of the Issuer. Exceptions to this parity requirement may be authorized by the (Board/Committee) if the (Board/Committee) makes a determination that

(i) the revenues or other resources pledged as security for the repayment of the Bonds are adequate (in excess of 100% coverage) to secure all future payments on the Bonds and all debt having a lien superior to that of the Bonds and

(ii) the Issuer has covenanted not to issue additional Bonds having a lien superior to the Bonds owned by the (Board/Committee) without the prior written consent of the (Board/Committee), and

(iii) requiring the Issuer to issue parity bonds would cause undue stress on the financial feasibility of the project.

KEY: grants
Date of Last Change: July 9, 2012
Notice of Continuation: June 28, 2022
Authorizing, and Implemented or Interpreted Law: 35A-8-1004

R990. Workforce Services, Housing and Community Development.
R990-10. Procedures in Case of Inability to Formulate Contract for Alleviation of Impact.

As in effect on June 1, 2023

R990-10-1. Purpose.

A. The following procedures are promulgated and adopted by the Permanent Community Impact Fund Board ("Board") of the Department of Workforce Services of the State of Utah pursuant to Section 35A-8-306(4), UCA 1953 as amended.

B. In the event a project entity or a candidate ("Complainant") submits a request for determination to the Board underSection 11-13-306, UCA 1953 as amended, the Board shall hold a hearing on the questions presented. These proceedingsshall be conducted informally, in accordance with the requirements of the Utah Administrative Procedure Act ("Act"), Section 63G-4-202(1), UCA 1953 as amended, unless the Board at its discretion converts the proceeding to a formal proceeding, inaccordance with Section 63G-4-202(3) UCA 1953 as amended, if such action is deemed to be in the public interest and doesnot unfairly prejudice the rights of any party.

C. The only grounds available for relief are those set forth in Section 11-13-306, UCA 1953 as amended, or those reasonably inferred therefrom.

R990-10-2. Commencement of the Procedure Requesting a Determination.

A. Commencement of the procedure to request a determination from the Board shall be conducted in conformity withSection 63G-4-201(3).

1. A complainant requesting a determination from the Board must submit such a request:

a. In writing;

b. Signed by the person invoking the jurisdiction of the Board or by that person's representative; and

c. Including the following information:

1. The names and addresses of all parties to whom a copy of the request for a hearing is being sent;
2. The Board's file number or other reference number;
3. The name of the adjudicative proceeding, if known;
4. The date the request for the hearing was mailed;
5. A statement of the legal authority and jurisdiction under which action by the Board is requested;
6. A statement of relief sought from the Board; and
7. A statement of facts and reasons forming the basis for relief.

B. The Complainant shall file the request for a determination with the Board and at the same time, shall serve a copy of therequest upon the party complained against (the "Respondent"). The Complainant shall also mail a copy of the request to eachperson known to have a direct interest in the request for a determination by the Board.

C. The Respondent shall serve a response within fifteen (15) days after the request is served upon the Respondent. TheRespondent may admit, deny or explain the point of view of Respondent as to each allegation in the request. Not to respond toany allegation is to admit that allegation. The Respondent may pose a counteroffer to Complainant's request for relief. Anycounteroffer must be supported by reasons. Requests and responses may be directed at multiple parties.

R990-10-3. Notification of Parties.

A. The Board shall promptly give notice by mail to all parties that the hearing will be held, stating the following:

1. The Board's file number or other reference number;
2. The name of the proceedings;
3. Designate that the proceeding is to be conducted informally according to the provisions or rules enacted under Section63G-4-202 and Section 63G-4-202, UCA 1953 as amended, with citation to Section 63G-4-202 authorizing the designation;
4. State the time and place of the scheduled hearing, the purpose for which the hearing is to be held, and that a party who fails to attend or participate may be held in default; and
5. Give the name, title, mailing address and telephone number of the presiding officer for the hearing.

B. At any time twenty (20) or more days before the hearing begins, either party may serve upon the adverse party an offerto agree to specific terms and payments. If, within ten (10) days after the service of the offer, the adverse party serves writtennotice that the offer is accepted, either party may then file the offer and notice of acceptance, together with proof of servicethereof, and the Board shall enter a corresponding order. An offer not accepted shall be deemed withdrawn and evidence concerning it is not admissible except in a proceeding to determine costs. If the order finally obtained from the offeree is notmore favorable than the offer, the offeree shall pay the costs incurred after the making of the offer, including a reasonable attorney's fee. The fact that an offer is made but not accepted does not preclude a subsequent offer.

R990-10-4. Informal Hearing Procedures.

A. Within forty (40) days after receiving a request for determination, the Board shall hold a public hearing on the questions

at issue.

B. The Board may appoint an administrative law judge to preside in its stead at the hearing and to hear such preliminarymotions and manage such ancillary matters as the Board deems necessary and appropriate.

C. In the hearing, the parties named in the request for determination shall be permitted to testify, present evidence, comment on the issues and bring forth witnesses who may be examined and cross-examined. The hearing may be adjourned from timeto time in the interest of a full and fair investigation of the facts and the law.

D. Discovery is prohibited, and the Board may not issue subpoenas or other discovery orders.

E. All parties shall have access to information contained in the Board's files and to all materials and information gatheredby any investigation to the extent permitted by the law.

F. Any intervention is prohibited.

G. All hearings shall be open to all parties.

H. Within twenty (20) days after the close of the hearing, the Board or the administrative law judge shall issue a signed order in writing that states:

1. The decision;
2. The reasons for the decision;
3. A notice of any right for administrative or judicial review available to the parties; and
4. The time limits for filing a request for reconsideration or judicial review.

I. The order issued by the Board or by the administrative law judge shall be based on the facts appearing in the Board'sfiles and on the facts presented in evidence at the hearing.

J. Any determination order issued by the Board or by the administrative law judge shall specify:

1. The direct impacts, if any, or methods determining the direct impacts to be covered; and
2. The amounts, or methods of computing the amounts, of the alleviation payments, if any, or the means to provide forimpact alleviation, provisions assuring the timely completion of the facilities and the furnishing of the service, if any; and
3. Other pertinent matters.

K. A copy of the Board's or the administrative law judge's order shall be promptly sent to all parties.

L. All hearings shall be recorded at the Board's expense. Any party, at his own expense, may have a reporter approvedby the Board prepare a transcript from the Board's record of the hearing.

R990-10-5. Formal Hearing Procedures.

A. At any time prior to issuance of the final order, the Board at its discretion may convert the informal adjudicative hearinginto a formal adjudicative hearing, as allowed in Section 63G-4-202(3). The procedures to be followed in such a formal adjudicative hearing are given below.

B. The Board may appoint an administrative law judge to preside in its stead at the hearing and to hear such preliminarymotions and manage such ancillary matters as the Board deems necessary and appropriate.

C. A party may be represented by an officer or the party or by legal counsel.

D. In the hearing, the parties named in the request for determination shall be permitted to testify, present evidence, comment on the issues and bring forth witnesses who may be examined and cross-examined. The hearing may be adjourned from timeto time in the interest of a full and fair investigation of the facts and the law.

E. Utah Rules of Evidence shall be in effect; however,

1. Copies of original documents may be introduced into evidence unless objected to for reasons of illegibility or tampering.
2. Hearsay will be considered for its weight but will not be conclusive in and of itself as to any matter subject to proof.

F. Discovery in formal proceedings shall be limited. Because negotiation between the parties shall have been proceeding prior to a request for determination being submitted, the Board or the administrative law judge shall assume that discovery iscomplete when a request is submitted. However, upon motion and sufficient cause shown, the Board or the administrative lawjudge may extend the period of discovery.

G. All parties shall have access to information contained in the Board's files and to all materials and information gatheredby any investigation to the extent permitted by the law.

H. The Board or the administrative law judge may give a person not a party to the proceeding the opportunity to presentoral or written statements at the hearing.

I. All testimony presented at the hearing, if offered as evidence to be considered in reaching a decision on the merits, shallbe given under oath.

J. All hearings shall be open to all parties.

K. Intervention into the formal hearing will be allowed on the following basis:

1. Any person not a party may file a signed, written petition to intervene in a formal adjudicative hearing with the Board.The person who wishes to intervene shall mail a copy of the petition to each party. The petition shall include:

a. The Board's file number or other reference number;

b. The name of the proceeding;

c. A statement of facts demonstrating that the petitioner's legal rights or interests are substantially affected by the formal adjudicative hearing, or that the petitioner qualifies as an intervenor under any provision of law; and

d. A statement of the relief the petitioner seeks from the Board.

2. The Board or the administrative law judge shall grant a petition for intervention if it determines that:

a. The petitioner's legal interests may be substantially affected by the formal adjudicative hearing; and

b. The interests of justice and the orderly and prompt conduct of the adjudicative hearing will not be materially impaired byallowing the intervention.

3. Any order granting or denying a petition to intervene shall be in writing and sent by mail to the petitioner and each party.

4. An order permitting intervention may impose conditions on the intervenor's participation in the adjudicative hearing thatare necessary for a just, orderly, and prompt conduct of that hearing. Such conditions may be imposed by the Board or the administrative law judge at any time after the intervention.

L. Within twenty (20) days after the close of the hearing, the Board or the administrative law judge shall issue a signed order in writing that states:

1. The decision based upon findings of fact and conclusions of law;

2. The reasons for the decision;

3. A notice of any right for administrative or judicial review available to the parties; and

4. The time limits for filing a request for reconsideration or judicial review.

M. The order issued by the Board or by the administrative law judge shall be based on the facts appearing in the Board'sfiles and on the facts presented in evidence at the hearing.

N. Any determination order issued by the Board or by the administrative law judge shall specify:

1. The direct impacts, if any, or methods determining the direct impacts to be covered; and

2. The amounts, or methods of computing the amounts, of the alleviation payments, if any, or the means to provide forimpact alleviation, provisions assuring the timely completion of the facilities and the furnishing of the service, if any; and

3. Other pertinent matters.

O. A copy of the Board's or the administrative law judge's order shall be promptly sent to all parties.

P. All hearings shall be recorded at the Board's expense. Any party, at his own expense, may have a reporter approvedby the Board prepare a transcript from the Board's record of the hearing.

R990-10-6. Default.

A. The Board or the administrative law judge may enter an order of default against a party if that party fails to participate in the adjudicative proceedings.

B. The order shall include a statement of the grounds for default and shall be mailed to all parties.

C. A defaulted party may seek to have the Board set aside the default order according to procedures outlined in the UtahRules of Civil Procedure.

D. After issuing the order of default, the Board or the administrative law judge shall conduct any further proceedings necessary to complete the adjudicative proceeding without the participation of the party in default and shall determine all issues in the adjudicative proceeding, including those affecting the defaulted party.

R990-10-7. Reconsideration by the Board.

Within ten (10) days after the date that a final order is issued by the Board or the administrative law judge, any party mayfile a written request for reconsideration in accordance with the provisions of Section 63G-4-302, UCA 1953 as amended. Upon receipt of the request, the disposition by the Board of that written request shall be in accordance with Section 63G-4-302(3), UCA 1953 as amended. With the exception of reconsideration, all orders issued by the Board or the administrative law judgeshall be final. There shall be no other review except for judicial review as provided below.

R990-10-8. Judicial Review.

An aggrieved party may also obtain judicial review of final orders issued by the Board or by the administrative law judge byfiling a petition for judicial review of that order in compliance with the provisions and requirements of Section 63G-4-401 andSection 63G-4-402, UCA 1953 as amended.

KEY: impacted area programs
Date of Last Change: July 9, 2012
Notice of Continuation: June 28, 2022
Authorizing, and Implemented or Interpreted Law: 35A-8-306; 35A-8-1004

POLICY GUIDELINES

The following Funding Guidelines were formally adopted by the Permanent Community Impact Fund Board on July 6, 2025 These Funding Guidelines supersede all prior versions.

BACKGROUND

Whereas Utah Code Ann. § 35A-8-305(b) states that the Permanent Community Impact Fund Board (PCIFB or Board) shall "establish the criteria by which the loans and grants will be made;"

Whereas § 35A-8-301 states the legislative intent is to make these funds available for "planning, construction and maintenance of public facilities, and provision of public service" (1), and "Priority for the use of the funds described in Subsection (1) shall be given to those communities designated as impacted by the development of natural resources covered by the Mineral Leasing Act." (3)

Whereas § 35A-8-307(a)(i) states that the board shall "administer the impact fund in a manner that will keep a portion of the impact fund revolving" and (iii) shall "establish criteria for determining eligibility for assistance under this part."

APPLICANTS

Applicants must complete and submit applications to PCIFB staff before the established deadline. All statements provided by the applicant in an application must be factual. Any misleading statements will be grounds for summary rejection of the application. Applications submitted with limited understanding or oversight by the entity's presiding official (e.g., the mayor in cities or towns; county commissioners in counties) will be grounds for summary rejection of an application.

Projects where the majority of residences benefited are not primary residences (e.g., second homes, short-term rentals, vacation homes), or do not primarily benefit full-time residents (those who live there more than 50% of the year), will be grounds for the summary rejection of the application.

Applicants may request their desired loan / grant mix and loan repayment terms. The funding request will be entered in the CIB funding tool which was established to provide funding consistency but ultimately the application will be reviewed by the PCIFB board in project review meetings as outlined. *Note: Applicants must have a noticed public hearing to thoroughly inform the public concerning the size, scope, nature and potential financial impact of any project and must provide evidence of that public forum through complete and detailed documentation prior to being placed on a Board agenda.*

FUNDING PACKAGE CRITERIA

The criteria outlined in this section in no way replaces or subverts project eligibility decision criteria outlined in UCA § 35A-8-307.

It is the intent of the Board to allocate available funding through a methodology wherein similar applicants and projects are reviewed within guidelines defined in statute and noted in policy. This methodology is implemented through a funding package tool, which provides a suggested range of loan/grant mix and interest rate.

Staff will provide this potential funding range to the applicant prior to project review by the Board. Two macro criteria will be used to determine the funding package: 1) applicant and 2) project.
The current factors include: Mineral Production ***up to*** 32 points; Percentage of Public Lands ***up to*** 30 points; Population ***up to*** 8 points; Current Taxes ***up to*** 5 points; Project Type ***up to*** 12 points and Other Funding ***up to*** 10 points = 100 possible points.

EXEMPTIONS

To help maintain consistency, the intent with an exemption is to provide structured rationale of any variance to the established funding package criteria. Exemptions allow for proposed loan amount and terms outside of the calculated ranges and, as required, accelerated funding (suspend and fund). These exemptions are the framework that the board expresses when proposing funding packages outside the ranges.

FINANCIAL HARDSHIP The Board must determine that there is sufficient evidence that the proposed project is essential for the preservation of community health, safety, and welfare AND the potential costs to finance under the proposed terms exceeds the applicant's discretionary budget.

SPECIAL CIRCUMSTANCE: The Board must determine that there is evidence that the applicant's current abnormal circumstances warrant a suspension of usual criteria.

EMERGENCY RESPONSE / MITIGATION: The Board must determine that there is sufficient evidence of a natural disaster, declaration of emergency, or an unforeseen and immediate, pressing threat to community health, safety, and welfare.

UNIQUE PROJECT: The Board must determine that the proposed project is significantly unique when compared with a reasonably typical application of that type, necessary for the health, safety, and welfare of the community, and requires an alternate funding package to ensure its completion.

SPECIAL CIRCUMSTANCE: The Board must determine that there is evidence that the applicant's current abnormal circumstances warrant a suspension of usual criteria.

ADMINISTRATIVE: The Board may invoke an administrative exemption if required to administer funds consistent with sound financial practices, resulting in the greatest use of financial resources for the greatest number of citizens of the state.

E2 CIB PROGRAM ~ PUBLIC ED, SECONDARY WATER, SOLID WASTE PROJECTS

The following Funding Guidelines were formally adopted by the Permanent Community Impact Fund Board on February 4, 2021. These Funding Guidelines supersede all prior versions.

PUBLIC EDUCATION *(School Districts)*

PROJECT ELIGIBILITY

Section 9-4-307(1)(d) UCA prohibits the CIB from funding any education project that could otherwise have reasonably been funded by a school district through a program of annual budgeting, capital budgeting, bondedindebtedness, or special assignments.

NOMINALLY PRODUCING/MARGINALLY IMPACTED AREAS

The CIB has adopted guidelines for determining the amount and type of financial assistance to be offered to applicants from areas which produce nominal amounts of mineral lease funds or are marginally impacted (directly or indirectly) by production of mineral resources on federal lands within the state of Utah.

NON-CULINARY WATER PROJECTS

The CIB will not participate in the financing of non-culinary water projects where the primary beneficiaries are individuals, for profit corporations, associations, private non-profit organizations, stock companies, or other entities not specifically defined as eligible applicants.

The CIB may determine to participate in non-culinary water projects where an eligible applicant can demonstrate that the facilities or services provided would be available to or significantly benefit the general public and that the proposed funding assistance is not merely a device to pass along low interest governmentfinancing to the private sector.

Examples

YES: Construction of a pressurized secondary irrigation system owned by an eligible entity to reducedemands on treated culinary water

NO: Construction of dam and reservoir to provide irrigation water to agricultural or industrial users.
Lining canals to prevent water loss to agricultural or industrial users.

SOLID WASTE DISPOSAL PROJECTS

On January 6, 1994, the Permanent Community Impact Fund Board (CIB) voted to lift its moratorium on accepting applications for funding assistance on solid waste disposal projects. However, certain policy guidelines were adopted to define the scope and nature of CIB participation in the range of solid waste disposal projects.

- ***Solid Waste Planning Projects***

Included are feasibility studies, environmental and sitting studies, development plans, etc. Funding for approved applications will be provided on a 50/50 cash matching basis, with a $25,000 ceiling on CIB participation. Applicants are encouraged to take a regional or countywide approach to solid waste planning activities. Development of specific plans should be coordinated with the Utah Division of Solid and HazardousWaste (DSHW) to ensure compliance with DSHW regulations.

- ***Solid Waste Disposal Projects***

Included are upgrading of existing facilities and the development of new facilities. Funding for approved applications will be provided via an interest-bearing loan. The amount and length of the loan will be determined on a case-by-case basis. Applicants are encouraged to take a regional or countywide approach to the development of solid waste disposal facilities. Applicants will be required to establish and fund an invested replacement account as a condition to receiving a loan. Funding of approved applications will be contingent upon the project sponsor receiving the necessary permits from DSHW. https://deq.utah.gov/division-waste-management-radiation-control

- ***Closure of Existing Landfills***

Included is the closure of existing landfills to meet U.S. Environmental Protection Agency Regulations.

Funding for approved applications will be provided via an interest-bearing loan. The amount and length of the loan will be determined on a case-by-case basis. Funding of approved applications will be contingent upon theproject sponsor receiving the necessary permits from DSHW.

E3 CIB PROGRAM ~ PUBLIC POST SECONDARY INSTITUTION PROJECTS

PERMANENT COMMUNITY IMPACT FUND BOARD GUIDELINES
FOR PUBLIC POSTSECONDARY INSTITUTIONS
INCLUDING APPLIED TECHNOLOGY COLLEGES
(Revised 8/5/12)

Eligibility

The Permanent Community Impact Fund Board (CIB) may provide financial assistance to public postsecondaryinstitutions in Utah, which includes all state supported public universities, colleges, community colleges and applied technology colleges. Private institutions are not eligible for CIB assistance.

Applications relating to public postsecondary institutions will fall into two categories, capital projects and publicservices. The details of the two categories and associated requirements are given below.

Capital Projects

This category includes: a) buildings; b) equipment and systems; and c) planning or design related to item a or b. Applications for public facilities shall be submitted by the institutions in their own names. Applications will not be accepted which are submitted by a sub agency of the institution.

A. Buildings should be funded through the existing budgetary processes available to public postsecondary institutions. Application to CIB is not an alternative to circumvent review and approval by the State Board of Regents, the Utah College of Applied Technology's Board of Trustees, the StateBuilding Board, the Governor or the Legislature. The CIB will only consider applications for buildings when extraordinary circumstances indicate CIB participation is appropriate.

B. Equipment and systems will be only considered by CIB when no other regular funding source is available. This type of application should increase the quality and accessibility of educational opportunities available in areas of the state, which are or may be socially or economically impacted,directly or indirectly, by mineral resource development.

C. Planning or design applications relating to actual building or equipment/systems projects will carry the same requirements as those building or equipment/systems applications. Applicants are advised that planning requests require a fifty percent (50%) cash contribution by the applicant.

Pre-submission Requirements for Capital Projects

In addition to CIB's standard requirements, applicants seeking financial assistance for higher education capital projects must meet the following requirements:

A) Local Community Support - All applications must contain evidence that interested and effected parties in the local community support the project. This will include letters of support from local governments and community-based organizations, public opinion polls, etc. Applications shall indicate if the proposed project is in conformity with local development plans and ordinances.

B) Coordination between Institutions - Where more than one institution is designated to serve within the same geographic area, i.e. community college/university, the application will be jointly submitted from both institutions to assure proper planning within the Higher Education System regarding the useof CIB Funds. The co-location and sharing of facilities and resources between institutions is strongly encouraged.

C) State Board of Regents Capital Planning - **All applications must include a letter from the State Board of Regents assuring the proposed project fits with the scope of State Board of Regents' projects.**

D) Utah College of Applied Technology's Board of Trustees Capital Planning - **All applications must include a letter from the UCAT Board of Trustees assuring the proposed project fits with the scope of UCAT Board of Trustees' projects.**

Public Service Projects - PUBLIC POSTSECONDARY INSTITUTIONS
Section 9-4-305(4)(a) UCA, states CIB will consider the provision of public services to include contracts funded through public postsecondary institutions for research, education, or public service programs.

These projects should be of direct benefit to impacted counties or their political subdivisions. Applications to CIB for these types of projects shall be submitted from an impacted county and approved by the county legislative body.

General land use plans developed by a public postsecondary institution for an impacted county or its political subdivisions are considered to be a public service program.

Applications for studies and research projects should be for practical or applied research directed to immediate accomplishment of traditional governmental services.

Applicants are advised that public service project or program requests relating to public postsecondary institutions require **a twenty percent (20%) cash contribution by the applicant.**

Applicants are advised that for public service project or program requests relating to public postsecondary institutions CIB and the State Board of Regents have agreed to a ten percent (10%) cap on indirect costs. A waiver of the allowed ten percent (10%) indirect costs by the public postsecondary institution may not be counted towards the required twenty percent (20%) cash contribution by the applicant.

CIB Application List Requirement
The CIB's administrative rules require that all project applications be identified on a "CIB Application List" submitted annually from each county. Projects not identified on a county's list will not be funded by CIB, unless they are a bona fide public safety or health emergency *or other compelling reason?*

The list should contain the following items: jurisdiction, summary description, project time frame, anticipated time of submission to CIB, projected overall cost of project, anticipated funding sources.

Capital Project Applications shall be submitted by the public postsecondary institution in its own name as a state agency. These applications will be identified on the CIB Application List submitted by HCD.

Public Service Project Applications will be submitted by an impacted county. These applications will be identified on the CIB Application List submitted by that county.

SUMMARY AND FORMS

WORKFORCE SERVICES
HOUSING & COMMUNITY DEVELOPMENT

PERMANENT COMMUNITY IMPACT FUND

GRANT & LOAN PROGRAM SUMMARY

(Revised September 2025)

I. OVERVIEW

The Permanent Community Impact Fund Board (CIB) is a program of the state of Utah which provides loans and/or grants to state agencies and subdivisions of the state which are or may be socially or economically impacted, directly or indirectly, by mineral resource development on federal lands. The source of funding through CIB is the mineral lease royalties returned to the state by the federal government. The CIB will consider only those applications submitted by an eligible applicant for an eligible project.

Applicant Eligibility

Utah state statute defines a "subdivision of the state" as being any of the following: counties, cities, towns, school districts, building authorities, special service districts, water conservancy districts, county service areas, special improvement districts, water or sewer improvement districts, and public postsecondary institutions.

Not eligible for financing from the CIB: Indian Tribes, individuals, corporations, associations, private and non-profit organizations.

Project Eligibility

Utah state statute authorizes the CIB to fund the following types of activities: planning, construction and maintenance of public facilities, and provision of public services.

The CIB's administrative rules further define "public facilities and services" to mean public infrastructure traditionally provided by governmental entities.

All applicants must demonstrate that the facilities or services provided will be available and open to the general public and that the proposed funding assistance is not merely a device to pass along low interest government financing to the private sector. *The applicant must clearly define the public purpose of the project. The project may not be solely economic development, but may have a positive effect on the entity's fiscal health.* Nothing in the statutory language precludes the CIB from considering the effect of a proposed project on "economic development" or "job creation" as long as the proposed project can be determined to fall within one of the three eligible categories.

Funding Guidelines

- **Planning and study** requests require a fifty percent **cash** contribution from the applicant.
- Funding requests for municipal planning and studies under $50,000 are reviewed and authorized for funding by the Utah Community Development Office staff on an expedited basis. Planning Grant applications must include or subsequently provide all necessary documentation within the submittal trimester or the application will be denied and a new application must then be submitted. Contact hpoulsen@utah.gov or cpowers@utah.gov.
- In-kind funds must have a demonstrable value, such as real property.
- Projects deemed more essential to the health, safety, and welfare of a community will be considered to receive better funding terms, including a greater proportion of grant in the funding package.
- The estimated longevity of the project and loan financing will not extend past the useful life of the project.
- Revenue sources have inherent restrictions. B&C road revenues cannot be pledged in excess of 10 years and mineral lease revenues cannot exceed 15 years.
- *Applicants will provide evidence and arguments to the Board as to how the proposed funding assistance provides for planning, the construction and maintenance of public facilities or the provision of public services*
- The CIB Application should identify how the project alleviates impacts on ***public infrastructure, public finance, federal land, employment and safety.***
- The applicant is to follow State Procurement Standards.

II. FUNDING PROCESS

Funding Cycles

The CIB reviews applications and authorizes funding assistance on a Trimester basis during the state fiscal year (July 1st – June 30th).

Construction & Equipment Applications:

Trimester	Application Deadline	Review Meetings	Funding Meetings
First	June 1	July, August, September	October
Second	October 1	November, December, January	February
Third	February 1	March, April, May	June

Planning Application/Funding Cycle for Planning Grants < $50,000

Trimester	Application Deadline	Review	Potential Funding
First	June 1	June/July	July/August
Second	October 1	October/November	November/December
Third	February 1	February/March	March/April

Application Submission

- *The AOG verifies a reasonable Capital Asset Self-Inventory (CASI) provided by the applicant or equivalent* ***prior*** *to inclusion on the County's CIB application list.* ***(*CASI has been required since FY2023)***
- New applications must be received by the CIB's staff prior to close of business on the applicable deadline. (June 1, February 1, October 1 by 5:00 pm)
- New applications will be submitted on the most current application form.
- The CIB's staff will review all new applications for completeness. Incomplete applications will not be placed on an agenda for Board consideration.
- Applications from ineligible applicants or applications for ineligible projects will not be reviewed by the CIB's staff and the applicant will be notified of the ineligibility.
- Complete applications accepted for processing will be placed on one of the Trimester's upcoming Project Review Meeting agendas for Board review.
- Through the defined analysis of an applicant, a minimum and maximum allowed loan interest rate will be determined. The potential interest rate for all applicants starts at the PCIFB benchmark rate (currently 2.5%)
- Whereas § 35A-8-301(2) states that use of PCIFB financial resources have "priority given to those communities designated as impacted," criteria based on production is used as a proxy for impact. Production will be measured at the county level and applied to all applicants within the county borders. For applicants whose project crosses county borders, an average of applicable county production weighted by jurisdictional emphasis will be used.
- Applicant should reference mineral revenue development impacts that affect public infrastructure, public finance, federal land, employment or safety and how this project may ease the burden.

Project Review Meetings

Applicants and their representatives shall be informed when their project is on a CIB Project Review Agenda to be discussed. Applicants shall make formal presentations to the CIB and respond to the CIB's questions. If an applicant or a representative of the entity is not present to make a presentation, the Board may: a) deny the application; or b) place the application on the Pending List for consideration at a future Project Review Meeting.

At a Project Review Meeting the CIB may:

- **Deny** the application as submitted;
- Place the application on the "**Pending List"** for consideration at a future meeting to accommodate Board recommendations. Through additional review, options analysis and funding coordination by the applicant and the CIB's staff, the project may then be placed on a meeting agenda. *(Applications placed on the pending list may remain on the pending list for a maximum of 6 months after which a new application will be required for consideration.)*
- Place the application on the "**Prioritization List**" for final approval at the next Project Funding Meeting. Applicants and their representatives shall be informed when their project is on a CIB Project Review Agenda to be discussed. At the review meeting, applicants make formal presentations to the CIB and respond to the CIB's questions. If an applicant or a representative of the entity is not present to make a presentation, the application may be held until a presentation can be made at a subsequent review

meeting. *Projects placed on the "Prioritization List" represent projects thoroughly discussed at a review meeting and the terms of the funding package have been established for authorization at a funding meeting.*
No funds shall be committed by the CIB at Project Review Meetings, with the exception of bona fide public health or safety emergencies or for other compelling reasons.

Project Funding Meetings

- At a Project Funding Meeting the CIB may:

- **Deny** the application as submitted;
- Place the application on the "**Pending List**" for consideration at a future meeting after additional review, options analysis and funding coordination by the applicant and the CIB's staff – *(a project may stay on the pending list for up to 6 months after which a new application will be required);*
- **Authorize funding** for applications in the amount and terms as determined by the CIB at the review meeting.

Requests for Special Consideration
In instances of bona fide public safety or health emergencies or for other compelling reasons, the CIB may suspend its rules and procedures and accept, process, review and authorize funding of an application on an expedited basis.

III. PRE-SUBMISSION REQUIREMENTS

CIB Application List – (*CASI is verified by the AOG to be listed)
A consolidated list of the anticipated capital priorities for eligible entities compiled by the applicable AOG will be submitted from each county area. This list shall be produced as a cooperative venture of all the eligible entities within each county area. The annual lists are submitted in the uniform format required by the Board and shall contain the jurisdiction, summary description, project time frame, anticipated time of submission to the CIB, projected overall cost of project, anticipated funding sources, the individual applicants' priority for their own projects, and the county area priority for each project. *CIB Application Lists should encourage regional coordination of amenities.*

A project spanning multiple AOG's shall require full review from all associated AOG's and included on each associated county's consolidated CIB Application List.)The list *submitted to CIB* will contain shovel ready, short term planned projects anticipated to commence within one year. A medium term (two - five year) list should be compiled and held by the AOG.

Projects to be considered for funding are required to be listed on the current one-year list as submitted May 1st prior to the new fiscal year. Projects not identified on a county's or HCD's one-year list (submitted by the AOG *no later than May 1* for the subsequent fiscal year) will not be considered for funding by the CIB. *The CIB Application List cannot be amended (as stated in Rule R990-8-5). If an unforeseen issue occurs and addresses a bona fide public safety or health emergency or other compelling reason, an eligible entity may make application under "Special Consideration' (R990-8-5 J).*

Public Hearing Required

The CIB requires all applicants to have a vigorous public participation effort through a formally noticed public hearing to solicit comment concerning the size, scope and nature of any funding request to be submitted to the CIB *prior to review by the Board.* A complete and detailed scope of work shall be given to the public and it's financing and be documented in the minutes. The information shall include the financial impact to the public as user fees, special assessments, or property taxes. (*The Board has adopted a funding matrix tool to assist reasonable consistency in regard to grant/loan award.)* The CIB may require further public hearings if it determines the applicant did not adequately disclose to the public clarity of the project and the possible financial impact of the financial assistance.

Association of Governments Notification – Eligible Counties Listed

All applicants are to submit a copy of the application for CIB funding assistance to the applicable Association of Governments (AOG). It is further encouraged to submit to the AOG *two weeks prior to CIB application deadline so the AOG may provide to the CIB, the required AOG review.*
The member counties for the various AOG's are:

County	Association of Governments
Box Elder, Cache, Rich	Bear River AOG, 170 N. Main, Logan, UT 84321. 435-752-7242
Beaver, Garfield, Iron, Kane, Washington	Five County AOG, 1070 W. 1600 S., Bldg. B, St. George, UT (mailing: P.O. Box 1550, St. George, UT 84771-1550). 435-673-3548 ext. 126 or 105

Summit, Wasatch	Mountainland AOG, 586 East 800 North, Orem, UT 84097-4146. 801-229-3800
Juab, Millard, Piute, Sanpete, Sevier, Wayne	R6 Regional Council, 82 E 600 N, Richfield, UT 84701. (435) 893-0700
Carbon, Emery, Grand, San Juan	SERDA South Eastern Regional Development Agency, 252 South Fairgrounds Road, Price, Utah 8450 435-637-5444.
Daggett, Duchesne, Uintah	Uintah Basin AOG, 330 East 100 South, Roosevelt, UT 84066. 435-722-4518.
Morgan, Tooele	Wasatch Front Regional Council, 41 North Rio Grande Street~Suite 103, Salt Lake City, UT 84101 801-363-4250.

State Historic Preservation Office Notification

Pursuant to Utah Code Annotated 9-8-404, the CIB must consult with the State Historic Preservation Office by providing information concerning project y has requested that the CIB provide information concerning project applications affecting buildings and structures 50 years old or older, and/or impacts of ground to be disturbed. The applicant shall submit a copy of any proposed application to the State History Preservation Office (SHPO) for review and comment and information regarding the effect of the proposed project on any district, site, building, or structure that is included in or eligible for inclusion in the National Register of Historic Places. A copy of any comments made by the SHPO will be included in the application file. Please provide maps, photos or other items to identify property associated with the project. The SHPO may be contacted at the following address: Chris Hansen, Historic Buildings Reviewer, clhansen@utah.gov, and Ryan McGrath, Archeaology Reviewer, rmcgrath@utah.gov, State Historic Preservation Office.

Affordable Housing Plan Statement

In 1998 the State Legislature established a requirement that each municipality and county in Utah develop and adopt a plan for meeting the housing needs of moderate-income persons. *The general plan of a specified municipality, as defined in Section 10-9a-408, shall include a moderate income housing element that meets the requirements of Subsection 10-9a-403(2)(a)(iii) 10-9a-401 UCA (municipalities) and Section 17-27a-408 UCA (counties).* All applicants are requested to submit a brief description of their efforts to CIB to meet the moderate-income housing planning requirements. (Do not send CIB the whole plan). Additional information regarding these plans may be obtained from: Housing and Community Development Division, 140 East Broadway ~ 1st Floor ~ Salt Lake City Utah 84111, 385-249-4808
Planning: https://jobs.utah.gov/housing/affordable/moderate/index.html
Moderate Income Housing Report page: https://jobs.utah.gov/housing/affordable/moderate/reporting

Water & Sewer Applications - Department of Environmental Quality Review

The CIB and the Utah Department of Environmental Quality (DEQ) have entered into an agreement by which DEQ staff act as technical advisors to the CIB on drinking water and waste water projects. All applicants for proposed drinking water and waste water projects must provide sufficient technical information to DEQ to permit detailed technical review of the project. The CIB will not act on any drinking water or waste water project applications unless such a review is received from DEQ. Please refer to the Drinking Water & Waste Water Project Supplement to the application.

Drinking Water Applications	Waste Water Applications
Heather Pattee Division of Drinking Water 195 North 1950 West Salt Lake City, Utah 84114 (385) 515-1498 hpattee@utah.gov	Skyler Davies Division of Water Quality 195 North 1950 West Salt Lake City, Utah 84114 (801) 536-4359 sdavies@utah.gov

AGENCY CONTACTS

Permanent Community Impact Fund 140 East 300 South ~ 1st Floor
Salt Lake City, Utah 84111 Office: 385-341-0199
cib@utah.gov

Web Site

https://jobs.utah.gov/housing/community/cib/index.html
cib@utah.gov

HCD / CIB Staff

Candace Powers
Fund Manager
385-341-0199
cpowers@utah.gov

Heather Poulsen
Program Specialist
435-660-1382
hpoulsen@utah.gov

Community Development & Revitalization Office

Paul Moberly
Manager
607-339-8259
moberpaul@utah.gov

Michael Mowes
Community Development
Specialist
803-795-6123
mmowes@utah.gov

The following 'Funding Guidelines' were adopted by the Permanent Community Impact Fund Board on November 5, 2020 with annual updates. These Funding Guidelines are as constituted June 2025.

CIB FUNDING TOOL & CRITERIA CONSIDERATION

- *The intent of the Board is to seek consistency in the allocation of funding with consideration given to mineral lease impacts to the entity.*
- The Board establishes a benchmark interest rate.
- The maximum term on CIB loan funding is 30 years; term depends on the pledged revenue.
- The factors considered in the minimum/maximum funding allocation include but are not limited to production, public lands, population, current taxes, project type, water/sewer rates as % of MAGI and outside funding.
- Exemptions to the established criteria include financial hardship, emergency response, unique project and defined special circumstances.
- All other statutory and programmatic requirements of the CIB will apply.

PROCUREMENT POLICY

*Funded entities should follow the State of Utah Procurement Code **63G-6a-101** which indicates processes used for the procurement, acquisition of supplies, services or construction.*

- The Board strongly recommends the use of State Purchasing for projects over **$1,000,000** to solicit at least 3 bids**.** *https://purchasing.utah.gov/for-agencies/*

NON-CULINARY WATER PROJECTS

The CIB will not participate in the financing of non-culinary water projects where the primary beneficiaries are individuals, for profit corporations, associations, private non-profit organizations, stock companies, or other entities not specifically defined as eligible applicants.

The CIB may determine to participate in non-culinary water projects where an eligible applicant can demonstrate that the facilities or services provided would be available to or significantly benefit the general public and that the proposed funding assistance is not merely a device to pass along low interest government financing to the private sector.

Examples

YES: Construction of a pressurized secondary irrigation system within a town to reduce demands on treated culinary water.

NO: Construction of dam and reservoir to provide irrigation water to agricultural or industrial users or lining of canals to prevent water loss to agricultural or industrial users.

ROAD AND STREET PROJECTS

Street and Road addendum must be completed and submitted to the CIB with all road applications.

SOLID WASTE DISPOSAL PROJECTS

On January 6, 1994, the Permanent Community Impact Fund Board (CIB) voted to lift its moratorium on accepting applications for funding assistance on solid waste disposal projects. However, certain policy guidelines were adopted to define the scope and nature of CIB participation in the range of solid waste disposal projects.

- Solid Waste Planning Projects

Included are feasibility studies, environmental and sitting studies, development plans, etc. Funding for approved solid waste planning applications will be provided on a 50/50 cash matching basis, with a $25,000 ceiling on CIB participation. Applicants are encouraged to take a regional or countywide approach to solid waste planning activities. Development of specific plans should be coordinated with the Utah Department of Environmental Quality; Division of Solid and Hazardous Waste (DSHW) to ensure compliance with DSHW regulations.

- Solid Waste Disposal Projects

Included are upgrading of existing facilities and the development of new facilities. Funding for approved solid waste disposal project applications will be provided via an **interest-bearing loan**. The amount and length of the loan will be determined on a case-by-case basis. The interest rate must be at least one-half (½) of the most recent interest rate charged on state issued general obligation bonds. Applicants are encouraged to take a regional or countywide approach to the development of solid waste disposal facilities. Applicants will be required to establish and fund an invested replacement account as a condition to receiving a loan. Funding of approved applications will be contingent upon the project sponsor receiving the necessary permits from the Division of Solid and Hazardous Waste (DSHW).

- Closure of Existing Landfills

Included is the closure of existing landfills to meet U.S. Environmental Protection Agency Regulations. Funding for approved applications will be provided via an interest-bearing loan. The amount and length of the loan will be determined on a case-by-case basis. However, the interest rate must be at least one-half (½) of the most recent interest rate charged on state issued general obligation bonds. Funding of approved applications will be contingent upon the project sponsor receiving the necessary permits from DSHW.

- ***PUBLIC EDUCATION (School Districts) PROJECT ELIGIBILITY***

Section 35A-8-307(1)(d) UCA prohibits the CIB from funding any education project that could otherwise have reasonably been funded by a school district through a program of annual budgeting, capital budgeting, bonded indebtedness, or special assignments.

- ***GUIDELINES FOR PUBLIC POSTSECONDARY INSTITUTIONS INCLUDING APPLIED TECHNOLOGY COLLEGES (Revised 3/1/2019)***

Eligibility

The Permanent Community Impact Fund Board (CIB) may provide financial assistance to public postsecondary institutions in Utah, which includes all state supported public universities, colleges, community colleges and applied technology colleges. Private institutions are not eligible for CIB assistance. Applications relating to public postsecondary institutions will fall into two categories, capital projects and public services. The details of the two categories and associated requirements are given below.

Capital Projects

This category includes: a) buildings; b) equipment and systems; and c) planning or design related to buildings or systems.

Note: Applications for municipal planning and studies under $50k shall be reviewed for funding by CIB Staff. Applications shall be submitted according to the deadlines established for all projects, but funding may be expedited . Incomplete small planning grant applications expire at the end trimester.

Applications for public facilities shall be submitted by the institutions in their own names. Applications will not be accepted which are submitted by a sub agency of the institution.

A. Buildings should be funded through the existing budgetary processes available to public postsecondary institutions. Application to CIB is not an alternative to circumvent review and approval by the State Board of Regents, the Utah College of Applied Technology's Board of Trustees, the State Building Board, the Governor or the Legislature. The CIB will only consider applications for buildings when extraordinary circumstances indicate CIB participation is appropriate.

B. Equipment and systems will be only considered by CIB when no other regular funding source is available. This type of application should increase the quality and accessibility of educational opportunities available in areas of the state, which are or may be socially or economically impacted, directly or indirectly, by mineral resource development.

C. Planning or design applications relating to actual building or equipment/systems projects will carry the same requirements as those building or equipment/systems applications. Applicants are advised that planning or design requests require a fifty percent (50%) cash contribution by the applicant.

Pre-submission Requirements for Public Post Secondary Institutions and Applied Technology Colleges ~ Capital Projects. In addition to CIB's standard requirements, applicants seeking financial assistance for higher education capital projects must meet the following requirements:

A) Local Community Support - All applications must contain evidence that interested and effected parties in the local community support the project. This will include letters of support from local governments and community-based organizations, public opinion polls, etc. Applications shall indicate if the proposed project is in conformity with local development plans and ordinances.

B) Coordination between Institutions - Where more than one institution is designated to serve within the same geographic area, i.e. community college/university, the application will be jointly submitted from both institutions to assure proper planning within the Higher Education System regarding the use of CIB Funds. The co-location and sharing of facilities and resources between institutions is strongly encouraged.

C) State Board of Regents Capital Planning - All applications must include a letter from the State Board of Regents assuring the proposed project fits with the scope of State Board of Regents' projects.

D) Utah College of Applied Technology's Board of Trustees Capital Planning - All applications must include a letter from the UCAT Board of Trustees assuring the proposed project fits with the scope of UCAT Board of Trustees' projects.

Public Service Projects

Section 35A-8-305(4)(a) UCA, states CIB will consider the provision of public services to include contracts funded through public postsecondary institutions for research, education, or public service programs. These projects should be of direct benefit to impacted counties or their political subdivisions. Applications to CIB for these types of projects shall be submitted from an impacted county and approved by the county legislative body.

- General land use plans developed by a public postsecondary institution for an impacted county or its political subdivisions are considered to be a public service program.

- Applications for studies and research projects should be for practical or applied research directed to immediate accomplishment of traditional governmental services.

- Applicants are advised that public service project or program requests relating to public postsecondary institutions require a twenty percent (20%) cash contribution by the applicant.

Applicants are advised that for public service project or program requests relating to public postsecondary institutions, CIB and the State Board of Regents have agreed to a ten percent (10%) cap on indirect costs. A waiver of the allowed ten percent (10%) indirect costs by the public postsecondary institution may not be counted towards the *required twenty percent (20%) cash contribution by the applicant.*

CIB APPLICATION LIST REQUIREMENT

The CIB's administrative rules require that all project applications be identified on a "CIB Application List" submitted annually from each county. Projects not identified on a county's list will not be funded by CIB, unless they are a bona fide public safety or health emergency or other compelling reason.

Education Capital Project Applications shall be submitted by the public postsecondary institution in its own name as a state agency.

SUPPLEMENTAL FUNDING

If the bids for a previously funded project exceed available funding, the entity may present a request for supplemental funding for the project. Supplemental funding requires Board approval and if approved, the funding may be authorized in the same terms as original funding.

Contact CIB Staff.

USE OF FUNDS ~ MISCELLANEOUS

The Permanent Community Impact Fund Board (CIB) allocates funding in specificity according to the applicant's request and scope of work. Funding is allocated for that scope of work. Reimbursements shall be for expenses within the scope of work. When the applicant has completed the contracted scope of work:

- *CIB funding recipients will submit an email verification of completion for all projects* in a reasonable time or an explanation of delay.*
- *When project funding has received no activity for 6 months, the recipient may be notified. Project funding may be recaptured.*

Remaining loan/grant funds are deemed to be grant funds (loan funding is allocated to the project first) and grant funds are recaptured into the Mineral Lease account. Interest accrued on combination grant/loan funds is recaptured into the mineral lease account. If the project was funded with 100% loan, the remaining funds may be allocated to the end of the loan.

**All projects must proceed within a reasonable time. Funding recipients shall notify the CIB staff when project may be delayed or deferred.*

PERMANENT COMMUNITY IMPACT FUND

NEW APPLICATION

Revised September 2023

PERMANENT COMMUNITY IMPACT FUND
140 East 300 South ~ 1st Floor
SALT LAKE CITY, UTAH 84111
O: 435-660-1382

EMAIL COMPLETE APPLICATIONS TO:
CIB@UTAH.GOV

WORKFORCE SERVICES
HOUSING & COMMUNITY DEVELOPMENT

APPLICATION DEADLINES
JUNE 1; OCTOBER 1; FEBRUARY 1; (5:00 PM)

PERMANENT COMMUNITY IMPACT FUND BOARD APPLICATION

PART A. GENERAL INFORMATION *(PLEASE USE THE TAB KEY)*

PROJECT TITLE:

PROJECT LOCATION:

POPULATION:

APPLICANT ATTENDED TUTORIAL: Y ☐ N ☐

APPLICATION PROVIDED TO SHPO: Y ☐ N ☐ N/A ☐

APPLICANT AGENCY:

NAME:

FEDERAL TAX ID NUMBER:

ADDRESS:

CITY: COUNTY: ZIP:

CONTACT NAME:
Must be with the applicant agency and registered in webgrants

PHONE: EMAIL:

CELL:

PRESIDING OFFICIAL // NAME:
This person shall sign application

TITLE:

PHONE: EMAIL:

CLERK / RECORDER // NAME: PHONE: EMAIL:

APPLICANT SUPPORT:

ENGINEER / ARCHITECT // NAME: COMPANY:

MAILING ADDRESS: PHONE: EMAIL:

CITY: STATE: ZIP: CELL:

BOND COUNSEL // NAME: COMPANY:

MAILING ADDRESS: PHONE: EMAIL:

CITY: STATE: ZIP: CELL:

FINANCIAL CONSULTANT // NAME: COMPANY:
(OPTIONAL)

MAILING ADDRESS: PHONE: EMAIL:

CITY: STATE: ZIP: CELL:

PART B. PROPOSED FUNDING

Note: The CIB may limit its total participation in any given project to a maximum of $5,000,000.

TOTAL CIB FUNDS REQUESTED *One Lump Sum - Round to the nearest $1000*	APPLICANT'S GRANT/LOAN PACKAGE REQUEST
$ total request to CIB	**Grant $ amount** **Loan $ amount @** **% for** **Years**

SECURITY FOR LOAN	SOURCE/LESSEE
GENERAL OBLIGATION BOND	
REVENUE BOND	
BUILDING AUTHORITY LEASE REVENUE BOND	
CLASS B & C ROAD FUND REVENUE BOND	
MINERAL LEASE REVENUE	
OTHER (SPECIFY):	

TOTAL PROJECT FUNDING	SPECIFY	AMOUNT
APPLICANT CASH		
APPLICANT IN-KIND**		
OTHER LOCAL CASH		
OTHER LOCAL IN-KIND**		
FEDERAL GRANT		
FEDERAL LOAN		
STATE GRANT (DDW, DWQ, - NOT CIB)		
STATE LOAN (DDW, DWQ, - NOT CIB)		
TOTAL REQUESTED **CIB** FUNDS		
TOTAL PROJECT COST *MUST MATCH PROJECT TOTAL (PG. 3)*	*PLEASE NOTE THIS WILL AUTOMATICALLY TOTAL THE ABOVE NUMBERS. PLEASE DO NOT OVERIDE.*	$0

ADDITIONAL INFORMATION AND QUESTIONS

** In-Kind contributions must have a demonstrable value, such as real property.
All applicants must indicate how they propose to finance cost over-runs for the proposed project.

Were other funding sources, (e.g., DDW, DWQ, USDA Rural Development) contacted to discuss financing this project? Y☐ N ☐
Who?

Will the proposed facility be leased? Y☐ N☐ If yes, provide evidence that it will constitute a true lease. (Pass through public funding for private purpose is statutorily prohibited.)

Are there mineral revenue development impacts that affect *public infrastructure, public finance, federal land, employment and safety*? Describe:
Clearly define the public purpose for the project and identify how the project alleviates impacts on *public infrastructure, public finance, federal land, employment and safety*.
What is the percentage of federal land in the county?
Who are the prime beneficiaries of this project?

PART C. PROJECT BUDGET

COST ESTIMATES

INDIVIDUAL OR FIRM RESPONSIBLE

DATE OF ESTIMATE

CONSTRUCTION BUDGET

ATTACH DETAILED BUDGET AS PART OF ATTACHMENT #1

CONSTRUCTION

CONTINGENCY

CONSTRUCTION SUBTOTAL *PLEASE NOTE THIS WILL AUTOMATICALLY TOTAL THE ABOVE NUMBERS. PLEASE DO NOT OVERIDE.* **$0**

PRE-CONSTRUCTION ENGINEERING
Preliminary studies, layouts, cost estimates, design drawings, specification & contract documents

SPECIAL ENGINEERING SERVICES
Soil investigations, geotechnical studies, land surveys, environmental evaluations, permitting, water rights and other special investigations

CONSTRUCTION ENGINEERING SERVICES
Representation during construction, special inspections, materials testing and construction phase services

ENGINEERING SUBTOTAL *PLEASE NOTE THIS WILL AUTOMATICALLY TOTAL THE ABOVE NUMBERS. PLEASE DO NOT OVERIDE.* **$0**

PLANNING AND STUDIES SUBTOTAL
NEPA, EA, EIS, FEASIBILITY

LAND/EASEMENTS/WATER RIGHT SUBTOTAL

EQUIPMENT & FACILITIES SUBTOTAL

ADMIN // LEGAL / BONDING ONLY

ADMIN // FINANCIAL CONSULTANT

ADMIN SUBTOTAL *PLEASE NOTE THIS WILL AUTOMATICALLY TOTAL THE ABOVE NUMBERS. PLEASE DO NOT OVERIDE.* **$0**

PROJECT TOTAL - ***MUST MATCH TOTAL PROJECT COST (PG.2)*** = $0 (THIS SHOULD BE $0 IF PAGE 2=PAGE 3) $0
PLEASE NOTE THIS WILL AUTOMATICALLY TOTAL THE ABOVE NUMBERS. PLEASE DO NOT OVERIDE.

ANNUAL PLANNED BUDGET FOR COMPLETED PROJECT

ESTIMATED START DATE

OPERATIONS & MAINTENANCE

REPLACEMENT FUND

PART D. APPLICANT AGENCY FINANCIAL INFORMATION

CURRENT YEAR 2023
ANNUAL BUDGET

GENERAL FUND BUDGET

PROPERTY TAX

YEAR (LAST 5 YRS)	TAX RATE	TAX COLLECTED
2022		
2021		
2020		
2019		
2018		

CURRENT DEBT STRUCTURE

ASSESSED VALUATION

G.O. DEBT CAPACITY*

OUTSTANDING G.O. DEBT

REMAINING G.O. DEBT CAPACITY **$0**
(SUBTRACT OUTSTANDING DEBT FROM DEBT CAPACITY)

**G.O. DEBT LIMITS: COUNTIES 2% of ASSESSED VALUE*
CITIES, TOWNS SCHOOL DISTRICTS 4% OF ASSESSED VALUE
CITIES (1st & 2nd class) +4% for water, lights, sewers OF ASSESSED VALUE
CITIES (3rd class) & TOWNS +8% for water, lights, sewers OF ASSESSED VALUE

TOTAL OUTSTANDING DEBT

TOTAL CURRENT ANNUAL DEBT SERVICE

USER FEES *(IF APPLICABLE)*

PROVIDE USER FEE STRUCTURES FOR ALL RELATED PROJECTS.

POPULATION.

COST OF PROJECT DIVIDED BY POPULATION = COST PER CAPITA.
$

NUMBER OF USERS (OR ESTIMATE)

Bonded Debt Summary

Bonded debt information must be submitted in the format shown below. The submission of bonded debt information in an alternative format will not be accepted, since it precludes easy reference to the actual debt structure of applicant agencies. Please attach additional pages in the same format if there are insufficient columns to list all bonded debt issues.

	BOND ISSUE #1	BOND ISSUE #2	BOND ISSUE #3	BOND ISSUE #4	BOND ISSUE #5	BOND ISSUE #6	BOND ISSUE #7
PURPOSE							
$ ISSUED							
INTEREST RATE							
DATE ISSUED							
DATE DUE							
BOND HOLDER							
ANNUAL DEBT SERVICE							
2024							
2025							
2026							
2027							
2028							
2029							
2030							
2031							
2032							
2033							
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2052							
2053							
2054							

PART E. PRE-SUBMISSION ATTACHMENT CHECKLIST

Note: Please refer to CIB PROGRAM SUMMARY (jobs.utah.gov/housing/cib/index.html). ***Incomplete applications will be held pending completion of all requirements.***

☐ REGISTRATION (*one time only)

To be eligible for funding, the applicant must be registered in **WebGrants 3** (https:/webgrants.utah.gov/home.do). The applicant will receive an email with their login ID and password. If applicant has submitted an application previously, they should already have a login and password. DO NOT REGISTER AGAIN. Contact Heather Poulsen 435-660-1382.

☐ PROJECT DESCRIPTION

WHO - the applicant agency including the problem, situation, condition or need to be addressed by the proposed project and the number of persons, land area, governmental facilities, services or operations impacted by the problem.

SCOPE OF WORK- a description of the proposed project including size, location, development timetable, etc. Include explanation of projected benefits to public infrastructure and alternatives considered and include a detailed construction budget estimate. Include 8½ X 11 maps, floor plans, site plans, prepared estimates, etc.

WHY – has the applicant investigated other sources of funding for this project and an explanation of why the applicant agency requires financial assistance from CIB? Specify.

☐ CAPITAL IMPROVEMENT LIST

The 'Project' must be on the current consolidated county Capital Improvement List of the Housing & Community Development Division. CIB WILL NOT consider projects not identified on the current list, except in the case of a bona fide public safety or health emergency, or other compelling reason.

☐ WATER & SEWER APPLICATIONS

ALL WATER AND SEWER APPLICATIONS REQUIRE A DEPARTMENT OF ENVIRONMENTAL QUALITY REVIEW

Utah Department of Environmental Quality (DEQ) staff act as technical advisors to the CIB on drinking water and waste water projects. Applicants for proposed drinking water and waste water funding MUST COMPLETE AND SUBMIT the Drinking Water & Waste Water Project Supplement to DEQ with the CIB application. DEQ Supplemental form is located on CIB website: https://jobs.utah.gov/housing/community/cib/index.html

☐ STREET AND ROAD APPLICATIONS

Requires a completed street and road addendum, located on: jobs.utah.gov/housing/community/cib/documents/streetsandroadsaddendum.doc

☐ PLANNING APPLICATIONS

Small Planning grant applications (under $50,000) are processed separately from other CIB funding. For more information on planning requirements: https://jobs.utah.gov/housing/community/cib/index.html

☐ CONSTRUCTION APPLICATIONS // STATE HISTORIC PRESERVATION OFFICE (SHPO) REVIEW

Applications which include building, altering or disturbing properties fifty (50) years of age or older, or which may include new site excavation to include road realignments shall be submitted to SHPO and include photographs, map and address of the proposed project for review and comment by SHPO.

☐ ASSOCIATION OF GOVERNMENTS NOTIFICATION

Provide a copy of current application to the applicable AOG two (2) weeks prior to submission.

☐ AFFORDABLE HOUSING PLAN

Attach a brief summary (and date of adoption if applicable) of the applicant's efforts to comply with the requirements of Section 10-9a-403 UCA (municipalities) and Section 17-27a-403 UCA (counties). ***DO NOT*** *SUBMIT THE ENTIRE HOUSING PLAN.*

☐ PUBLIC NOTICE AND PARTICIPATION

The CIB requires a vigorous public participation effort. Applicants shall hold AT LEAST one formal public hearing to solicit comments concerning the size, scope, nature of any funding request PRIOR to its submission to the board. The minutes must reflect a discussion of all financing scenarios including the possibility of loan funding. Complete and detailed information regarding the project scope and it's financing, including expected financial impact, potential repayment terms, potential costs to the public as user fees, special assessments, or property taxes shall be discussed. A copy of the public notice for any public hearings and the official transcript / minutes from the hearing must be attached. (*NOTE: The board may require additional public hearings if it determines the applicant did not adequately disclose the impact to the public, or if it offers a substantially different financial package than from what was originally proposed.*)

☐ CURRENT AUDITED FINANCIAL REPORT

Provide a copy of most recent audited financial report.

PRESIDING OFFICIAL SIGNATURE

I, _____, the _____ of _____

(TYPED NAME) *(TYPED TITLE)* *(TYPED ORGANIZATION)*

do hereby certify the information presented in this application is accurate and correct to the best of my knowledge and this application has been authorized by the applicant agency. Furthermore, I certify that this project will comply with all applicable laws as outlined in R990-8-3 (M) prohibiting discrimination on the basis of race, religion, color, or national origin; sex, age, and disability. This project, when complete, will comply with the Americans with Disabilities Act (ADA).

_____ _____

ORIGINAL SIGNATURE DATE

CDO SMALL PLANNING GRANT SUMMARY FY2026

The Community Development Office (CDO) provides an expedited review process for small planning grants *defined as grant requests of $50,000 or less.*

Funding eligibility is based on five defined criteria:

1. **Eligible Applicant**
2. **Eligible Project**
3. **On the One Year CIB Application List**
4. **Completed Application**
5. **Interview with CDO**

GENERAL GUIDANCE AND GRANT INFORMATION

IMPORTANT DATES Applications are to be submitted on a trimester basis by **5 p.m., on the application due date – June 1, October 1 and February 1**. Please review the application information section on the Permanent Community Impact Board Fund (CIB) website at:
jobs.utah.gov/ housing/community/cib.

APPLICATION: The CIB Application Form can be downloaded from:
jobs.utah.gov/ housing/community/cib/documents/ cibapplication.docm
Applications must include all required attachments.

REVIEW PROCESS: Complete applications will be reviewed based upon defined funding criteria and provided documentation. Information for vetting projects is provided through responses on the application, required attachments, and an interview between CDO and the applicant. Applicants with complete and submitted applications will be notified of a funding decision **within 60 days**. Grant recipients will receive a dated notice of award wherein expenses incurred for the approved project scope are eligible for reimbursement. A grant contract will be routed for signature; reimbursement for eligible expenses may commence once the contract is fully executed.

MATCH REQUIREMENTS: The applicant is required to commit financially a minimum 50% cash match to the project in order to apply. The small planning grants program will not fund more than 50% of the total project cost or more than $50,000, whichever is lower. Planning project applications requesting funding above the $50,000 threshold must apply as a regular CIB application requiring CIB board approval. All planning funding requires 50% cash match.

REIMBURSEMENTS: Funds are disbursed on a reimbursement basis meaning the entity pays the contractor and CIB reimburses the entity at 50% of invoice. Project funds expended prior to grant award cannot be reimbursed. Invoices may be submitted on a monthly or bimonthly basis.

ELIGIBLE APPLICANTS: An applicant must be eligible under Title 35A/Chapter 8/35A-8-S301.

TIMELINE FOR COMPLETION: A small planning grant contract is a two-year contract and must be completed within two years of the grant award date. Final versions of completed plans must be submitted to Brenda Brown (bpbrown@utah.gov), CIB staff, prior to final reimbursement.

ELIGIBLE PROJECT TYPES: CIB planning funds are available for general planning , master plans, hazard mitigation studies, environmental impact studies, water resource plans, soils analysis, and feasibility studies. Other types not specifically mentioned shall be reviewed for eligibility. Planning projects should address future considerations of a community's needs.

ELIGIBLE PROJECT COSTS: Consultant costs, professional services such as facilitation, professional planning, costs that directly relate to the planning activity such as inventories, GIS/mapping, printing, advertising expenses for required public hearing(s), focus groups, surveys, and web-based outreach.

INELIGIBLE PROJECT COST / IN-KIND MATCH: CIB will not reimburse for applicant staff expenses, grant writing or administration costs; volunteer time; future costs of land acquisition and facility development; expenses for existing operations; indirect costs related to events not included under the "Eligible Project Costs" section, publications, advertising, and/or similar expenses for fundraising or public meetings; construction/architectural design (these expenses must be affiliated with a physical construction project); any permitting costs; or costs related to consumables.

WATER & SEWER PLANNING APPLICATIONS: Applicants for proposed drinking water and wastewater funding, including projects that are planning by nature, must complete and submit the Drinking Water & Waste Water Project Supplement to DEQ with the CIB application. DEQ Supplemental form is located on CIB's website: https://jobs.utah.gov/housing/community/cib/documents/deqform.doc

SUCCESSFUL APPLICANTS

- Follow their own established procurement process that is in line with state procurement code
- Engage with the local Association of Governments Regional Planner on project scoping
- Have the financial ability to implement the plan
- Submit a completed application by the deadline.

SUCCESSFUL PROJECTS

- Be clearly defined with costs clearly justified
- Demonstrate a compelling need for the study, significant project preparation and community-wide benefit
- Implement best practices
- Include robust public engagement

SMALL PLANNING GRANT PROGRAM CONTACT:

It is recommended that applicants contact their regional planner to discuss and scope your project. If you have concerns or questions about the Small Planning Grant guidelines, please contact the Community Development Office prior to applying to address any questions or concerns. The CDO team encourages potential applicants to attend one of the annual CIB Application Tutorials, request sample grant applications, or submit a draft application early for review. Contact your assigned AOG Regional Planner for assistance.

Bear River *TBD* (435) 752-7242	**Five County** Cody Christensen cchristensen@fivecounty.utah.gov 435.673.3548	**Mountainland** Robert Allen *rallen@mountainland.org* 801.229.3813	**Six County** Tyler Timmons *ttimmons@sixcounty.com* 435.893.0738
Southeastern Utah Todd Thorne *tthorne@seualg.utah.gov* 435.633.3143	**Wasatch Front** Christy Dahlberg *christy@wfrc.org* 801.363.4250	**Uintah Basin** Kevin Yack *keviny@ubaog.org* 435.722.4518	

PERMANENT COMMUNITY IMPACT FUND BOARD
Supplemental Form for Drinking Water and Waste water projects

The PCIFB and the Utah Department of Environmental Quality (DEQ) have entered into an agreement by which DEQ staff act as technical advisors to the PCIFB on drinking water and wastewater projects. All applicants for proposed drinking water and wastewater projects must provide sufficient technical information to DEQ to permit detailed technical review of the project. The PCIFB will not act on any drinking water or wastewater project applications unless DEQ completes said review and supports the project. If you are applying for a water or sewer project, you must complete this supplemental form.

Applicants for drinking water projects need only submit information on their water system.
Applicants for wastewater projects need only submit information on their sewer system.
All applicants must complete the "Water Management & Conservation Plan" (pages 5-12)

APPLICANT NAME _____ _____

a. Current Number of connections

	DRINKING WATER	SEWER
Residential connections	_____	_____
Commercial Effective Residential connections	_____	_____
Other	_____	_____
TOTAL	_____	_____

b. Estimated Number of Connections in 20 years

Residential connections	_____	_____
Commercial Effective Residential connections	_____	_____
Other	_____	_____
TOTAL	_____	_____

c. Rate Schedule Used in Customer Billings

(Use space below to describe, in detail, your water and sewer rate structures. Include information on base rates and overage charges. If necessary, distinguish between residential and commercial rates).

d. Residential connection	_____	$/ ERC	_____	$/ERC
e. Impact Fees – per connection	_____	$/ ERC	_____	$/ERC

f. System Income

Typical Income to system from customer billings	_____	$/yr	_____	$/yr
Typical Income to system from taxes	_____	$/yr	_____	$/yr
Typical Income to system from connection fees	_____	$/yr	_____	$/yr
Typical Income to system from impact fees	_____	$/yr	_____	$/yr

g. System Expenses

If available, please attach sheets showing the budgets of your drinking water and sewer systems. Alternately, you may complete the following.

	DRINKING WATER	SEWER
Annual Principal and Interest Payments on Debt	_____	_____
Personnel	_____	_____
Power (electricity, gasoline, etc.)	_____	_____
Purchase of Water	_____	_____
Maintenance, Supplies	_____	_____
Treatment	_____	_____
	_____	_____
Other ( )		
Other ( )	_____	_____
Other ( ) TOTAL	_____	_____

h. Information on Secondary Irrigation Systems

Please provide this information if you are applying for a drinking water project. This information is needed to compute the total cost of water for your customers.

Does your service area include a secondary water system, either ditch or piped?
Yes No

If so, what percentage of your customers are on the secondary system?
Piped System _____ %
Ditch System _____ %

For each customer, what is the typical yearly expense for secondary irrigation service?
Piped System _____ $/yr
Ditch System _____ $/yr

i. Transfers To or From Other Accounts

Do you transfer funds **from** other accounts to balance either your water or your sewer budgets?
Yes No
If so, please describe below:

Do you transfer funds **to** other accounts from either your water or sewer budgets?
Yes No
If so, please describe below:

j. Depreciation

Please describe how your water or sewer system budget treats depreciation.

k. Please answer the following (drinking water projects only)

Does your water system have a master plan to guide growth in the next 20 years?
Yes No
If not, will you commit to create one? Yes No

Does your water system have an established replacement fund?
Yes No
If not, will you commit to create one? Yes No

Does your water system have an established backflow prevention program?
Yes No
If not, will you commit to create one? Yes No

Does your water system have a tiered rate structure to encourage water conservation?
Yes No
If not, will you commit to create one? Yes No

Does your system have a certified operator?
Yes No
If not, will you commit to obtain one?Yes No

Does your system have an emergency response plan?
Yes No
If not, will you commit to create one? Yes No

l. Please answer the following (sewer projects only)

Does your sewer system have a master plan to guide growth in the next 20 years?
Yes No
If not, will you commit to create one? Yes No

Does your sewer system have an established replacement fund?
Yes No
If not, will you commit to create one? Yes No

Does your sewer system have an inverted rate structure to minimize flows?
Yes No
If not, will you commit to create one? Yes No

Does your sewer system have a certified operator?
Yes No
If not, will you commit to obtain one?Yes No

Does your sewer system have an emergency response plan?
Yes No
If not, will you commit to create one? Yes No

m. Water Management and Conservation Plan

Attached to this supplement is a Water Management and Conservation Plan form. This must be completed. The Certification of Adoption (pg. 13) need not be signed at this time. However, if your application is successful, this must be signed before funds will be released.

n. Agency Contacts

DEQ contacts for review of PCIFB applications are:

Drinking Water Applications	Wastewater Applications
Michael Grange Division of Drinking Water 195 North 1950 West Salt Lake City, Utah 84116 mgrange@utah.gov (801) 536-0069	Skyler Davies Division of Water Quality 195 North 1950 West Salt Lake City, Utah 84116 sdavies@utah.gov (801) 536-4359

WATER MANAGEMENT & CONSERVATION PLAN

(Please read the reference at the end of the document for more information on each section.)
Note: In the actual supplemental, each letter represents a page.

Name of Water Utility/Company

A. Background Information

A description of the water utility or company and its service area. General policies and goals of the water utility should be defined and explained. A description might include a history of the utility or company and mention of water development and management accomplishments. A map of the service area could also be included.

B. Existing Resources

This section includes an inventory of current water sources and infrastructure controlled by the water utility or company. Include water right information, hydrologic data, and a description of the physical facilities.

C. Current Water Use and Determination of Future Requirements – Water Management Issues and Goals

This section includes the historical patterns of water delivery and use by the water utility. Future water needs and infrastructure requirements based on growth projections should be identified. Comparison of current water supplies and future projections will reveal if and when additional supplies will be needed. List past water conservation measures as well as opportunities for improving the efficiency of water use. Indicate any opportunities to coordinate with other companies to develop and implement management conservation measures. List short and long term goals for efficient water use. Identify potential use of any water gained from reductions in use due to the implementation of the water conservation plan. The current and possible future water rates should be discussed in detail.

D. Identification of Alternatives to Meet Future Water Needs

Strategies to meet future demands beyond the limits of existing supplies or infrastructure should be identified. These strategies should include conservation alternatives as well as traditional water development plans. Economics and environmental impacts of the alternatives, including infrastructure requirements, should be determined and evaluated.

E. Evaluation and Selection of Alternatives

The alternatives investigated should be evaluated and prioritized to meet future demands. Reaction to the various alternatives from the public (or stockholder) can help guide the water utility or company in the selection and prioritization of alternatives to implement. The Public should be involved in all phases of the process.

F. Periodic Evaluation

The Water Management and Conservation Plan should be reviewed and updated periodically by the water utility or company to reflect new data and trends and gauge performance progress.

G. Associated Plans – Emergency Response Plan

As part of the WMC plan, short-term emergency water measures may be included to deal with drought, contamination or flooding that may temporarily affect water supplies. A good emergency response plan will identify these problems and provide for contingencies to meet the "short-term emergency" needs. Plans should identify events that activate the emergency plans.

H. List of Company Officers

Certificate of Adoption

We, _____ _____, hereby certify that the **attached** Water Management and Conservation Plan has been established and adopted by our city council, board of directors, or stockholders on _____, 20_.

_____	_____	_____
Name	Title	Date

REFERENCE SECTION

A. Background Information

A short, descriptive narrative of the water utility or company and its service area is needed. General policies and goals of the water utility should be defined and explained. A narrative might include a history of the utility or company and mention of recent water management accomplishments.

B. Existing Resources

This section should include an inventory of current water sources controlled either through water rights or contractual agreements by the water utility or company. Hydrologic data and analysis to support the quantification of firm yields, as well as the frequency and magnitude of shortages of supply, could be included as part of the documentation. This data describes the water supply with which a water utility or company has to respond to current and future demands.

Current infrastructure should be considered as part of the existing resource inventory.

C. Current Water Use and Determination of Future Requirements

This section would include the historical patterns of water delivery and use by customers of the water utility. Future water needs based on economic and population growth projections should be identified. And a time frame for future projections is needed. The water Utility or company should remember that the lead time for development of future supplies can be as significant for conservation methods as it is to develop new supplies.

Comparison of current water supplies and future projections will reveal if and when additional supplies will be needed. Infrastructure requirements such as conveyance, treatment and distribution systems for future needs should also be determined as part of this process.

D. Identification of Alternatives to Meet Future Water Needs

Strategies to meet future demands beyond the limits of existing supplies or infrastructure should be identified. These strategies should include conservation alternatives as well as traditional water development plans. Economics and environmental impacts of the alternatives, including infrastructure requirements, should be determined and evaluated.

E. Evaluation and Selection of Alternatives

The various alternatives investigated should be evaluated and prioritized to meet future demands. Reaction to the various alternatives by the public, or stockholder in the case of private water and irrigation companies, can help guide the water utility or company in the final selection and prioritization of alternatives to implement. The public or stockholder perception of the water management and conservation plan development will, in large part, determine the limits of implementation. The public should be involved in all phases of the process. This approach, while more difficult and time-consuming, will provide a broader base of support for a final WMC plan.

F. Periodic Evaluation

The WMC plan should be reviewed and updated periodically by the water utility or company to reflect new data and trends and gauge performance and progress. This effort will ensure efficiency and timeliness of the plan.

G. Associated Plans – Emergency Response Plan

As part of the WMC plan, short-term emergency water measures may be included to deal with drought, contamination or flooding that may temporarily affect water supplies. A good emergency response plan will identify these problems and provide for contingencies to meet the “short-term emergency” needs. Plans should identify events that activate the emergency plans.

PERMANENT COMMUNITY IMPACT FUND BOARD

APPLICATION ADDENDUM FOR STREET & ROAD PROJECTS

This addendum is required for all street and road improvement applications.

PART A. GENERAL INFORMATION

Project Title _____

1. Applicant Agency

Name: _____

2. Contact Person

Name: _____

Phone: _____ Email: _____

PART B. APPLICANT FINANCIAL INFORMATION

1. Current and Prior Four Years Street & Road Revenues:

Year	B&C Revenues	Transfers from General Fund	Mineral Lease Revenues	Total Revenues
TOTALS				

2. Current and Prior Four Years Street & Road Expenses:

Year	Construction	Debt Service	Administration	Total Expenses
TOTALS				

PART C. ON-GOING MAINTENANCE PROGRAM

1. Does the Applicant have an on-going capital or maintenance replacement program for streets and roads?
YES ☐ NO☐

If YES, please describe the capital or maintenance replacement program.

_____

_____

_____

_____

_____

Governor's Office *of* Economic Development

HOUSING AND COMMUNITY DEVELOPMENT
PERMANENT COMMUNITY IMPACT FUND

GRANT & LOAN PROGRAM SUMMARY

(Revised July 2026)

I. OVERVIEW

The Permanent Community Impact Fund Board (CIB) is a program of the state of Utah which provides loans and/or grants to state agencies and subdivisions of the state which are or may be socially or economically impacted, directly or indirectly, by mineral resource development on federal lands. The source of funding through CIB is the mineral lease royalties returned to the state by the federal government. The CIB will consider only those applications submitted by an eligible applicant for an eligible project.

Applicant Eligibility

Utah state statute defines a "subdivision of the state" as being any of the following: counties, cities, towns, school districts, building authorities, special service districts, water conservancy districts, county service areas, special improvement districts, water or sewer improvement districts, and public postsecondary institutions.

Not eligible for financing from the CIB: Indian Tribes, individuals, corporations, associations, private and non-profit organizations.

Project Eligibility

Utah state statute authorizes the CIB to fund the following types of activities: planning, construction and maintenance of public facilities, and provision of public services.

The CIB's administrative rules further define "public facilities and services" to mean public infrastructure traditionally provided by governmental entities.

All applicants must demonstrate that the facilities or services provided will be available and open to the general public and that the proposed funding assistance is not merely a device to pass along low interest government financing to the private sector. *The applicant must clearly define the public purpose of the project. The project may not be solely economic development, but may have a positive effect on the entity's fiscal health.* Nothing in the statutory language precludes the CIB from considering the effect of a proposed project on "economic development" or "job creation" as long as the proposed project can be determined to fall within one of the three eligible categories.

Funding Guidelines

- **Planning and study** requests require a fifty percent **cash** contribution from the applicant.
- Funding requests for municipal planning and studies **under $50,000** are reviewed and authorized for funding by the Utah Community Development Office staff on an expedited basis. Planning Grant applications must include or subsequently provide all necessary documentation within the submittal trimester or the application will be denied and a new application must then be submitted. Contact hpoulsen@utah.gov or cpowers@utah.gov.
- In-kind funds must have a demonstrable value, such as real property.
- Projects deemed more essential to the health, safety, and welfare of a community will be considered to receive better funding terms, including a greater proportion of grant in the funding package.
- The estimated longevity of the project and loan financing will not extend past the useful life of the project.
- Revenue sources have inherent restrictions. B&C road revenues cannot be pledged in excess of 10 years and mineral lease revenues cannot exceed 15 years.
- *Applicants will provide evidence and arguments to the Board as to how the proposed funding assistance provides for planning, the construction and maintenance of public facilities or the provision of public services*
- The CIB Application should identify how the project alleviates impacts on ***public infrastructure, public finance, federal land, employment and safety.***

- The applicant is to follow State Procurement Standards.

II. FUNDING PROCESS

Funding Cycles

The CIB reviews applications and authorizes funding assistance on a Trimester basis during the state fiscal year (July 1st – June 30th).

Construction, Equipment, Large Planning Applications requiring Board review:

Trimester	Application Deadline	Review Meetings	Funding Meetings
First	June 1	July, August, September	October
Second	October 1	November, December, January	February
Third	February 1	March, April, May	June

Planning Application/Funding Cycle for Planning Grants < $50,000 – expedited review

Trimester	Application Deadline	Review	Potential Funding
First	June 1	June/July	July/August
Second	October 1	October/November	November/December
Third	February 1	February/March	March/April

Permanent Community Impact Fund Board - New requirements beginning July 1, 2026
All CIB applications must be submitted to the state by the AOG.

- AOGs are required to collect, review, and submit all applications to CIB, and to ensure that applicants are on the annual CIB application list pulled from the Utah Project Portal.
- Applications must be submitted **by the entity** to the applicable AOG at least **two weeks prior** to the CIB application deadline.
    - Applications will not be accepted from consultants, engineering firms, or any other third-party entity.
- The AOG will review all new applications for completeness before submitting them to CIB Staff.
    - Applications from ineligible applicants or applications for ineligible projects will not be reviewed by the CIB's staff and the applicant will be notified of the ineligibility.
- It is encouraged that the public hearing be held prior to submission but may be scheduled after the deadline.
    - Public Hearing Minutes discussing the application must be submitted to CIB staff prior to placement on an agenda for Board consideration.

Capital Asset Self Inventory (CASI)

- The CASI is a tool to help a community better understand and manage its capital assets. It is a simple self-inventory of assets; a single repository for documentation and current condition.
    - The purpose of the CASI is to inventory assets and their condition, prioritize repair and replacement needs to determine costs, and make and adopt a plan.
    - A CASI should be used to create a community's Capital Improvement Plan
- All communities that submit a CIB application must have a CASI no more than two years old.
  The AOG verifies a reasonable Capital Asset Self-Inventory (CASI) provided by the applicant or equivalent ***prior*** *to inclusion on the County's CIB application list.* ***(*CASI has been required since FY2023)***

Capital Improvement Plan (CIP)

- A CIP is a community's plan to strategically allocate and prioritize limited resources for capital improvement repairs, replacements, and new assets. The CIP should define each year's priority projects.
    - The CIP is a working document that should be reviewed and updated to reflect changing community needs, priorities, and funding opportunities, ensuring that the infrastructure exists to advance the community's strategic and long-term goals and objectives.
- *By December 2028, all communities should have a five-year CIP.*

- Complete applications must be submitted by the AOG to CIB's staff prior to close of business on the applicable deadline. (June 1, February 1, October 1 by 5:00 pm)
- Applications shall be submitted on the most current application form. https://jobs.utah.gov/housing/community/cib/index.html
- Complete applications accepted for processing will be placed on one of the Trimester's upcoming Project Review Meeting agendas for Board review.
- Through the defined analysis of an applicant, a minimum and maximum allowed loan interest rate will be determined. The potential interest rate for all applicants starts at the PCIFB benchmark rate (currently 2.5%)

- Whereas § 63N-24-501(3) states that use of PCIFB financial resources have "priority given to those communities designated as impacted," criteria based on production is used as a proxy for impact. Production will be measured at the county level and applied to all applicants within the county borders. For applicants whose project crosses county borders, an average of applicable county production weighted by jurisdictional emphasis will be used.
- Applicant should reference mineral revenue development impacts that affect public infrastructure, public finance, federal land, employment or safety and how this project may ease the burden.

Project Review Meetings

Applicants and their representatives shall be informed when their project is on a CIB Project Review Agenda to be discussed. Applicants shall make formal presentations to the CIB and respond to the CIB's questions. If an applicant or a representative of the entity is not present to make a presentation, the Board may: a) deny the application; or b) place the application on the Pending List for consideration at a future Project Review Meeting.

At a Project Review Meeting the CIB may:

- **Deny** the application as submitted.
- Place the application on the "**Pending List"** for consideration at a future meeting to accommodate Board recommendations. Through additional review, options analysis and funding coordination by the applicant and the CIB's staff, the project may then be placed on a meeting agenda.
  (Applications placed on the pending list may remain on the pending list for a maximum of 6 months after which a new application will be required for consideration.)
- Place the application on the "**Prioritization List**" for final approval at the next Project Funding Meeting.
  Applicants and their representatives shall be informed when their project is on a CIB Project Review Agenda to be discussed. At the review meeting, applicants make formal presentations to the CIB and respond to the CIB's questions. If an applicant or a representative of the entity is not present to make a presentation, the application may be held until a presentation can be made at a subsequent review meeting. *Projects placed on the "Prioritization List" represent projects thoroughly discussed at a review meeting and the terms of the funding package have been established for authorization at a funding meeting.*
  No funds shall be committed by the CIB at Project Review Meetings, with the exception of bona fide public health or safety emergencies or for other compelling reasons.

Project Funding Meetings

At a Project Funding Meeting the CIB may:

- **Deny** the application as submitted;
- Place the application on the "**Pending List**" for consideration at a future meeting after additional review, options analysis and funding coordination by the applicant and the CIB's staff;
- **Authorize funding** for applications in the amount and terms as determined by the CIB at the review meeting.

Requests for Special Consideration

In instances of bona fide public safety or health emergencies or for other compelling reasons, the CIB may suspend its rules and procedures and accept, process, review and authorize funding of an application on an expedited basis.

III. PRE-SUBMISSION REQUIREMENTS

CIB Application List – (*CASI is verified by the AOG to be listed)

A consolidated list of the anticipated capital priorities for eligible entities compiled by the applicable AOG will be submitted from each county area. This list shall be produced as a cooperative venture of all the eligible entities within each county area.

The annual lists are submitted in the uniform format required by the Board and shall contain the jurisdiction, summary description, project time frame, anticipated time of submission to the CIB, projected overall cost of project, anticipated funding sources, the individual applicants' priority for their own projects, and the county area priority for each project. ***CIB Application Lists should encourage regional coordination of amenities.***

A project spanning multiple AOG's shall require full review from all associated AOG's and included on each associated county's consolidated CIB Application List. The list is captured from the Utah Project Portal and *submitted to CIB* shall contain shovel ready, short term planned projects anticipated to commence within one year.

Projects to be considered for funding are required to be listed on the current one-year list as submitted May 1st prior to the new fiscal year. Projects not identified on a county's or HCD's one-year list (submitted by the AOG *no later than May 1* for the subsequent fiscal year) will not be considered for funding by the CIB. ***The CIB Application List cannot be amended (as stated in Rule R990-8-5). If an unforeseen issue occurs and addresses a bona fide public safety or health emergency or other compelling reason, an eligible entity may make application under "Special Consideration' (R990-8-5 J).***

Public Hearing Requirement

The CIB requires all applicants to have a vigorous public participation effort through a formally noticed public hearing to solicit comment concerning the size, scope and nature of any funding request to be submitted to the CIB *prior to review by the Board.* A complete and detailed scope of work shall be given to the public and it's financing and be documented in the minutes. The information shall include the financial impact to the public as user fees, special assessments, or property taxes. (*The Board has adopted a funding matrix tool to assist reasonable consistency in regard to grant/loan award.)* The CIB may require further public hearings if it determines the applicant did not adequately disclose to the public clarity of the project and the possible financial impact of the financial assistance.

Association of Governments – Eligible Counties Listed

County	Association of Governments
Box Elder, Cache, Rich	Bear River AOG, 170 N. Main, Logan, UT 84321. 435-752-7242
Beaver, Garfield, Iron, Kane, Washington	Five County AOG, 1070 W. 1600 S., Bldg. B, St. George, UT 84770. 435-673-3548 ext. 126 or 105
Summit, Wasatch	Mountainland AOG, 586 East 800 North, Orem, UT 84097-4146. 801-229-3800
Juab, Millard, Piute, Sanpete, Sevier, Wayne	R6 Regional Council, 82 E 600 N, Richfield, UT 84701. (435) 893-0700
Carbon, Emery, Grand, San Juan	SERDA South Eastern Regional Development Agency, 252 South Fairgrounds Road, Price, Utah 8450 435-637-5444.
Daggett, Duchesne, Uintah	Uintah Basin AOG, 330 East 100 South, Roosevelt, UT 84066. 435-722-4518.
Morgan, Tooele	Wasatch Front Regional Council, 41 North Rio Grande Street~Suite 103, Salt Lake City, UT 84101 801-363-4250.

State Historic Preservation Office Notification

Pursuant to Utah Code Annotated 9-8-404, the CIB must consult with the State Historic Preservation Office by providing information concerning project y has requested that the CIB provide information concerning project applications affecting buildings and structures 50 years old or older, and/or impacts of ground to be disturbed. The applicant shall submit a copy of any proposed application to the State History Preservation Office (SHPO) for review and comment and information regarding the effect of the proposed project on any district, site, building, or structure that is included in or eligible for inclusion in the National Register of Historic Places. A copy of any comments made by the SHPO will be included in the application file. Please provide maps, photos or other items to identify property associated with the project. The SHPO may be contacted at the following address: Chris Hansen, Historic Buildings Reviewer, christopherlhansen@utah.gov, and Ryan McGrath, Archaeology Reviewer, rmcgrath@utah.gov, State Historic Preservation Office.

Affordable Housing Plan Statement

In 1998 the State Legislature established a requirement that each municipality and county in Utah develop and adopt a plan for meeting the housing needs of moderate-income persons. *The general plan of a specified municipality, as defined in Section 10-9a-408, shall include a moderate income housing element that meets the requirements of Subsection 10-9a-403(2)(a)(iii) 10-9a-401 UCA (municipalities) and Section 17-27a-408 UCA (counties).* All applicants are requested to submit a brief description of their efforts to CIB to meet the moderate-income housing planning requirements. (Do not send CIB the whole plan). Additional information regarding these plans may be obtained from: Housing and Community Development Division, 140 East Broadway ~ 1st Floor ~

Salt Lake City Utah 84111, 385-249-4808
Planning: https://jobs.utah.gov/housing/affordable/moderate/index.html
Moderate Income Housing Report page: https://jobs.utah.gov/housing/affordable/moderate/reporting

Water & Sewer Applications - Department of Environmental Quality Review

The CIB and the Utah Department of Environmental Quality (DEQ) have entered into an agreement by which DEQ staff act as technical advisors to the CIB on drinking water and waste water projects. All applicants for proposed drinking water and waste water projects must provide sufficient technical information to DEQ to permit detailed technical review of the project. The CIB will not act on any drinking water or waste water project applications unless such a review is received from DEQ. Please refer to the Drinking Water & Waste Water Project Supplement to the application.

Drinking Water Applications	Waste Water Applications
Heather Pattee Division of Drinking Water 195 North 1950 West Salt Lake City, Utah 84114 385-515-1498 hpattee@utah.gov	Skyler Davies Division of Water Quality 195 North 1950 West Salt Lake City, Utah 84114 (801) 536-4359 sdavies@utah.gov

AGENCY CONTACTS

Permanent Community Impact Fund 140 East 300 South ~ 1st Floor
Salt Lake City, Utah 84111 Office: 385-341-0199
cib@utah.gov

Web Site

https://jobs.utah.gov/housing/community/cib/index.html

HCD / CIB Staff

Candace Powers
Fund Manager
385-341-0199
cpowers@utah.gov

Heather Poulsen
Program Specialist
435-253-4028
hpoulsen@utah.gov

Community Development & Revitalization Office

Paul Moberly
Manager
607-339-8259
moberpaul@utah.gov

Michael Mowes
Community Development Specialist
803-795-6123
mmowes@utah.gov

The following 'Funding Guidelines' were adopted by the Permanent Community Impact Fund Board on November 5, 2020 with annual updates. These Funding Guidelines are as constituted June 2026.

CIB FUNDING TOOL & CRITERIA CONSIDERATION

- *The intent of the Board is to seek consistency in the allocation of funding with consideration given to mineral lease impacts to the entity.*
- The Board establishes a benchmark interest rate.
- The maximum term on CIB loan funding is 30 years; term depends on the pledged revenue and the useful life of the project.
- The factors considered in the minimum/maximum funding allocation include but are not limited to production, public lands, population, current taxes, project type, water/sewer rates as % of MAGI and outside funding.
- Exemptions to the established criteria include financial hardship, emergency response, unique project and defined special circumstances.
- All other statutory and programmatic requirements of the CIB will apply.

PROCUREMENT POLICY

*Funded entities should follow the State of Utah Procurement Code **63G-6a-101** which indicates*

processes used for the procurement, acquisition of supplies, services or construction.

- The Board strongly recommends the use of State Purchasing for projects over **$1,000,000** to solicit at least 3 bids**.** *https://purchasing.utah.gov/for-agencies/*

NON-CULINARY WATER PROJECTS

The CIB will not participate in the financing of non-culinary water projects where the primary beneficiaries are individuals, for profit corporations, associations, private non-profit organizations, stock companies, or other entities not specifically defined as eligible applicants.

The CIB may determine to participate in non-culinary water projects where an eligible applicant can demonstrate that the facilities or services provided would be available to or significantly benefit the general public and that the proposed funding assistance is not merely a device to pass along low interest government financing to the private sector.

Examples

YES: Construction of a pressurized secondary irrigation system within a town to reduce demands on treated culinary water.

NO: Construction of dam and reservoir to provide irrigation water to agricultural or industrial users or lining of canals to prevent water loss to agricultural or industrial users.

ROAD AND STREET PROJECTS

Street and Road addendum must be completed and submitted to the CIB with all road applications.

SOLID WASTE DISPOSAL PROJECTS

On January 6, 1994, the Permanent Community Impact Fund Board (CIB) voted to lift its moratorium on accepting applications for funding assistance on solid waste disposal projects. However, certain policy guidelines were adopted to define the scope and nature of CIB participation in the range of solid waste disposal projects.

- Solid Waste Planning Projects

Included are feasibility studies, environmental and sitting studies, development plans, etc. Funding for approved solid waste planning applications will be provided on a 50/50 cash matching basis, with a $25,000 ceiling on CIB participation. Applicants are encouraged to take a regional or countywide approach to solid waste planning activities. Development of specific plans should be coordinated with the Utah Department of Environmental Quality; Division of Solid and Hazardous Waste (DSHW) to ensure compliance with DSHW regulations.

- Solid Waste Disposal Projects

Included are upgrading of existing facilities and the development of new facilities. Funding for approved solid waste disposal project applications will be provided via an **interest-bearing loan**. The amount and length of the loan will be determined on a case-by-case basis. The interest rate must be at least one-half (½) of the most recent interest rate charged on state issued general obligation bonds. Applicants are encouraged to take a regional or countywide approach to the development of solid waste disposal facilities. Applicants will be required to establish and fund an invested replacement account as a condition to receiving a loan. Funding of approved applications will be contingent upon the project sponsor receiving the necessary permits from the Division of Solid and Hazardous Waste (DSHW).

- Closure of Existing Landfills

Included is the closure of existing landfills to meet U.S. Environmental Protection Agency Regulations. Funding for approved applications will be provided via an interest-bearing loan. The amount and length of the loan will be determined on a case-by-case basis. However, the interest rate must be at least one-half (½) of the most recent interest rate charged on state issued general obligation bonds. Funding of approved applications will be contingent upon the project sponsor receiving the necessary permits from DSHW.

- ***PUBLIC EDUCATION (School Districts) PROJECT ELIGIBILITY***

Section 35A-8-307(1)(d) UCA prohibits the CIB from funding any education project that could otherwise have reasonably been funded by a school district through a program of annual budgeting, capital budgeting, bonded indebtedness, or special assignments.

- ***GUIDELINES FOR PUBLIC POSTSECONDARY INSTITUTIONS INCLUDING APPLIED TECHNOLOGY COLLEGES (Revised 3/1/2019)***

Eligibility

The Permanent Community Impact Fund Board (CIB) may provide financial assistance to public postsecondary institutions in Utah, which includes all state supported public universities, colleges, community colleges and applied technology colleges. Private institutions are not eligible for CIB assistance. Applications relating to public postsecondary institutions will fall into two categories, capital projects and public services. The details of the two categories and associated requirements are given below.

Capital Projects

This category includes: a) buildings; b) equipment and systems; and c) planning or design related to buildings or systems.

> *Note: Applications for municipal planning and studies under $50k shall be reviewed for funding by CIB Staff. Applications shall be submitted according to the deadlines established for all projects, but funding may be expedited . Incomplete small planning grant applications expire at the end trimester.*

Applications for public facilities shall be submitted by the institutions in their own names. Applications will not be accepted which are submitted by a sub agency of the institution.

A. Buildings should be funded through the existing budgetary processes available to public postsecondary institutions. Application to CIB is not an alternative to circumvent review and approval by the State Board of Regents, the Utah College of Applied Technology's Board of Trustees, the State Building Board, the Governor or the Legislature. The CIB will only consider applications for buildings when extraordinary circumstances indicate CIB participation is appropriate.

B. Equipment and systems will be only considered by CIB when no other regular funding source is available. This type of application should increase the quality and accessibility of educational opportunities available in areas of the state, which are or may be socially or economically impacted, directly or indirectly, by mineral resource development.

C. Planning or design applications relating to actual building or equipment/systems projects will carry the same requirements as those building or equipment/systems applications. Applicants are advised that planning or design requests require a fifty percent (50%) cash contribution by the applicant.

Pre-submission Requirements for Public Post Secondary Institutions and Applied Technology Colleges ~ Capital Projects. In addition to CIB's standard requirements, applicants seeking financial assistance for higher education capital projects must meet the following requirements:

A) Local Community Support - All applications must contain evidence that interested and effected parties in the local community support the project. This will include letters of support from local governments and community-based organizations, public opinion polls, etc. Applications shall indicate if the proposed project is in conformity with local development plans and ordinances.

B) Coordination between Institutions - Where more than one institution is designated to serve within the same geographic area, i.e. community college/university, the application will be jointly submitted from both institutions to assure proper planning within the Higher Education System regarding the use of CIB Funds. The co-location and sharing of facilities and resources between institutions is strongly encouraged.

C) State Board of Regents Capital Planning - All applications must include a letter from the State Board of Regents assuring the proposed project fits with the scope of State Board of Regents' projects.

D) Utah College of Applied Technology's Board of Trustees Capital Planning - All applications must include a letter from the UCAT Board of Trustees assuring the proposed project fits with the scope of UCAT Board of Trustees' projects.

Public Service Projects

Section 63N-24-505(4)(a) UCA, states CIB will consider the provision of public services to include contracts funded through public postsecondary institutions for research, education, or public service programs. These projects should be of direct benefit to impacted counties or their political subdivisions. Applications to CIB for these types of projects shall be submitted from an impacted county and approved by the county legislative body.

- General land use plans developed by a public postsecondary institution for an impacted county or its political subdivisions are considered to be a public service program.

- Applications for studies and research projects should be for practical or applied research directed to immediate accomplishment of traditional governmental services.

- Applicants are advised that public service project or program requests relating to public postsecondary institutions require a twenty percent (20%) cash contribution by the applicant.

Applicants are advised that for public service project or program requests relating to public postsecondary institutions, CIB and the State Board of Regents have agreed to a ten percent (10%) cap on indirect costs. A waiver of the allowed ten percent (10%) indirect costs by the public postsecondary institution may not be counted towards the ***required twenty percent (20%) cash contribution by the applicant.***

CIB APPLICATION LIST REQUIREMENT

The CIB's administrative rules require that all project applications be identified on a "CIB Application List" submitted annually from each county. Projects not identified on a county's list will not be funded by CIB, unless they are a bona fide public safety or health emergency or other compelling reason.
Education Capital Project Applications shall be submitted by the public postsecondary institution in its own name as a state agency.

SUPPLEMENTAL FUNDING

If the bids for a previously funded project exceed available funding, the entity may present a request for supplemental funding for the project. Supplemental funding requires Board approval and if approved, the funding may be authorized in the same terms as original funding.
Contact CIB Staff.

USE OF FUNDS ~ MISCELLANEOUS

The Permanent Community Impact Fund Board (CIB) allocates funding in specificity according to the applicant's request and scope of work. Funding is allocated for that scope of work. Reimbursements shall be for expenses within the scope of work.
When the applicant has completed the contracted scope of work:

- *CIB funding recipients will submit an email verification of completion for all projects* in a reasonable time or an explanation of delay.*
- *When project funding has received no activity for 6 months, the recipient may be notified. Project funding may be recaptured.*

Remaining loan/grant funds are deemed to be grant funds (loan funding is allocated to the project first) and grant funds are recaptured into the Mineral Lease account. Interest accrued on combination grant/loan funds is recaptured into the mineral lease account. If the project was funded with 100% loan, the remaining funds may be allocated to the end of the loan.

All projects must proceed within a reasonable time. Funding recipients shall notify the CIB staff when project may be delayed or deferred.

WORKFORCE SERVICES
HOUSING & COMMUNITY DEVELOPMENT

UTAH COMMUNITY IMPACT BOARD

LEGISLATIVE REPORT OF THE

PERMANENT COMMUNITY IMPACT FUND

FISCAL YEAR 2025

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In Accordance with
Section 35A-l-109 & 35A-8-307, Utah Code Annotated, 1953
Department of Workforce Services
Housing and Community Development
140 East 300 South • 1st Floor
Salt Lake City, UT 84111
(385) 341-0199

Permanent Community

Impact Fund Board Members

PERMANENT COMMUNITY IMPACT FUND BOARD

BOARD MEMBERSHIP

(8/1/25)

Member	**Representing**
Mr. Curtis Wells, Chairman	***Rural Utah***
Mr. Kirt Slaugh	***State Treasurer's Designee***
Ms. Laura Hanson	***Governor's Office of Planning and Budget's Designee***
Mr. Bruce Adams	***State Transportation Commission***
Commissioner Jerry Taylor (Garfield County)	***Five County Association of Governments***
Commissioner Scott Bartholomew (Sanpete County)	***R6 Regional Council***
Commissioner Bill Winfield (San Juan County)	***SERDA***
Commissioner Jack Lytle (Daggett County)	***Uintah Basin Association of Governments***
Mayor Dean Baker (Naples City)	***Uintah County***
Commissioner Ralph Brown (Sevier County)	***Sevier County***
Commissioner Greg Miles (Duchesne County)	***Duchesne County***

Eligibility and Funding Criteria

PERMANENT COMMUNITY IMPACT FUND BOARD
GRANT & LOAN PROGRAM

Statutory Authority

The Permanent Community Impact Fund Board (CIB) is a program of the State of Utah authorized in Section 35A-8-301, et seq. Legislative policy.

Funds received by the state from federal mineral lease revenues under Section 59-21-2, bonus payments on federal oil shale lease tracts U-A and U-B, and all other bonus payments on federal mineral leases are to be used for ***planning, construction and maintenance of public facilities, and provision of public service***.

Priority for the use of the funds described in Subsection (1) shall be given to those communities designated as impacted by the development of natural resources covered by the Mineral Leasing Act.

The goal of the CIB is to maximize the long-term benefit of funds derived from these lease revenues and bonus payments by fostering funding mechanisms which will, consistent with sound financial practices, result in the greatest use of financial resources for the greatest number of citizens of this state.

More comprehensive information concerning the program is on the HCD Website:
https://jobs.utah.gov/housing/community/cib/index.html

Board Membership

The CIB is controlled by an eleven-member Board composed of:

- the state treasurer or the state treasurer's designee;
- the chair of the Transportation Commission or the chair's designee;
- the executive director of the Governor's Office of Planning and Budget or the executive director's designee;
- a locally elected official who resides in Carbon, Emery, Grand, or San Juan County;
- a locally elected official who resides in Juab, Millard, Sanpete, Sevier, Piute, or Wayne County;
- a locally elected official who resides in Duchesne, Daggett, or Uintah County;
- a locally elected official who resides in Beaver, Iron, Washington, Garfield, or Kane County;
- a locally elected official from the county that produced the most mineral lease money related to oil extraction during the four-year period immediately preceding the term of appointment, as determined by the department at the end of each term; and does not already have a representative on the impact board;
- a locally elected official from the county that produced the most mineral lease money related to natural gas extraction during the four-year period immediately preceding the term of appointment, as determined by the department at the end of each term and does not already have a representative on the impact board;
- a locally elected official from the county that produced the most mineral lease money related to coal extraction during the four-year period immediately preceding the term of appointment, as determined by the department at the end of each term and does not already have a representative on the impact board; and
- an individual who resides in a county of the third, fourth, fifth, or sixth class, appointed by the governor with the advice and consent of the Senate which is the *Chairman.*

Administrative and operational support is provided by the state
Housing and Community Development Division.

Eligible Applicants

- "Eligible Applicants" are limited to Utah state agencies and "subdivision of the state" including; counties, cities, towns, county service areas, special service districts, special improvement districts, water conservancy districts, water or sewer improvement districts, building authorities, school districts, and public postsecondary institutions.
- "Ineligible Applicants" include Indian Tribes, individuals, corporations, associations, private non-profit groups.
- Eligible applicants cannot apply on behalf of ineligible applicants.

Eligible Projects

- Utah state statute authorizes the CIB to fund the following types of activities: planning, construction and maintenance of public facilities, and provision of public services within the State of Utah.

- The CIB's administrative rules further define "public facilities and services" to mean public infrastructure traditionally provided by governmental entities.
- Eligibility is limited to projects owned by an eligible applicant.

Funding Guidelines

- Planning & study funding requests require a fifty percent cash contribution from the applicant.
- Funding requests for municipal planning and studies under $50,000 may be reviewed and authorized for funding by the Utah Community Development Office staff on an expedited basis.
- The estimated longevity of the project and loan financing will not extend past the useful life of the project.
- Revenue sources have inherent restrictions. B&C road revenues cannot be pledged in excess of 10 years and mineral lease revenues cannot exceed 15 years.
- Applicants must provide evidence and arguments to the Board as to how the proposed funding assistance provides for planning, the construction and maintenance of public facilities or the provision of public services.
- The CIB Application must identify how the project alleviates impacts on public infrastructure, public finance, federal land, employment and safety.
- State Procurement Standards must be followed across all projects funded by CIB.
- Solid waste management projects may be funded up to 80% of the cost of the project only with interest bearing loans.
- Applicants cannot count the use of in-kind funds unless the in-kind participation has a demonstrable value, such as real property. Donated labor or staff time cannot be counted as in-kind.
- The applicant shall submit a copy of any proposed application to the State History Preservation Officer (SHPO) for review and comment regarding the effect of the proposed project will have on any district, site, building structure or specimen that is included in or eligible for inclusion in the National Register of Historic Places or the State Register. https://heritage.utah.gov/history/compliance-historic-structures

Funding Process

The CIB reviews applications and authorizes funding assistance on a Trimester basis during the state fiscal year (July 1st – June 30th).
Meetings may be held the first Thursday of the month. The initial meetings of each Trimester are Project Review Meetings. The final meeting of each Trimester" is the Funding Meeting.

Trimester	***Application Deadline***	***Possible Review Meetings***	***Funding Meetings***
First	June 1	July, August, September	October
Second	October 1	November, December, January	February
Third	February 1	March, April, May	June

Permanent Community Impact Fund
140 East 300 South ~ 1st Floor
Salt Lake City, Utah 84111
Tele: 385-341-0199

Web Site

https://jobs.utah.gov/housing/community/cib/index.html

CIB

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Project Summary by Category

FY 2025

PROJECT LEVERAGED SUMMARY REPORT FISCAL YEAR 2025

Project Type 2025	Number of Projects	Total Project Costs	CIB Participation Grant Amount	Loan Amount	Total CIB Funding	CIB Percentage of Total Cost Grant %	Loan %	Total %
Communications sub-total	0	0	0	0	0	0%	0%	0%
Equipment purchase sub-total	0	0	0	0	0	0%	0%	0%
General Buildings sub-total	5	8,661,323	3,453,000	2,935,000	6,388,000	54%	46%	100%
Health & Public Safety sub-total	11	44,090,519	4,544,671	6,892,000	11,436,671	40%	60%	100%
Irrigation sub-total	0	0	0	0	0	0%	0%	0%
Plan/Study sub-total	18	1,467,600	1,125,800	0	1,125,800	100%	0%	100%
Rec & Culture sub-total	3	3,948,000	7,483,000	19,538,000	27,021,000	28%	72%	100%
Sewer Projects sub-total	3	14,552,000	5,265,000	8,687,000	13,952,000	38%	62%	100%
Transportation Projects sub-total	8	17,963,143	12,991,143	4,972,000	17,963,143	72%	28%	100%
Water Projects sub-total 2024	10	21,632,578	13,724,410	4,013,000	17,737,410	77%	23%	100%
Combined Projects sub-total	2	$9,914,000	$4,879,000	$1,640,000	$6,519,000	75%	25%	100%
Total	**60**	**122,229,163**	**53,466,024**	**48,677,000**	**102,143,024**	52%	48%	100%

THROUGHPUT FUND	***1***	***$ 11,000,000.00***	***$ -***	***$ 11,000,000.00***	***$ 11,000,000.00***	***0***	***100%***	***100%***

CIB Revenues and Allocations By County

FY 2025

TOTAL STATE AND CIB REVENUE AND ALLOCATIONS BY COUNTY

FISCAL YEAR 2025

COUNTY	TOTAL STATE REVENUE		TOTAL CIB REVENUE *43% of State		TOTAL ALLOCATIONS	
	AMOUNT	%	AMOUNT	%	AMOUNT	%
BEAVER	411,638	0.5%	177,004	0.5%	6,967,000	6.8%
BOX ELDER	0	0.5%	0	0.0%	368,000	0.4%
CACHE	0	0.0%	0	0.0%	25,000	0.0%
CARBON	2,312,064	2.6%	994,188	2.6%	600,000	0.6%
DAGGETT	471,652	0.5%	202,811	0.5%	2,538,000	2.5%
DAVIS	14,521	0.0%	6,244	0.0%	0	0.0%
DUCHESNE	13,007,030	14.4%	5,593,023	14.4%	6,083,000	6.0%
EMERY	11,715,025	13.0%	5,037,461	13.0%	3,465,000	3.4%
GARFIELD	355,840	0.4%	153,011	0.4%	760,000	0.7%
GRAND	652,057	0.7%	280,384	0.7%	1,422,000	1.4%
IRON	4,549	0.0%	1,956	0.0%	810,000	0.8%
JUAB	1,739	0.0%	748	0.0%	320,710	0.3%
KANE	3,164	0.0%	1,360	0.0%	10,663,000	10.4%
MILLARD	250,057	0.3%	107,525	0.3%	111,000	0.1%
MORGAN	3697	0.0%	1,590	0.0%	0	0.0%
PIUTE	623	0.0%	268	0.0%	762,000	0.7%
RICH	0	0.0%	0	0.0%	165,200	0.2%
SALT LAKE	-3,252	0.0%	-1,398	0.0%	0	0.0%
SAN JUAN	459,501	0.5%	197,585	0.5%	90,000	0.1%
SANPETE	9,626,212	10.7%	4,139,271	10.7%	3,910,500	3.8%
SEVIER	9,603,325	10.6%	4,129,430	10.6%	15,754,943	15.4%
SUMMIT	148,321	0.2%	63,778	0.2%	0	0.0%
TOOELE	104,895	0.1%	45,105	0.1%	0	0.0%
UINTAH	41,081,985	45.5%	17,665,254	45.5%	34,755,000	34.0%
UTAH	10,008	0.0%	4,304	0.0%	0	0.0%
WASATCH	-6,116	0.0%	-2,630	0.0%	5,900,000	5.8%
WASHINGTON	23,322	0.0%	10,028	0.0%	3,349,671	3.3%
WAYNE	3,930	0.0%	1,690	0.0%	2,489,000	2.4%
WEBER	0	0.0%	0	0.0%	0	0.0%
UNALLOCATED	0	0.0%	0	0.0%	0	0.0%
REGIONAL**	0	0.0%	0	0.0%	834,000	0.8%
TOTAL	**90,255,788**	100.0%	38,809,989	100.0%	**102,143,024**	100.0%

**CIB revenue is approximately 43% of state revenue.*

JULY 23, 2025 Fund Balance: Mineral Lease $15,940,641; Bonus $10,256,738

Throughput Infrastructure Fund (not mineral lease; includes interest accrued) **$54,428,760**

Major Infrastructure Fund $0

**The "Regional" classification includes Assn. of Governments, Higher Education Projects, and Regional Projects.

CIB Funded Projects

FY 2025

County	Recipient Name	Project Type	Supp	ML Grant	ML Loan	Bonus Loan	Terms	Total CIB Funds	Cost	FUNDED
	BEAVER COUNTY									
Beaver	Beaver City	Sewer Infrastructure improvements		$4,180,000	$0	$2,787,000	30y @ 2.0%	$6,967,000	$7,467,000	93%
				$4,180,000	**$0**	**$2,787,000**		**$6,967,000**	**$7,467,000**	
	BOX ELDER COUNTY									
Box Elder	Deweyville Town	Town Hall/Park Parking Lot		$348,000	$0	$0		$348,000	$348,000	100%
Box Elder	Perry City	Perry Parks Master Plan		$20,000	$0	$0		$20,000	$40,000	50%
				$368,000	**$0**	**$0**		**$368,000**	**$388,000**	
	CACHE COUNTY									
Cache	Cache County Corporation	Feasibility Study on Senior Center Current Facility		**$25,000**	**$0**	**$0**		**$25,000**	**$50,000**	50%
	CARBON COUNTY									
Carbon	Price City	Flood Detention Pond - Special Consideration		**$300,000**	**$0**	**$300,000**	**20y @ 0.5%**	**$600,000**	**$3,078,487**	*19%*
	DAGGETT COUNTY									
Daggett	Town of Dutch John	Road Imp. - Dutch John North & South Blvd		$1,103,000	$0	$960,000	5y @ 0.0%	$2,063,000	$2,131,000	100%
Daggett	Flaming Gorge Fire and EMS District	Paramedic Emergency Response Vehicle		$200,000	$0	$0		$200,000	$210,398	95%
Daggett	Town of Manila	Well & Water Improvements SUPP	2097	$275,000	$0	$0		$275,000	$275,000	100%
				$1,578,000	**$0**	**$960,000**		**$2,538,000**	**$2,616,398**	97%
	DAVIS COUNTY									
	DUCHESNE COUNTY									
Duchesne	Myton City	Myton Main Street Improvements		$1,600,000	$0	$0		$1,600,000	$3,745,000	43%
Duchesne	Hanna Water and Sewer Improvement District	District Office and Warehouse		$668,000	$0	$0		$668,000	$688,000	97%
Duchesne	Duchesne City	2025 Water and Sewer Infrastructure-Area B Blue Bench/D-H		$2,670,000	$0	$1,145,000	30y @ 0.5%	$3,815,000	$3,815,000	100%
				$4,938,000	**$0**	**$1,145,000**		**$6,083,000**	**$8,248,000**	74%
	EMERY COUNTY									
Emery	Emery County	Emery County General Plan		$25,000	$0	$0		$25,000	$50,000	50%
Emery	Castle Valley Special Service District	Consolidated Capital Projects 2025		$1,800,000	$1,640,000	$0	6y @ 1.5%	$3,440,000	$3,756,000	92%
				$1,825,000	**$1,640,000**	**$0**		**$3,465,000**	**$3,806,000**	91%
	GARFIELD COUNTY									
Garfield	Escalante MBA	Medical Center Addition SUPP	2048	**$600,000**	**$0**	**$160,000**	**30y @ 1.0%**	**$760,000**	**$760,000**	100%
	GRAND COUNTY									
Grand	Castle Valley Town	Flood Damage Repair & Mitigation 2025		$297,000	$0	$296,000	30y @ 2.5%	$593,000	$2,461,225	24%
Grand	Grand County	Aircraft Rescue and Fire Fighting Vehicle		$0	$1,422,000	$0	15y @ 1.0%	$1,422,000	$1,422,000	100%
				$297,000	**$1,422,000**	**$296,000**		**$2,015,000**	**$3,883,225**	52%
	IRON COUNTY									
Iron	Enoch City	Police Department Expansion - SUPP	2059	$0	$0	$760,000	30Y @ 2.5%	$760,000	$1,015,000	75%
Iron	Enoch City	I-15 Underpass Feasibility Study		$50,000	$0	$0		$50,000	$100,000	50%
				$50,000	**$0**	**$760,000**		**$810,000**	**$1,115,000**	73%
	JUAB COUNTY									
Juab	Mona City	2024 Sewer Master Plan		$32,500	$0	$0		$32,500	$65,000	50%
Juab	Mona City	Water Imp - 200 North Waterline Replacement		$261,410	$0	$0		$261,410	$361,410	72%
Juab	Eureka City	Roads Master Plan		$26,800	$0	$0		$26,800	$53,600	50%
				$320,710	**$0**	**$0**		**$320,710**	**$480,010**	67%
	KANE COUNTY									
Kane	Kane County Human Resource SSD	Kane County Hospital Outpatient Service Building		$0	$4,250,000	$0	25y @ 3.0%	$4,250,000	$32,029,213	13%
Kane	Zion Mountain Local Service District	East Zion Visitors Center SUPP	1872	$0	$0	$6,413,000	30Y @ 2.0%	$6,413,000	$6,413,000	100%
				$0	**$4,250,000**	**$6,413,000**		**$10,663,000**	**$38,442,213**	28%
	MILLARD COUNTY									
Millard	Town of Scipio	Water Meter Upgrade		**$111,000**	**$0**	**$0**		**$111,000**	**$127,168**	87%
	MORGAN COUNTY									
	PIUTE COUNTY									
Piute	Town of Kingston	Kingston Spring Redevelopment		$367,000	$100,000	$0	30y @ 0.0%	$467,000	$566,000	83%
Piute	Marysvale Town	Fire Station SUPP	2034	$295,000	$0	$0		$295,000	$1,895,000	16%
				$662,000	**$100,000**	**$0**		**$762,000**	**$2,461,000**	31%
	RICH COUNTY									
Rich	Town of Randolph	Road Improvements		**$165,200**	**$0**	**$0**		**$165,200**	**$413,000**	40%

County	Recipient Name	Project Type	Supp	ML Grant	ML Loan	Bonus Loan	Terms	Total CIB Funds	Cost	FUNDED
	SALT LAKE COUNTY									
	SAN JUAN COUNTY									
San Juan	Monticello City	Emergency Flood Control & Mitigation		**$90,000**	**$0**	**$0**		**$90,000**	**$95,000**	95%
	SANPETE COUNTY									
Sanpete	Town of Wales	Culinary Water Line Loop		$600,000	$0	$0		$600,000	$600,000	100%
Sanpete	Manti City	Sewer Master Plan		$32,500	$0	$0		$32,500	$65,000	50%
Sanpete	Fayette Town	Water System Improvements		$90,000	$0	$0		$90,000	$180,000	50%
Sanpete	Centerfield City	Culinary Water Pipeline Imp - East		$1,096,000	$0	$1,097,000	30y @ 1.0%	$2,193,000	$2,193,000	100%
Sanpete	Spring City	Spring City Multipurpose Building		$995,000	$0	$0		$995,000	$1,148,323	87%
				$2,813,500	**$0**	**$1,097,000**		**$3,910,500**	**$4,186,323**	
	SEVIER COUNTY									
Sevier	Richfield City Municipal Building Authority	New Pool Facility 2025		$3,683,000	$0	$5,525,000	30y @ 2.0%	$9,208,000	$12,160,000	76%
Sevier	Redmond Town	Wastewater Improvements Project		$1,085,000	$0	$0		$1,085,000	$1,185,000	92%
Sevier	Monroe City	Stormwater Improvement Project		$350,000	$0	$0		$350,000	$350,000	100%
Sevier	Glenwood Town	2024 Pavement Project		$222,549	$0	$127,000	10y @ 1.0%	$349,549	$349,549	100%
Sevier	Richfield City	General & Transportation Capital Facilities plan		$30,000	$0	$0		$30,000	$60,000	50%
Sevier	Koosharem Town	Community Center SUPP	2039	$90,000	$0	$0		$90,000	$1,490,000	6%
Sevier	Central Valley Town	2025 Roadway Improvements		$287,394	$0	$0		$287,394	$1,148,000	25%
Sevier	Brooklyn Special Service District	Culinary Water Imp 2025		$4,355,000	$0	$0		$4,355,000	$7,945,000	55%
				$10,102,943	**$0**	**$5,652,000**		**$15,754,943**	**$24,687,549**	64%
	SUMMIT COUNTY									
	TOOELE COUNTY									
	UINTAH COUNTY									
Uintah	Naples City	Storm Water Preservation, Road Crossings & Ro	1838	$1,250,000	$0	$450,000	20y @ 0.5%	$1,700,000	$1,700,000	100%
Uintah	Ashley Valley W&SID	Administration Office		$1,000,000	$0	$2,935,000	30Y @ 1.0%	$3,935,000	$3,935,000	100%
Uintah	Uintah Transportation Special Service Dist	Road Imp - Independence East Area		$8,015,000	$0	$3,435,000	15y @ 0.5%	$11,450,000	$12,450,000	92%
Uintah	Uintah Special Service District #1	Athletic Facility		$3,800,000	$0	$7,600,000	15Y @ 2.5%	$11,400,000	$20,909,000	55%
Uintah	Uintah County MBA	Cemetery Multi-Use Building		$700,000	$0	$0		$700,000	$1,400,000	50%
Uintah	Vernal City	Water Imp - 3500 West Transmission Line & 100 N Water		$3,899,000	$1,671,000	$0	30y @ 0.5%	$5,570,000	$5,570,000	100%
				$18,664,000	**$1,671,000**	**$14,420,000**		**$34,755,000**	**$45,964,000**	76%
	UTAH COUNTY									
	WASATCH COUNTY									
Wasatch	Heber City	Sewer & Pressurized Irrigation Improvements Ph	2023	**$0**	**$0**	**$5,900,000**	**30y @ 3.5%**	**$5,900,000**	**$5,900,000**	100%
	WASHINGTON COUNTY									
Washington	Northwestern Special Service District	2024 F350 Quick Response Ambulance		$220,671	$0	$0		$220,671	$246,421	90%
Washington	Hildale City	Water, Sewer, Road - Maxwell Canyon Utility Improvements		$3,079,000	$0	$0		$3,079,000	$6,158,000	50%
Washington	Town of Virgin	Storm Water Drainage Master Plan - Study		$50,000	$0	$0		$50,000	$100,000	50%
				$3,349,671	**$0**	**$0**		**$3,349,671**	**$6,504,421**	51%
	WAYNE COUNTY									
Wayne	Wayne County MBA	Emergency Services Building		**$2,489,000**	**$0**	**$0**		**$2,489,000**	**$2,989,000**	83%
	WAYNE COUNTY									
	REGIONAL									
State & Regional	R6 Regional Council	Capital Improvement Plan (CIP) - Pilot Program		$30,000	$0	$0		$30,000	$30,000	100%
State & Regional	R6 Regional Council	Capital Improvement Plan (CIP) - Pilot Program S	2144	$50,000	$0	$0		$50,000	$100,000	50%
State & Regional	Bear River Association of Governments	RPP Funding for FY-2025		$150,000	$0	$0		$150,000	$150,000	100%
State & Regional	Five County Association of Governments	RPP Funding for FY-2025		$150,000	$0	$0		$150,000	$150,000	100%
State & Regional	Mountainland Association of Governments	Capital Improvement Lists - 2025		$2,000	$0	$0		$2,000	$2,000	100%
State & Regional	R6 Regional Council	RPP Funding for FY-2025		$150,000	$0	$0		$150,000	$150,000	100%
State & Regional	SEUALG - SERDA	RPP Funding for FY-2025		$150,000	$0	$0		$150,000	$150,000	100%
State & Regional	Uintah Basin Association of Governments	RPP Funding for FY-2025		$150,000	$0	$0		$150,000	$150,000	100%
State & Regional	Wasatch Front Regional Council	Capital Improvement Lists - 2025		$2,000	$0	$0		$2,000	$2,000	100%
				$834,000	**$0**	**$0**		**$834,000**	**$884,000**	94%
	FY2025 TOTAL			**$53,763,024**	**$9,083,000**	**$39,890,000**		**$102,736,024**	**$163,661,794**	63%

THROUGHPUT INFRASTRUCTURE FUND 2025

County	Recipient Name	Project Type	Supp	ML Grant	ML Loan	Bonus Loan	Terms	Total CIB Funds	Cost	FUNDED
Millard/Juab	ARES STRATEGIC MINING, INC.	Mining Project - Fluorspar and Gallium		$0	$0	100% LOAN	7Y @ 4.5%	$11,000,000	$11,000,000	100%

CIB Revenues and Allocations By County

FY2021 ~ FY2025

TOTAL STATE AND CIB REVENUE AND ALLOCATIONS BY COUNTY

FISCAL YEAR 2021-2025

COUNTY	TOTAL STATE REVENUE		TOTAL CIB REVENUE		TOTAL ALLOCATIONS	
	AMOUNT	%	*(43% of State)	%	AMOUNT	%
BEAVER	2,299,184	0.5%	988,649	0.5%	14,904,242	2.7%
BOX ELDER	1,395	0.0%	600	0.0%	708,000	0.1%
CACHE	0	0.0%	0	0.0%	7,469,552	1.3%
CARBON	25,449,181	5.7%	10,943,148	5.7%	23,055,260	4.1%
DAGGETT	2,839,942	0.6%	1,221,175	0.6%	19,008,000	3.4%
DAVIS	49,157	0.0%	21,138	0.0%	0	0.0%
DUCHESNE	42,866,404	9.6%	18,432,554	9.6%	28,758,150	5.2%
EMERY	29,958,007	6.7%	12,881,943	6.7%	30,397,625	5.5%
GARFIELD	2,070,469	0.5%	890,302	0.5%	5,607,545	1.0%
GRAND	4,880,831	1.1%	2,098,757	1.1%	11,529,092	2.1%
IRON	50,452	0.0%	21,694	0.0%	3,150,000	0.6%
JUAB	76,067	0.0%	32,709	0.0%	5,060,482	0.9%
KANE	5,328,923	1.2%	2,291,437	1.2%	45,898,908	8.2%
MILLARD	1,311,137	0.3%	563,789	0.3%	12,771,000	2.3%
MORGAN	8,836	0.0%	3,800	0.0%	14,048,350	2.5%
PIUTE	6,589	0.0%	2,833	0.0%	5,292,000	0.9%
RICH	0	0.0%	0	0.0%	819,592	0.1%
SALT LAKE	14,743	0.0%	6,340	0.0%	0	0.0%
SAN JUAN	5,696,222	1.3%	2,449,375	1.3%	32,824,395	5.9%
SANPETE	18,880,205	4.2%	8,118,488	4.2%	23,099,300	4.1%
SEVIER	39,761,209	8.9%	17,097,320	8.9%	78,791,619	14.1%
SUMMIT	728,075	0.2%	313,072	0.2%	0	0.0%
TOOELE	648,233	0.1%	278,740	0.1%	8,500,000	1.5%
UINTAH	261,876,554	58.8%	112,606,918	58.8%	85,205,100	15.3%
UTAH	138,950	0.0%	59,748	0.0%	0	0.0%
WASATCH	12,011	0.0%	5,165	0.0%	54,318,000	9.7%
WASHINGTON	115,475	0.0%	49,654	0.0%	33,277,737	6.0%
WAYNE	0	0.0%	0	0.0%	7,447,400	1.3%
WEBER	0	0.0%	0	0.0%	0	0.0%
UNALLOCATED	0	0.0%	0	0.0%	0	0.0%
REGIONAL**	0	0.0%	0	0.0%	5,270,000	0.9%
TOTAL	**445,068,251**	100.0%	**191,379,348**	100.0%	**557,211,349**	100.0%

**CIB Revenue is approximately 43% of State Revenue.*

**The "Regional" classification includes Assn. of Governments, Higher Education Projects, and Regional Projects.

CIB Funded Projects

FY 2021 – 2025

Year	Recipient Name	Project Name	Supp	ML Grant	ML Loan	Bonus Loan	Terms	CIB Funds	Cost	% CIB
	BEAVER COUNTY									
2021	Beaver Fire District #1 LBA	Brush Fire Truck		$169,000	$0	$150,000	15Y @ 1.5%	$319,000	$398,648	80%
2021	Beaver Fire District #1 LBA	New Ambulance		$158,242	$0	$97,000	10y @ 1%	$255,242	$255,242	100%
2021	Minersville Town	2020 Water Improvement Project SUPP	X	$230,000	$0	$175,000	30y @ 1%	$405,000	$1,105,000	37%
2021	Beaver City	Bear Canyon Spring Development		$493,000	$0	$493,000	20Y @ 1%	$986,000	$1,036,000	95%
2022	Elk Meadows SSD	2022 Water Improvements		$0	$0	$3,450,000	30Y @ 1.5%	$3,450,000	$3,450,000	100%
2023	Elk Meadows SSD	2022 Water Improvements SUPP	X	$0	$0	$550,000	30Y @ 1.5%	$550,000	$4,000,000	14%
2024	Milford City	Wastewater Improvements Project		$986,000	$0	$986,000	30Y @ 2.5%	$1,972,000	$2,131,500	93%
2025	Beaver City	Sewer Infrastructure improvements		$4,180,000	$0	$2,787,000	30y @ 2.0%	$6,967,000	$7,467,000	93%
				$6,216,242	**$0**	**$8,688,000**		**$14,904,242**	**$19,843,390**	
	BOX ELDER COUNTY									
2022	Honeyville City	General Plan		$40,000	$0	$0		$40,000	$80,000	50%
2023	Corinne City	Water & Sewer Master Plan		$50,000	$0	$0		$50,000	$100,000	50%
2024	Bear River Water District	Water Master Plan		$250,000	$0	$0		$250,000	$500,000	50%
2025	Deweyville Town	Town Hall/Park Parking Lot		$348,000	$0	$0		$348,000	$348,000	100%
2025	Perry City	Perry Parks Master Plan		$20,000	$0	$0		$20,000	$40,000	50%
				$708,000	**$0**	**$0**		**$708,000**	**$1,068,000**	
	CACHE COUNTY									
2021	Cache County Corporation	Urban & Rural Areas Assessment & Cost of Services Plan		$93,552	$0	$0		$93,552	$187,104	50%
2021	Cache County Corporation	General Plan		$50,000	$0	$0		$50,000	$111,984	45%
2021	Providence City	Water Storage Tank		$0	$0	$1,990,000	30y @ 1.5%	$1,990,000	$2,071,000	96%
2021	Providence City	Sewer Master Plan		$30,000	$0	$0		$30,000	$60,000	50%
2021	Hyde Park City	Wastewater Master Plan & Impact Fee Facility Plan Updat		$40,000	$0	$0		$40,000	$81,500	49%
2021	Nibley City	Sewer Master Plan		$20,000	$0	$0		$20,000	$40,000	50%
2022	Providence City	Water Master Plan		$45,000	$0	$0		$45,000	$90,000	50%
2022	North Logan City	Community Center		$0	$0	$5,000,000	30y @ 2.5%	$5,000,000	$8,759,000	57%
2023	Hyde Park City	Culinary Water Master Plan Update 2022		$31,000	$0	$0		$31,000	$62,000	50%
2024	Richmond City	Sewer & Water Master Plan Update		$50,000	$0	$0		$50,000	$135,022	37%
2024	Nibley City	Storm Water Master Plan		$30,000	$0	$0		$30,000	$60,000	50%
2024	Hyde Park City	Storm Water Master Plan		$15,000	$0	$0		$15,000	$30,000	50%
2024	Logan City	General Plan Updates		$50,000	$0	$0		$50,000	$200,000	25%
2025	Cache County Corporation	Feasibility Study on Senior Center Current Facility		$25,000	$0	$0		$25,000	$50,000	50%
				$479,552	**$0**	**$6,990,000**		**$7,469,552**	**$11,937,610**	
	CARBON COUNTY									
2021	SEUALG / SERDA	Transit Feasibility Study		$15,000	$0	$0		$15,000	$75,000	20%
2021	Price City	Reconstruction on 700 East, 300 East & 4th Aven	X	$150,000	$0	$450,000	15Y @ 1.5%	$600,000	$2,300,000	26%
2021	Price River Water Improvement District	Nutrient Removal Project		$0	$0	$3,200,000	30Y @ 1%	$3,200,000	$3,200,000	100%
2021	East Carbon City	Water Treatment Plant		$1,442,000	$0	$547,000	30Y @ .5%	$1,989,000	$3,650,000	54%
2021	SEUALG / SERDA	New Administration Building, Food Bank, Weathe	X	$6,936,000	$0	$0		$6,936,000	$7,236,260	96%
2022	Wellington City	Culinary water Improvements		$3,952,000	$0	$1,861,000	30Y @ .5%	$5,813,000	$7,580,170	77%
2022	SEUALG / SERDA	New Administration Building, Food Bank, Weathe	X	$300,260	$0	$0		$300,260	$7,236,260	4%
2022	Eastern Utah TV	Microwave Units Replacement for TV Towers		$144,000	$0	$0		$144,000	$144,000	100%
2022	Scofield Town	New Well and Infrastructure		$315,000	$110,000	$0	30y @ 0%	$425,000	$600,000	71%
2023	SEUALG / SERDA	New Administration Building, Food Bank, Weathe	X	$1,463,000	$0	$0		$1,463,000	$8,888,000	16%
2023	Price Municipal Corporation	Culinary Water System Master Plan		$140,000	$0	$0		$140,000	$280,000	50%
2024	SEUALG / SERDA	New Administration Building, Food Bank, Weathe	X	$395,000	$0	$0		$395,000	$9,094,260	4%
2024	Helper City	Public Works Garage		$233,000	$519,000	$0	30Y @ 0%	$752,000	$848,000	89%
2024	Carbon County	Dispatch Software Upgrade - Spillman Tech	S/C	$283,000	$0	$0		$283,000	$566,000	50%
2025	Price City	Flood Detention Pond - Special Consideration		$300,000	$0	$300,000	20y @ 0.5%	$600,000	$3,078,487	*19%*
				$16,068,260	**$629,000**	**$6,358,000**		**$23,055,260**	**$54,776,437**	

Year	Recipient Name	Project Name	Supp	ML Grant	ML Loan	Bonus Loan	Terms	CIB Funds	Cost	% CIB
	DAGGETT COUNTY									
2021	Manila Town	General Plan Update		$7,000	$0	$0		$7,000	$14,000	50%
2021	Dutch John Town	General Plan		$10,000	$0	$0		$10,000	$20,000	50%
2022	Manila	General Plan and Zoning Updates		$25,000	$0	$0		$25,000	$50,000	50%
2022	Daggett County	2021 Dutch John Water Improvements		$4,411,000	$0	$779,000	30Y @ .5%	$5,190,000	$5,190,000	100%
2024	Daggett County MBA	Community Health & Social Svcs Ctr		$5,786,000	$0	$1,447,000	30Y @ 0.5%	$7,233,000	$7,233,000	100%
2024	Town of Manila	Sewer Improvements 2023		$2,628,000	$0	$877,000	30Y @ 1.0%	$3,505,000	$7,410,000	47%
2024	Town of Manila	Well & Water Improvements		$280,000	$0	$220,000	30Y @ 1.5%	$500,000	$500,000	100%
2025	Town of Dutch John	Road Imp. - Dutch John North & South Blvd		$1,103,000	$0	$960,000	5y @ 0.0%	$2,063,000	$2,131,000	100%
2025	Flaming Gorge Fire and EMS District	Paramedic Emergency Response Vehicle		$200,000	$0	$0		$200,000	$210,398	95%
2025	Town of Manila	Well & Water Improvements SUPP	X	$275,000	$0	$0		$275,000	$275,000	100%
				$14,725,000	**$0**	**$4,283,000**		**$19,008,000**	**$23,033,398**	
	DAVIS COUNTY							***$0***		
	DUCHESNE COUNTY									
2021	Cedarview Montwell SSD	Page Sharmel Water Project 2020		$1,430,000	$0	$770,000	30Y @ .5%	$2,200,000	$2,200,000	100%
2021	Duchesne County MBA	Roosevelt Branch Library & Community Center		$1,316,000	$0	$3,949,000	30Y @ .5%	$5,265,000	$5,265,000	100%
2021	Neola Water & Sewer District	Waste Water Master Plan		$15,000	$0	$0		$15,000	$30,000	50%
2021	Johnson Water District	Pleasant Valley Loop Improvements Project		$891,150	$0	$857,000	30Y @ 1%	$1,748,150	$1,848,150	95%
2022	Neola Water & Sewer District	Sewer Improvement		$455,000	$0	$455,000	30Y @ .5%	$910,000	$910,000	100%
2023	Roosevelt City MBA	Sports Complex		$280,000	$0	$3,220,000	20Y @ .5%	$3,500,000	$3,500,000	100%
2023	Roosevelt City	State Street Reconstruction		$345,000	$0	$284,000	10Y @ .5%	$629,000	$2,811,000	22%
2023	Duchesne County SSD #2	Gate Canyon Road		$1,800,000	$0	$1,200,000	15Y @ .5%	$3,000,000	$3,000,000	100%
2024	Upper Community Recreation District LBA	Altamont Rodeo Grounds Renovation		$456,000	$0	$714,000	30y @ .5%	$1,170,000	$1,170,000	100%
2024	Fruitland SSD	Mill Hollow Lower Spring Development		$307,000	$0	$181,000	30y @ 2%	$488,000	$488,000	100%
2024	Duchesne City	Water & Sewer Infrastructure - Blue Bench		$1,795,000	$0	$905,000	30y @ 1%	$2,700,000	$2,700,000	100%
2024	Cedarview Montwell SSD	Operations Building		$570,000	$430,000	$0	30Y @ 0.0%	$1,000,000	$1,065,000	94%
2024	Duchesne City	2024 Duchesne City Master Plan		$50,000	$0	$0		$50,000	$100,000	50%
2025	Myton City	Myton Main Street Improvements		$1,600,000	$0	$0		$1,600,000	$3,745,000	43%
2025	Hanna Water and Sewer Imp District	District Office and Warehouse		$668,000	$0	$0		$668,000	$688,000	97%
2025	Duchesne City	2025 Water and Sewer Infrastructure-Area B Blue Bench/D		$2,670,000	$0	$1,145,000	30y @ 0.5%	$3,815,000	$3,815,000	100%
				$14,648,150	**$430,000**	**$13,680,000**		**$28,758,150**	**$33,335,150**	
	EMERY COUNTY									
2021	Green River City	Canal Commons Pre-Development - Water, Sewer & Road		$121,000	$0	$0		$121,000	$121,000	100%
2021	Emery County LBA	San Rafael Energy Research Center		$7,000,000	$0	$491,000	30y @ .5%	$7,491,000	$7,491,000	100%
2021	Ferron City	Recreational Trails Master Plan		$20,000	$0	$0		$20,000	$40,000	50%
2021	Green River City	River Enhancement Phase 1		$0	$0	$300,000	30Y @ .5%	$300,000	$591,837	51%
2021	Castle Valley SSD	Consolidated Capital Projects 2021		$900,000	$0	$1,100,000	6Y @ 1%	$2,000,000	$2,016,000	99%
2021	North Emery Water Users SSD	Culinary Water Master Plan		$40,000	$0	$0		$40,000	$80,000	50%
2021	Green River City	Water Distribution System Evaluation		$56,625	$0	$0		$56,625	$113,251	50%
2022	Emery County LBA	2 Ambulances		$200,000	$0	$0		$200,000	$400,000	50%
2022	Emery Town	Pioneer Church Revitalization		$420,000	$0	$0		$420,000	$675,000	62%
2022	Castle Valley SSD	2022 Consolidated Capital Projects		$1,000,000	$0	$1,000,000	6y @ 1.5%	$2,000,000	$2,016,000	99%
2023	Emery County	SITLA Easements - Class D Roads	P	$220,000	$0	$0		$220,000	$220,000	100%
2023	Emery Co Fire Protection SSD	4 Pumper Trucks		$838,000	$0	$838,000	10Y @ 1%	$1,676,000	$1,676,000	100%
2023	Ferron City	Adventure Hub		$63,000	$0	$134,000	30Y @ 2%	$197,000	$347,000	57%
2023	Castle Valley SSD	2023 Consolidated Capital Projects		$1,184,000	$0	$1,391,000	6Y @ 1.5%	$2,575,000	$2,591,000	99%
2024	Green River City	Sewer Collection System Improvements 2023		$2,441,000	$0	$2,440,000	20y @ .5%	$4,881,000	$4,881,000	100%
2024	Emery County LBA	Huntington Senior Center		$1,500,000	$0	$0		$1,500,000	$2,500,000	60%
2024	Castle Valley SSD	Consolidated Capital Projects 2024		$1,685,000	$1,200,000	$0	6Y @ 1.5%	$2,885,000	$3,455,000	84%
2024	Emery County LBA	Huntington Senior Center SUPP	X	$350,000	$0	$0		$350,000	$800,000	44%
2025	Emery County	Emery County General Plan		$25,000	$0	$0		$25,000	$50,000	50%
2025	Castle Valley SSD	Consolidated Capital Projects 2025		$1,800,000	$1,640,000	$0	6y @ 1.5%	$3,440,000	$3,756,000	92%
				$19,863,625	**$2,840,000**	**$7,694,000**		**$30,397,625**	**$33,820,088**	90%

Year	Recipient Name	Project Name	Supp	ML Grant	ML Loan	Bonus Loan	Terms	CIB Funds	Cost	% CIB
	GARFIELD COUNTY									
2021	Hatch Town	Drainage Study		$25,000	$0	$0		$25,000	$50,000	50%
2021	Antimony Town	Town Well Project		$1,000,000	$0	$500,000	30Y @ 1%	$1,500,000	$1,500,000	100%
2021	Panguitch City	Water Tank Lid Replacement Moved to next Trimester per		$200,000	$0	$0		$200,000	$375,000	53%
2022	Henrieville Town	General Plan		$12,500	$0	$0		$12,500	$25,000	50%
2022	Garfield County	Garfield Memorial Hospital Renovation		$1,132,545	$0	$0		$1,132,545	$2,265,090	50%
2022	Henrieville Town	New Well Area Improvements		$117,500	$0	$0		$117,500	$117,500	100%
2023	Panguitch City	Fire Truck		$150,000	$0	$150,000	5Y @ 1%	$300,000	$700,000	43%
2024	Escalante MBA	Medical Center Addition		$940,000	$0	$620,000	30Y @ 1%	$1,560,000	$1,590,000	98%
2025	Escalante MBA	Medical Center Addition	X	$600,000	$0	$160,000	30y @ 1.0%	$760,000	$760,000	100%
				$4,177,545	**$0**	**$1,430,000**	**$0**	**$5,607,545**	**$7,382,590**	76%
	GRAND COUNTY									
2022	Moab Valley Fire Protection District	Pumper/Tanker		$324,000	$0	$276,000	15y @ .5%	$600,000	$800,000	75%
2022	Grand County MBA	Jackson Street Drainage Mitigation Phase 2		$447,000	$0	$909,000	30y @ 1%	$1,356,000	$2,711,943	50%
2023	Moab City	Kane Creek Blvd Reconstruction; 500 W to US-191		$3,731,000	$0	$4,208,000	15Y @ 2%	$7,939,000	$8,807,710	90%
2024	Thompson SSD	SCADA Digital Metering System		$153,092	$0	$0	30Y @ 1.0%	$153,092	$153,092	100%
2024	Town of Castle Valley	Castle Valley Water Budget Study		$9,000	$0	$0		$9,000	$35,000	26%
2024	Moab City	Downtown Master Plan		$50,000	$0	$0		$50,000	$250,000	20%
2025	Grand County MBA	Aircraft Rescue and Fire Fighting Vehicle		$0	$1,422,000	$0	15y @ 1.0%	$1,422,000	$1,422,000	100%
				$4,714,092	**$1,422,000**	**$5,393,000**		**$11,529,092**	**$14,179,745**	81%
	IRON COUNTY									
2022	Iron County MBA	Newcastle Fire Station		$250,000	$0	$250,000	30Y @ 1%	$500,000	$700,000	71%
2023	Brian Head Town	Snowshoe & Toboggan Fire Protection Water Line		$95,000	$0	$260,000	30Y @ 2.5%	$355,000	$862,870	41%
2024	Enoch City	Police Department Expansion		$0	$0	$1,460,000	30Y @ 2.5%	$1,460,000	$1,460,000	100%
2024	Iron County	Iron County Fire District Feasibility Study		$25,000	$0	$0		$25,000	$50,000	50%
2025	Enoch City	Police Department Expansion - SUPP	X	$0	$0	$760,000	30Y @ 2.5%	$760,000	$1,015,000	75%
2025	Enoch City	I-15 Underpass Feasibility Study		$50,000	$0	$0		$50,000	$100,000	50%
				$420,000	**$0**	**$2,730,000**		**$3,150,000**	**$4,187,870**	75%
	JUAB COUNTY									
2021	Nephi City	General Plan Update		$15,000	$0	$0		$15,000	$30,000	50%
2021	Mona City	Water Tank		$858,000	$0	$1,092,000	30Y @ 1%	$1,950,000	$2,000,000	98%
2022	Mona City	Culinary Water Pipe Replacement SUPP	X	$103,200	$0	$132,000	30Y @ .5%	$235,200	$336,000	70%
2022	Levan Town	Dump Snow Truck		$84,000	$0	$116,000	15y @ .5%	$200,000	$279,387	72%
2022	Mona City	Culinary Water Pipe Replacement SUPP	X	$22,000	$0	$28,000	30Y @ .5%	$50,000	$386,000	13%
2023	Rocky Ridge Town	Town Hall		$1,144,572	$0	$1,145,000	30Y @ 1%	$2,289,572	$2,386,172	96%
2025	Mona City	2024 Sewer Master Plan		$32,500	$0	$0		$32,500	$65,000	50%
2025	Mona City	Water Imp - 200 North Waterline Replacement		$261,410	$0	$0		$261,410	$361,410	72%
2025	Eureka City	Roads Master Plan		$26,800	$0	$0		$26,800	$53,600	50%
				$2,547,482	**$0**	**$2,513,000**		**$5,060,482**	**$5,897,569**	86%
	KANE COUNTY									
2021	East Zion SSD	Fire Station Pre-Fab Building and Pavement SUP	X	$268,189	$0	$100,000	30y @ .5%	$368,189	$368,189	100%
2021	Kane County Water Cons Dist	Wastewater Impact Fee Facilities Plan		$20,000	$0	$0		$20,000	$40,000	50%
2021	Zion Mountain Local Service District	East Zion Visitors Center		$0	$0	$15,550,000	30Y @ 1%	$15,550,000	$15,500,000	100%
2021	Kane County	Road Maintenance Facility		$100,266	$0	$1,314,000	20y @ 1%	$1,414,266	$1,414,266	100%
2022	Big Water Town	Vehicle		$60,000	$0			$60,000	$80,000	75%
2022	Kane County MBA	Administration Building & Kanab Center Renovati	X	$264,000	$0	$1,936,000	30Y @ .5%	$2,200,000	$2,200,000	100%
2022	East Zion SSD	Fire Station Pre-Fab Building and Pavement SUP	X	$54,658	$0	$20,000	30y @ .5%	$74,658	$442,847	17%
2022	Big Water Town	Purchase 2 Refurbished Fire Trucks		$271,000	$0	$189,000	15y @ .5%	$460,000	$480,000	96%
2022	Kane County Water Cons Dist	Land Acquisition		$0	$0	$1,240,000	30y @ 2.5%	$1,240,000	$1,260,000	98%
2023	Zion Mountain Local Service District	Water Reclamation Project		$0	$0	$9,200,000	30Y @ 1%	$9,200,000	$10,793,286	85%
2023	Kane County Water Cons Dist	Maintenance Building		$28,000	$0	$333,000	30Y @ 1%	$361,000	$361,000	100%
2023	Kane County MBA	Administration Building & Kanab Center Renovati	X	$168,000	$0	$1,232,000	30Y @ .5%	$1,400,000	$3,657,044	38%
2023	Kane County	Community Outreach Center		$339,795	$0	$2,493,000	30Y @ 2%	$2,832,795	$3,151,795	90%

Year	Recipient Name	Project Name	Supp	ML Grant	ML Loan	Bonus Loan	Terms	CIB Funds	Cost	% CIB
2024	Big Water Town	F150 Truck		$55,000	$0	$0		$55,000	$65,000	85%
2025	Kane County Human Resource SSD	Kane County Hospital Outpatient Service Building		$0	$4,250,000	$0	25y @ 3.0%	$4,250,000	$32,029,213	13%
2025	Zion Mountain Local Service District	East Zion Visitors Center SUPP	X	$0	$0	$6,413,000	30Y @ 2.0%	$6,413,000	$6,413,000	100%
				$1,628,908	**$4,250,000**	**$40,020,000**		**$45,898,908**	**$78,255,640**	59%
	MILLARD COUNTY									
2021	Lynndyl Town	Fire Station & Community Center Project		$560,000	$90,000	$0	30y @ 0%	$650,000	$900,000	72%
2021	Lynndyl Town	Fire Station & Community Center Project		$0	$0	$250,000	30y @ 2%	$250,000	$900,000	28%
2021	Holden Town	Water Master Plan		$20,000	$0	$0		$20,000	$40,300	50%
2021	Scipio Town	Water System Improvements SUPP	X	$200,000	$0	$100,000	30Y @ .5%	$300,000	$1,487,779	20%
2022	Leamington Town	Road Improvement Project		$300,000	$0	$0		$300,000	$300,000	100%
2022	Scipio Town	Water System Improvements SUPP	X	$353,000	$0	$0		$353,000	$1,841,000	19%
2022	Leamington Town	Maintenance Storage Building		$200,000	$0	$0		$200,000	$250,000	80%
2023	Delta City	Wastewater Improvements		$2,437,000	$4,950,000	$0	30Y @ 1.5%	$7,387,000	$7,600,000	97%
2023	Leamington Town	Culinary Water System Improvements		$2,000,000	$0	$750,000	30Y @ 1%	$2,750,000	$3,000,000	92%
2023	Leamington Town	Town Hall Remodel		$450,000	$0	$0		$450,000	$450,000	100%
2025	Town of Scipio	Water Meter Upgrade		$111,000	$0	$0		$111,000	$127,168	87%
				$6,631,000	**$5,040,000**	**$1,100,000**		**$12,771,000**	**$16,896,247**	76%
	MORGAN COUNTY									
2021	Mountain Green Sewer Imp District	Waste Water Treatment Plant		$0	$0	$8,000,000	30Y @ 2%	$8,000,000	$13,929,000	57%
2023	Morgan County	Weber River Floodplain Mapping Study		$48,350	$0	$0		$48,350	$96,700	50%
2023	Mountain Green Sewer Imp District	Waste Water Treatment Plant SUPP	X	$0	$0	$6,000,000	30Y @ 2%	$6,000,000	$24,576,000	24%
				$48,350	**$0**	**$14,000,000**	**$0**	**$14,048,350**	**$38,601,700**	36%
	PIUTE COUNTY									
2021	Circleville Town LBA	Town Park		$250,000	$0	$100,000	20Y @ 1%	$350,000	$450,000	78%
2023	Marysvale Town	Fire Station		$1,580,000	$0	$0		$1,580,000	$1,600,000	99%
2024	Town of Circleville	Road Improvements		$2,600,000	$0	$0		$2,600,000	$2,600,000	100%
2025	Town of Kingston	Kingston Spring Redevelopment		$367,000	$100,000	$0	30y @ 0.0%	$467,000	$566,000	83%
2023	Marysvale Town	Fire Station SUPP	X	$295,000	$0	$0		$295,000	$1,895,000	16%
				$5,092,000	**$100,000**	**$100,000**		**$5,292,000**	**$7,111,000**	74%
	RICH COUNTY									
2021	Garden City	General Plan Update, Water Master Plan Update, Parks &		$45,000	$0	$0		$45,000	$90,000	50%
2021	Bear River Association of Governments	Study of Economic Contribution of Bear Lake to Rich Cour		$45,000	$0	$0		$45,000	$90,000	50%
2024	Town of Woodruff	Woodruff Road Project		$564,392	$0	$0	10y @ 1.0%	$564,392	$689,392	82%
2025	Town of Randolph	Road Improvements		$165,200	$0	$0		$165,200	$413,000	40%
				$819,592	**$0**	**$0**		**$819,592**	**$1,282,392**	64%
	SALT LAKE COUNTY							***$0***		
	SAN JUAN COUNTY									
2022	Monrticello City	Spring Creek Water Collection		$1,000,000	$0	$258,000	30Y @ .5%	$1,258,000	$1,258,000	100%
2022	San Juan County	Spanish Valley Flood Management Study		$38,700	$0	$0		$38,700	$77,400	50%
2023	Blanding City	Wellness Center Remodel		$29,000	$0	$341,000	30Y @ 2%	$370,000	$570,000	65%
2024	San Juan County LBA	Public Safety Building Renovation		$4,689,695	$0	$21,366,000	30Y @ 2%	$26,055,695	$26,055,695	100%
2024	San Juan Health Service District LBA	San Juan Hospital		$0	$0	$5,012,000	15Y @ 0.5%	$5,012,000	$36,462,823	14%
2025	Monticello City	Emergency Flood Control & Mitigation		$90,000	$0	$0		$90,000	$95,000	95%
				$5,847,395	**$0**	**$26,977,000**		**$32,824,395**	**$64,518,918**	51%
	SANPETE COUNTY									
2021	Wales Town	Public Safety Building SUPP	X	$177,000	$0	$36,000	20Y @ 2.5%	$213,000	$817,000	26%
2021	Fayette Town	Road Improvements		$75,000	$0	$100,000	10Y @ .5%	$175,000	$300,000	58%
2021	Fairview City	Sewer Re-use Project		$2,076,000	$0	$1,168,000	30y @ .5%	$3,244,000	$3,029,500	107%
2021	Gunnison City	Roadway Improvements SUPP	X	$1,200,000	$0	$880,000	10Y @ 1%	$2,080,000	$2,100,000	99%
2022	Centerfield City	Water Rights Purchase		$607,000	$0	$314,000	30Y @ .5%	$921,000	$921,000	100%
2022	Mayfield Town	2021 Water System Improvements		$330,000	$170,000	$0	30y @ 0%	$500,000	$500,000	100%
2022	Manti City	Water Master Plan		$35,000	$0	$0		$35,000	$70,000	50%

Year	Recipient Name	Project Name	Supp	ML Grant	ML Loan	Bonus Loan	Terms	CIB Funds	Cost	% CIB
2022	Fountain Green City	Grader		$70,000	$0	$0		$70,000	$85,000	82%
2022	Mt. Pleasant City	Secondary Water Improvements		$1,140,000	$2,933,000	$0	30y @ 0%	$4,073,000	$4,073,000	100%
2022	Gunnison City	Roadway Improvements SUPP	X	$348,000	$0	$252,000	10Y @ 1%	$600,000	$2,965,000	20%
2023	Ephraim City	Culinary Water Resiliency Project		$472,000	$0	$278,000	30Y @ 1.5%	$750,000	$3,770,000	20%
2023	Ephraim City	Road Safety Project		$560,000	$0	$440,000	15Y @ 1.5%	$1,000,000	$5,000,000	20%
2023	Fountain Green City	Water Master Plan and ASR Plan		$39,000	$0	$0		$39,000	$78,100	50%
2024	Sanpete County Fire Dist #2	5 Fire Truck Acquisitions		$1,600,000	$0	$0		$1,600,000	$3,200,000	50%
2024	Sanpete SSD #1	Moroni T Road		$2,097,000	$0	$1,458,000	15y @ 1.5%	$3,555,000	$4,055,000	88%
2024	Fountain Green City	Sewer Master Plan		$28,800	$0	$0		$28,800	$57,600	50%
2024	Sterling Town	Water Master Plan		$20,000	$0	$0		$20,000	$40,000	50%
2024	Gunnison City	Tarr Canyon Well Planning		$175,000	$0	$0		$175,000	$350,000	50%
2024	Moroni City	Wastewater Master Plan and Reuse Study		$110,000	$0	$0		$110,000	$230,000	48%
2025	Town of Wales	Culinary Water Line Loop		$600,000	$0	$0		$600,000	$600,000	100%
2025	Manti City	Sewer Master Plan		$32,500	$0	$0		$32,500	$65,000	50%
2025	Fayette Town	Water System Improvements		$90,000	$0	$0		$90,000	$180,000	50%
2025	Centerfield City	Culinary Water Pipeline Imp - East		$1,096,000	$0	$1,097,000	30y @ 1.0%	$2,193,000	$2,193,000	100%
2025	Spring City	Spring City Multipurpose Building		$995,000	$0	$0		$995,000	$1,148,323	87%
				$13,973,300	**$3,103,000**	**$6,023,000**		**$23,099,300**	**$35,827,523**	64%
	SEVIER COUNTY									
2021	Annabella Town	Road Improvements		$933,333	$0	$400,000	10y @ .5%	$1,333,333	$1,333,333	100%
2021	Salina City	2 New Fire Trucks		$635,868	$213,000	$0	15Y @ 0%	$848,868	$895,000	95%
2021	Monroe City	Cemetery expansion		$60,000	$0	$100,000	20Y @ .5%	$160,000	$280,000	57%
2021	Glenwood Town	Road Improvements		$490,000	$0	$265,000	10Y @ .5%	$755,000	$755,000	100%
2021	Richfield City	Sewer Lagoons Rehabilitation		$6,148,000	$0	$6,200,000	25Y @ 1%	$12,348,000	$13,020,000	95%
2021	Aurora City	2021 Culinary Water Improvements SUPP	X	$1,855,000	$0	$795,000	30Y @ .5%	$2,650,000	$2,650,000	100%
2021	R6 Regional Council	AOG Administration Building & Warehouse SUPF	X	$8,581,000	$0	$0		$8,581,000	$9,006,000	95%
2022	Koosharem Town	Electronic Water Meters		$63,624	$0	$0		$63,624	$73,624	86%
2022	Sevier County MBA	Central Utah Counseling Richfield Office		$2,172,000	$0	$1,448,000	30Y @ 1%	$3,620,000	$3,620,000	100%
2022	Aurora City	2021 Culinary Water Improvements SUPP	X	$280,000	$0	$120,000	30Y @ .5%	$400,000	$3,050,000	13%
2022	Salina City	Wastewater Improvements		$10,231,000	$0	$10,231,000	30y @ .5%	$20,462,000	$20,462,000	100%
2022	Elsinore Town	Street Improvements 2022		$1,788,240	$597,000	$0	15y @ 0%	$2,385,240	$2,385,240	100%
2022	R6 Regional Council	AOG Administration Building & Warehouse SUPF	X	$1,700,000	$0	$0		$1,700,000	$10,281,000	17%
2023	Monroe City	Culinary Water Capital Facility		$25,000	$0	$0		$25,000	$50,000	50%
2023	Richfield City	Spring & Culinary Water Improvements		$2,519,611	$0	$1,680,000	30Y @ 1%	$4,199,611	$4,993,300	84%
2023	Richfield City	Culinary Water & Sanitary Sewer Capital Facilities Plan		$35,000	$0	$0		$35,000	$70,000	50%
2023	Glenwood Town	Master Plan		$20,000	$0	$0		$20,000	$40,000	50%
2023	Koosharem Town	Community Centers		$1,400,000	$0	$0	30Y @ 1.5%	$1,400,000	$1,400,000	100%
2023	Austin SSD	Cullinary Water Improvements		$1,000,000	$0	$0		$1,000,000	$3,774,000	26%
2024	Aurora City	Road Resurfacing Project 2024		$480,000	$400,000	$0	7Y @ 1.0%	$880,000	$962,000	91%
2024	Town of Joseph	Water Meter Upgrade		$90,000	$0	$0		$90,000	$90,000	100%
2025	Richfield City MBA	New Pool Facility 2025		$3,683,000	$0	$5,525,000	30y @ 2.0%	$9,208,000	$12,160,000	76%
2025	Redmond Town	Wastewater Improvements Project		$1,085,000	$0	$0		$1,085,000	$1,185,000	92%
2025	Monroe City	Stormwater Improvement Project		$350,000	$0	$0		$350,000	$350,000	100%
2025	Glenwood Town	2024 Pavement Project		$222,549	$0	$127,000	10y @ 1.0%	$349,549	$349,549	100%
2025	Richfield City	General & Transportation Capital Facilities plan		$30,000	$0	$0		$30,000	$60,000	50%
2025	R6 Regional Council	Capital Improvement Plan (CIP) - Pilot Program		$30,000	$0	$0		$30,000	$30,000	100%
2025	Koosharem Town	Community Center SUPP	X	$90,000	$0	$0		$90,000	$1,490,000	6%
2025	Central Valley Town	2025 Roadway Improvements		$287,394	$0	$0		$287,394	$1,148,000	25%
2025	R6 Regional Council	Capital Improvement Plan (CIP) - Pilot Program S	X	$50,000	$0	$0		$50,000	$100,000	50%
2025	Brooklyn SSD	Culinary Water Imp 2025		$4,355,000	$0	$0		$4,355,000	$7,945,000	55%
				$50,690,619	**$1,210,000**	**$26,891,000**		**$78,791,619**	**$104,008,046**	76%
	SUMMIT COUNTY							***$0***		

Year	Recipient Name	Project Name	Supp	ML Grant	ML Loan	Bonus Loan	Terms	CIB Funds	Cost	% CIB
	TOOELE COUNTY									
2024	Tooele City MBA	Fire Station Project		**$0**	**$0**	**$8,500,000**	**30Y @ 4%**	**$8,500,000**	**$9,700,000**	88%
	UINTAH COUNTY									
2021	Ballard City	Serenity Park Roadway & Drainage		$439,500	$0	$189,000	10y @ .5%	$628,500	$839,000	75%
2021	Uintah Transportation SSD	Asphalt Management Infrastructure Project		$2,966,000	$0	$1,978,000	15y @ 2%	$4,944,000	$4,944,000	100%
2021	Jensen Water Imp District	2020 Water System Improvements & Meter Upgrade		$787,000	$0	$338,000	30Y @ .5%	$1,125,000	$1,125,000	100%
2021	Ashley Valley Water & Sewer Imp District	Water Treatment Plant Expansion & 10" Jensen Water Lin		$842,000	$0	$843,000	30Y @ .5%	$1,685,000	$1,685,000	100%
2021	Naples City	Storm Water Preservation, Road Crossings & Road Safety		$1,262,000	$0	$473,000	20y @ .5%	$1,735,000	$2,545,000	68%
2021	Ouray Park Water Imp District	2020 Water System Improvements		$1,095,000	$0	$405,000	30Y @ .5%	$1,500,000	$1,500,000	100%
2021	Vernal City	Downtown Master Plan		$30,000	$0	$0		$30,000	$60,000	50%
2021	Ashley Valley Water & Sewer Imp District	3500 S & Stubbs Sewer Lift Stations Replacemen	X	$0	$0	$140,000	30y @ 1%	$140,000	$954,139	15%
2022	Ballard Water & Sewer District	1500 East Waterline Replacement		$560,000	$0	$240,000	30Y @ .5%	$800,000	$800,000	100%
2022	Uintah County MBA	Road Equipment		$600,000	$0	$0		$600,000	$1,140,000	53%
2022	Ballard City	Water Master Plan		$25,000	$0	$0		$25,000	$50,000	50%
2022	Uintah Transportation SSD	Road Maintenance & Repair		$3,042,000	$1,945,000	$0	15y @ .5%	$4,987,000	$4,987,000	100%
2022	Uintah Fire Suppression SSD	Tridell Fire Station/Community Center		$2,973,000	$0	$500,000	30y @ .5%	$3,473,000	$3,483,000	100%
2022	Vernal City	Street & Utilities Project		$2,992,000	$0	$2,000,000	30y @ .5%	$4,992,000	$4,992,000	100%
2022	Uintah Transportation SSD	Redwash Road		$3,532,000	$0	$0		$3,532,000	$8,532,000	41%
2022	Ballard City	1500 East Improvements Phase 2 & 3		$1,514,000	$0	$1,514,000	10y @ .5%	$3,028,000	$3,028,000	100%
2023	Vernal City	District Energy Plan		$40,000	$0	$0		$40,000	$80,000	50%
2023	Vernal City	Waterline replacement Phase 1		$2,881,000	$0	$2,087,000	30Y @ 1.5%	$4,968,000	$4,968,000	100%
2023	Ashley Valley Water & Sewer Imp District	Sewer Cleaner & Vacuum System		$400,000	$0	$0		$400,000	$560,000	71%
2023	Uintah SSD #1	Seep Ridge Road Impact Mitigation Project		$2,559,000	$0	$0		$2,559,000	$6,656,000	38%
2023	Uintah Fire Suppression SSD	Tridell Fire Station/Community Center SUPP	X	$1,669,000	$0	$281,000	30y @ .5%	$1,950,000	$2,450,000	80%
2024	Uintah County MBA	Road Equipment Part 2		$510,000	$990,000	$0	10y @ 0%	$1,500,000	$1,500,000	100%
2024	Jensen Water Imp District	Redwash Road Waterline Project		$650,600	$0	$241,000	30Y @ 2.0%	$891,600	$891,600	100%
2024	Uintah County MBA	Uintah County Landfill Compactor		$0	$517,000	$0	10y @ 0.0%	$517,000	$1,034,000	50%
2024	Johnson Water Imp District	JWID East / Uintah County Water System		$1,711,000	$0	$1,239,000	30Y @ 2.0%	$2,950,000	$3,020,000	98%
2024	Uintah Fire Suppression SSD	Naples Fire Dept Ladder Truck		$871,000	$0	$459,000	15y @ 1.5%	$1,330,000	$1,730,000	77%
2024	Uintah Fire Suppression SSD	Tridell Fire Station & Community Center SUPP	X	$120,000	$0	$0		$120,000	$120,000	100%
2025	Naples City	Storm Water Preservation, Road Crossings & Ro	X	$1,250,000	$0	$450,000	20y @ 0.5%	$1,700,000	$1,700,000	100%
2025	Ashley Valley Water & Sewer Imp District	Administration Office		$1,000,000	$0	$2,935,000	30Y @ 1.0%	$3,935,000	$3,935,000	100%
2025	Uintah Transportation SSD	Road Imp - Independence East Area		$8,015,000	$0	$3,435,000	15y @ 0.5%	$11,450,000	$12,450,000	92%
2025	Uintah SSD #1	Athletic Facility		$3,800,000	$0	$7,600,000	15Y @ 2.5%	$11,400,000	$20,909,000	55%
2025	Uintah County MBA	Cemetery Multi-Use Building		$700,000	$0	$0		$700,000	$1,400,000	50%
2025	Vernal City	Water - 3500 West Transmission Line & 100 N Water		$3,899,000	$1,671,000	$0	30y @ 0.5%	$5,570,000	$5,570,000	100%
				$52,735,100	**$5,123,000**	**$27,347,000**		**$85,205,100**	**$109,637,739**	78%
	UTAH COUNTY							***$0***		
	WASATCH COUNTY									
2022	Heber City	Sewer & Pressurized Irrigaton Imp Phase 1-2022		$0	$0	$20,509,000	30y @ 2.5%	$20,509,000	$21,804,000	94%
2023	Wasatch Fire District LBA	Headquarters Station 51		$0	$0	$14,200,000	30Y @ 2%	$14,200,000	$16,867,922	84%
2023	Heber Valley SSD	Wastewater Treatment Facility Upgrade Phase 1		$0	$12,909,000	$0	30Y @ 2.5%	$12,909,000	$20,409,000	63%
2024	Wasatch Fire District LBA	Headquarters Station 51 SUPP	X	$0	$0	$800,000	30Y @ 2%	$800,000	$17,667,922	5%
2025	Heber City	Sewer & Pressurized Irrigation Imp Phase 1 SUP	X	$0	$0	$5,900,000	30y @ 3.5%	$5,900,000	$5,900,000	100%
				$0	**$12,909,000**	**$41,409,000**		**$54,318,000**	**$82,648,844**	66%
	WASHINGTON COUNTY									
2021	Ivins City	New City Hall		$0	$0	$2,500,000	20y @ 2.5%	$2,500,000	$4,189,919	60%
2021	LaVerkin City	Utilities and Road Improvement Project SUPP	X	$321,000	$0	$1,245,000	25y @ 1%	$1,566,000	$1,740,300	90%
2022	Virgin Town	Master Drain Study		$25,000	$0			$25,000	$50,000	50%
2022	Rockville Town LBA	Maintenance Building		$54,000	$0	$159,000	30y @ .5%	$213,000	$233,000	91%
2022	LaVerkin City	Utilities and Road Improvement Project SUPP	X	$0	$0	$250,000	25y @ 1%	$250,000	$2,106,200	12%
2023	Washington County SSD#1	Landfill Safety Infrastructure Imp Phase 1		$0	$0	$9,003,000	30Y @ 2%	$9,003,000	$15,000,000	60%

Year	Recipient Name	Project Name	Supp	ML Grant	ML Loan	Bonus Loan	Terms	CIB Funds	Cost	% CIB
2023	Springdale Town	Water Master Plan Update		$31,500	$0	$0		$31,500	$63,000	50%
2023	New Harmony Valley SSD	Fire Engine		$59,000	$0	$566,000	15Y @ 2%	$625,000	$625,000	100%
2023	Springdale Town	Sewer Improvement Project		$0	$0	$3,616,000	30Y @ 2%	$3,616,000	$3,848,300	94%
2023	Five County Association of Governments	Office Building Remodel & Addition		$739,566	$0	$0		$739,566	$806,566	92%
2023	St. George City	City Hall Parking Structure		$0	$0	$10,000,000	30Y @ 3.5%	$10,000,000	$10,771,500	93%
2024	Rockville Town LBA	Maintenance Building SUPP	X	$54,000	$0	$159,000	30y @ .5%	$213,000	$233,000	91%
2024	LaVerkin City	Secondary Water, Impact fee Plan and analysis		$46,000	$0	$0		$46,000	$92,800	50%
2024	Springdale Town	Sewer Improvements 10-6-22 SUPP	X	$0	$0	$1,100,000	30y @ 2.0%	$1,100,000	$1,240,335	89%
2025	Northwestern SSD	2024 F350 Quick Response Ambulance		$220,671	$0	$0		$220,671	$246,421	90%
2025	Hildale City	Water, Sewer, Road - Maxwell Canyon Utility Imp		$3,079,000	$0	$0		$3,079,000	$6,158,000	50%
2025	Town of Virgin	Storm Water Drainage Master Plan - Study		$50,000	$0	$0		$50,000	$100,000	50%
				$4,679,737	**$0**	**$28,598,000**	**$0**	**$33,277,737**	**$47,504,341**	70%
	WEBER COUNTY							***$0***		
	WAYNE COUNTY									
2021	Loa Town	Water Improvements Project 2020		$2,025,000	$0	$675,000	30y @ 1.5%	$2,700,000	$2,700,000	100%
2021	Wayne Co MBA	Wayne County Fire Station at Torrey SUPP	X	$225,000	$0	$75,000	30y @ .5%	$300,000	$1,436,000	21%
2021	Hanksville Town	Road Project		$450,000	$0	$100,000	10y @ .5%	$550,000	$600,000	92%
2022	Bicknell Town	2021 Road Improvements		$771,000	$0	$193,000	10y @ .5%	$964,000	$979,000	98%
2023	Lyman Town	Mini X Purchase & Trailer		$90,000	$0	$0		$90,000	$90,000	100%
2024	Wayne County	SITLA Easements - Class D Roads		$244,400	$0	$0		$244,400	$244,400	100%
2024	Lyman Town	Road Improvements -		$0	$0	$110,000	10y @ 0.5%	$110,000	$280,000	39%
2025	Wayne County MBA	Emergency Services Building		$2,489,000	$0	$0		$2,489,000	$2,989,000	83%
				$6,294,400	**$0**	**$1,153,000**		**$7,447,400**	**$9,318,400**	80%
	STATE AND REGIONAL									
2021	Bear River Association of Governments	RPP Funding for FY-2021		$150,000	$0	$0		$150,000	$150,000	100%
2021	Five County Association of Governments	RPP Funding for FY-2021		$150,000	$0	$0		$150,000	$150,000	100%
2021	Mountainland Association of Governments	Capital Improvement Lists - 2021		$2,000	$0	$0		$2,000	$2,000	100%
2021	R6 Regional Council	RPP Funding for FY-2021		$150,000	$0	$0		$150,000	$150,000	100%
2021	SEUALG - SERDA	RPP Funding for FY-2021		$150,000	$0	$0		$150,000	$150,000	100%
2021	Uintah Basin Association of Governments	RPP Funding for FY-2021		$150,000	$0	$0		$150,000	$150,000	100%
2021	Wasatch Front Regional Council	Capital Improvement Lists - 2021		$2,000	$0	$0		$2,000	$2,000	100%
2022	Bear River Association of Governments	RPP Funding for FY-2022		$150,000	$0	$0		$150,000	$150,000	100%
2022	Five County Association of Governments	RPP Funding for FY-2022		$150,000	$0	$0		$150,000	$150,000	100%
2022	Mountainland Association of Governments	Capital Improvement Lists - 2022		$2,000	$0	$0		$2,000	$2,000	100%
2022	R6 Regional Council	RPP Funding for FY-2022		$150,000	$0	$0		$150,000	$150,000	100%
2022	SEUALG - SERDA	RPP Funding for FY-2022		$150,000	$0	$0		$150,000	$150,000	100%
2022	Uintah Basin Association of Governments	RPP Funding for FY-2022		$150,000	$0	$0		$150,000	$150,000	100%
2022	Wasatch Front Regional Council	Capital Improvement Lists - 2022		$2,000	$0	$0		$2,000	$2,000	100%
2023	Bear River Association of Governments	RPP Funding for FY-2023		$150,000	$0	$0		$150,000	$150,000	100%
2023	Five County Association of Governments	RPP Funding for FY-2023		$150,000	$0	$0		$150,000	$150,000	100%
2023	Mountainland Association of Governments	Capital Improvement Lists - 2023		$2,000	$0	$0		$2,000	$2,000	100%
2023	R6 Regional Council	RPP Funding for FY-2023		$150,000	$0	$0		$150,000	$150,000	100%
2023	SEUALG - SERDA	RPP Funding for FY-2023		$150,000	$0	$0		$150,000	$150,000	100%
2023	Uintah Basin Association of Governments	RPP Funding for FY-2023		$150,000	$0	$0		$150,000	$150,000	100%
2023	Wasatch Front Regional Council	Capital Improvement Lists - 2023		$2,000	$0	$0		$2,000	$2,000	100%
2024	Bear River Association of Governments	RPP Funding for FY-2024		$150,000	$0	$0		$150,000	$150,000	100%
2024	Five County Association of Governments	RPP Funding for FY-2024		$150,000	$0	$0		$150,000	$150,000	100%
2024	Mountainland Association of Governments	Capital Improvement Lists - 2024		$2,000	$0	$0		$2,000	$2,000	100%
2024	R6 Regional Council	RPP Funding for FY-2024		$150,000	$0	$0		$150,000	$150,000	100%
2024	SEUALG - SERDA	RPP Funding for FY-2024		$150,000	$0	$0		$150,000	$150,000	100%
2024	Uintah Basin Association of Governments	RPP Funding for FY-2024		$150,000	$0	$0		$150,000	$150,000	100%
2024	Wasatch Front Regional Council	Capital Improvement Lists - 2024		$2,000	$0	$0		$2,000	$2,000	100%
2024	Seven County Infrastructure Coalition	Planning, Admin & Operating Phase 3 SUPP	X	$1,500,000	$0	$0		$1,500,000	$1,500,000	100%

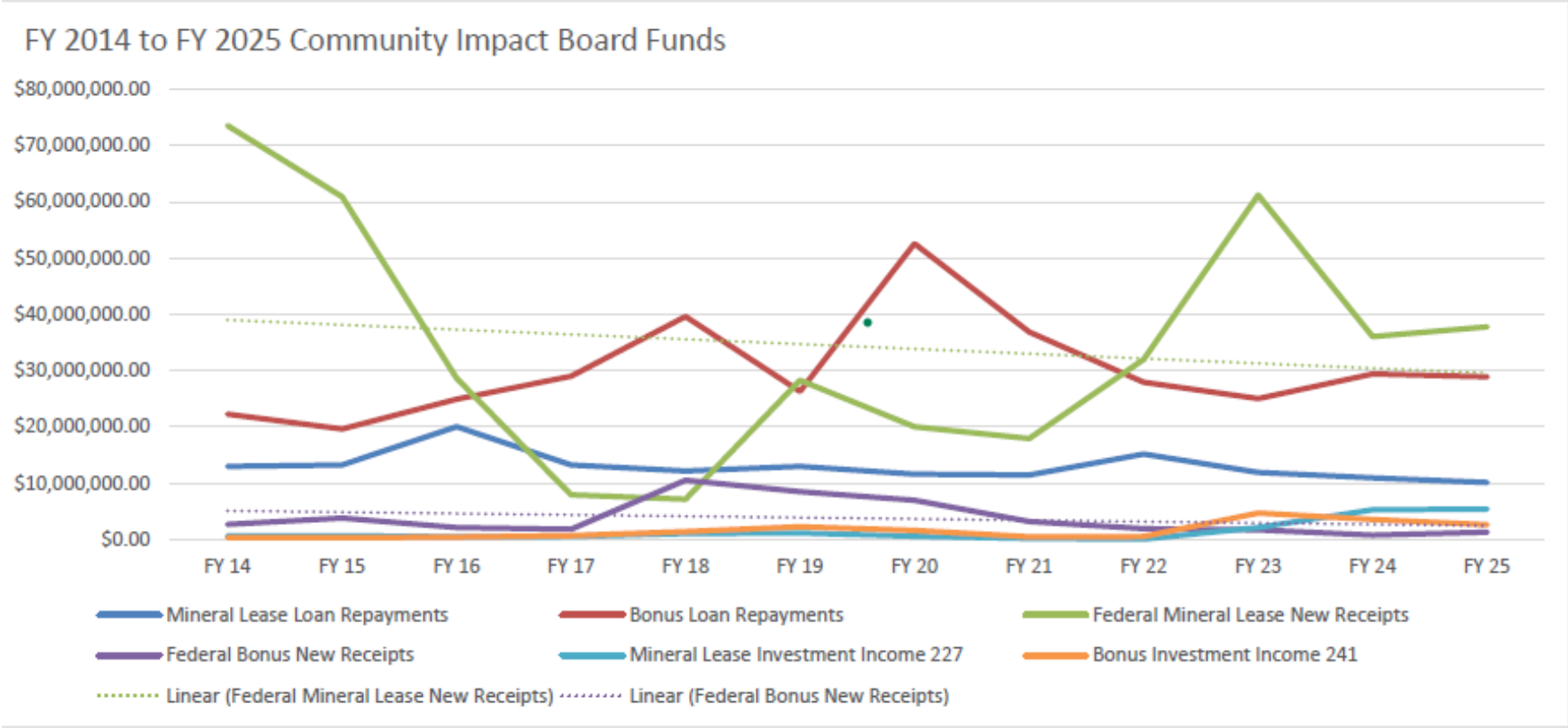
Year	Recipient Name	Project Name	Supp	ML Grant	ML Loan	Bonus Loan	Terms	CIB Funds	Cost	% CIB
2025	Bear River Association of Governments	RPP Funding for FY-2025		$150,000	$0	$0		$150,000	$150,000	100%
2025	Five County Association of Governments	RPP Funding for FY-2025		$150,000	$0	$0		$150,000	$150,000	100%
2025	Mountainland Association of Governments	Capital Improvement Lists - 2025		$2,000	$0	$0		$2,000	$2,000	100%
2025	R6 Regional Council	RPP Funding for FY-2025		$150,000	$0	$0		$150,000	$150,000	100%
2025	SEUALG - SERDA	RPP Funding for FY-2025		$150,000	$0	$0		$150,000	$150,000	100%
2025	Uintah Basin Association of Governments	RPP Funding for FY-2025		$150,000	$0	$0		$150,000	$150,000	100%
2025	Wasatch Front Regional Council	Capital Improvement Lists - 2025		$2,000	$0	$0		$2,000	$2,000	100%
				$5,270,000	**$0**	**$0**		**$5,270,000**	**$5,270,000**	100%
	FY2021 - FY2025 CIB TOTAL			**$238,278,349**	**$37,056,000**	**$281,877,000**		**$557,211,349**	**$820,042,637**	68%
	THROUGHPUT FUND									
2025	**ARES STRATEGIC MINING, INC.**	**Mining Project - Fluorspar and Gallium**		**$0**	**$0**	**$0**	**7Y @ 4.5%**	**$11,000,000**	**$11,000,000**	**100%**

CIB Revenue Recap

FY 2014 – 2025

PERMANENT COMMUNITY IMPACT FUND BOARD - REVENUE RECAP - FY2014 - FY2025

Revenues	Mineral Lease Loan Repayments	Bonus Loan Repayments	Federal Mineral Lease New Receipts	Federal Bonus New Receipts	Mineral Lease Investment Income 227	Bonus Investment Income 241
FY 14	$12,957,548.00	$22,258,859.00	$73,569,726.00	$2,674,104.00	$629,791.00	$341,548.00
FY 15	$13,218,111.00	$19,626,876.00	$60,925,478.00	$3,813,118.00	$658,916.00	$285,929.00
FY 16	$20,042,372.00	$24,909,407.00	$28,663,992.00	$2,118,581.00	$469,748.00	$424,395.00
FY 17	$13,224,691.00	$28,993,472.00	$7,944,395.00	$1,777,497.00	$509,378.00	$692,742.00
FY 18	$12,157,540.00	$39,626,856.00	$7,141,572.00	$10,520,953.00	$1,039,264.00	$1,414,144.00
FY 19	$12,979,233.00	$26,298,234.00	$28,292,595.00	$8,471,805.00	$1,160,912.00	$2,240,381.00
FY 20	$11,599,526.00	$52,588,510.00	$20,004,980.00	$6,962,261.00	$590,985.00	$1,586,526.00
FY 21	$11,424,916.00	$36,844,756.00	$17,922,231.00	$3,186,861.00	$159,724.00	$459,479.00
FY 22	$15,172,909.00	$27,945,554.00	$32,014,407.00	$1,917,483.00	$51,406.00	$545,183.00
FY 23	$11,883,471.00	$25,026,213.00	$61,211,769.61	$1,673,619.00	$2,129,728.00	$4,690,289.00
FY 24	$10,914,073.91	$29,403,943.54	$36,048,894.41	$753,616.37	$5,288,683.99	$3,514,145.92
FY 25	$10,123,476.83	$28,902,942.18	$37,795,122.04	$1,272,193.80	$5,387,700.78	$2,620,333.78



Mayor
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Treasurer
Danielle Ramsay

City Council
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Steve Shrope
Chris Heaton
Boyd Corry
Peter Banks

Kanab City Council Staff Report
File # ZONE26-010

Date:	**August 7, 2026**
Meeting Date:	**August 11, 2026**
Agenda Item:	**Approve or deny a zone change from R-1-8 [Single Family] to C2 [Commercial] for parcel K-C-2-1**
Subject Property Address:	**318 N 100 E**
Property Owner:	**South Central Utah Telephone Association INC**
Applicant Agent:	
General Plan Designation:	**Medium Density Residential/ High Density**
Parcel #:	**K-C-2-1**

Attachments:
Exhibit A: Subject/Vicinity Property
Exhibit B: Written Responses from Community

Summary:
South Central Broadband has submitted an application for a zone change at the request of the Kanab City Land Use Administrator for parcel K-C-2-1. The Land Use Administrator has received an inquiry and complaint from an adjacent property owner about the commercial use of a residentially zoned property, fencing, and installation of an "industrial generator and LPG tank" without a permit.
The property has a legal non-conforming use; BLM building and storage shed were built on the property many years ago and the property has been used as a commercial office building with an accessory storage building. The property was then sold to South Central Utah Telephone Association, INC in 2013. It has continued to be used as a commercial office building with the accessory storage building still on the property.
The Land Use Administrator reached out to South Central to see if they would be willing to submit a zone change application to bring the use of the property in compliance with Kanab City's zoning.

Site Description:
The subject property is approximately 2.80-acres. The parcel has a building used as commercial office and storage yard. Surrounding zoning designations and the density designations are as follows:

North	South	East	West
R-1-8	R-1-8	R-1-8	R-1-8

Medium Density Residential / High Density	Medium Density Residential / High Density	Medium Density Residential / High Density	Medium Density Residential / High Density

Kanab City Land Use Ordinance, General Plan and Zoning Map Analysis:

Zoning designations and zone changes are regulated by the Kanab City Land Use Ordinance, Chapter 15 – Establishment of Zoning Districts regulates zoning designations within Kanab City. Section 15-7 Transitioning and Maintaining Balance, states:

> *It is the objective of the City to encourage and provide for proper transition and compatibility between zones and intensity of uses, which should be regulated by the City Land Use Code, the General Plan, Future Land Use Map and the Kanab City Annexation Policy Plan. The City also seeks to maintain a healthy balance and mix of land uses within the community, representing the atmosphere of existing development. Areas for growth have been planned with a balance for all uses, including agriculture, residential, commercial and industrial uses, as demonstrated in the Kanab City General Plan and Future Land Use Map. Future decisions regarding land use and zoning in Kanab should be guided by this map.*
>
> *The City promotes orderly growth, with an emphasis for new developments to occur in the core community areas first. Rezoning of adjacent undeveloped property should be compatible with developed property.*

Findings:

1. The application was initiated by the property owner at the request of the Kanab City Land Use Administrator.
2. The property is zoned as R-1-8 and approximately 2.80-acres.
3. The City Council is the decision-making authority for a zoning application. The Council may adopt or reject the request as it deems appropriate or may assign a different zoning designation.
4. The property to the west of this property is owned by Kanab City and incorporates a public park and public library. To the west of the city property is the Kane County Hospital that is zoned C-3.

Assigning a C-2 zone is not consistent with the Kanab City Future Land Use Map that shows the area designated as MDR/HDR. The property has a legal non-conforming use as a commercial

office building with storage yard. C2 zone is not consistent with the surrounding area that is currently zoned R-1-8.

Public Comment:

The Public Hearing was held on August 4, 2026. Emailed and mailed response to public notices have been received and are included in Exhibit B. There were many comments made at the public hearing from neighbors. Many of which were unaware that the zone was residential since it had been used as commercial. However, all comments were in opposition to change the zone to C2. Neighbors would like the property to remain as R-1-8 with the use remaining as legal non-conforming to prevent a different or heavier commercial use that may be allowed in C-2.
There were some comments about why South Central wasn't at the meeting, rumors about a possible sale of the property.

Planning Commission
Staff explained the zone change request and the events that led up to the request. Staff explained the inquiry received in January 2026 was regarding the commercial use and the 6-foot fence. In May of 2026 a complaint was received from the same individual that made the inquiry, the complaint was for an unpermitted installation of a generator and LPG tank, illegal expansion of a non-conforming use (installing a generator and LPG tank), and a demand for removal of the generator and LPG tank.
Both Planning Commission and staff responded to the reason South Central was not at the meeting and that the application was not due to a possible sale of the property. That it was at the request of the Land Use Administrator to bring a non-conforming property up to compliance as we have done with many other properties throughout the city.
Planning Commission discussed leaving the property as R-1-8 and explained to the neighbors that the legal non-conforming uses will be allowed to continue if the property remains as R-1-8. Kent clarified that the legal non-conforming uses would be allowed until South Central or a future property owner abandoned the use for more than a year.
Planning Commission made a negative recommendation to City Council to leave the property zoned R-1-8, vote was unanimous.

Suggested Motion(s):

I make a motion to deny the zone change application leaving the property zoned R-1-8 with a legal non-conforming use of an building used as a professional office and a personal storage yard on the property.

I make a motion to assign zone RR-1 to Parcel K-19-12A-Annex based on the findings and conditions outlined in Staff Report ZONE 26-007 and adopt ordinance 8-XX-26 O.

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I make a motion to assign zone to Parcel K-19-12A-Annex based on the findings and conditions outlined in Staff Report ZONE 26-007 and adopt ordinance 8-XX-26 O.

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Exhibit A: Subject Property

K-10-3B-ANNEX
K-10-3C-ANNEX
K-10-KC-ANNEX
K-10-1-ANNEX
K-10-6-ANNEX
Sports Park
Senior Center Way
Main St
Kane County Hospital
K-C-4-1
K-C-4-5
K-C-4-5B
K-C-4-7
K-C-4-4
K-C-4-3
K-C-4-2
K-C-3-1
K-C-3-2
K-C-2-1
450 N
405 N
360 N
330
300 N
K-76-222
K-76-221
K-76-218
K-219-217A
K-219-1A
K-76-211
K-76-212
K-76-213
K-76-214
K-76-215
K-68-28
K-76-210
K-76-209
K-76-208
K-76-207
K-76-206
K-68-27
K-68-24
K-76-201
K-76-202
K-76-203
K-76-205
K-68-26
K-68-25
V-9
V-10
V-7-8
V-4
V-6
V-5-A
V-5
V-3
V-2
V-1
U-A-1
U-A-2
U-A-3
U-A-4
U-C-9
K-33-10
K-33-10A
K-33-12
K-33-13
K-33-9
K-33-11
K-34-9A
K-34-9
K-34-10
K-34-14
K-34-8
K-34-11
K-69-1
K-69-2
K-69-9
K-35-12
K-35-6B
K-69-3
K-69-8
K-35-8
K-36-5A

Kanab
Planning Approval

Application Accepted Date: 07/08/2026

Type of Improvement: Zone Change

Description:

Tenant / Project Name: SC Broadband Business Office

Bldg. Address: 318 N 100 East, Kanab Ut

City: Kanab State: UT Zip: 84741

Subdivision: Phase:

Block: No. of Lots: Parcel ID #: K-C-2-1

Zone: C-2

Property Owner: South Central Utah Telephone Association Inc

Permit Contact: Kaylee Wadsworth P:(435) 263-0745

Email: kayleew@scbroadband.com

CONTACT INFORMATION

APPLICATION DETAILS

Valuation	$	0.00

PERMIT FEES

Application Fee (Planning & Zoning)	$	250.00
Sub Total:	**$**	**250.00**
Permit Total:	**$**	**250.00**
Amount Paid:	**$**	**0.00**
Remaining Due:	**$**	**250.00**

APPROVALS	DATE	INFO

Setbacks	Front:	Rear:	Left:	Right:
Min.				
Actual:				

APPLICATION NUMBER: PLANZONE26-010

This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be compiled with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.

Applicant Name: Kaylee Wadsworth

Signature of Applicant/company/Authorized Agent or Owner: Date:

Application Approved By: Date:

Application Issued By: Date:

Receipt #:

DRAFT

K-C-2-1

ENTRY NO. 00158245
06/17/2013 02:46:07 PM B: 0423 P: 0352
Corrected QCD PAGE 1 / 5
VERJEAN CARUSO, KANE COUNTY RECORDER
FEE $ 19.00 BY SO CENTRAL COMM

QUITCLAIM DEED

STATE OF UTAH)(

COUNTY OF KANE)(

KNOW ALL BY THESE PRESENTS:

This Corrected Quitclaim Deed is made to correct an error found on the previously recorded Quitclaim Deed filed with the Kane County Clerk, Utah, as Document No. 00158113, filed on June 5, 2013. Said Quitclaim Deed erroneously identified a LESS AND EXCEPT in the mineral reservation covenants on Page 2, Section III. This error has been corrected to remove said LESS AND EXCEPT portion.

Except as corrected by this instrument, all of the other original terms and conditions remain in full force and effect.

THIS CORRECTED QUITCLAIM DEED is made this 13 day of June, 2013, by and between the **United States of America** (herein sometimes referred to as the "Government"), acting by and through the Administrator of General Services Administration (hereinafter referred to as "Grantor"), under and pursuant to authority of 40 U.S.C. § 541, et. seq., as amended, and rules, orders, and regulations issued pursuant thereto, and **South Central Utah Telephone Association, Inc., a Utah domestic corporation,** 45 North 100 West, Escalante, UT 84726 (hereinafter referred to as "Grantee"). The terms used to designate any of the parties herein shall include their respective representatives, successors and assigns of said parties.

I. Quitclaim of the Fee Estate

Grantor, for and in consideration of: (i) the sum of Six Hundred Seventeen Thousand Five Hundred Dollars ($617,500.00), duly paid by the Grantee, the receipt of which is hereby acknowledged, and (ii) the specific agreements hereinafter made by Grantee, for itself, and its successors and assigns, to abide by and take subject to all reservations, restrictions, covenants, exceptions, notifications, conditions and agreements hereinafter set forth in this Quitclaim Deed, does hereby grant, convey, remise, release and forever quitclaim to the Grantee, its successors and assigns, pursuant to the reservations, restrictions, covenants, exceptions, notifications, conditions and agreements hereinafter set forth, fee simple, in and to, that certain real property known as the Former BLM Kanab Field Office, Kane County, Utah (hereinafter referred to as the "Property"), and described in detail as follows:

Legal Description

Lots 2 and 3 in Block 2, Plat "C", Kanab Townsite Survey, comprised in Section 21, Township 43 South, Range 6 West, S.L.M.

The above described tract of land containing 2.80 acres of land, more or less, and hereinafter referred to as the Property.

TO HAVE AND TO HOLD the Property, together with all improvements, hereditaments, appurtenances, therein and all reversions, remainders, issues, profits and other rights belonging or related thereto, and subject all reservations, restrictions, covenants, exceptions, notifications, conditions, and agreements herein set forth in this Quitclaim Deed, either in law or in equity, for the use, benefit, and behalf of the Grantee, its successors and assigns forever.

II. SPECIAL AND GENERAL EXCEPTIONS AFFECTING THE PROPERTY

This Quitclaim Deed covering the Property is expressly made subject to the following matters to the extent and only to the extent the same are valid and subsisting and affect the Property:

A. All existing licenses, permits, servitudes and right-of-way including, but not limited to State highway department driveway permits, easements and rights-of-way for public streets, roads and highways, public utilities, electric power lines,

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electric transmission facilities, railroads, pipelines, ditches, conduits and canals on, over and across said land, whether or not of record.

B. All existing interest(s) reserved to or outstanding in third parties in and to water rights, ditch and reservoir rights, as well as oil, gas, and/or minerals, whether or not of record.

C. All other existing interests reserved by any grantor(s) in chain of title unto said grantor(s), their respective successors and assigns, which affect any portion of the Property interest(s) hereinabove described, whether or not of record.

D. Any survey discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or protrusions, or any overlapping of improvements which may affect the subject Property.

E. Existing ordinances or resolutions, special purpose district rules and regulations, including soil conservation district rules and regulations and water conservancy district rules and regulations, filed of public record and affecting all or any portion of the subject Property.

III. RESERVATIONS/COVENANTS COVERING THE PARCELS

This Quitclaim Deed covering the Property is expressly made subject to the following reservations in favor of Grantor, and its assigns.

SAVE AND EXCEPT and there is hereby reserved unto Grantor, and its assigns, all rights and interests which have been previously reserved to the United States in any Patent(s) which cover(s) the Property.

SAVE AND EXCEPT, and there is hereby excepted and reserved unto the UNITED STATES OF AMERICA, and its assigns, all right, title and interest in and to all oil, gas, hydrocarbons, and other minerals that may be produced in and under the Property; including, but not limited to the following attributes in connection with its right to take, develop and produce such, oil, gas, hydrocarbons, and minerals: (1) the right in ingress and egress to the Property, (2) the right to lease, (3) the right to receive bonus payments, (4) the right to receive delay rentals, and (5) the right to receive royalty payments.

IV. CERCLA NOTICES, COVENANTS AND RESERVATIONS

This Quitclaim Deed is expressly made subject to the following CERCLA information and specific reservations, covenants and agreements in favor of Grantor, and its assigns.

A. Notice of Hazardous Substance Activity. Pursuant to 40 CFR §373.2 and Section 120(h)(3)(A)(i) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA)(42 U.S.C. §9620(h)(3)(A)(i)), and based upon a complete search of agency files, the United States of America gives notice that no hazardous substances have been released, or disposed of, or stored for one year or more on the Property.

B. CERCLA Covenant. Grantor warrants that all remedial action necessary to protect human health and the environment has been taken before the date of this Quitclaim deed. Grantor warrants that it shall take any additional response action found to be necessary after the date of this Quitclaim deed regarding hazardous substances located on the Property on the date of this quitclaim.

1. This covenant shall not apply:

a. in any case in which Grantee, its successor(s) or assign(s), or any successor in interest to the Property or part thereof is a Potentially Responsible Party (PRP) with respect to the Property immediately prior to the date of this Quitclaim Deed; **OR**

b. to the extent that such additional response action or part thereof found to be necessary is the result of an act or failure to act of the Grantee, its successor(s) or assign(s), or any party in possession after the date of this Quitclaim Deed that either:

(1) results in a release or threatened release of a hazardous substance that was not located on the Property on the date of this Quitclaim Deed; **OR**

(2) causes or exacerbates the release or threatened release of a hazardous substance the existence and location of which were known and identified to the applicable regulatory authority as of the date of this Quitclaim Deed; **OR**

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(3) in the case of a hazardous substance(s) previously unknown by Grantor and Grantee as of the date of this conveyance but which is hereafter discovered by Grantee, its successor(s) or assign(s), or any party in possession and where after such discovery, Grantee, its successor(s) or assign(s), or any party in possession thereafter causes or exacerbates a release or threatened release of such hazardous substance(s).

2. In the event Grantee, its heir(s), successor(s) or assign(s), seeks to have Grantor conduct or pay for any additional response action, and, as a condition precedent to Grantor incurring any additional cleanup obligation or related expenses, the Grantee, its heir(s), successor(s) or assign(s), shall provide Grantor at least 45 days written notice of such a claim and provide credible evidence that: (a) the associated contamination existed prior to the date of this Quitclaim Deed; and (b) the need to conduct any additional response action or part thereof was not the result of any act or failure to act by the Grantee, its heir(s), successor(s) or assign(s), or any party in possession.

C. **Access.** Grantor reserves a right of access to all portions of the Property for environmental investigation, remediation or other corrective action. This reservation includes the right of access to and use of available utilities at reasonable cost to Grantor. These rights shall be exercisable in any case in which a remedial action, response action or corrective action is found to be necessary after the date of this conveyance, or in which access is necessary to carry out a remedial action, response action, or corrective action on adjoining property. Pursuant to this reservation, the United States of America, and its respective officers, agents, employees, contractors and subcontractors shall have the right (upon reasonable advance written notice to the record title owner) to enter upon the Property and conduct investigations and surveys, to include drilling, test-pitting, borings, data and records compilation and other activities related to environmental investigation, and to carry out remedial or removal actions as required or necessary, including but not limited to the installation and operation of monitoring wells, pumping wells, and treatment facilities. Any such entry, including such activities, responses or remedial actions, shall be coordinated with record title owner and shall be performed in a manner that minimizes interruption with activities of authorized occupants.

D. **Non-Disturbance Clause**. Grantee covenants and agrees for itself, its heirs, successors and assigns and every successor in interest to the Property, or part thereof, that a party occupying any of the Property shall not interfere, hinder or prevent Grantor, the United States Government, and its officers, agents, employees, contractors and subcontractors, in conducting any required remedial investigations, response actions or oversight activities on the Property or adjoining property.

V. OTHER ENVIRONMENTAL NOTICES, COVENANTS AND RESERVATIONS

A. NOTICE OF THE PRESENCE OF ASBESTOS - WARNING!

1. The Grantee is warned that the property contains asbestos-containing materials. Unprotected or unregulated exposures to asbestos in product manufacturing, shipyard, and building construction workplaces have been associated with asbestos-related diseases. Both the Occupational Safety and Health Administration (OSHA) and the Environmental Protection Agency (EPA) regulate asbestos because of the potential hazards associated with exposure to airborne asbestos fibers. Both OSHA and EPA have determined that such exposure increases the risk of asbestos-related diseases, which include certain cancers and which can result in disability or death.

2. Grantee is invited, urged and cautioned to inspect the property as to its asbestos content and condition and any hazardous or environmental conditions relating thereto. The disposal agency will assist Grantee in obtaining any authorization(s) which may be required in order to carry out any such inspection(s). Grantee shall be deemed to have relied solely on their own judgment in assessing the overall condition of all or any portion of the property including, without limitation, any asbestos hazards or concerns.

3. No warranties either express or implied are given with regard to the condition of the property including, without limitation, whether the property does or does not contain asbestos or is or is not safe for a particular purpose.

4. The description of the property set forth in the Conveyance Document and any other information provided therein with respect to said property is based on the best information available to the disposal agency and is believed to be correct, but any error or omission, including but not limited to the omission of any information available to the agency having custody over the property and/or any other Federal agency, shall not constitute grounds for any claim by the Grantee against the Government.

5. The Government assumes no liability for damages for personal injury, illness, disability or death, to the Grantee, or to the Grantee's successors, assigns, employees, invitees, or any other person subject to Grantee's control or direction, or to any other person, including members of the general public, arising from or incident to the purchase, transportation, removal, handling, use, disposition, or other activity causing or leading to contact of any kind whatsoever with asbestos on the property which is the subject of this conveyance, whether the Grantee, its successors or assigns has or have properly warned or failed properly to warn the individual(s) injured.

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6. The Grantee further agrees that in its use and occupancy of the property it will comply with all Federal, state, and local laws relating to asbestos.

B. Notice of Lead–Based Paint for Non-Residential Real Property Constructed Prior to 1978

Every purchaser of any interest in real property on which a building was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to converting the property to a residential dwelling.

C. NOTICE OF 100-YEAR FLOODPLAIN

Portions of the Property are located in a 100 Year Floodplain. Grantee, for itself and its successors and assigns, agrees and covenants that any development located within any portion of the above described Property will be subject to the applicable 100 Year Floodplain regulations and other applicable Federal, state and local statutes, and ordinances relating to flood hazard.

VI. MISCELLANEOUS NOTICES, TERMS, CONDITIONS, AGREEMENTS, AND COVENANTS

Except as otherwise provided by 42 U.S.C. 9620(h)(3), Grantee covenants for itself, its heirs, assigns and every successor in interest to the Property herein described or any part thereof that it shall abide by each of the following covenants, each of which will be covenants running with the land. In addition, the United States of America shall be deemed a beneficiary of each of the following covenants without regard to whether it remains the owner of any land or interest therein in the locality of the Property hereby conveyed and shall have a right to enforce each of the covenants herein in any court of competent jurisdiction; provided, however, the United States of America shall have no affirmative duty to any successor in title to this conveyance to enforce any of the following covenants herein agreed.

A. Grantee has inspected the described and conveyed Property and has satisfied itself that the property is free of any hazardous substances or petroleum products or their derivatives, calcium hypochlorite, batteries and insecticides, and Grantee, for itself and its heirs, successors and assigns, covenants and agrees to indemnify, protect, defend, save and hold harmless the United States of America, and its employees, officers, representatives, attorneys and agents, from and against any and all debts, duties, obligations, liabilities, suits, claims, demands, causes of action, damages, losses, cost and expenses (including without limitation, attorneys' fees and expenses and court costs) in any way relating to, connected with, and/or arising out of the discovery of any hazardous substance(s) or petroleum product(s) or their derivatives, calcium hypochlorite, batteries and insecticides which may have contaminated the hereinabove and conveyed Property after the date of the delivery of this conveyance, including but not limited to, any environmental response action, corrective action, or removal, monitoring, investigation, sampling, or testing in connection therewith.

B. NOTICE OF NAVIGABLE AIRSPACE Based upon coordination between the General Services Administration and the Federal Aviation Administration (the "FAA") as recommended in House Report Number 95-1053 entitled "FAA Determination of 'No Hazard' for Structures Near Airports," it has been determined that a public airport is located within six nautical miles of the Property. To the extent required by law, the Grantee, its successors and assigns must comply with Title 14, Code of Federal Regulations, Part 77, "Objects Affecting Navigable Airspace," of the Federal Aviation Act of 1958, as amended. This restriction shall run with the Property.

C. DOCUMENT BOX

At such time as the building is demolished, if any document box is found, which should be located behind the cornerstone, it shall remain the property of the Government and shall be delivered, unopened to the National Archives and Records Service, Washington, DC.

D. As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is taking the Property **"AS IS"** with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property. Grantee takes the Property with the express understanding and stipulation that there are no express or implied warranties.

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IN WITNESS WHEREOF, the **United States of America** has caused these presents to be executed this 13 day of June, 2013.

UNITED STATES OF AMERICA
Acting by and through the
Administrator of General Services

By: _____
MELVIN E. FREEMAN
Director
Real Property Utilization & Disposal Division
Greater Southwest Region
General Services Administration

THE STATE OF TEXAS)(

COUNTY OF TARRANT)(

BEFORE ME, a Notary Public in and for the State of Texas, on this day personally appeared MELVIN E. FREEMAN, known to me to be the person whose name is subscribed to the foregoing quitclaim deed, and known to me to be the Director, Real Property Utilization & Disposal Division, Greater Southwest Region, General Services Administration, Fort Worth, Texas, and acknowledged to me that the same was the act and deed of the United States of America and of the Administrator of General Services and that he executed the same as the voluntary act of the United States of America and of the Administrator of General Services for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE at Fort Worth, Texas, this 13 day of June, 2013.

_____
Notary Public State of Texas

Notary's Name:_____
My Commission Expires:_____

JONATHON M. HUNTER
Notary Public, State of Texas
My Commission Expires
November 21, 2014

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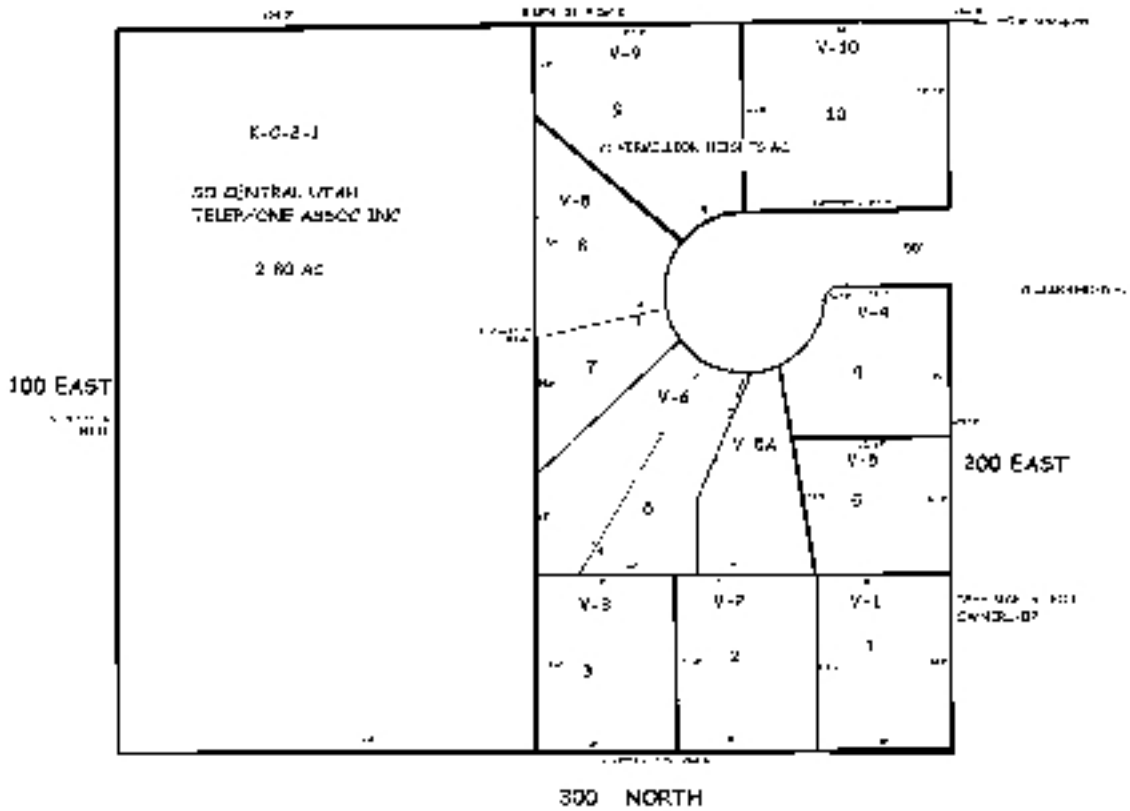
BLOCK 2 PLAT "C"



SCALE: 1" = 50'

Why is the intended zone change necessary at this particular location to provide a service to the community?:

The requested zone change is necessary to become conforming with the City of Kanab's land Use and Zoning ordinances. The property located at 318 N 100 E has been continuously operated as a professional office.

Explain how the intended zone change will not be detrimental to the health, general welfare or safety of persons working or residing in the vicinity, or injurious to property or improvements in the vi:

The proposed zone change will not be detrimental to the health, general welfare, or safety of persons working or residing in the vicinity, nor will it be injurious to property or improvements in the area. The property at 318 N 100 E is currently and has historically been operated as a professional office, meaning no change in the nature, intensity, or character of use is proposed. The rezoning is to become conforming with Kanab City's land Use and Zoning ordinances.There will be no increase in traffic, noise, or activity as a result of this zone change. The existing use is compatible with surrounding properties and consistent with the professional character of the area. Granting this zone change will have no adverse impact on neighboring land uses, property values, or the surrounding community.

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay

City Council
Arlon Chamberlain
Steve Shrope
Chris Heaton
Boyd Corry
Peter Banks

Exhibit B:
Written Responses from Community

July 21, 2026

To: Kanab City Planning Commission & Land Use Coordinator
26 North 100 East
Kanab, UT 84741

Subject: Public Comment Regarding Proposed Zone Change for Parcel K-C-2-1 (R-1-8 to C-1)

Dear Planning Commissioners:

I am writing as the property owner of **154 East 405 North**, which is located in immediate proximity to the proposed zone change for Parcel K-C-2-1.

While I respect the rights of local property owners, I have serious concerns about transitioning this specific parcel from R-1-8 (Single Family Residential) to C-1 (Commercial). Our neighborhood on 405 North is historically a quiet, low-density residential pocket. Introducing a commercial zone here brings significant risks to the surrounding homes, including:

Traffic Safety:
Increased daily commercial traffic and delivery vehicles on local residential streets not designed for heavy commercial volume.

Neighborhood Peace:
Elevated noise levels, disruptions to privacy, and nighttime light pollution from parking lot fixtures or storefronts.

Precedent:
Weakening the stability of our single-family residential boundaries by letting commercial uses creep directly into quiet blocks.

If the Planning Commission moves forward with a positive recommendation for this change, I request that the city legally require the following heavy mitigations to protect the neighboring homeowners:

1. **Strict Screening**: Mandatory installation of an 8-foot masonry or sight-obscuring privacy fence along all residential property lines.
2. **Light Buffering:** Strict enforcement of "Dark Sky" complaint, downward-shielded lighting with zero lateral light spill onto adjacent homes.
3. **Restricted Hours:** Limiting business operating hours and commercial delivery windows to daytime hours only (e.g., 7:00 AM to 8:00 PM) to maintain neighborhood quiet.

Please include this letter in the official agenda packet for the commissioner's review ahead of the public hearing.
Thank you for your dedication to protecting Kanab's residential neighborhoods.

Sincerely, Richard & Cheryse Nielsen

Richard and Cheryse Nielsen
4948 Rebecca Dr.
Pocatello, Idaho 83202
208-404-2354

Property: 154 E. 405 N.
Kanab, Utah

PETITION TO DENY C-2 ZONE CHANGE APPLICATION PLANZONE26-010

To: The Kanab City Planning Commission & City Council

Location: 318 N 100 East, Kanab, UT 84741 (Parcel ID: K-C-2-1)

Applicant: South Central Utah Telephone Association, Inc.

We, the undersigned residents and property owners of Kanab, Utah, formally petition the Kanab City Planning Commission and City Council to DENY Application PLANZONE26-010 (Rezone from R-1-8 Residential to C-2 General Commercial).
We oppose this C-2 commercial rezone for the following critical reasons:

- C-2 Zoning Attaches to the Land, Not the Owner: A C-2 zone change permanently strips residential protections from this parcel. If South Central sells this property or alters its business model in the future, intensive commercial operations (such as gas stations, drive-thrus, or commercial repair hubs) could occupy our residential block "by right" without further neighborhood input.
- Preserving Single-Family Neighborhood Integrity: The Kanab City General Plan explicitly commands the city to preserve existing single-family residential neighborhoods (Section 6.2). Furthermore, 67% of Kanab residents officially surveyed explicitly opposed commercial uses creeping into residential streets (Appendix A).
- Denying this C-2 zone change does not shut down South Central, disrupt community utilities, or force them to relocate. It simply prevents permanent commercial expansion onto residential land.

#	Name	Signature	Kanab Street Address	Date	Phone
1	MARK FULLERTON	M. Fullerton	175 E. 360 N KANAB	7/23	
2 3	Amy & Kenny Redd	Redd Redd	170 E 360 N Kanab	7/23	
4	[illegible]	[illegible]	113 E 405 N	7/23	435-899-8903
5	Blaine Fisher	[illegible]	113 E 405 N	7/23	435 817 6191
6	Cynthia Sherwood	Cynthia	131 E 405 N	7/23	4356890893
7	Barbara Williamson	Barbara Williamson	398 N. 100 East	7/23	435-689-0200
8	Ernest Elsbrook	E.W.	163 E 405 N	7-23	644 8037
9	Kelli Yates	Kelli	417 N 200 E	7/23	208-351-4099
10	Kimberlee Lopez	K Lopez	311 N 200 E	7/24	4358999490
11	Pam Robinson	[illegible]	311 N 200 E	7/24	435 899 1474
12	[illegible]	[illegible]	180 E. 360 N.	7/25	435-899-9377

PETITION TO DENY C-2 ZONE CHANGE APPLICATION PLANZONE26-010

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- Preserving Single-Family Neighborhood Integrity: The Kanab City General Plan explicitly commands the city to preserve existing single-family residential neighborhoods (Section 6.2). Furthermore, 67% of Kanab residents officially surveyed explicitly opposed commercial uses creeping into residential streets (Appendix A).

- Denying this C-2 zone change does not shut down South Central, disrupt community utilities, or force them to relocate. It simply prevents permanent commercial expansion onto residential land.

#	Name	Signature	Kanab Street Address	Date	Phone
13	CLINT BRINKERHOFF	[illegible]	180 E 360 N	7/25/26	435 899 9630
14	Darren DeSilva	[illegible]	161 E 300 N	7/25/26	949-912-9151
15	Aaron Clark	[illegible]	265 N. 150 E.	7/25/26	435-499-0058
16	Rhonda Roberts	Rhonda Roberts	247 N 150 E	7/27/26	435 689-2158
17	JARON ICENOGLE	[illegible]	294 N. 100 W	7/27	530 452 2695
18	Holly Ramsay	Holly Ramsay	75 W 300 N	7/28	435 632 0509
19	[illegible]	Royce Gillespie	129 E 450 N	7/28	435-689-0602
20	Frank Dacu	Frank Dacu	161 E 450 N	7/28	435 689 0528
21	Sandra Banks	Sandra Banks	395 N 200 North	7/28	435 616-3048
22	Fred Banks	[illegible]	395 N 200 E	7/28	435-616-3048

PETITION TO DENY C-2 ZONE CHANGE APPLICATION PLANZONE26-010

To: The Kanab City Planning Commission & City Council

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#	Name	Signature	Kanab Street Address	Date	Phone
23	Greg Reed	Greg Reed	387 N. 200 E.	7/28/2026	435-689-0460
24	Nick Stebbins		486 N 100 E	7/29/2026	435-899-0809
25	Travis Terry		510 N. 100 E	7/29/26	899-5050
26	Sterling Glover		566 N 100 E	7/29	4358990282
27	Allen Sherwood				
28	Amy Gallaway		521 S 475 E	7/29	
29	Josh Warburton		602 N 200 E	7/29	435-632-1555
30	Daniel Thompson		151 E 575 N	7/29	435 899 1162
31	Robert Senecal		181 E 300 N	7/30	435-899-1445
32	Karen Keet		47 N 300 W	7/30	435-689-1414

PETITION TO DENY C-2 ZONE CHANGE APPLICATION PLANZONE26-010

To: The Kanab City Planning Commission & City Council

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#	Name	Signature	Kanab Street Address	Date	Phone
33	Chris Beare	[illegible]	509 N EL Valle Dr	30 JUL 26	650-810-5546
34	Don V. Taylor	Don V. Taylor	226 N 150W		435-899-0330

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay

City Council
Arlon Chamberlain
Steve Shrope
Chris Heaton
Boyd Corry
Peter Banks

Kanab City Council Staff Report
File # ZONE26-009

Date:	**August 7, 2026**
Meeting Date:	**Aug 11, 2026**
Agenda Item:	**Approve or deny a zone change from C2 [Commercial] to R-1-15 [Single Family, 15,000 sq.ft. minimum] for parcel K-376-2**
Subject Property Address:	**1045 S HWY 89A**
Property Owner:	**Cortni Glover**
Applicant Agent:	**Iron Rock Engineering**
General Plan Designation:	**Medium Density Residential/ General Commercial/ Agriculture**
Parcel #:	**K-376-2**

Attachments:
Exhibit A: Subject/Vicinity Property

Summary:
Applicant agent, Iron Rock Engineering has submitted an application for a zone change on behalf of the property owner Cortni Glover for parcel K-376-2. The request is to rezone from C2 (Commercial) to R-1-15 (Single Family, 15,000 sq.ft. minimum). The owner is requesting zone change to split the lot through a plat amendment.

Site Description:
The subject property is approximately 1.16-acres. The parcel has an existing home. Surrounding zoning designations and the density designations are as follows:

North	South	East	West
C-2 Medium Density Residential / General Commercial / Agriculture	C-2 Medium Density Residential / General Commercial / Agriculture	C-2 Medium Density Residential / General Commercial / Agriculture	C-2 Medium Density Residential / General Commercial / Agriculture

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay

KANAB
UTAH

City Council
Arlon Chamberlain
Steve Shrope
Chris Heaton
Boyd Corry
Peter Banks

Kanab City Land Use Ordinance, General Plan and Zoning Map Analysis:
Zoning designations and zone changes are regulated by the Kanab City Land Use Ordinance, Chapter 15 – Establishment of Zoning Districts regulates zoning designations within Kanab City. Section 15-7 Transitioning and Maintaining Balance, states:

> *It is the objective of the City to encourage and provide for proper transition and compatibility between zones and intensity of uses, which should be regulated by the City Land Use Code, the General Plan, Future Land Use Map and the Kanab City Annexation Policy Plan. The City also seeks to maintain a healthy balance and mix of land uses within the community, representing the atmosphere of existing development. Areas for growth have been planned with a balance for all uses, including agriculture, residential, commercial and industrial uses, as demonstrated in the Kanab City General Plan and Future Land Use Map. Future decisions regarding land use and zoning in Kanab should be guided by this map.*
>
> *The City promotes orderly growth, with an emphasis for new developments to occur in the core community areas first. Rezoning of adjacent undeveloped property should be compatible with developed property.*

Public Comment:

The Public Hearing was held on August 4, 2026. No E-mail, mail or phone public comments were received, no public comment made at the hearing.

Findings:

1. The application was initiated by the representative.
2. The property is zoned as C2 and approximately 1.16-acres.
3. The City Council is the decision-making authority for a zoning application. The Council may adopt or reject the request as it deems appropriate or may assign a different zoning designation.
4. Assigning an R-1-15 zone is not consistent with the Kanab City Future Land Use Map that shows the area designated as MDR/GC/AG. R-1-15 zone is not consistent with the surrounding area that is currently zoned C2. R-1-15 is considered low density per the General Plan. Historically this lot has been used as residential as well as the property to the east.

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Peter Banks

Planning Commission:
Staff discussed the zone change request and staff report. Planning Commission made a positive recommendation to change the zone to R-1-15, vote was unanimous.

Suggested Motion(s):

I make a motion to assign zone R-1-15 to Parcel K-376-2 based on the findings and conditions outlined in Staff Report ZONE 26-009 and adopt ordinance 8-XX-26 O.

I make a motion to assign zone to Parcel K-376-2 based on the findings and conditions outlined in Staff Report ZONE 26-009 and adopt ordinance 8-XX-26 O.

I make a motion to deny the zone change application.

Mayor
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Peter Banks

Exhibit A: Subject Property

K-312-2
K-205-12
K-205-10
K-205-9
K-205-8
K-205-7
K-205-6
K-205-5
K-205-4
K-205-3
K-205-2
K-205-1
Sedona Valley Rd
K-205-41
K-205-43
K-205-45
K-205-47
K-205-50
K-205-52
34-14
34-12
34-10
34-8
34-6
34-4
34-2
34-11-B
34-11-A
34-9
34-7
34-5
34-3
34-1
K-30-1-ANNEX
K-17-21-ANNEX
K-320-2
K-17-27-ANNEX
1055
K-17-25-ANNEX
K-17-28B-ANNEX
379
K-17-30-ANNEX
1085
K-346-1100S
K-17-28A-ANNEX
K-17-29-ANNEX
1100 S
K-25-1-ANNEX
K-25-2-ANNEX

Mayor
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Treasurer
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Peter Banks

Kanab City Council Staff Report
File #PLAN25-055

Date:	**August 6, 2026**
Meeting Date:	**August 11, 2026**
Agenda Item:	**Approve or Deny a Final Plat, Phase 1 [Hidden Canyon Subdivision – [A Planned Development Overlay]**
Subject Property Address:	**1600 East Highway 89**
Applicant:	**Brown Consulting**
Applicant Agent:	**Jim Guthrie**
Zoning Designation:	**R-1-8 PD**
Parcel #:	**K-15-1-ANNEX and K-14-15-Annex**
Applicable Ordinances:	**Subdivision Ordinance, Chapter 2A**

Attachments:
Exhibit A: Vicinity Map
Exhibit B: Final Plat

Summary:
Jim Guthrie, property owner, and their representative, Brown Consulting have applied for a Final Plat, for Phase 1 of the Hidden Canyon Subdivision. Final Plats with commercial use are regulated through the Kanab City Subdivision Ordinances, Chapter 2A. Phase 1 of Hidden Canyon Subdivision consists of self-storage units. Phase 1 will have commercial use per the preliminary and final site plans that were previously approved.

Applicable Regulations:
Kanab City Subdivision Ordinance Chapter 2A, regulates the final plat process. The application should include the scale drawing, utility service commitment letters, soils investigation report, drainage report, engineer's estimate costs, subdivision improvement plans and the title report. The application and the submitted documents are sent to the City Engineer, Surveyor, Fire Department, Public Works Department, and Land Use Director who review the documents for compliance with city ordinances.

Analysis
The submitted documents are still under review with the Public Works Director. The Land Use Director, Engineer, Surveyor and Fire have completed a review and has found the submission satisfactory with the condition that the Public Work's Directors comments are satisfied.

Findings of Fact:

- Public Work's Director found that on the subdivision improvement plans there was one lift station that did not meet Kanab City Designs Standards. After discussion with Jim and Brown Consulting they are aware this lift station will need to meet the design standards and are in the process of updating the subdivision improvement plans. This subdivision has more than one lift station and all the others met the design standards.

Conditions of Approval:

1. Engineer/Public Works Director provide final sign-off on the subdivision improvement plans.
2. Receive approval from the necessary staff for the plat, subdivision improvement plans and other required documents prior to recording the plat with the county clerk.

Planning Commission:

Staff updated planning commission on the final plat. There is one outstanding item on the subdivision improvement review in regards to the lift station located in phase 1. Staff asked that a condition be added if a positive recommendation is made in regard to the subdivision improvement review. Planning commission made a positive recommendation w/ conditions, unanimous vote.

Suggested Motions:

- I make a motion to send a positive recommendation to City Council for the final plat on Phase 1 of the Hidden Canyon Subdivision based on the findings and conditions of approval as outlined in the staff report for file #PLAN25-055.
- I make a motion to continue the discussion at the next meeting.
- I make a motion to send a positive recommendation to City Council for the final plat on
- Phase 1 of the Hidden Canyon Subdivision based on the findings and conditions of approval as outlined in the staff report for file #PLAN25-055, with the additional findings and conditions:
- I make a motion to send a negative recommendation to City Council for the final plat on Phase 1 of the Hidden Canyon Subdivision demonstrating the applicant has not met the standards outlined in the Kanab City ordinances):

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay

City Council
Arlon Chamberlain
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Steve Shrope
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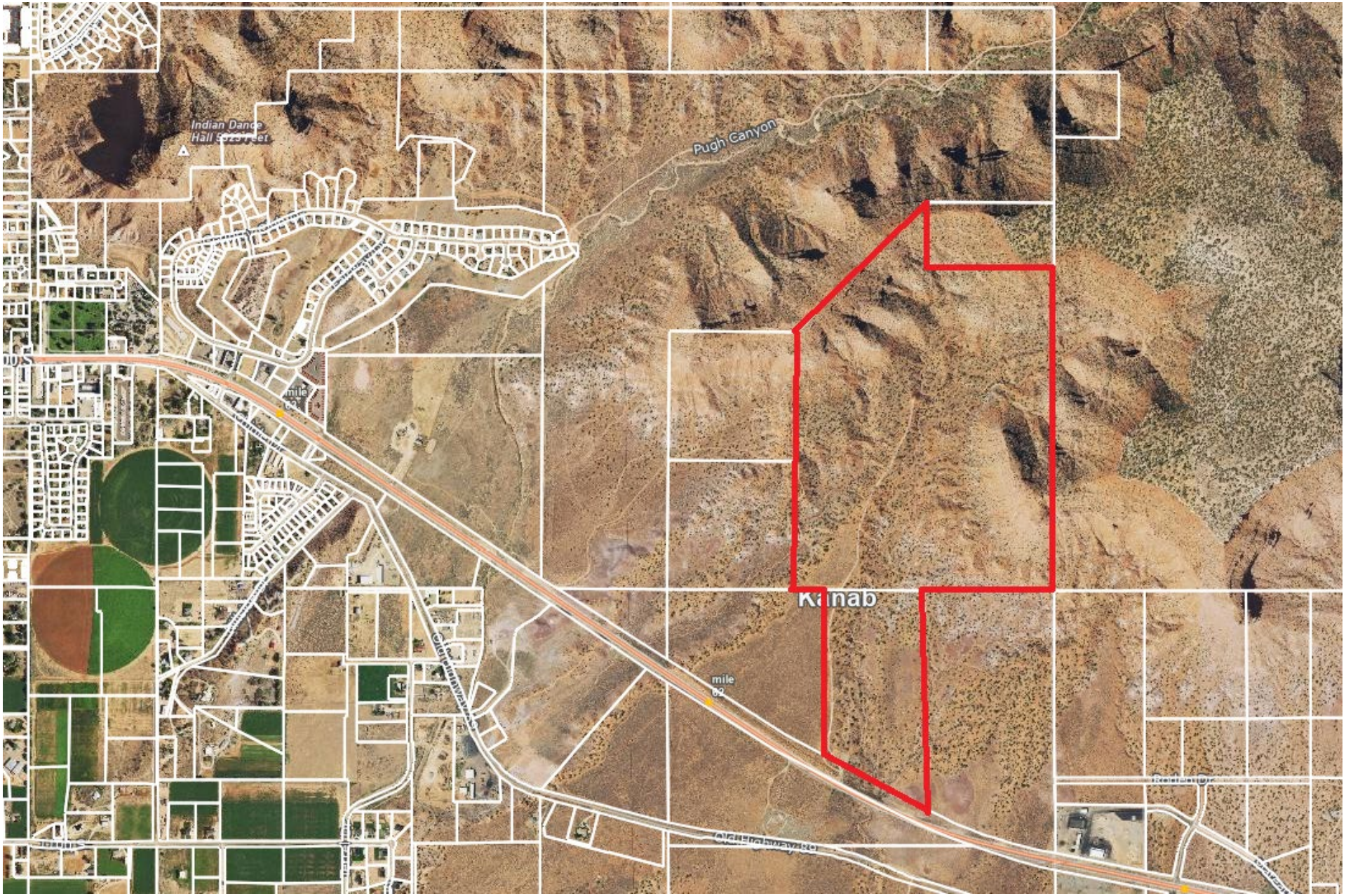
Peter Banks

Exhibit A: Vicinity Map


Indian Dance
Hall Casino
Pugh Canyon
mile
62
Kanab
mile
62

Mayor
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City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay

City Council
Arlon Chamberlain
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Steve Shrope
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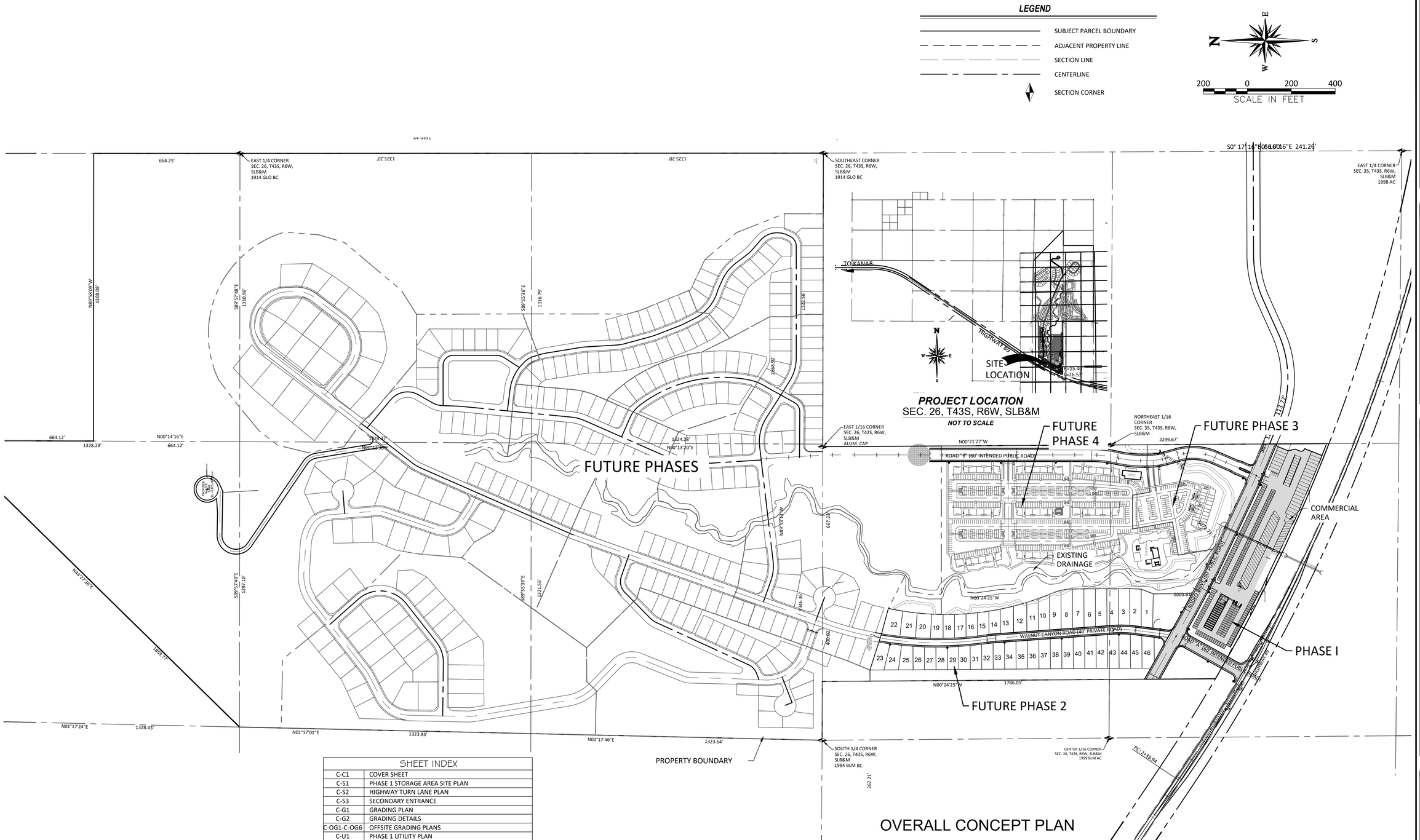
Peter Banks

Exhibit B: Final Plat



SHEET INDEX

C-C1	COVER SHEET
C-S1	PHASE 1 STORAGE AREA SITE PLAN
C-S2	HIGHWAY TURN LANE PLAN
C-S3	SECONDARY ENTRANCE
C-G1	GRADING PLAN
C-G2	GRADING DETAILS
C-OG1-C-OG6	OFFSITE GRADING PLANS
C-U1	PHASE 1 UTILITY PLAN
C-U2	DUMP STATION DETAILS
C-OU1-OU10	OFFSITE UTILITY PLANS
C-PP1	WALNUT CANYON DRIVE PHASE 1
C-PP2	RODEO DRIVE PHASE 1 STORAGE AREA
C-D1-C-D2	UTILITY DETAIL SHEETS
S0.00-S5.03	McNEIL ENGINEERING 1 MILLION GALLON WATER TANK

OVERALL CONCEPT PLAN

811 Know what's below. Call before you dig.

NOTICE!

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

NOTE: ALL WORK AND MATERIALS SHALL BE IN ACCORDANCE WITH CURRENT CITY OF KANAB STANDARDS.

CONTACT INFORMATION

OWNER: JIM GUTHRIE

DEVELOPER: GUTHRIE COMPANIES
PO BOX 52049
RIVERSIDE, CA 92517
951-334-9003

ENGINEER INFORMATION

BROWN CONSULTING ENGINEERS
736 SOUTH 900 EAST SUITE B-105
ST. GEORGE, UT 84790
PHONE (435)628-4700

CONSTRUCTION SET
HIDDEN CANYON SUBDIVISION PHASE 1

LOCATED IN THE SECTIONS 26 AND 35, T 43 S, R 6 W, SLB&M
KANAB, UTAH

REVISIONS			
NO.	DESCRIPTION	DATE	BY

BROWN CONSULTING ENGINEERS, P.C.
CIVIL ENGINEERING–LAND SURVEYING–LAND PLANNING
736 SOUTH 900 EAST, SUITE B-105
ST. GEORGE, UTAH 84790
(435) 628-4700 FAX (435) 628-4725

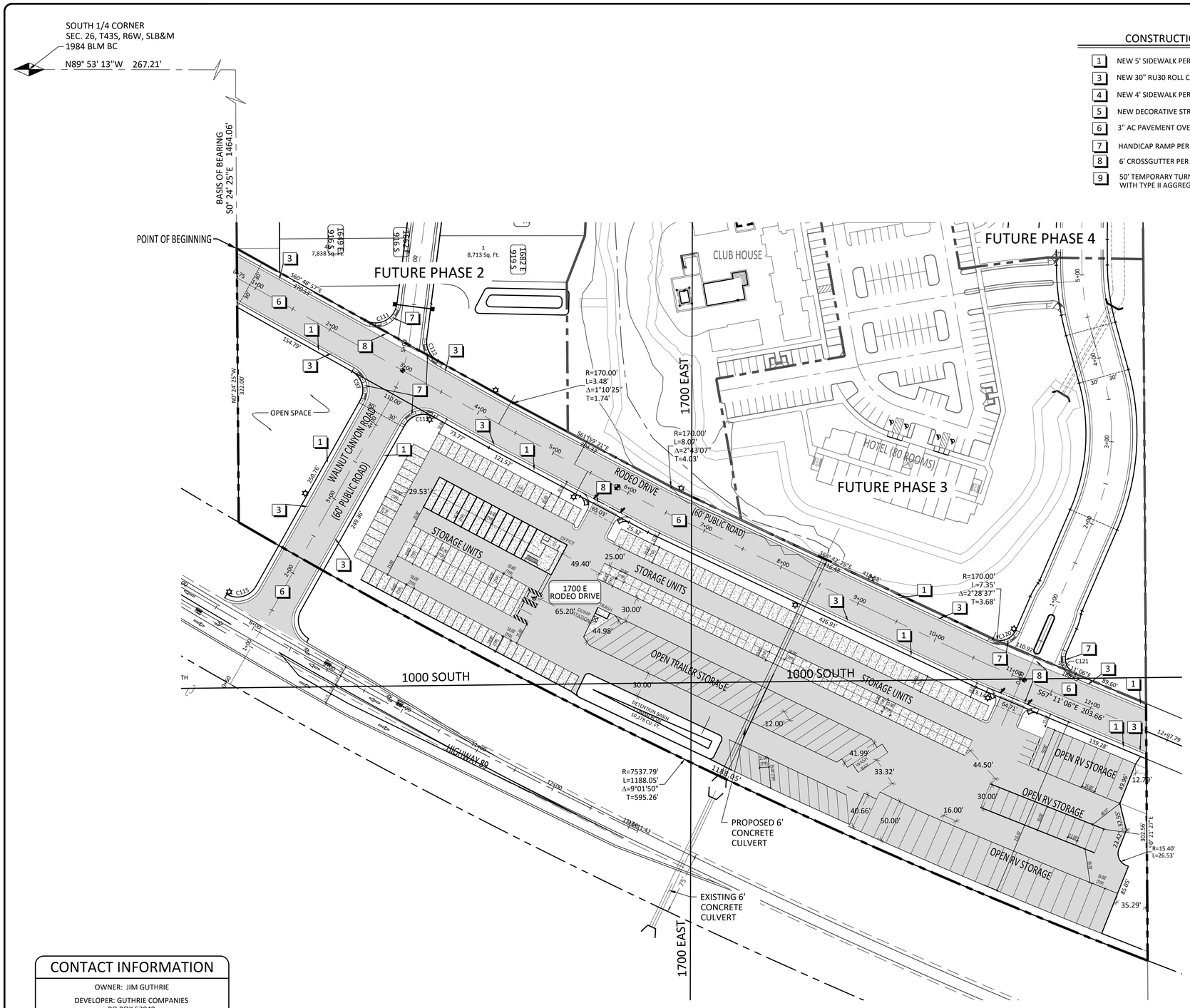
COVER SHEET
FOR
HIDDEN CANYON SUBDIVISION PHASES 1
LOCATED IN THE NW 1/4, SEC 35, AND THE W 1/2 SEC 26
T42S, R16W, S.L.B.&M. KANAB, UTAH

PROFESSIONAL ENGINEER
STEVEN M. KAMLOWSKY
No. 8362092
5/04/26
STATE OF UTAH

CHECKED BY : SK
DRAWN BY : SWB
DATE : 5/4/26
JOB NO. : 21-43

SCALE : 1"=200'

SHEET NO. : C-C1



CONSTRUCTION NOTES

1. NEW 5' SIDEWALK PER APWA DWG 231
3. NEW 30" RU30 ROLL CURB & GUTTER PER APWA 205, TYPE F
4. NEW 4' SIDEWALK PER APWA DWG 231
5. NEW DECORATIVE STREETLIGHT
6. 3" AC PAVEMENT OVER 6" TYPE II BASE
7. HANDICAP RAMP PER APWA DWG 236
8. 6' CROSSGUTTER PER APWA DWG 211
9. 50' TEMPORARY TURNAROUND WITH TYPE II AGGREGATE BASE

N E S W

60 0 60 120
SCALE IN FEET

LEGEND

- SUBJECT PARCEL BOUNDARY
- ADJACENT PROPERTY LINE
- SECTION LINE
- CENTERLINE
- PUBLIC UTILITY EASEMENT (P.U.E.)
- PHASE LINE
- SECTION CORNER
- 1683 E / 978 S — LOT ADDRESS

PHASE 1 PROJECT DATA

COMMERCIAL AREA	7.70 ACRES
STORAGE UNITS	222 UNITS
RV / TRAILER STORAGE	77 SPACES

PHASE 1 COMMERCIAL AREA LEGAL DESCRIPTION

PHASE 1

BEGINNING AT A POINT S89°53'13"E, 267.21 FEET ALONG THE SECTION LINE AND S0°24'25"E, 1464.06 FEET FROM THE NORTH ¼ CORNER OF SECTION 35, TOWNSHIP 43 SOUTH, RANGE 6 WEST, SALT LAKE BASE & MERIDIAN; BASIS OF BEARING BEING S89°53'13"E BETWEEN THE NORTH ¼ CORNER AND NORTH EAST CORNER OF SAID SECTION 35; RUNNING THENCE S60°48'57"E, 370.53 FEET TO A POINT ON A 170.00 FOOT RADIUS CURVE TO THE LEFT; THENCE 3.48 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 1°10'25"; THENCE S61°59'21"E, 204.32 FEET TO A POINT ON A 170.00 FOOT RADIUS CURVE TO THE LEFT; THENCE 8.07 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°43'07"; THENCE S64°42'29"E, 416.48 FEET; TO A POINT ON A 170.00 FOOT RADIUS CURVE TO THE LEFT; THENCE 7.35 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°28'37"; THENCE S67°11'06"E, 186.49 FEET; THENCE S0°21'27"E, 302.56 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF HIGHWAY 89; SAID POINT ALSO BEING ON A 7537.79 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (RADIUS POINT BEARS N21°14'28"E); THENCE ALONG SAID RIGHT OF WAY AND THE ARC OF SAID CURVE 1188.05 FEET, THROUGH A CENTRAL ANGLE OF 9°01'50"; THENCE LEAVING SAID RIGHT OF WAY LINE N0°24'25"W 322.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 7.70 ACRES

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	TANGENT
C11	200.00'	39.23'	11°14'21"	19.68'
C97	25.00'	39.31'	90°04'56"	25.04'
C110	200.00'	37.69'	10°47'53"	18.90'
C111	25.00'	48.84'	111°56'01"	37.02'
C112	25.00'	29.70'	68°03'59"	16.88'
C113	25.00'	39.22'	89°53'47"	24.95'
C114	25.00'	39.30'	90°04'34"	25.03'
C115	25.00'	39.60'	90°45'14"	25.33'
C120	20.00'	32.08'	91°54'39"	20.68'
C121	20.00'	31.61'	90°33'58"	20.20'
C122	79.50'	18.09'	13°02'11"	9.08'
C125	79.50'	18.09'	13°02'11"	9.08'
C145	17.50'	3.98'	13°02'11"	2.00'
C146	225.00'	152.13'	38°44'20"	79.10'
C147	320.00'	83.78'	15°00'00"	42.13'
C148	520.00'	121.76'	13°24'58"	61.16'
C149	479.71'	109.40'	13°03'58"	54.94'
C150	17.50'	3.98'	13°02'11"	2.00'
C151	285.00'	192.69'	38°44'20"	100.19'
C152	260.00'	68.07'	15°00'00"	34.23'
C153	459.73'	107.71'	13°25'25"	54.10'
C154	539.71'	123.08'	13°03'58"	61.81'

CONTACT INFORMATION

OWNER: JIM GUTHRIE

DEVELOPER: GUTHRIE COMPANIES
PO BOX 52049
RIVERSIDE, CA 92517
951-334-9003

811 Know what's below. Call before you dig.

NOTICE!

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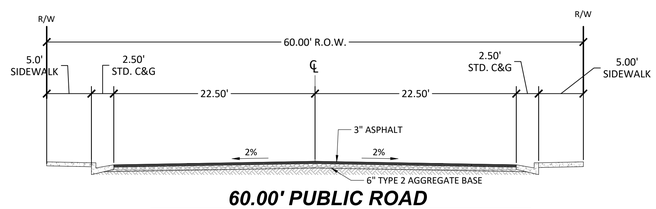


60.00' PUBLIC ROAD

NOT TO SCALE

GENERAL NOTES

1. OFF SITE SEWER WILL BE REQUIRED FOR FULL PROJECT. CONNECT TO EXISTING SEWER LINE IN OLD HIGHWAY 89, AN ENCROACHMENT PERMIT WILL BE REQUIRED FOR ANY WORK DONE IN HIGHWAY 89.

2. DRAINAGE RUNOFF FROM THE SITE WILL BE DIRECTED INTO THE NATURAL DRAINAGE CHANNEL THROUGH THE MIDDLE OF THE PROJECT. AN EXISTING 6' CULVERT WILL BE EXTENDED TO THE SITE AND THROUGH ON SITE DETENTION BASINS. THE DEVELOPED FLOWS WILL NOT EXCEED EXISTING FLOWS.

REVISIONS			
NO.	DESCRIPTION	DATE	BY

BROWN CONSULTING ENGINEERS, P.C.
CIVIL ENGINEERING–LAND SURVEYING–LAND PLANNING
798 SOUTH 900 EAST, SUITE B-105
ST. GEORGE, UTAH 84790
(435) 628-4700 FAX (435) 628-4725

PHASE 1 STORAGE SITE PLAN
FOR
HIDDEN CANYON SUBDIVISION PHASES 1
LOCATED IN THE NW 1/4, SEC 35, AND THE W 1/2 SEC 26
T42S, R16W, S.L.B.&M. KANAB, UTAH

PROFESSIONAL ENGINEER
STEVEN M. KAMLOWSKY
No. 8362092
5/04/26
STATE OF UTAH

CHECKED BY : SK
DRAWN BY : SWB
DATE : 4/21/26
JOB NO. : 21-43

SCALE : 1"=60'

SHEET NO. : C-S1

PAVEMENT MARKING TABLE

DESCRIPTION	STATION	OFFSET
STRAIGHT	STA: 5+17.66	OFFSET: 6.12 (L)
	STA: 6+36.94	OFFSET: 18.00
	STA: 7+15.25	OFFSET: 6.00 (L)
	STA: 7+42.94	OFFSET: 18.00
	STA: 8+86.60	OFFSET: 17.87
	STA: 8+85.66	OFFSET: 6.12 (L)
	STA: 9+67.11	OFFSET: 6.11 (L)
	STA: 9+91.82	OFFSET: 16.12

LEFT ARROW	STA: 6+54.42	OFFSET: 6.12
	STA: 7+63.23	OFFSET: 6.12
RIGHT ARROW	STA: 8+69.14	OFFSET: 18.33 (L)
	STA: 9+81.02	OFFSET: 17.46 (L)
ONLY	STA: 6+26.30	OFFSET: 6.14
	STA: 7+35.11	OFFSET: 6.15
	STA: 8+97.56	OFFSET: 17.99 (L)
	STA: 9+94.57	OFFSET: 17.41 (L)

N E S W

60 0 60 120

SCALE IN FEET

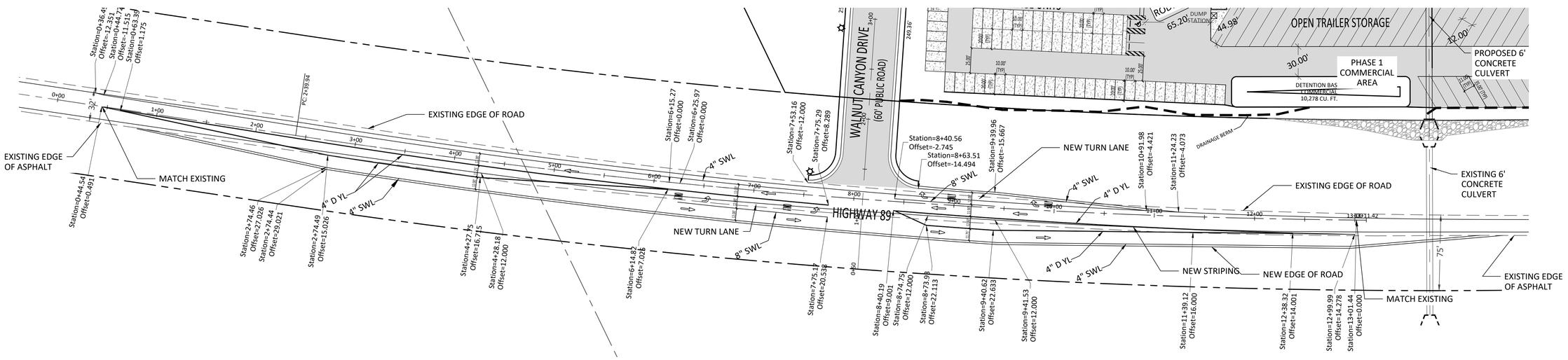
LEGEND

- BOUNDARY LINE
- RIGHT OF WAY
- EDGE OF ASPHALT
- CENTERLINE
- SWL — SOLID WHITE LINE
- DYL — DOUBLE YELLOW LINE
- TURN ONLY
- TURN DIRECTION
- PASS THROUGH

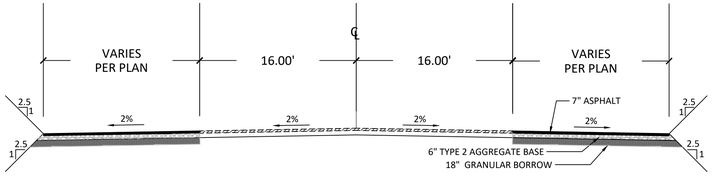
GENERAL NOTES

1. OFF SITE SEWER WILL BE REQUIRED FOR FULL PROJECT. CONNECT TO EXISTING SEWER LINE IN OLD HIGHWAY 89, AN ENCROACHMENT PERMIT WILL BE REQUIRED FOR ANY WORK DONE IN HIGHWAY 89.

2. DRAINAGE RUNOFF FROM THE SITE WILL BE DIRECTED INTO THE NATURAL DRAINAGE CHANNEL THROUGH THE MIDDLE OF THE PROJECT. AN EXISTING 6' CULVERT WILL BE EXTENDED TO THE SITE AND THROUGH ON SITE DETENTION BASINS. THE DEVELOPED FLOWS WILL NOT EXCEED EXISTING FLOWS.



NOTE:
WORK SHOWN IS SUBJECT TO UDOT APPROVAL.



HIGHWAY 89 TYPICAL SECTION

NOT TO SCALE

REVISIONS

NO.	DESCRIPTION	DATE	BY

BROWN CONSULTING ENGINEERS, P.C.
CIVIL ENGINEERING-LAND SURVEYING-LAND PLANNING
736 SOUTH 900 EAST, SUITE B-105
ST. GEORGE, UTAH 84790
(435) 628-4700 FAX (435) 628-4725

HIGHWAY TURN LANE PLAN
FOR
HIDDEN CANYON SUBDIVISION PHASES 1
LOCATED IN THE NW 1/4, SEC 35, AND THE W 1/2 SEC 26
T42S, R16W, S.L.B.&M. KANAB, UTAH

PROFESSIONAL ENGINEER
STEVEN M. KAMLOWSKY
No. 8362092
5/04/26
STATE OF UTAH

CHECKED BY : SK
DRAWN BY : SWB
DATE : 5/4/26
JOB NO. : 21-43

SCALE : 1"=60'

SHEET NO. : C-S2

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay

City Council
Arlon Chamberlain
Chris Heaton
Boyd Corry
Peter Banks
Steve Shrope

Kanab City Council Staff Report

File Number PLANTEXT26-007

Date:	**August 7, 2026**
Meeting Date:	**August 11, 2026**
Agenda Item:	**Approve or deny a text amendment to Land Use Ordinances,** Chapter 17 Single Family Residential Zones, amending the minimum requirement for street frontage.

Attachments:

- **Exhibit A: Proposed Amendment(s) with Red Lines**

Summary:

Applicant, Tyler Heely requested amendments to the Land Use Ordinances:
Chapter 15 Establishment of Zoning District,
Chapter 17 Single Family Residential Zones,
Chapter 19 Manufactured homes – KCR Zone,
Chapter 4 – Supplemental Regulations, Section 4-10 Area of Accessory Buildings.

The proposed amendments include changes to minimum size of lots and reduction to street frontage for R-1-8, minimum size for homes in R-1-8, reduction in street frontage in R-1-20; clarifying design requirements, allowing for septic, reduction of street frontage, lot size and setbacks for two-family dwellings; and increasing the size and reduction of setbacks for guest houses.

PC Meeting July 7th, 2026

Discussion with Planning Commission and the applicant, Tyler Heely & Chris Heely regarding their proposed changes. Most of the changes the present planning commission members were not in favor of. There was some interest in possibly increasing the minimum size of the ADU from 50% to 75% and there was some interest in reducing the street frontage size in R-1-20 from 120 feet to 100 feet.

Applicant Tyler Heely requested to pull all the proposed amendments except for the street frontage requirement for R-1-20. He stated he would do a separate application for the other items but did need to continue with the R-1-20 street frontage.

Planning Commission made a motion for a positive recommendation to change the street frontage requirement from 120 feet to 100 feet, the vote was tied two (2) Yes, two (2) Nay. Another motion was made to continue the item to the next meeting when more PC members could be present.

PC Meeting August 4, 2026

Planning Commission discussed the proposed amendment to reduce the minimum street frontage from 120 feet to 100 feet. Kent provided a quick search of other southern Utah municipalities ordinances such as St. George, Hurricane and Springdale that have 90−100-foot requirements for similar sized lots. There was discussion on cost difference for road construction and materials. A motion was made for a positive recommendation for the proposed text amendment, vote was unanimous.

Suggested Motions

I make a motion to approve and adopt changes to the Kanab City Land Use Ordinance Chapter 17 identified in exhibit A of the staff report for PLANTEXT26-007 and adopt ordinance 8-XX-26 O.

I make a motion to approve and adopt changes to the Kanab City Land Use Ordinance Chapter 17 identified in exhibit A of the staff report for PLANTEXT26-007 and adopt ordinance 8-XX-26 O with the following amendments:

I make a motion to deny the proposed text amendment.

I move to continue the discussion to the following meeting

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay

City Council
Arlon Chamberlain
Chris Heaton
Boyd Corry
Peter Banks
Steve Shrope

Exhibit A: Proposed Amendment with Red Lines

Kanab

Land Use Ordinance

Chapter 17 – Residential Zones

Section 17-1 Purpose

Section 17-2 Permitted and Conditional Uses

Section 17-3 Height Regulations

Section 17-4 Minimum Area, Width and Yard Requirements

Section 17-5 Modifying Regulations

Section 17-6 Reserved

Section 17-7 Supplementary Regulations

Section 17-8 Design Standards for A Two-Family Dwelling

Section 17-1 Purpose

Residential Zones (R-20, R-15, R-10, R-8): To provide and protect areas for low-density, one and two-family neighborhoods, while permitting the limited establishment of public and quasi-public uses which serve the requirements of families.

Section 17-2 Permitted and Conditional Uses

LAND USE CHART RESIDENTIAL	ZONES			
	R-20	R-15	R-10	R-8
Bed and breakfast	C	C	C	C
Cemetery	C	C	C	C
Child day care or nursery	C	C	C	C
Church	C	C	C	C
Golf course	C	C	C	C
Guest house	P	P	P	P
Home occupation – light[3]	P	P	P	P
Home occupation – heavy[4]	C	C	C	C
Horticulture and gardening[1]	P	P	P	P
Household pets	P	P	P	P
Park or playground	C	C	C	C
Public buildings	C	C	C	C
Public utilities, essential services	C	C	C	C
School	C	C	C	C
Shed / garage[2]	P	P	P	P
Single family dwelling unit	P	P	P	P

Adopted January 22, 2008; Revised July 16, 2024

Two family dwellings	P	P	P	P

[1] For personal use

[2] Refer to Section 17-5-2

[3] Home Occupation, light does not include dangerous or objectionable objects. See definitions in Section 1-6 and additional regulations in Section 4-28.

[4] Home Occupation, heavy potentially includes dangerous or objectionable objects. See definitions in Section 1-6 and additional regulations in Section 4-28.

Section 17-3 Height Regulations

No building may exceed two and one-half (2½) stories or thirty-five (35) feet in height. No dwelling shall be less than one (1) story in height.

Section 17-4 Minimum Area, Width and Yard Requirements

			Yard Setbacks in Feet		
District	Area	Width	Front	Side	Rear
R-20	20,000 sq ft	~~120~~100	25	10	10
R-15	15,000 sq ft	100	25	10	10
R-10	10,000 sq ft	80	25	10	10
R-8	8,000 sq ft	60	25	8	10

Section 17-5 Modifying Regulations

A. Side yards - On corner lots the side yard setback shall be the same as the front yard setback.

B. Accessory Buildings - See Chapter 4, Section 4-10

Section 17-6 Reserved

Section 17-7 Supplementary Regulations

Supplementary regulations are provided in Chapter 4 of this Ordinance.

Section 17-8 Design Standards for A Two-Family Dwelling

A two-family dwelling is one building with two residential units under a single continuous roof line. It may be constructed in the Residential Zones subject to compliance with the following standards. These standards are encouraged to promote a residential design which provides architectural interest for a two-family dwelling to blend harmoniously in R zones.

1. Units located side by side are encouraged to be offset by at least 5 feet difference in their front setback, unless the units share an elevated common front porch with roof overhang, or similar design scheme to provide a front entry with greater architectural interest than plain, uncovered front entries on adjacent units. In addition to the primary exterior wall material, accent materials included such as stone, brick, or metal is encouraged to provide architectural character to the dwelling.
2. A two-family dwelling is encouraged to have an appearance similar to a large single-family home with varying roof lines, and building articulations with such things as decks, balconies, or other exterior features which provide design interest.
3. Except for the driveway area and walkways, the front yard setback area shall be landscaped. At the time of occupancy or within six months of occupancy, the front yard area shall be fully landscaped.
4. The minimum lot size for a two-family dwelling is 10,000 sq ft, and the minimum street frontage is 80 feet
5. Land coverage of all buildings shall not exceed 50% of the lot or parcel acreage.
6. Each two-family dwelling shall have four (4) off-street parking spaces (2 per unit). Driveways to the garage and areas used for off-street parking shall be hard-surfaced with either concrete or asphalt.
7. Each unit in a two-family dwelling shall be independently connected to the city's culinary water and sewer system.
8. Prior to issuance of a building permit, all provisions for two-family dwellings shall be met through site plans submitted with the building permit application and the plan review building permit process.

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay

City Council
Arlon Chamberlain
Chris Heaton
Boyd Corry
Peter Banks
Steve Shrope

Kanab City Council Staff Report

File Number 20260501

Date:	**August 7, 2026**
Meeting Date:	**August 11, 2026**
Agenda Item:	**Approve or deny a text amendment for the Subdivision Ordinances, Chapter 2A & 2B Minor Subdivision**

Attachments:

- **Exhibit A: Proposed Amendment(s) with Red Lines**

Summary:

Kanab City Land Use Department has requested amendments to the minor subdivision sections of Chapter 2A & 2B of the Subdivision Ordinance. While reviewing the language in the minor subdivision sections, it was found that some sections need to be updated to meet Utah code and staff is asking for clarifying requirements on what subdivision improvements they would like required during the final plat process.

Planning Commission

Based on discussion with planning commission staff has drafted amendments to present to Planning Commission. These amendments include:

Full subdivision improvements for minor subdivisions identified in Chapter 2A (commercial, manufacturing and residential multi-family)

Allowing only 5 or fewer lots in Chapter 2A (commercial, manufacturing and residential multi-family)

Allowing up to 10 lots in minor subdivision in Chapter 2B (1- & 2- family dwellings and townhouses)

Limited subdivision improvements such as water, sewer, fire hydrants for 1- & 2- family dwellings and townhouses.

Exception to curb, gutter and sidewalk for parcels zoned R-1-15, R-1-20, RR-1 and RA

Other amendments that were done by staff to clean up titles, grammar, format, and the bodies that can review and make the administrative decisions based on State Code.

Planning Commission made a positive recommendation for the text amendments outlined in the staff report, vote was unanimous.

Suggested Motions

I move to approve and adopt changes to the Kanab City Subdivision Ordinances identified in exhibit A of the staff report #20260501 and adopt ordinance 8/XX/26 O.

I move to approve and adopt changes to the Kanab City Subdivision Ordinances identified in exhibit A of the staff report #20260501 and adopt ordinance 8/XX/26 O with the following amendments:

I move to deny the proposed text amendments.

I move to continue the discussion to the following meeting:

Mayor
T. Colten Johnson
City Manager
Kyler Ludwig
Treasurer
Danielle Ramsay

City Council
Arlon Chamberlain
Chris Heaton
Boyd Corry
Peter Banks
Steve Shrope

Exhibit A: Proposed Amendment with Red Lines

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

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Section 2B-4 Subdivision Appeal Authority
Section 2B-5 Pre-Application Meeting
Section 2B-6 Subdivision Application Process
Section 2B-7 Review
Section 2B-8 Approval
Section 2B-9 Post Approval Actions
Section 2B-10 Minor Subdivision
Section 2B-11 Vacating or Amending a Subdivision Plat
Section 2B-12 Boundary Adjustment

Section 2B-1 Scope of Applicability

2B-1.1. This Chapter applies to all applications for new subdivisions where the intended use is one- or two-family residential dwellings, including traditional single-family homes, townhomes, and duplexes. Subdivision applications or petitions for other uses are governed by Chapter 2A of this Subdivision Ordinance. The requirements of this Chapter do not apply retroactively to subdivision applications that were approved by the City prior to the enactment or amendment of this Ordinance.

Section 2B-2 Interpretation and Conflict of Laws

2B-2.1. Where any provision in this Chapter 2B conflicts with other ordinances enacted by the City, the provisions in this Chapter shall prevail unless the City intended such conflicting ordinances not in this Chapter to amend this Chapter.

Section 2B-3 Subdivision Land Use Authority

2B-3.1. The Land Use Authority for **preliminary** applications under this Chapter is the Planning Commission. For purposes of subdivision applications,

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Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

the Planning Commission shall be ultimately responsible for the following, but may delegate any task to the City Engineer, City staff, or members of the Planning Commission:

2B-3.1.1. Rendering land use decisions related to preliminary applications under this Chapter, including approving or denying preliminary applications.

2B-3.1.2. Reviewing all preliminary applications under this Chapter in an impartial manner and according to the standards and deadlines described in this Chapter.

2B-3.1.3. Providing notice to entities and parties as required by this Chapter. This task is delegated to City staff by default.

2B-3.1.4. Holding public meetings for reviewing preliminary applications as required by this Chapter.

2B-3.1.5. Providing feedback to applicants on their preliminary applications in the manner required by this Chapter.

2B-3.1.6. Scheduling and holding a pre-application meeting with potential applicants as required by this Chapter. This task is delegated to City staff and the Development Committee by default.

2B-3.1.7. Keeping subdivision application forms (both preliminary and final) and related informational material up to date and publicly accessible and distributing such forms and materials to potential applicants. This task is delegated to City staff by default.

2B-3.1.8. Ensuring that documents are properly recorded with the County as required by this Chapter. This task is delegated to City staff by default.

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-3.2. The Land Use Authority for **final** applications under this Chapter is the Subdivision Review Committee (SRC). The SRC shall comprise the Land Use Director, the City Engineer, the Public Works Director, and one member of the Planning Commission who is a non-voting member and acts only as a liaison between the Planning Commission and the SRC. The SRC shall meet on an as-needed basis and act by majority vote. For purposes of subdivision applications, the SRC shall be responsible for the following, but may delegate any task to City staff or members of the SRC:

2B-3.2.1. Rendering land use decisions related to final applications under this Chapter, including approving or denying final applications.

2B-3.2.2. Reviewing all final applications under this Chapter in an impartial manner and according to the standards and deadlines described in this Chapter.

2B-3.2.3. Providing feedback to applicants on their final applications in the manner required by this
Chapter.

2B.3.2.4. Signing final application approvals as required by this Chapter.

2B-3.3. The Land Use Authorities are authorized to make any land use decision described by this Chapter without City Council approval. The City Council shall not approve or deny and shall not require the Land Use Authority to approve or deny an application under this Chapter.

Section 2B-4 Subdivision Appeal Authority

2B-4.1. The Appeal Authority for City decisions relating to this Chapter, except where otherwise noted, is the Administrative Hearing Officer.

Section 2B-5 Pre-Application Meeting

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This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-5.1. A party intending to submit a subdivision application under this Chapter may request a pre-application meeting with members of the SRC or another representative of the City (depending on availability) for the purpose of reviewing any element of the party's proposed subdivision application (preliminary or final). The proposed application need not be complete for purposes of this meeting and may—if the party desires—be limited to a concept or sketch plan.

2B-5.1.1. If a party requests a pre-application meeting, City staff shall schedule the meeting within 15 business days after the request. The meeting shall be scheduled at the earliest convenient opportunity, and, at the option of the party requesting the meeting, shall occur within 20 business days after scheduling.

2B-5.1.2. An SRC member or other City representative shall conduct the meeting, provide feedback on materials as requested by the party, and shall provide or have available on the City website the following at the time of the meeting:

2B-5.1.2.1. Copies of applicable land use regulations;

2B-5.1.2.2. A complete list of standards required for the project; and

2B-5.1.2.3. Relevant application checklists.

Section 2B-6 Application Requirements

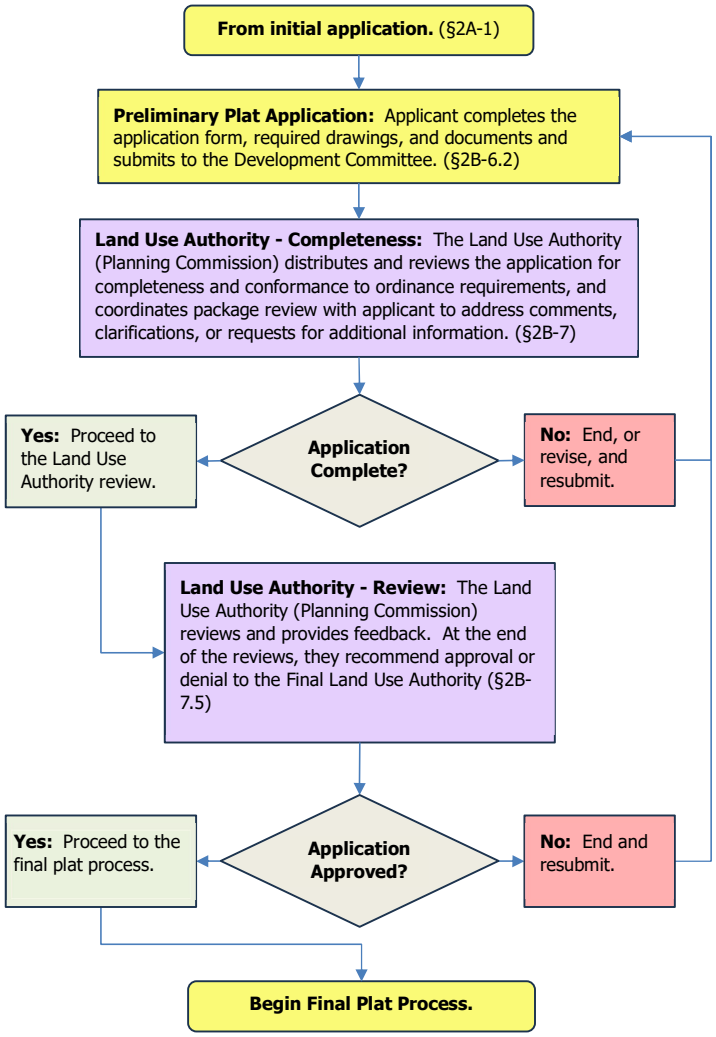
2B-6.1. The City shall not approve, nor shall a party record, any plat or other creating instrument for a new subdivision unless the party has properly applied under this Chapter and received both a preliminary approval and a final approval from the respective Land Use Authorities.

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Figure 1 - Preliminary Plat Application Process (1-2 Family Residential)

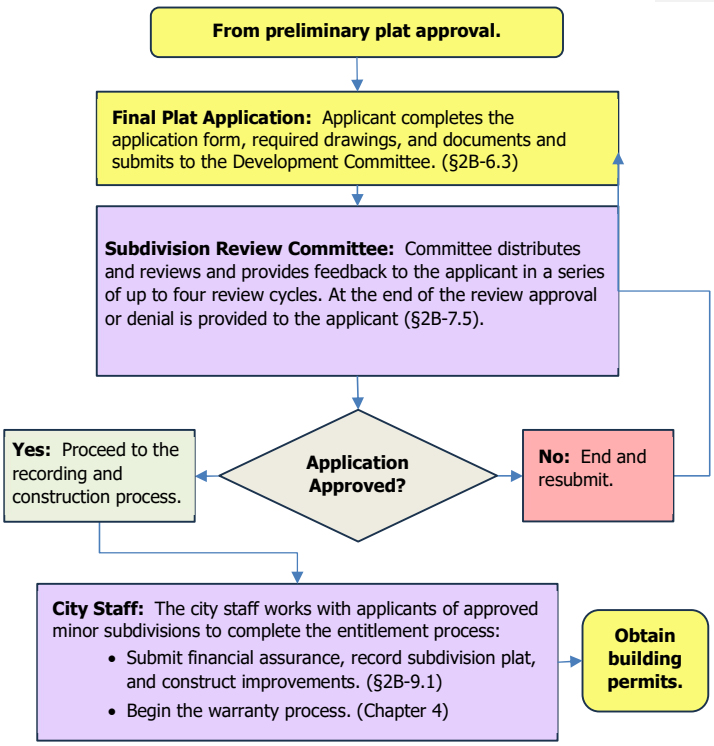


Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Figure 2 - Final Plat Application Process (1-2 Family Residential)



2B-6.2. PRELIMINARY APPLICATION. To be considered complete, a **preliminary** subdivision application must include at least the following elements and a completed checklist showing that application includes all elements:

2B-6.2.1. Proof of land use (zoning) authorization, including a description of how the property will be used after it is subdivided and citations to the specific ordinance(s) that the applicant believes authorizes the intended use. If the intended use requires a rezoning, this must be secured before a subdivision application may be submitted. If the

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

application proposes a flag lot, this must be separately approved under Chapter 2A, Section 7 of this Ordinance before a subdivision application may be submitted.

2B-6.2.2. A preliminary plat. The preliminary plat must be drawn to scale, in detail, and in accordance with generally accepted surveying standards and the acceptable filing standards of the County Recorder's Office. The preliminary plat must include:

2B-6.2.2.1. The proposed subdivision name, which must be distinct from any subdivision name on a plat recorded in the County Recorder's office.

2B-6.2.2.2. The boundaries, course, and dimensions of all proposed parcels.

2B-6.2.2.3. The lot or unit reference; block or building reference; street or site address; street name or coordinate address; acreage or square footage for all parcels, units, or lots; and length and width of the blocks and lots intended for sale.

2B-6.2.2.4. Every existing right-of-way and recorded easement located within the plat for underground, water, and utility facilities.

2B-6.2.2.5. Any known and unrecorded water conveyance facility located, entirely or partially, within the plat.

2B-6.2.2.6. The boundary lines of any special flood hazard zone.

2B-6.2.2.7. Whether any parcel is intended to be used as a street or for any other public use.

2B-6.2.2.8. Whether any parcel is reserved or proposed for dedication for a public

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

purpose.

2B-6.2.2.9. If applicable, the notice required by Utah Code §17-41-403(4).

2B-6.2.2.10. Topography at two-foot intervals indicating existing terrain conditions.

2B-6.2.2.11. A north arrow facing the top of the right margin.

2B-6.2.2.12. A minimum scale of 1″ = 50′.

2B-6.2.2.13. The latest date on each sheet.

2B-6.2.2.14. Signature blocks for the owners of the land to be subdivided, the surveyor who prepared the plat, the City Engineer, the City Surveyor, the City Attorney, the Public Works Director, the Land Use Authority, and a Notary Public.

2B-6.2.3. Reports and studies, including:

2B-6.2.3.1. Soils investigation report prepared by a professional engineer proficient in geotechnical engineering, licensed in the State of Utah, unless specifically waived by the City Engineer.

2B-6.2.3.2. Drainage report prepared by a professional engineer licensed in the State of Utah, unless specifically waived by the City Engineer.

2B-6.2.3.3. Any other report required by the Kanab Land Use Code or reasonably required by the Planning Commission after initial review of the preliminary application.

2B-6.2.4. Certifications, including:

2B-6.2.4.1. An affidavit from the applicant certifying that the submitted information is

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

true and accurate.

2B-6.2.4.2. The signature of each owner of record of land described on the preliminary plat, signifying their consent to the preliminary subdivision application and their intent to dedicate portions of the preliminary plat to the public as described in the application.

2B-6.2.4.3 Certification that the survey who prepared the plat:

2B-6.2.4.3.1. Holds a license in accordance with Utah Code Title 58 Chapter 22; and

2B-6.2.4.3.2. Either has completed a survey of the property described on the plat in accordance with state requirements and has verified all measurements; or has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and

2B-6.2.4.3.3. Has placed monuments as represented on the plat.

2B-6.2.5. Copies: An electronic copy of all plans in PDF format, plus four 24" x 36" size copies and twelve 11" x 17" size copies of the preliminary plat and one printed copy of all other documents in the preliminary application.

2B-6.2.6. Fee: The preliminary plat fee as outlined in the Kanab City Land Use Ordinance.

2B-6.3. FINAL APPLICATION. To be considered complete, a **final** subdivision application must include the following and a completed checklist showing that application includes all elements:

2B-6.3.1. Approval of preliminary application. Planning Commission's approval of the applicant's preliminary application, given within the last 365 calendar days.

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Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-6.3.2. A final plat. The final plat should be the version of the preliminary plat approved by the Planning Commission during the preliminary application review process, plus any other additions and immaterial changes (e.g., formatting) necessary to comply with the recording requirements of the County Recorder's Office.

2B-6.3.3. An improvement plan for all public improvements proposed by the applicant or required by City ordinances. The improvement plan must contain:

2B-6.3.3.1. Engineer's estimate: An engineer's estimate of the cost of completing the required public improvements.

2B-6.3.3.2. Water and sewer design: Drawings showing the layout, profile, and detailed design for sewer line, water lines and storm drains. These drawings must address all sewer mains and manholes, water mains, valves and fire hydrants, and all culinary water lines and pressurized irrigation lines, ditches, canals, and other waterways, along with any required improvements to the same.

2B-6.3.3.3. Profile, cross section drawings: Plan profile and typical cross section drawings of all streets, bridges, culverts and other drainage structures and any additional requirements deemed necessary by the City Engineer.

2B-6.3.3.4. Grading plan: The applicant must submit a grading plan.

2B-6.3.3.5. A feasibility study that demonstrates the feasibility of the proposed water and sewage systems necessary to meet the requirements of this Chapter, together with
letters of feasibility from the local Health

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Department and the Sanitary Sewer Authority.

2B-6.3.3.6. A traffic study that meets the requirements stated in the City's Transportation Master Plan, which is adopted and incorporated as part of this title by reference.

2B-6.3.3.7. A re-vegetation plan.

2B-6.3.3.8. Measures to protect ecology: The applicant must provide a report that describes the mitigating measures that will be taken with respect to the following:

2B-6.3.3.8.1. Control of erosion within the subdivision, and any measures taken as necessary due to impact by the development of the subdivision, to control erosion outside the boundaries of the subdivision;

2B-6.3.3.8.2. Reseeding of cuts and fills;

2B-6.3.3.8.3. Prevention of fire and control dust;

2B-6.3.3.8.4. Prevention of the accumulation of weeds and debris outside the boundaries of the subdivision due to impacts of the development of the subdivision; and

2B-6.3.3.8.5. Prevention of destruction of vegetation outside the boundaries of the subdivision due to impacts of the development of the subdivision.

2B-6.3.3.9. Miscellaneous:

2B-6.3.3.9.1. The location of all curb, gutter, sidewalk and other street improvements to be constructed as required by City ordinances;

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-6.3.3.9.2. All fences, barriers or landscaping as required by the City ordinances or the Planning Commission;

2B-6.3.3.9.3. All special improvements required by the Planning Commission as conditions of subdivision approval;

2B-6.3.3.9.4. Location of all street name signs as required by the City Engineer; and

2B-6.3.3.9.5. The location of any dedicated open space, and a draft of the open space agreement.

2B-6.3.4. A completion assurance for all public improvements required by the approved improvement plan, or a statement that such improvements will be completed before development occurs on the proposed subdivision and before the applicant records the plat. This completion assurance shall be provided according to Chapter 4 of this Ordinance.

2B-6.3.5. Certifications, including:

2B-6.3.5.1. A Title Report for the land to be subdivided, verifying property ownership.

2B-6.3.5.2. A Tax Clearence Certificate from the state indicating that all taxes, interests, and penalties owing on the land have been paid.

2B-6.3.5.3. An affidavit from the applicant certifying that the submitted information is true and accurate.

2B-6.3.5.4. The signature of each owner of record of land described on the plat, signifying their consent to the final subdivision application and their dedication and approval of the final plat.

2B-6.3.5.5. The surveyor's certification

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Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

described in Utah Code Title 58 Chapter 22;

2B-6.3.6. Binding dedication documents, including:

2B-6.3.6.1. As applicable, formal, irrevocable offers for dedication to the public of streets, utilities, parks, easements, or other spaces

2B-6.3.6.2. If the plat is to be part of a community association (e.g., an HOA), signed and binding documents conveying to the association all common areas.

2B-6.3.7. Copies, including:

2B-6.3.7.1. A PDF document of the final plat and all other plans and supporting documents.

2B-6.3.7.2. A copy of the final plat in AutoCAD format. AutoCAD files are considered proprietary and protected.

2B-6.3.7.3. A copy of the final plat drawn on mylar for recording in the County Recorder's Office.

2B-6.3.7 Fee. The final plat fee as outlined in the Kanab City Land Use Ordinance.

2B-6.4 The Land Use Authorities may require, and the applicant shall provide, additional information beyond the requirements of this Section or those published by the City relating to an applicant's plans to ensure compliance with City ordinances and approved standards and specifications for construction of public improvements and to protect the health and safety of City residents.

2B-6.5 In its sole discretion, the Planning Commission may waive specific requirements on a case-by-case basis and accept an application as complete where not all the elements in this Section are provided. These exceptions shall be based on articulable facts.

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Section 2B-7 Review Process

2B-7.1. The Land Use Authorities shall review all subdivision applications in accordance with the requirements of this Section before approving or denying those applications.

2B-7.2. For both preliminary and final applications, the review process begins when an applicant submits a complete application.

2B-7.2.1. The Land Use Authorities shall not review an incomplete subdivision application, except to determine whether the application is complete.

2B-7.2.2. If the Land Use Authority determines that an application is incomplete, it shall notify the
applicant of the incompleteness, highlighting any insufficiencies and explaining that the application will not be reviewed until it is complete.

2B-7.3. For both preliminary and final applications, after the applicant submits a complete application, the Land Use Authority shall review and provide feedback to the applicant in a series of "review cycles."

2B-7.3.1. A review cycle consists of the following phases:

2B-7.3.1.1. Phase #1: The applicant submits a complete application (or, if after the first cycle, submits a revised version of the complete application).

2B-7.3.1.2. Phase #2: The Land Use Authorities review the application in detail and assess whether the application conforms to local ordinances.

2B-7.3.1.3. Phase #3: The Land Use Authorities respond to the applicant, citing any missing requirements or areas of

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

noncompliance and providing a detailed list of necessary revisions to the applicant. For any required modification or addition to the application or request for more information, the Land Use Authorities shall be specific and include citations to ordinances, standards, or specifications that require the modification or addition and shall provide the applicant with an index of all requested modifications or additions.

2B-7.3.1.4. Phase #4: The applicant revises the application, addressing each comment or requirement the Land Use Authorities made. The applicant must submit both revised plans and a comprehensive written explanation in response to the City's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any.

2B-7.3.2. The City will review subdivision improvement plans only during the review of final applications.

2B-7.4. When reviewing final applications, the Land Use Authority shall complete Phases #2 and #3 within **40 business days** and shall not exceed **four review cycles**. If no further revisions are needed, the Land Use Authority may end the review process early and approve or deny the final application.

2B-7.4.1. This provision notwithstanding, for any subdivision application that affects property within an identified geological hazard area, the City is exempt from limits on the number of permitted review cycles and the City's deadlines for reviewing and responding (Phases #2 and #3). Geological hazard areas include areas at risk for rockfall, landslide, liquefaction, or otherwise as defined in state law.

2B-7.4.2. If the applicant makes a material change to a preliminary or final application not

Chapter 2B

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This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

requested by the City at any point in the review process, the Land Use Authority may restart the review process, but only with respect to the portion of the application that the material change substantively affects.

2B-7.4.3. For final applications, if an applicant takes longer than 40 business days to submit a revised application and respond to the City's requests for modifications and additions (Phases #1 and #4), the City shall have an additional 20 business days to review and respond to the revised application (Phases #2 and #3 of the next review cycle or issuing an approval decision).

2B-7.4.4. For both preliminary and final applications, if an applicant takes longer than 180 calendar days to submit a revised application and respond to the City's requests for modifications and additions (Phases #1 and #4), the application shall, at the option of the Land Use Authority, expire. If an application expires, the applicant must restart the subdivision application process.

2B-7.4.5. If the applicant has not submitted a final application within 12 months after the Land Use Authority notifies the applicant that it has approved the related preliminary application, the related preliminary approval shall expire. In this case, the applicant shall not submit a final application until the Land Use Authority has issued a new preliminary application approval.

2B-7.5. When a final application's review period ends, the Land Use Authority shall approve or deny the respective preliminary or final application within 20 business days.

2B-7.6. After the Land Use Authority provides comments in the last allotted review cycle for a final application, the City shall not require further modifications or corrections to the application unless those modifications or corrections are necessary to protect public health and safety or to enforce state or federal law or unless the review cycle reset due to the applicant making a

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This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

material
change that the Land Use Authority did not request.

2B-7.6.1. With the exception of modifications or corrections that are needed to protect public health and safety, that are needed to enforce state or federal law, or that arise from the review cycle being reset, the City waives noncompliant subdivision-related requirements that the Land Use Authority does not identify during the review process.

2B-7.6.2. The applicant shall make reasonable changes, unless prohibited otherwise by a contract
or deed, to the subdivision application to accommodate the water conveyance facility to the extent required by Utah Code §73-1-15.5.

2B-7.7. The Planning Commission shall hold one public hearing during the review period for a preliminary subdivision application.

2B-7.7.1. The purpose of this public hearing is to ask questions of the applicant and receive commentary on the technical aspects of the application from affected entities, interested parties, and the public.

2B-7.7.2. The Land Use Authority shall not hold a public hearing during the review period for a final application under this Chapter.

2B-7.8. Other Chapters of this Title notwithstanding, the Land Use Authorities shall approve or deny preliminary and final applications under this Chapter after reviewing the complete applications as described in this Section.

Section 2B-8 Approval

2B-8.1. The Land Use Authorities shall approve any complete preliminary and final applications made under this Chapter that comply with applicable City ordinances.

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-8.2. The Land Use Authorities shall issue all approvals in writing, and members of the SRC (excluding the member of the Planning Commission) shall certify the approved final plat, either by signing the plat directly or by attaching a signed certification to the plat.

Section 2B-9 Post-Approval Actions

2B-9.1. The applicant shall record the approved final plat with the County Recorder's Office within 365 calendar days after the City approves the final application, provided that the applicant has completed any improvements or posted any completion assurances required by City ordinances or described in the approved improvement plan. The applicant shall not record the approved final plat until such improvements are completed or guaranteed in compliance with City ordinances and the approved improvement plan.

2B-9.1.1. An approved final plat not properly recorded within the timeline specified in this provision is void, unless the Planning Commission approves an extension.

Section 2B-10 Minor Subdivision (~~9~~ 10 or fewer lots)

2B-10.1. An applicant may subdivide property into ~~less than~~ 10 or fewer lots as a minor subdivision, provided that all proposed lots or parcels front a dedicated public street or private street, comply with the applicable zone standards, and are approved through the process as outlined herein.

Lots may front a private lane, in lieu of a dedicated public street, under the following conditions:

i. All requirements are met in Chapter 4-21 of the Land Use Ordinance;

ii. The private lane is paved if servicing more than 3 lots;

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

iii. The proposed private lane will not interfere with the future transportation plans or needs of the City; and

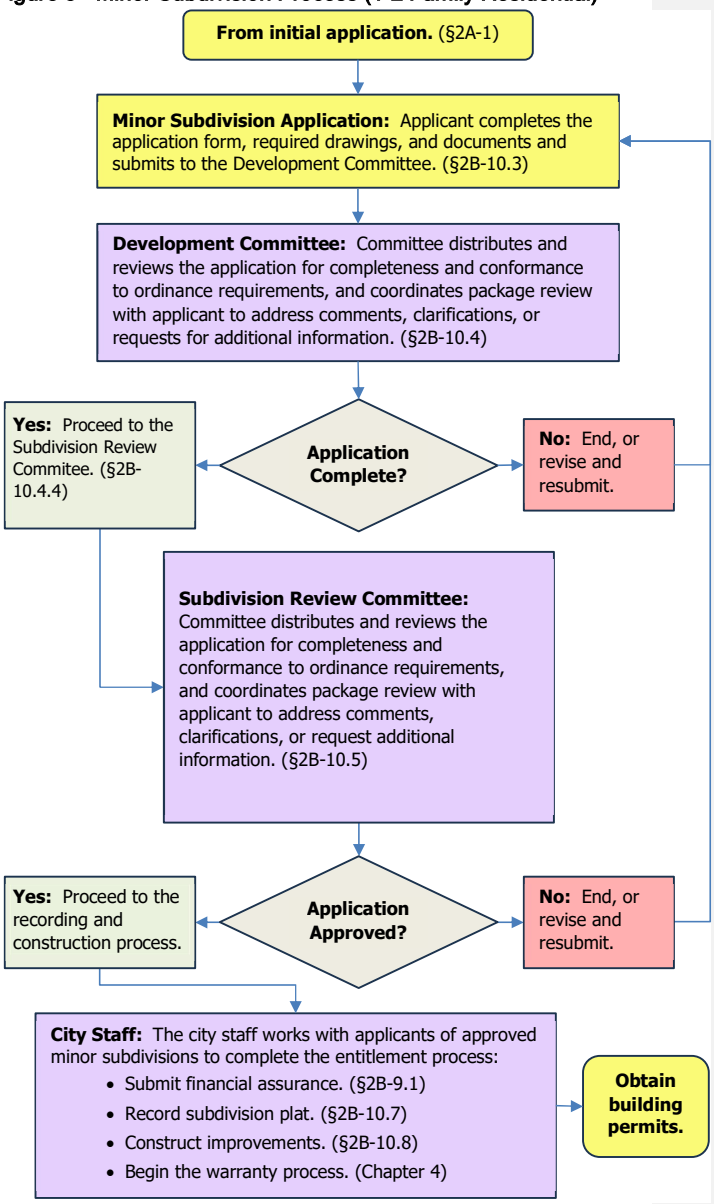
iv. The proposed private lane will meet the requirements for Fire Apparatus Access Roads as indicated in the International Fire Code adopted under Title 15A of the Utah State Code

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

Figure 3 - Minor Subdivision Process (1-2 Family Residential)



Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

~~2B-10.2. Initial Application~~

~~An applicant shall complete the initial application process as outlined in Section 2A-1.~~

2B-10.2~~3~~. **Minor Subdivision Application**

~~Following completion of the initial application process, an~~An applicant shall complete and submit an application form for a minor subdivision to the Kanab City ~~Development Committee~~Land Use Department. The application shall be accompanied by the following ~~and a~~items, together with a completed checklist ~~showing the applicant included all elements~~demonstrating that all required elements have been included:

2B-10.2~~3~~.1. The name of applicant or authorized agent and contact information.

2B-10.2~~3~~.2. The subdivision name.

2B-10.2~~3~~.3. The property address and parcel number.

2B-10.2~~3~~.4. ~~Minor Subdivision Plat Drawing: Four (4) 24" x 36" size copies and twelve (12) 11" x 17" size copies of a Minor Subdivision Plat drawing. The plat~~A minor subdivision plat drawing that shall include:

2B-10.2~~3~~.4.1. The proposed subdivision name;

2B-10.2~~3~~.4.2. The name and address of the applicant, engineer, or surveyor ~~for the subdivision~~ and owners of the land to be subdivided;

2B-10.2~~3~~.4.3. The boundary dimensions and legal description of the subdivision and each lot therein, with accuracy within 0.010' and with the point of beginning clearly labeled;

2B-10.2~~3~~.4.4. A minimum scale of 1" = 50';

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-10.2~~3~~.4.5. Existing rights-of-way and easement grants of record for streets, underground utilities and other public purposes;

2B-10.2~~3~~.4.6. A north arrow ~~facing~~ oriented to the top of right margin;

2B-10.2~~3~~.4.7. The latest revision date on each sheet;

2B-10.2~~3~~.4.8. The acreage or square footage for all parcels or lots and the length and width of the blocks and lots intended for sale;

2B-10.2~~3~~.4.9. A legend of symbols;

2B-10.2~~3~~.4.10. All survey monuments;

2B-10.2~~3~~.4.11. The street-indicating numbers and/or names and the lots numbered consecutively.

2B-10.2~~3~~.4.12. The location, width, centerline bearings and curve data (including delta angle, radius, length, tangent and the long cord on curves) and other dimensions of all existing proposed or platted streets and easements;

2B-10.2~~3~~.4.13. The streets, lots, and properties within two hundred feet (200') surrounding the subdivision shown in ghost lines; and

Commented [KC1]: This has not recently been enforced by our surveyor or engineer. When I spoke with Civil Science they did not realize this was in our ordinance and they do prefer that on a plat the surrounding parcels are noted but grayed out so the new subdivision and the lots/parcel boundaries stands out.

2B-10.2~~3~~.4.14. The approval signature blocks for:

2B-10.2~~3~~.4.14.1. Owner's dedication and acknowledgment;

2B-10.2~~3~~.4.14.2. Surveyor's stamped certificate with the subdivision boundary legal description;

2B-10.2~~3~~.4.14.3. City Surveyor's approval;

2B-10.2~~3~~.4.14.4. City Engineer's approval;

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-10.~~3~~.4.14.5. City Attorney's approval as to form;

2B-10.2~~3~~.4.14.6. Director of Public Works' approval;

2B-10.2~~3~~.4.14.7. ~~Planning Commission Acceptance~~Land Use Administrator Approval

~~2B-10.3.4.14.8. City Council approval; and~~

2B-10.2~~3~~.4.14.8~~9~~. County Recorder's certificate.

2B-10.~~3~~2.5. Utility Service Commitment Letters:
A letter from the power, water, and sewer utility provider stating ~~its commitment to provide service to the proposed project and to be operational~~that service will be provided and available prior to the issuance of any building permit. The application must also include written approval from the Public Health Department if ~~it is determined that~~ the property is not serviced by the public sewer system.

2B-10.2~~3~~.6. Lot Addresses:
A list of street addresses for each lot, numbered in accordance with the Kanab City address grid system.

2B-10.2~~3~~.7. Title Report:
A title report prepared within the previous 30 days.

2B-10.2~~3~~.8. Any additional ~~items that may be~~information requested ~~by the Development Committee~~ during the ~~initial application~~review process.

2B-10.2~~3~~.9. Fee:
The minor subdivision plat fee as outlined in the Kanab City ~~Land Use Ordinance~~Fee Schedule.

2B-10.2~~3~~.10. Signature and Acknowledgement: By signing the Minor Subdivision application form, the applicant acknowledges:

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-10.2~~3~~.10.1. That the applicant or agent of the applicant has read the Subdivision Ordinance;

2B-10.2~~3~~.10.2. That the applicant understands the provisions of the Subdivision Ordinance; and

2B-10.2~~3~~.10.3. That the applicant will fully and completely comply with the provisions and requirements contained therein.

2B-10.4~~2~~3. ~~Development Committee Review~~Subdivision Review Committee (SRC)**:**

2B-10.3~~4~~.1. The ~~Development Committee~~SRC shall review the application and accompanying documentation for compliance with this ordinance.

2B-10.3~~4~~.2. Copies of the application and accompanying documentation may be furnished to the City Attorney, City ~~Engineer, Public Works Department~~Surveyor, or other interested parties, who will review the documentation and make recommendation back to the ~~Development Committee~~SRC.

2B-10.3~~4~~.3. Additional information such as a soils investigation, drainage study, deed restrictions, or other information deemed necessary to fulfill the purpose of this ordinance as described may be requested from the applicant by the ~~Development Committee~~SRC during the review.

2B-10.3~~4~~.4. Once all information requested has been furnished, evaluated, and addressed to the satisfaction of the ~~Development Committee~~SRC, ~~the application will be forwarded to the Planning Commission and placed in the next available meeting agenda.~~

~~2B-10.5.**Subdivision Review Committee:** T~~the Kanab City Subdivision Review Committee shall hold a ~~public meeting~~vote on the application and approve, deny, or approve with conditions.~~.~~

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Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

2B-10.~~7~~4. **Owner's Duty to Record:** The owner(s) of the approved minor subdivision shall record the approved Minor Subdivision Plat in the Kane County Recorder's Office. An applicant's failure to record within one year of City Council approval shall render the subdivision void. In such case, the applicant must commence the subdivision process anew.

2B-10.~~8~~5. Subdivision **Improvement Requirements** ~~**for Building Permits in Minor Subdivisions**~~**:**
All plans for subdivision improvement requirements shall be submitted with the application and approved by the SRC.

2B-10.5.1 Utilities
A plat shall not be recorded until the following utilities or infrastructure is provided, approved and accepted or a bond or other approved surety has been provided in accordance with Chapter 4 of this ordinance:

2B-10.5.1.1 Water, electrical, and adequate fire hydrant coverage are available for connection at each lot or parcel in the plat.

2B-10.5.1.2 Sewer, if within 300 feet of the public sewer system, is available for connection at each lot or parcel in the plat.

Commented [KC2]: Would you like an exception for minor subdivisions with larger lots (larger than 1-acre, 5-acre, etc.)

2B-10.5.2 Stormwater
Post-development stormwater runoff rates and volumes shall not exceed pre-development conditions for the 10-year and 100-year storm events. If Stormwater facilities, where required to meet the predevelopment conditions and rates, shall be designed in accordance with the City Design Standards.

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2B-10.5.3 Streets
All developments and subdivisions within Kanab shall comply with the City's adopted Transportation Map, including provisions for both existing and planned future roadways. Any minor subdivision proposed

Commented [KC3]: Add a reference for master transportation plan

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

within an area where a future roadway is identified on the Transportation Map shall incorporate the planned alignment into the subdivision plat, including appropriate right-of-way dedication or reservation as required by the City.

2B-10.5.3.1 Public Streets
All public streets in the minor subdivision shall be installed, dedicated, approved, and accepted by the city prior to the plat being recorded unless a bond or other approved surety has been provided in accordance with Chapter 4 of this ordinance.

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2B-10.5.3.2 Private Streets and Lanes
All private streets or private lanes shall be installed in accordance with City ordinances prior to the issuance of a building permit.

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2B-10.5.4 Curb, Gutter and Sidewalk
If required (see Land Use Ordinance, Chapter 4-18) all lots shall install curb, gutter and sidewalk improvements along street frontages in accordance with City standards prior to the plat being recorded unless a bond or other approved surety has been provided in accordance with Chapter 4 of this ordinance.

Commented [KC4]: Curb gutter and sidewalk is not currently required for minor subdivisions, unless the road will be dedicated as a public street per our design standards. The exception will require the developer to provide the appropriate right-of way and put in the appropriately sized road but will exempt them from the curb, gutter or sidewalk for the specific zones listed.

2B-10.5.4.1 Limited Frontage Exception
Curb, gutter and sidewalk improvements shall not be required prior to recording the plat if the lot is zoned R-1-15, R-1-20, RR-1 and RA.

Commented [KC5]: Discussion with Terry & Kerry, would like to add R-1-15

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~~2B-10.8.1. Building permits shall not be issued until utilities are available for connection to and adequate fire protection is in place for the lot or parcel proposed for construction, in accordance with City requirements. A utility plan may be required by the utility provider as part of this process.~~

~~2B-10.8.2. Street improvements such as curb, gutter, and sidewalk are required prior to the issuance of a building permit through one or both of the following means:~~

~~2B-10.8.2.1. Construct street improvements to~~

Chapter 2B

Subdivision Process (1-2 Family Residential)

This Subdivision Ordinance defines and outlines the requirements for land division within Kanab City where the intended use is for 1-2 family residential.

~~match existing conditions on adjacent or contiguous properties; or~~

~~2B-10.8.2.2. Sign a "non-opposition" waiver for a future special improvement district.~~

~~2B-10.8.3. Sidewalks must be installed prior to an occupancy permit being issued, unless the requirement is waived by the Kanab City Council.~~

~~2B-10.8.4. Certain improvement requirements set forth in this Ordinance may be waived by the City Council in a public meeting, upon recommendation from the Development Committee and Planning Commission.~~

2B-11 Vacating or Amending a Subdivision Plat

2B-11.1 Please see §2A-4.1 for the requirements to vacate or amend a subdivision plat.

2B-12 Boundary Adjustment

2B-12.1 Please see §2A-5 for the requirements for a boundary adjustment.

Mayor
Colten Johnson
City Council
Arlon Chamberlain
Steven Shrope
Chris Heaton
Boyd Corry
Peter Banks

KANAB
UTAH

City Manager
Kyler Ludwig
City Attorney
Kent Burggraaf
City Recorder
Celeste Cram
City Treasurer
Danielle Ramsay

DATE: August 11, 2026
TO: Mayor and City Council
SUBJECT: Council Resolution Supporting Changes in Grand Staircase-Escalante National Monument and Bears Ears National Monument.
PREPARED BY: Kyler Ludwig, City Manager

Background:

The attached resolution has been requested for consideration by the Kanab City Council. The resolution expresses the Council's position regarding the review and potential modification of the Grand Staircase-Escalante National Monument and Bears Ears National Monument boundaries.

The resolution outlines findings related to the Antiquities Act of 1906, the history of public land use in southern Utah, and the role of multiple-use management, including grazing, recreation, transportation, infrastructure, and natural resource development. It concludes with statements supporting review of existing monument boundaries while reaffirming support for the protection of significant cultural, archaeological, scenic, and natural resources.

Analysis:

Adoption of the resolution would constitute an official statement of policy by the Kanab City Council. The resolution is advisory in nature and does not authorize expenditures, modify City ordinances, or affect the day-to-day operations of the City. If approved, copies would be transmitted to various federal, state, and local elected officials and agencies identified in the resolution.

The issue of national monument boundaries has generated significant public interest throughout southern Utah, with a range of perspectives regarding conservation, cultural resource protection, recreation, economic development, and traditional public land uses. The resolution provides the City Council with an opportunity to express its position on this matter.

Legal:

Mayor
Colten Johnson
City Council
Arlon Chamberlain
Steven Shrope
Chris Heaton
Boyd Corry
Peter Banks

City Manager
Kyler Ludwig
City Attorney
Kent Burggraaf
City Recorder
Celeste Cram
City Treasurer
Danielle Ramsay

Financial:

There is no direct fiscal impact associated with adoption of this resolution beyond minimal administrative costs associated with distribution.

Recommendations/Actions:

Because the proposed resolution is advisory in nature and does not affect City operations or municipal services, staff makes no recommendation regarding its adoption.

If the Council chooses to approve the resolution, a motion to adopt the resolution and direct staff to distribute copies to the identified recipients would be appropriate.

RESOLUTION 8-__-26 R

A RESOLUTION OF THE KANAB CITY MAYOR AND CITY COUNCIL DECLARING KANAB CITY'S SUPPORT OF THE MODIFICATION AND DOWNSIZING OF THE GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT AND THE BEARS EARS NATIONAL MONUMENT

WHEREAS, the Antiquities Act of 1906 grants the President authority to *"declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated on land owned or controlled by the Federal Government to be national monuments."* 54 U.S.C. §320301(a); and

WHEREAS, the Antiquities Act of 1906 restricts the President's authority by stating that "*[t]he President may reserve parcels of land as a part of the national monuments. The limits of the parcels shall be confined to the smallest area compatible with the proper care and management of the objects to be protected."* 54 U.S.C. §320301(b); and

WHEREAS, a plain reading of the Antiquities Act of 1906 reveals that the President may only declare national monuments to protect eligible objects which are limited to "historic landmarks," "historic" or "prehistoric structures," or "other objects of historic or scientific interest." 54 U.S.C. §320301(a); and

WHEREAS, a plain reading of the Antiquities Act of 1906 reveals that the President may only reserve the "smallest area compatible with the proper care and management" of the eligible objects. 54 U.S.C. §320301(b); and

WHEREAS, the President of the United States has sole authority to designate a national monument, but groups, individuals, tribes and elected officials may from time to time propose a national monument for the President's designation or modification; and

WHEREAS, ranching and livestock grazing are foundational to the settlement, history, culture, identity, and economy of Kanab, Utah, and the surrounding region, and the continuation of responsible grazing is an important means of preserving a longstanding tradition and working landscape that has been passed down through generations; and

WHEREAS, the overwhelming majority of public dirt roads in the region, as well as many of its developed water sources and related improvements, were established or maintained in connection with ranching and timber operations, and these features have subsequently become essential to public access, recreation, tourism, wildlife management, emergency response, and wildfire suppression; and

WHEREAS, water developments associated with ranching have provided dependable sources of water for wildlife and helped sustain riparian vegetation and habitat in otherwise arid landscapes, while roads and other access infrastructure established for working lands have enabled recreational users, outfitters, tourism operators, and the general public to access remote areas; and

WHEREAS, responsible timber harvest and forest management have likewise contributed to the development and maintenance of access roads, improved forest health, reduced overstocked stands and hazardous fuels, and provided critical access for wildfire prevention and suppression; and

WHEREAS, the responsible development and use of mineral resources have also been part of the region's history and economy, providing materials, employment, and economic opportunity while representing a legitimate component of the multiple-use tradition that has shaped southern Utah; and

WHEREAS, the Council recognizes that these traditional working-land uses are an important part of the region's cultural heritage and identity and can provide substantial benefits to recreation, wildlife, forest health, public safety, and the local economy, demonstrating that responsible multiple-use management and conservation can work together to preserve the character and vitality of southern Utah; and

WHEREAS, Kanab City is a rural community whose history, economy, and culture are closely tied to the responsible stewardship and multiple use of public lands, including grazing, recreation, hunting, tourism, mining, transportation, utility development, and natural resource conservation; and

WHEREAS, the citizens of Kanab City have long demonstrated a commitment to the conservation of Utah's unique landscapes while recognizing the importance of maintaining access to public lands for traditional and lawful uses; and

WHEREAS, the original establishment and subsequent expansion of the Grand Staircase-Escalante National Monument and the Bears Ears National Monument significantly increased the amount of federally managed monument lands affecting Kane County and neighboring communities; and

WHEREAS, the Kanab City Council believes that monument boundaries should be carefully tailored to protect significant scientific, archaeological, historical, and cultural resources while avoiding the inclusion of lands that do not require monument-level protection; and

WHEREAS, the Council further believes that unnecessarily large monument designations may reduce opportunities for multiple-use management authorized under federal law, including livestock grazing, responsible recreation, infrastructure improvements, utility corridors, wildfire management, and other traditional public land uses that contribute to the economic well-being of southern Utah communities; and

WHEREAS, the members of the Kanab City Council took an oath to support the United States Constitution, the Constitution of Utah, and the laws of the State of Utah, and today reaffirm our commitment that the Kanab City Council does support the United States Constitution, the Constitution of Utah, and the laws of the State of Utah.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Kanab City, Utah, that:

1. Kanab City supports the review and modification of the boundaries of the Grand Staircase-Escalante National Monument and the Bears Ears National Monument to ensure that monument designations are limited to lands necessary to protect nationally significant resources.

2. Kanab City supports reducing monument boundaries where appropriate to return lands better suited for multiple-use management under existing federal land management laws.

3. Kanab City encourages Congress, the President of the United States, the Department of the Interior, the Bureau of Land Management, and the United States Forest Service to work collaboratively with local governments, tribal governments, stakeholders, and the public when considering future monument designations or boundary modifications.

4. Kanab City reaffirms its support for continued protection of significant cultural, archaeological, paleontological, scenic, and natural resources while also supporting responsible grazing, recreation, transportation, infrastructure development, wildfire mitigation, mining, and other lawful public land uses.

This Resolution shall be effective upon passage and shall be transmitted to:

- The President of the United States;
- The Secretary of the Interior;
- Utah's Congressional Delegation;
- The Governor of Utah;
- The Utah Legislature;
- Kane County Commission;
- The Bureau of Land Management; and
- Such other agencies and organizations as the Mayor deems appropriate.

PASSED, APPROVED, and ADOPTED this ____ day of August, 2026.

KANAB CITY

_____
MAYOR

ATTEST:

_____
RECORDER

VOTING:

Arlon Chamberlain	Yea ____	Nay ____
Boyd Corry	Yea ____	Nay ____
Peter Banks	Yea ____	Nay ____
Steve Shrope	Yea ____	Nay ____
Chris Heaton	Yea ____	Nay ____

POSTED the ___ day of _____, 2026, as certified by the Recorder: _____.
RECORDER

MODIFYING THE GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT

Proclamations

July 13, 2026

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

On September 18, 1996, as part of an effort to prevent development of significant coal reserves and other resources on the Kaiparowits Plateau, President Clinton issued Proclamation 6920, which established the Grand Staircase-Escalante National Monument (Monument) in the State of Utah, reserving approximately 1.7 million acres of Federal lands as part of the Monument, and directing that it be managed by the Department of the Interior's Bureau of Land Management (BLM).

On December 4, 2017, exercising my authority under section 320301 of title 54, United States Code (the "Antiquities Act"), I issued Proclamation 9682 to modify the boundaries of the Monument, ensure proper management, and more closely reflect the intent of the Antiquities Act. Proclamation 9682 removed approximately 860,000 acres from the Monument. On October 8, 2021, President Biden issued Proclamation 10286, increasing the size of the Monument to approximately 1.87 million acres, the size of the Monument immediately prior to the issuance of Proclamation 9682.

The Antiquities Act authorizes the President to declare historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated on land owned or controlled by the Federal Government to be national monuments. The Antiquities Act further requires that any parcel of land reserved as part of a monument be confined to the smallest area compatible with the proper care and management of the objects to be protected. Where the President determines that the structures and objects identified by a prior monument proclamation no longer are, or never were, deserving of the Antiquities Act's protections, the Antiquities Act permits the President to remove land from the monument and return it to its prior federally managed status. Determining the appropriate protective area involves examining several factors, including the uniqueness and nature of the objects to be protected, the nature of the protection needed, the protection provided to those objects by other laws, executive department and agency resources available to manage the parcel, and whether the lands are better suited for other non-monument uses.

Proclamation 10286 suffers from several flaws that warrant its reconsideration. First, Proclamation 10286 was premised on the purported need to protect items that are not historic landmarks, historic or prehistoric structures, or objects of historic or scientific interest. This included a long list of generic topographic and geologic features such as "vast and austere landscape[s]," "sedimentary rock layers," and "bold plateaus and multihued cliffs." These generic features described in Proclamation 10286 do not become "landmarks," "structures," or "objects of historic or scientific interest" worthy of protection under the Antiquities Act simply because they are scenic.

Second, certain landmarks, structures, or objects identified in Proclamation 10286 that could, in other circumstances, have the necessary historic or scientific interest, are not unique to the Monument, and their relative commonness suggests that the specific instances of such objects found within the Monument are not of particular historic or scientific interest. Examples of these relatively common objects include cultural, paleontological, and geological resources within the Monument that are found throughout the Four Corners region and, in some cases, throughout the American West. Accordingly, a monument reservation was neither necessary nor appropriate to protect items that are not historic landmarks, historic or prehistoric structures, or other objects of historic or scientific interest or items that may qualify as such but are sufficiently common to not warrant protection under the Antiquities Act.

Third, because Proclamation 10286 expanded the land reserved for the Monument only to protect objects of no significant historic or scientific interest, that Proclamation disregarded the Antiquities Act's requirement that the reservation of Federal lands for a national monument be confined to the "smallest area compatible with the proper care and management of the objects to be protected." Had the reservation

been properly tailored to protect only those objects warranting protection under the Antiquities Act, it would have been much smaller.

Finally, the added reservation of land was unnecessary to protect many of the objects of historic or scientific identified by Proclamation 10286, which are already subject to the enhanced protections provided under Federal laws enacted after the Antiquities Act that preserve archaeological, historic, cultural, paleontological resources as well as plants and animals, and their respective habitats. These laws, including the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa–470mm), National Historic Preservation Act (54 U.S.C. 300101 *et seq.*), Bald and Golden Eagle Protection Act (16 U.S.C. 668–668d), Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 *et seq.*), Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*), Migratory Bird Treaty Act (16 U.S.C. 703–712), Native American Graves Protection and Repatriation Act of 1976 (25 U.S.C. 3001 *et seq.*), and Paleontological Resources Preservation Act (16 U.S.C. 470aaa–470aaa–11), authorize the BLM to limit and condition activities on Federal lands for the protection of certain natural and cultural resources, whether they are within or outside a national monument.

For instance, the BLM manages more than 800,000 acres of the Monument as Wilderness Study Areas, which the BLM is required by law to manage so as not to impair their suitability for future congressional designation as Wilderness. As a result, many of the objects previously designated as monuments by Proclamation 10286 are already adequately protected by Federal law and do not require a reservation of land under the Antiquities Act for protection.

The Monument reservation established by Proclamation 10286 is, therefore, not confined to the smallest area compatible with the proper care and management of those objects worthy of the Antiquity Act's protection. Proper care and management can instead be provided to those objects of historic and scientific interest by a smaller and more appropriate reservation of approximately 181,541 acres comprising two units: the Canyons of the Escalante Unit and Kaiparowits Horizon Unit. Revising the boundaries of the Monument in this way will ensure that, in accordance with the Antiquities Act, the reservation is the smallest area compatible with the proper care and management of the objects to be protected. Revising the Monument's boundaries to encompass approximately 181,541 acres will also account for practical limitations on the BLM's land management resources and funding, ensuring that these remain adequate to provide proper care and management for the Monument now and in the future.

Revising the boundaries will better align the use of these public lands with the public interest. The Grand Staircase-Escalante region contains several resources that are vital to our economic and national security. These resources include several critical minerals, such as chromium, cobalt, copper, iron, lead, manganese, molybdenum, nickel, silver, thorium, titanium, uranium, vanadium, zinc, and zirconium, create jobs, fuel prosperity, and are essential to important sectors of the economy of the United States, including defense, manufacturing, and transportation. It is imperative that the United States not be dependent on foreign sources of these resources. Modifying the Monument's boundaries will help ensure that adequate domestic supplies exist, thereby reducing the threat posed by our Nation's reliance on foreign sources.

The approximately 172,641-acre Canyons of the Escalante Unit contains the heart of the lands that remain within the Monument. Carved by the Escalante River and its tributaries, this area contains objects of historic or scientific interest worthy of protection, including the 130-foot-tall Escalante Natural Bridge. This area also boasts Calf Creek Canyon, a canyon of red alcoved walls with expanses of white slickrock, and other canyons along the Escalante River that contain a high density of Fremont prehistoric sites, including pithouses, villages, and storage cysts, as well as petroglyphs and pictographs, such as the Hundred Hands pictograph panel. The canyon of the Escalante River and its tributary canyons contain one of the highest densities of rock art sites in southwestern Utah outside of Capitol Reef National Park, with sites dating from the Archaic to the Historic periods. There are also historic sites of interest in the area related to grazing and ranching, along with the Boulder Mail Trail, which was used to ferry mail between the small desert outpost towns of Escalante and Boulder beginning in 1902.

Objects of historic and scientific interest can also be found in the approximately 8,900-acre Kaiparowits Horizon Unit. A recently discovered bonebed assemblage has produced rare specimens of theropods, including one of the most complete tyrannosaurid specimens in the region and well-preserved remains of hadrosaurs, turtles, and crocodilians. The site has provided critical insights into the ancient ecosystems of the Western Interior Seaway and the rich diversity of dinosaurs, reptiles, and other vertebrates and is considered a globally important paleontological resource. Accordingly, the establishment of the Kaiparowits Horizon Unit serves not only to properly care for and manage this uniquely intact snapshot of ancient biodiversity and environmental conditions, but also to foster continued research, education, and stewardship of a singular resource for the benefit of future generations.

Accordingly, the area described above and on the accompanying map are the smallest area compatible with the proper care and management of those objects identified above, which I have determined in my discretion warrant protection under the Antiquities Act. This modification of Grand Staircase-Escalante National Monument will maintain and protect those objects and preserve the area's cultural, scientific, and historic legacy.

WHEREAS, section 320301 of title 54, United States Code, authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Federal Government to be national monuments, and to reserve as a part thereof parcels of land; and

WHEREAS, the Antiquities Act permits the President, in the President's discretion, to alter a prior declaration of a national monument, including by finding that objects identified in the prior declaration either are no longer deserving of the Antiquities Act's protections, or never were; and

WHEREAS, many of the items and resources identified by Proclamation 10286 are not historic landmarks, historic structures, or otherwise objects of historic or scientific interest of national importance and, therefore, should not have been declared to be national monuments under the Antiquities Act; and

WHEREAS, many of the resources and objects designated as monuments by Proclamation 10286 do not require a reservation of land to protect them because they are not unique to those areas, were not under threat of damage or destruction before designation, or are sufficiently protected by Federal law; and

WHEREAS, the reservation of land established by Proclamation 10286 was not "the smallest area compatible with the proper care and management of the objects to be protected;" and

WHEREAS, given the greater budgetary and resource constraints of the BLM than in 2017, the boundaries established by Proclamations 9682 and 10286 encompass areas too vast for the proper care and management of the objects located therein; and

WHEREAS, our Nation's need to reduce its reliance on foreign sources of several resources vital to our economic and national security, including resources located within the Monument, is greater than it was in 2017, thereby necessitating the exclusion of lands that were retained within the Monument by Proclamation 9682; and

WHEREAS, it is in the public interest to modify the boundaries of the Monument boundary to exclude approximately 1.69 million acres of land that I find are unnecessary for or disadvantageous to the proper care and management of the objects to be protected within the Monument; and

WHEREAS, I find that the boundaries of the Monument as described above and on the accompanying map represent the smallest area compatible with the proper care and management of the objects of historic and scientific interest identified above;

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, by the authority vested in me by section 320301 of title 54, United States Code, hereby proclaim that the boundaries of the Grand Staircase-Escalante National Monument are hereby modified to include those lands owned or controlled by the Federal Government within the boundaries described on the accompanying map, which is attached to and forms a part of this proclamation. I hereby further proclaim that the modified Monument areas identified on the accompanying map shall be known as the Canyons and Escalante Unit and the Kaiparowits Horizon Unit. These reserved Federal lands encompass approximately 181,541 acres. The boundaries described on the accompanying map are confined to the smallest area compatible with the proper care and management of the objects to be protected. Any lands reserved by Proclamations 6920, 9682, or 10286 not within the boundaries identified on the accompanying map are hereby excluded from the Monument.

At 9:00 a.m., eastern daylight time, on the date that is 60 days after the date of this proclamation, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the public lands excluded from the Monument reservation shall be open to:

(1) entry, location, selection, sale, or other disposition under the public land laws;
(2) disposition under all laws relating to mineral and geothermal leasing; and
(3) location, entry, and patent under the mining laws.

Appropriation of lands under the mining laws before the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law, where not in conflict with Federal law.

Nothing in this proclamation shall be construed to revoke, modify, or affect any withdrawal, reservation, or appropriation, other than those set forth in Proclamations 6920, 9862 and 10286.

Nothing in this proclamation shall change the management of the areas designated and reserved by Proclamations 6920, 9682, and 10286 that remain part of the Monument in accordance with the terms of

this proclamation, except as provided by the following nine paragraphs:

For purposes of providing for the proper care and management of the objects identified above and to facilitate multiple uses that are consistent with the care and management of those objects, the Secretary of the Interior (Secretary) shall maintain a management plan for the Monument and shall promulgate such regulations for its management as he deems appropriate. The Secretary, through the BLM, shall consult with other Federal land management agencies or agency components in the local area, including the National Park Service, when developing any management plan. The Secretary shall provide for public involvement in the development of the management plan, including consultation with federally recognized Tribes and State and local governments. In developing and implementing any management plan, the Secretary shall provide opportunities, pursuant to applicable legal authorities, for shared resources, operational efficiency, and cooperation with other Federal land management agencies, State and local governments, and federally recognized Tribes. When preparing a management plan for the Monument, the Secretary shall take into account, to the maximum extent consistent with the proper care and management of the objects identified above, the importance of (1) providing appropriate access for and otherwise facilitating livestock grazing; (2) maintaining; and (3) improving public access, including for recreation and hunting; and providing educational experiences that reflect the diversity of the Monument's natural and anthropogenic features and their use throughout the region's history.

Nothing in this proclamation affects the designation, maintenance, and improvement of existing roads and trails within the Monument, which shall continue to be governed by laws and regulations other than this proclamation. The Secretary shall prepare a new transportation plan that endeavors to maximize public access in the Monument through the designation of roads and trails on which motorized and non-motorized vehicle use will be allowed as well as provide for appropriate maintenance of those roads and trails. Pending completion of that transportation plan, the Secretary may allow motorized and non-motorized vehicle use on roads and trails designated for use before the issuance of Proclamation 6920 and shall maintain roads and trails for such use.

The Secretary shall consider the effects of proposed activities, including potential road closures, on historic roads in the Monument, in accordance with the regulations at 36 C.F.R. part 800, as appropriate.

Consistent with the proper care and management of the objects identified above, the Secretary may authorize ecological restoration and active vegetation management activities in the Monument. When engaging in management planning for the Monument, the Secretary shall consider the full range of vegetation management tools, including mechanical mastication, grazing, and new vegetation management technology that becomes available in the future. Additionally, because noxious weeds and invasive plant species increase wildfire risks, the Secretary may authorize the use of available mechanical, natural, and chemical tools for controlling the proliferation of noxious weed and invasive plant species, and all treatment plans should be developed and implemented in coordination with the Garfield and Kane Counties Weed Boards. Livestock grazing should be utilized as a primary option for mitigating noxious weeds, as well as managing fuels and vegetation.

In recognition of the enduring tradition of livestock grazing in the Monument and its historical and cultural significance to local communities, nothing in this proclamation shall be deemed to affect authorizations for livestock grazing, or administration thereof, on Federal lands within the Monument. Livestock grazing within the Monument shall continue to be governed by the laws and regulations other than this Proclamation.

The Secretary shall endeavor to authorize traditional land uses within the Monument, such as grazing, recreation, timber management, public access, and infrastructure development, to the greatest extent possible, consistent with applicable law. Where restrictions on proposed uses are necessary to comply with applicable laws, such restrictions shall be narrowly tailored.

The Secretary shall consider livestock grazing lands in the Monument to constitute a traditional cultural place (TCP) and shall consider how proposed activities will impact that TCP in accordance with the regulation at 36 C.F.R. part 800, as appropriate.

If any livestock grazing permits or leases within the Monument are voluntarily relinquished by existing holders, the Secretary shall, within 1 year, re-allocate the relinquished forage, including by issuing a new permit or lease for the relevant allotment, as appropriate, unless the Secretary specifically finds that such reallocation is inconsistent with the proper care and management of the objects identified above.

If any provision of this proclamation, including its application to a particular parcel of land, is held to be invalid, the remainder of this proclamation shall not be affected thereby. Furthermore, to the extent that any provision of Proclamations 6920, 9682, or 10286 is inconsistent with or contradicts this proclamation, the terms of this proclamation shall govern.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of July, in the year of our Lord two thousand twenty-six, and of the Independence of the United States of America the two hundred and fifty-first.

DONALD J. TRUMP

Mayor
Colten Johnson
City Council
Arlon Chamberlain
Steven Shrope
Chris Heaton
Boyd Corry
Peter Banks

City Manager
Kyler Ludwig
City Attorney
Kent Burggraaf
City Recorder
Celeste Cram
City Treasurer
Danielle Ramsay

KANAB
UTAH

DATE: August 11, 2026
TO: Mayor and City Council
SUBJECT: Vermillion Cliffs SSD Contract Amendment
PREPARED BY: Kyler Ludwig, City Manager

Background:

In June 2025, Kanab City entered into a Fire Protection Agreement with the Vermillion Cliffs Special Service District (SSD) to provide structural fire protection and initial wildland fire response within the District's boundaries. Since that time, Kane County, Kanab City, and the SSD have continued evaluating the long-term organization of fire service areas near Kanab.

As part of that effort, the Vermillion Cliffs Special Service District recently annexed additional territory north of Kanab. Those annexations included several parcels that are outside an area that could reasonably be expected to annex into Kanab City in the future. Because the Fire Protection Agreement references the District's service area map, the agreement must be amended to reflect the District's revised boundaries.

Analysis:

The proposed amendment does not change the services provided by Kanab City, the annual service fee, or any other substantive terms of the Fire Protection Agreement. The amendment simply replaces the existing exhibit map with an updated map reflecting the District's current boundaries.

Updating the map ensures the agreement accurately identifies the area in which Kanab City will provide fire protection services under contract.

Legal:

Financial:

The amendment will add a limited number of parcels to the fire protection service area covered under the agreement. These properties will be subject to the same annual service fees and applicable service capacity fees established in the Fire Protection Agreement. As only a

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small number of additional parcels are being added, the overall increase in revenue is expected to be minimal and will not materially impact the City's fire service operations.

Recommendations/Actions:

It is recommended that the City Council: Approve Resolution No. ___ approving the amendment to the Fire Protection Agreement with the Vermillion Cliffs Special Service District updating the fire service area map.

SECOND AMENDMENT TO THE FIRE PROTECTION AGREEMENT
BETWEEN KANAB CITY AND VERMILLION CLIFFS SPECIAL SERVICE DISTRICT

This Second Amendment (the "Amendment") to Fire Protection Agreement Between Kanab City and Vermillion Cliffs Special Service District, with an effective date of June 12, 2025 (the "Agreement"), is entered into by and between Kanab City, a municipal corporation and political subdivision of the State of Utah (the "City"), and Vermillion Cliffs Special Service District, a political subdivision of the State of Utah (the "District" or "Vermillion Cliffs SSD"), on this ____ day of _____, 2026 (the Second Amendment "Effective Date"). Each of the foregoing is a "Party," and collectively are referred to herein as the "Parties" to this Amendment.

RECITALS

WHEREAS, Kanab City and the Vermillion Cliffs SSD entered into the Agreement, with an effective date of June 12, 2025;

WHEREAS, the Agreement was limited in scope to providing fire protection services outlined therein to wildland and structure fires within the boundaries of the District alone, as depicted and described in Exhibits A and B adopted therewith, pursuant to paragraph 21(a) of the Agreement;

WHEREAS, on or about June 3, 2026, the District's Board made a recommendation to the Kane County Commission for the annexation of five additional parcels to the District's boundaries;

WHEREAS, on or about June 9, 2026, the Kane County Commission adopted Resolution No. R 2026-12, A Resolution Annexing Certain Territory into the Vermillion Cliffs Special Service District, annexing the five parcels recommended by the District's Board;

WHEREAS, on _____, 2026, the Utah Lieutenant Governor's Office approved the annexation of the five parcels;

WHEREAS, the five annexed parcels are described and depicted in Exhibits 1 and 2, attached hereto and incorporated herein by reference;

WHEREAS, paragraph 21(b) of the Agreement states:

> No duty or obligation shall be established beyond the scope of services outlined in this Agreement nor beyond the boundaries of the District. Outside of new residential or commercial growth within the District boundaries, the addition of fire protection services beyond the scope of this Agreement or the annexation of one or more properties to the District shall require further written agreement or written amendment to this Agreement before such fire protection services shall be rendered or obligated.

WHEREAS, the Parties desire to amend the Agreement to add the five annexed parcels to be covered by the fire protection services under the Agreement; and

WHEREAS, the Parties wish to memorialize their understanding and agreement, reaffirm the unmodified terms of the Agreement and First Amendment thereto, and intend no other modification to the Agreement, other than what is represented and agreed to in writing.

AMENDMENT

NOW, THEREFORE, in consideration of the recitals, incorporated forthwith, the mutual covenants made herein and within the Agreement, the mutual benefits to the Parties to be derived, and for other valuable consideration, the receipt and sufficiency of which the Parties acknowledge, the Parties agree to amend the Fire Protection Agreement Between Kanab City and Vermillion Cliffs Special Service District as follows:

1. Purpose of the Amendment. The purpose of this Amendment to the Agreement is outlined in the Recitals, which are incorporated herein by reference.

2. Addition of Five Parcels to District Boundaries. The scope and boundaries covered by the Agreement shall be expanded to include the five recently annexed parcels depicted and described in Exhibits 1 and 2 attached hereto and incorporated by reference.

3. Effect of Amendment. The Parties elect to make no further amendments to the Agreement. Except as expressly amended by this Amendment, all other terms and conditions of the Agreement and First Amendment to the Agreement remain unchanged and in full force and effect. All the provisions of this Amendment shall supplement and amend the Agreement, and shall be deemed to be, and shall be construed as, part of the Agreement to the same extent as if fully set forth therein.

4. Execution in Counterparts. This Amendment may be executed in counterpart originals, all such counterparts constituting one complete executed document.

5. Authorization. By signature below, the following individuals certify that they are authorized to act on behalf of their respective Parties to give effect to this Amendment.

[*Signatures on the following page(s).*]

THE PARTIES HERETO have executed this Amendment to the Agreement.

KANAB CITY

Approved as to form:

_____	_____
Troy Colten Johnson	Kent A. Burggraaf
MAYOR	CITY ATTORNEY
Dated: August __, 2026	Dated: August __, 2026

VERMILLION CLIFFS SPECIAL SERVICE DISTRICT

Approved as to form:

_____	_____
_____	_____
Its: _____	VERMILLION CLIFFS SSD ATTORNEY
Dated: _____, 2026	Dated: _____, 2026

EXHIBIT 1

(Map)

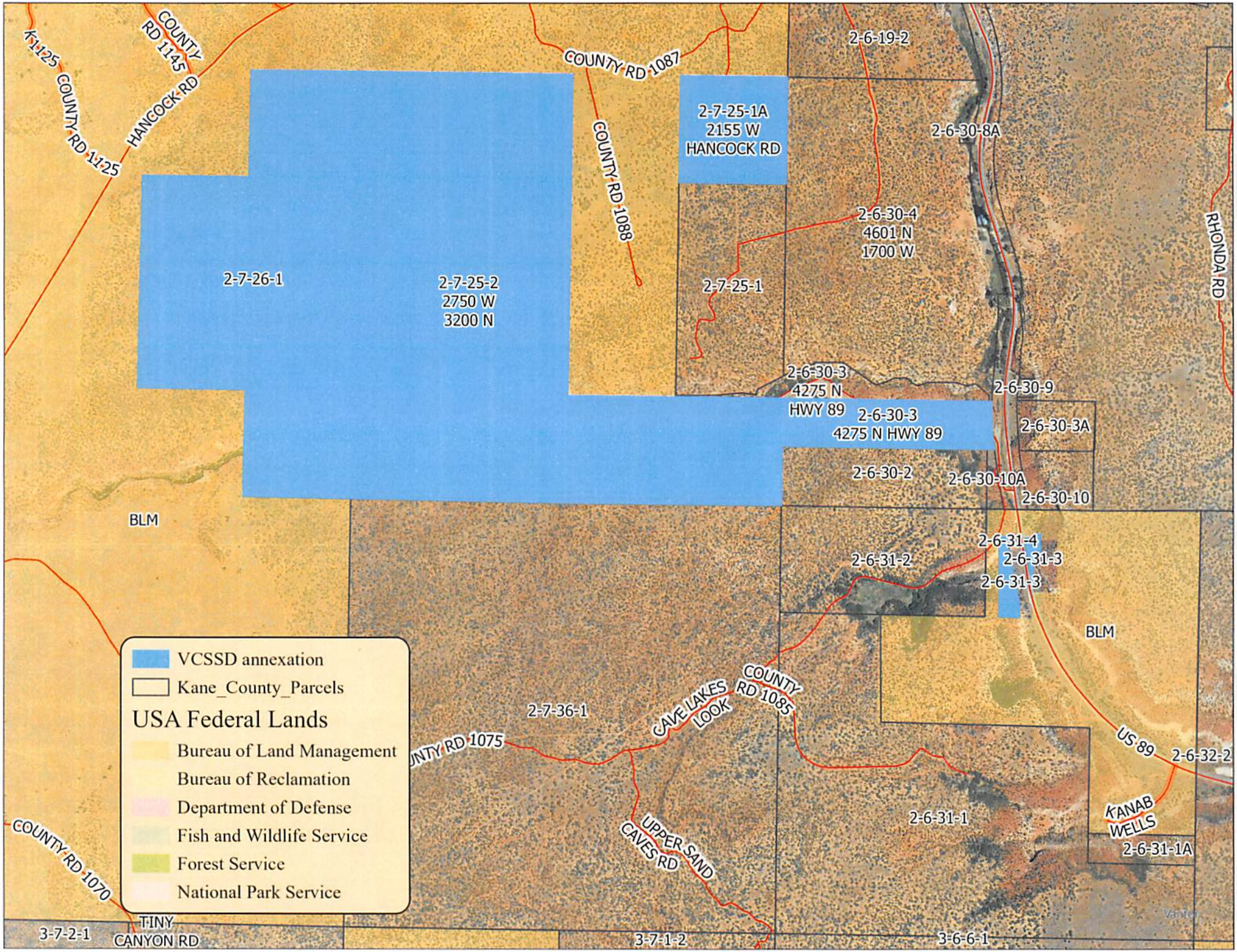
COUNTY RD 1145
K-1-25
COUNTY RD 1-25
HANCOCK RD
COUNTY RD 1087
COUNTY RD 1088
2-7-25-1A
2155 W
HANCOCK RD
2-6-19-2
2-6-30-8A
2-6-30-4
4601 N
1700 W
RHONDA RD
2-7-26-1
2-7-25-2
2750 W
3200 N
2-7-25-1
2-6-30-3
4275 N
HWY 89
2-6-30-3
4275 N HWY 89
2-6-30-9
2-6-30-3A
2-6-30-2
2-6-30-10A
2-6-30-10
BLM
2-6-31-4
2-6-31-3
2-6-31-2
2-6-31-3
BLM
VCSSD annexation
Kane_County_Parcels
USA Federal Lands
Bureau of Land Management
Bureau of Reclamation
Department of Defense
Fish and Wildlife Service
Forest Service
National Park Service
COUNTY RD 1085
CAVE LAKES LOOK
2-7-36-1
UNTY RD 1075
US 89
2-6-32-2
KANAB WELLS
2-6-31-1
2-6-31-1A
UPPER SAND CAVES RD
COUNTY RD 1070
TINY CANYON RD
3-7-2-1
3-7-1-2
3-6-6-1

EXHIBIT 2

PARCELS and LEGAL DESCRIPTIONS:

Parcel 2-6-30-3:

BEGINNING at a point 725.0 feet North of the Southwest Comer of Section 30, Township 42 South, Range 6 West, Salt Lake Base and Meridian, which point lies on the West line of said Section 30; thence North 595.0 feet, more or less, along the West line of said Section 30 to the 1/16th Section Corner; thence East 2,555.42 feet, more or less, along the 1/16th Section line to the Westerly right-of-way line of U. S. Highway 89; thence Southeasterly 596.48 feet, more or less, along said right-of-way line to a point 2,595.95 feet East of the point of beginning; thence West 2,595.95 feet to the point of beginning.

Also, Beginning at the Center-South 1/16 Corner of Section 30, Township 42 South, Range 6 West, Salt Lake Base and Meridian, Utah; and thence running North 38°20'35" East 20.00 feet; thence North 51°39'27" West 256.36 feet; thence South 69°51'38" West 109.81 feet; thence North 73°29'10" West 138.01 feet; thence North 84°31'02" West 174.70 feet; thence North 89°44' 11" West 118.68 feet; thence South 85°36'39" West 69.76 feet; thence South 72°35'00" West 129.36 feet; thence North 64°11'41" West 65.33 feet; thence North 54°53'15" West 104.49 feet; thence North 89°31'28" West 161.75 feet; thence South 63°41'15" West 122.86 feet; thence South 74°14'10" West 123.18 feet; thence North 56°20'04" West 493.18 feet; thence North 88°46'13" West 315.26 feet; thence South 64°41'43" West 125.76 feet; thence South 69°52'04" West 85.49 feet; thence South 86°40'05" West 51.54 feet; thence South 58°00'15" West 208.47 feet; thence South 61°12'58" West 248.50 feet; thence South 24°13'28" West 62.70 feet; thence South 0°32'10" East 39.79 feet; thence North 82°52'19" West 69.69 feet; thence North 81°56'50" West 137.37 feet; thence South 83°55'08" West 315.67 feet; thence South 89°41'45" West 499.45 feet to north-south centerline of the Southeast 1/4 Section 25, Township 42 South, Range 7 West, Salt Lake Base & Meridian; thence South 0°02'00" West along said north-south centerline of the Southeast 1/4, 20.00 feet to the Southeast 1/16 Corner said Section 25; thence North 89°41'45" East along the east-west centerline of the Southeast 1/4 of said Section 25, 1320.63 feet to the South 1/16 Corner of Sections 25 and 30, Townships 42 South, Ranges 6 & 7 West, Salt Lake Base & Meridian; thence North°89 55'54" East along the east-west centerline of the Southwest 1/4 of said Section 30, 2533.27 feet to the point of beginning.

Parcel 2-6-31-3:

Parcel A:

BEGINNING at a point which is S 00° 02' 56” E along the Center 1/4 Section Line 333.62 feet and S 89° 54' 01” E 469.09 feet from the North 1/4 Section 31, T42S, R6W, SLB&M and running thence S 89° 54' 01” E 193.17 feet; thence S 00° 02' 14” E 334.55 feet; thence N 89° 49' 11” W 82.78 feet; thence S 00° 02' 19” E 280.35 feet to the Westerly R.O.W. Line of HWY 89; thence along said R.O.W. Line along the arc of a non-tangent curve to the right 106.58 feet, through a central angle on 01° 56' 57”, radius of 3133.10 feet, chord of 106.57 feet and chord bearing of N 12° 19' 15” W to the point of curve to spiral; thence Northwesterly along the arc of said spiral 198.45 feet (spiral curve is concentric with and 50.00 feet distance Easterly from a 200.00 feet ten-chord spiral for a 1° 48' curve to the right) to the point of tangent; thence N 09° 32' 52” West along said R.O.W. 319.98 feet to the POINT OF BEGINNING and contains 1.454 acres.

Parcel B:

BEGINNING at a point which is S 00° 02' 56” E along the Center 1/4 Section Line 333.62 feet and South 89° 54' 01” E 165.57 feet from the North 1/4 Corner Section 31, T42S, R6W, SLB&M and running thence S 89° 54' 01” E 100.80 feet to the Westerly R.O.W. Line of HWY 89; thence S 09° 32' 52” E along said R.O.W. 117.02 feet; thence departing said R.O.W. S 80° 27' 08” W 26.36 feet; thence S 09° 32' 52” E 80.50 feet; thence N 80° 27' 08” E 26.36 feet to the Westerly R.O.W. Line of HWY 89; thence S 09° 32' 52” E along said R.O.W. Line 156.51 feet to the point of tangent to a spiral curve; thence along the arc of said spiral curve 204.63 feet (spiral curve is concentric with and 150.00 feet distant Westerly from a 200.00 feet ten-chord spiral for a 1° 48' curve to the left) to the point of spiral to curve; thence along that arc of a non-tangent curve to the left 231.60 feet, through a central angle of 3° 58' 52”, radius of 3333.10 feet, chord of 231.56 feet and chord bears S 13° 20' 13” E; thence S 00° 02' 30” E 226.99 feet; thence departing said R.O.W. Line N 89° 39' 32” W 248.28 feet; thence N 00° 02' 46” W 1001.57 feet to the POINT OF BEGINNING and contains 4.249 acres.

Parcel 2-7-25-1A:

The NE1/4 NE1/4 of Section 25, Township 42 South, Range 7 West, Salt Lake Base and Meridian.

Parcel 2-7-25-2:

The NW1/4; the SW1/4; and the S1/2 SE1/4 of Section 25, Township 42 South, Range 7 West, Salt Lake Base and Meridian.

Parcel 2-7-26-1:

The S1/2 NE1/4; the N1/2 SE1/4; the NE1/4 NE1/4; and the SE1/4 SE1/4 of Section 26, Township 42 South, Range 7 West, Salt Lake Base and Meridian.

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KANAB
UTAH

DATE: August 11, 2026
TO: Mayor and City Council
SUBJECT: Discussion of Rural Agriculture (RA) Minimum Lot Size Designations
PREPARED BY: Kyler Ludwig, City Manager

Background:

The City's General Plan identifies Rural Residential/Agriculture areas as intended for residential and agricultural development at densities ranging from one dwelling unit per 2, 5, or 10 acres, depending on the applicable zoning designation. This policy is implemented through Chapter 16 of the Kanab City Land Use Ordinance, which establishes three Rural Agriculture zoning districts: RA-2, RA-5, and RA-10.

Historically, many properties have been identified simply as "RA" on the City's zoning map without a corresponding minimum lot size designation. While Chapter 16 establishes standards for RA-2, RA-5, and RA-10 districts, the zoning map has not consistently identified which minimum lot size applies to each RA-zoned property.

Analysis:

Currently, all Rural Agriculture properties are shown on the City's official zoning map simply as RA without a corresponding RA-2, RA-5, or RA-10 designation. As a result, there is uncertainty regarding which minimum lot size standards apply to these properties. Historically, these parcels have generally been interpreted as being subject to the 2-acre minimum lot size.

If the City wishes to establish specific minimum lot size designations for existing RA-zoned properties, each affected parcel would require a zone change. This process would include Planning Commission review, public notice, a public hearing, and final consideration by the City Council.

There are approximately 200 properties within the City currently zoned RA. This discussion is intended to obtain policy direction from the City Council regarding whether staff should undertake a comprehensive review of these properties and, if so, the criteria that should be used to determine whether individual parcels should be designated RA-2, RA-5, or RA-10.

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Legal:

Financial:

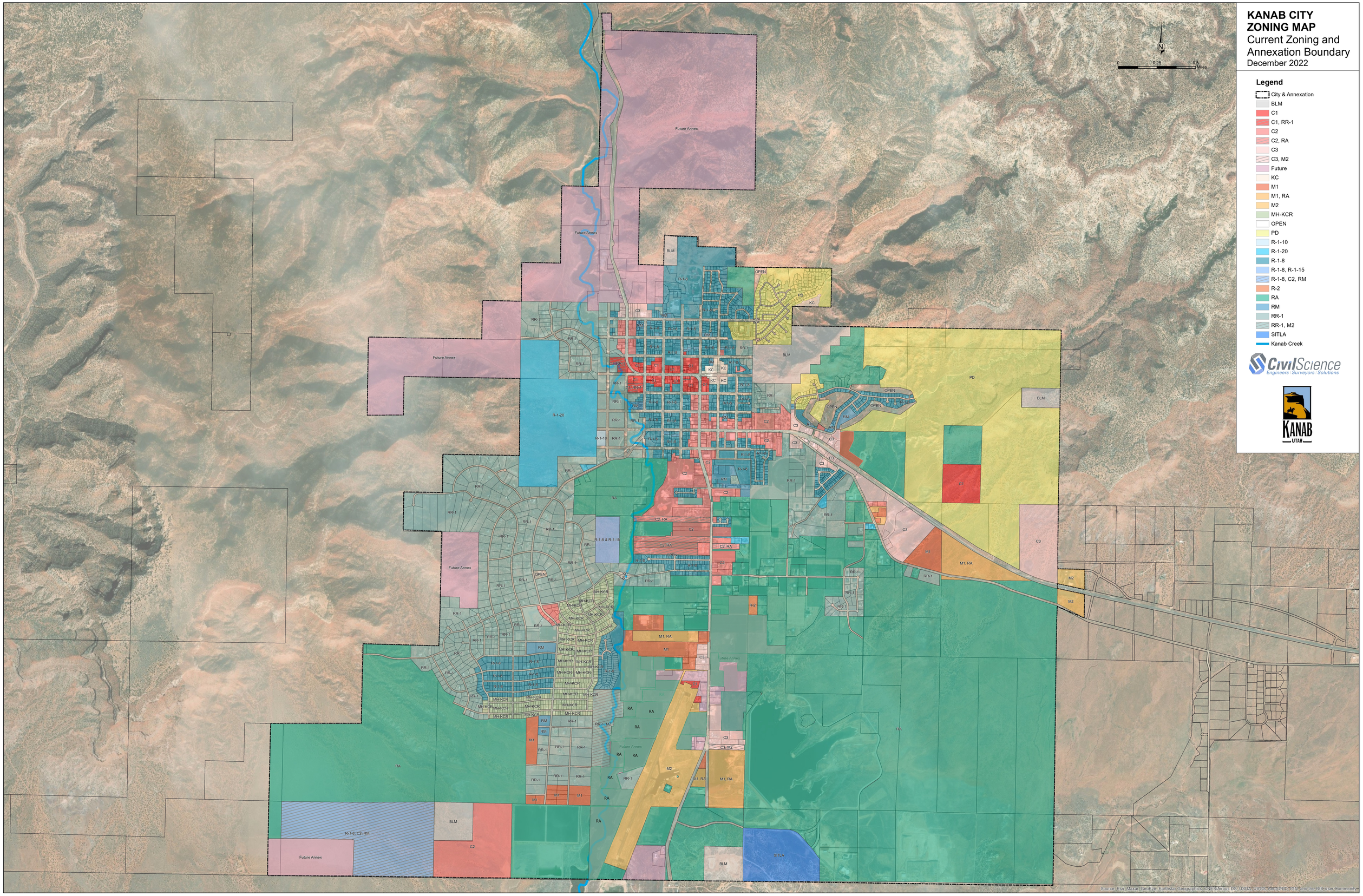
Recommendations/Actions:

It is recommended that the City Council discuss the City's Rural Agriculture zoning designations and provide direction to staff regarding whether to initiate the process of assigning specific RA-2, RA-5, or RA-10 minimum lot size designations to existing RA-zoned properties.

KANAB CITY ZONING MAP

Current Zoning and Annexation Boundary

December 2022



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KANAB
UTAH

DATE: August 11, 2026
TO: Mayor and City Council
SUBJECT: North Annexation Discussion
PREPARED BY: Kyler Ludwig, City Manager

Background:

Kanab City is evaluating the annexation of properties located immediately north of the current city limits. The primary catalyst for this effort is the need to provide municipal fire protection to these properties. Many of the parcels are already served by Kanab City's culinary water system, making annexation a logical step toward aligning municipal services with jurisdictional boundaries.

The area proposed for annexation is consistent with the City's 2006 Annexation Policy Plan, which identified the northern expansion area as a future growth area for Kanab City. The proposed annexation boundaries are shown on the attached Annexation Map prepared by Iron Rock Group, which identifies the parcels proposed for inclusion.

Analysis:

Under Utah's municipal annexation statutes, annexation of this area must be initiated through a property owner petition. Before the City Council may consider an annexation ordinance, the petition must be signed by owners representing either:

- At least 50% of the private land area within the proposed annexation boundary; or
- Owners representing at least one-third (33%) of the assessed value of the private real property within the proposed annexation area.

City staff and Kane County staff will work together to contact affected property owners, explain the annexation proposal, and determine their interest in participating in the petition process. If sufficient signatures are obtained, the City will proceed through the statutory annexation process, including verification of the petition, required public notices and hearings, coordination with affected entities, and ultimately consideration of an annexation ordinance by the City Council in accordance with Utah law.

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Legal:

Annexation proceedings will be conducted in accordance with Utah Code Title 10, Chapter 2, Part 8. The City Attorney will review all petition documents and the proposed annexation ordinance prior to Council consideration.

Financial:

Recommendations/Actions:

is recommended that the City Council discuss the proposed north annexation, ask any questions regarding the annexation process and timeline, and provide direction to staff regarding continued property owner outreach and the petition process..

ANNEXATION MAP

LOCATED IN KANE COUNTY, UT
FOR THE CITY OF KANAB, UTAH
SECTIONS 8, 9, 16, 20, 21, 29 & 30
TOWNSHIP 43 SOUTH, RANGE 6 WEST,
SALT LAKE BASE AND MERIDIAN

LEGEND

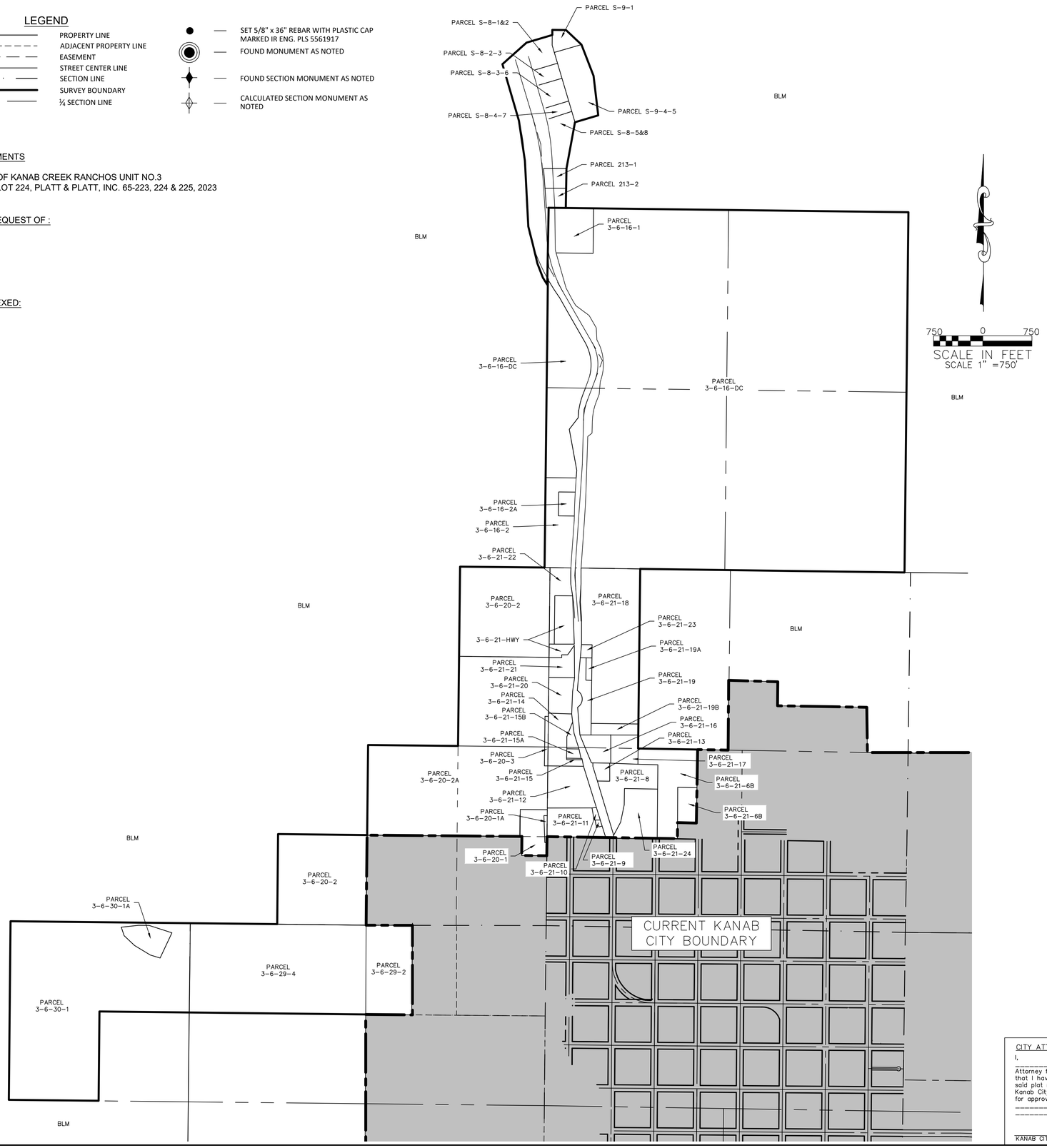
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EASEMENT
- STREET CENTER LINE
- SECTION LINE
- SURVEY BOUNDARY
- ¼ SECTION LINE
- SET 5/8" x 36" REBAR WITH PLASTIC CAP MARKED IR ENG. PLS 5561917
- FOUND MONUMENT AS NOTED
- FOUND SECTION MONUMENT AS NOTED
- CALCULATED SECTION MONUMENT AS NOTED

REFERENCED DOCUMENTS

- AMENDED PLAT OF KANAB CREEK RANCHOS UNIT NO.3
- AMENDED PLAT LOT 224, PLATT & PLATT, INC. 65-223, 224 & 225, 2023

SURVEYED AT THE REQUEST OF :

PARCELS TO BE ANNEXED:
S-9-1
S-9-4-5
S-8-1&2
S-8-2-3
S-8-3-6
S-8-4-7
S-8-5&8
213-1
213-2
3-6-16-1
3-6-16-DC
3-6-16-2A
3-6-16-2
3-6-21-22
3-6-21-HWY
3-6-21-18
3-6-21-23
3-6-21-21
3-6-21-19A
3-6-21-20
3-6-21-19
3-6-20-3
3-6-21-14
3-6-21-15
3-6-21-15A
3-6-21-15B
3-6-21-19B
3-6-21-16
3-6-21-17
3-6-21-6B
3-6-21-24
3-6-21-8
3-6-21-13
3-6-21-12
3-6-21-11
3-6-21-10
3-6-21-9
3-6-20-1
3-6-20-1A
3-6-20-2A
3-6-20-2
3-6-29-4
3-6-29-2
3-6-30-1
3-6-30-1A



SURVEYOR'S CERTIFICATE

I, Thomas W. Avant, a Professional Land Surveyor, License Number 5561917, hold this license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act and have completed this survey of the property described hereon in accordance with Section 17-23-17 and have verified all measurements and have placed monuments as represented on this Record of Survey.

Thomas W. Avant, PLS # 5561917 Date:

NARRATIVE
The purpose of this survey was to retrace and mark on the ground the lines as shown on this Record of Survey at the request of the client. The purpose of the survey is to delineate the boundaries. All corners are set and found as shown.The basis of bearing for this survey is the Utah State Plane coordinate system South Zone.

Legal Description:

COUNTY SURVEYOR CERTIFICATE

I, _____, Kane County Surveyor, do hereby certify that this office has examined the above Plat and have determined that it is correct and in accordance with information on file in this office and recommend it for approval this _____ day of _____ ,20_____.

KANE COUNTY SURVEYOR

CITY PUBLIC WORKS DIRECTOR CERTIFICATE

I, _____, Kanab City public Works Director, do hereby certify that this office has examined the above Plat and have determined that it is correct and in accordance with information on file in this office and recommend it for approval this _____ day of _____ ,20____.

KANAB CITY PUBLIC WORKS DIRECTOR

APPROVAL AND ACCEPTANCE
by the Kanab City Council

We the Kanab City Council have reviewed the hereon Plat and by authorization of said Kanab City Council recorded in the minutes of it's meeting of the _____day of _____, 20_____, hereby accept the said plat with all commitments and all obligations pertaining thereto and is hereby ordered filed for record in the Office of the Kane County Recorder.

Attest: _____ Kanab City Recorder

_____ Mayor – Kanab City Council

CITY SURVEYOR CERTIFICATE

I, _____, Kanab City Surveyor, do hereby certify that this office has examined the above Plat and have determined that it is correct and in accordance with information on file in this office and recommend it for approval this _____ day of _____ ,20_____.

KANAB CITY SURVEYOR

CITY ATTORNEY CERTIFICATE

I, _____ Attorney for Kanab City, do hereby certify that I have examined the above Plat and said plat meets the requirements of Kanab City and is hereby recommended for approval this _____ day of _____ , 20_____.

KANAB CITY ATTORNEY

CERTIFICATE OF RECORDING

I, _____, Recorder of Kane County, do hereby certify that above Plat was filed for recording in my office this _____ day of _____ , 20_____.

KANE COUNTY RECORDER ENTRY NO.

RECORDED AND FILED AT THE REQUEST OF: _____

DATE TIME BOOK PAGE FEE

IRON ROCK GROUP
Building on Solid Foundations
460 E. 300 SOUTH
KANAB, UTAH 84741
435-644-2031
www.ironrockeng.com

KANE COUNTY/ KANAB CITY
ANNEXATION MAP
KANE COUNTY, UT

INITIAL SUBMITTAL	DATE: 05-19-2026
REV#	DATE:	DESCRIPTION:

DRAWN BY: CM
SCALE: 1" = 750'
SHEET:
1 OF 1

Effective 5/7/2025

Part 8
Annexation

10-2-801 Definitions.

As used in this part:

(1) "Affected area" means an annexed area or area proposed for annexation.

(2) "Affected entity" means:

(a) a county of the first or second class in whose unincorporated area the area proposed for annexation is located;

(b) a county of the third, fourth, fifth, or sixth class in whose unincorporated area the area proposed for annexation is located, if the area includes residents or commercial or industrial development;

(c) a special district under Title 17B, Limited Purpose Local Government Entities - Special Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, whose boundary includes any part of an area proposed for annexation;

(d) a school district whose boundary includes any part of an area proposed for annexation, if the boundary is proposed to be adjusted as a result of the annexation; and

(e) a municipality whose boundaries are within 1/2 mile of an area proposed for annexation.

(3) "Annexation action" means:

(a) the enactment of an ordinance annexing an unincorporated area;

(b) the enactment of an ordinance approving a boundary adjustment by each of the municipalities involved in the boundary adjustment; or

(c) an automatic annexation that occurs on July 1, 2027, under Subsection 10-2-814(5).

(4) "Annexation petition" means a petition under Section 10-2-806 proposing the annexation to a municipality of a contiguous, unincorporated area that is contiguous to the municipality.

(5) "Annexing municipality" means:

(a) the municipality that annexes an unincorporated area; or

(b) the municipality to which an unincorporated island is automatically annexed under Section 10-2-814.

(6) "Applicable legislative body" means:

(a) the legislative body of each municipality that enacts an ordinance under this part approving the annexation of an unincorporated area or the adjustment of a boundary; or

(b) the legislative body of a municipality to which an unincorporated island is automatically annexed under Section 10-2-814.

(7) "Expansion area" means the unincorporated area that is identified in an annexation policy plan under Section 10-2-803 as the area that the municipality anticipates annexing in the future.

(8) "Feasibility consultant" means a person or firm with expertise in the processes and economics of local government.

(9) "Mining protection area" means the same as that term is defined in Section 17-41-101.

(10) "Municipal records officer" means a:

(a) city recorder; or

(b) town clerk.

(11) "Municipal selection committee" means a committee in each county composed of the mayor of each municipality within that county.

(12) "Owner of real property" means:

(a) the record title owner according to the records of the county recorder on the date of the filing of the petition or protest; or
(b) the lessee of military land, as defined in Section 63H-1-102, if the area proposed for annexation includes military land that is within a project area described in a project area plan adopted by the military installation development authority under Title 63H, Chapter 1, Military Installation Development Authority Act.
(13) "Private," with respect to real property, means not owned by:
(a) the United States or any agency of the federal government;
(b) the state;
(c) a county;
(d) a municipality;
(e) a school district;
(f) a special district under Title 17B, Limited Purpose Local Government Entities - Special Districts;
(g) a special service district under Title 17D, Chapter 1, Special Service District Act; or
(h) any other political subdivision or governmental entity of the state.
(14)
(a) "Rural real property" means a group of contiguous tax parcels, or a single tax parcel, that:
(i) are under common ownership;
(ii) consist of no less than 1,000 total acres;
(iii) are zoned for manufacturing or agricultural purposes; and
(iv) do not have a residential unit density greater than one unit per acre.
(b) "Rural real property" includes any portion of private real property, if the private real property:
(i) qualifies as rural real property under Subsection (14)(a); and
(ii) consists of more than 1,500 total acres.
(15) "Specified county" means a county of the second, third, fourth, fifth, or sixth class.
(16) "Unincorporated peninsula" means an unincorporated area:
(a) that is part of a larger unincorporated area;
(b) that extends from the rest of the unincorporated area of which it is a part;
(c) that is surrounded by land that is within a municipality, except where the area connects to and extends from the rest of the unincorporated area of which it is a part; and
(d) whose width, at any point where a straight line may be drawn from a place where it borders a municipality to another place where it borders a municipality, is no more than 25% of the boundary of the area where it borders a municipality.
(17) "Urban development" means:
(a) a housing development with more than 15 residential units and an average density greater than one residential unit per acre; or
(b) a commercial or industrial development for which cost projections exceed $750,000 for all phases.

Amended by Chapter 472, 2026 General Session

10-2-802 Valuation of private real property -- Determining consent to petition or protest by owners of real property.

(1) For purposes of this part and Part 9, Municipal Boundary Adjustments, the value of private real property shall be determined according to the last assessment roll for county taxes before the filing of the petition or protest.

(2) For purposes of each provision of this part and Part 9, Municipal Boundary Adjustments, that require an owner of private real property covering a percentage or majority of the total private land area within an area to sign a petition or protest:
(a) a parcel of real property may not be included in the calculation of the required percentage or majority unless the petition or protest is signed by:
(i) except as provided in Subsection (2)(a)(ii), owners of real property representing a majority ownership interest in that parcel; or
(ii) if the parcel is owned by joint tenants or tenants in the entirety, 50% of the number of owners of real property within that parcel; and
(b) subject to Subsection (2)(b), a duly appointed personal representative may sign a petition or protest on behalf of a deceased owner of real property.

Enacted by Chapter 399, 2025 General Session

10-2-803 Annexation policy plan.
(1) Except as provided in Subsection (9), before a municipality may annex an unincorporated area:
(a) the municipality's planning commission shall prepare and recommend to the legislative body an annexation policy plan, as described in Subsections (2) through (4); and
(b) a municipal legislative body shall adopt a recommended annexation policy plan, as described in Subsection (6).
(2)
(a) Each proposed annexation policy plan shall include:
(i) a map of the expansion area which may include territory located outside the county in which the municipality is located;
(ii) a statement of the specific criteria that will guide the municipality's decision whether or not to grant future annexation petitions, addressing matters relevant to those criteria including:
(A) the character of the community;
(B) the need for municipal services in developed and undeveloped unincorporated areas;
(C) the municipality's plans for extension of municipal services;
(D) how the services will be financed;
(E) an estimate of the tax consequences to residents both currently within the municipal boundaries and in the expansion area; and
(F) the interests of all affected entities; and
(iii) justification for excluding from the expansion area any area containing urban development within 1/2 mile of the municipality's boundary; and
(b) In addition to the requirements described in Subsection (2)(a), a recommended annexation policy plan shall also include a statement addressing any comments made by affected entities at or within 10 days after the public meeting described in Subsection (4)(d).
(3) In preparing a proposed annexation policy plan, the planning commission shall:
(a) attempt to avoid gaps between or overlaps with the expansion areas of other municipalities;
(b) consider population growth projections for the municipality and adjoining areas for the next 20 years;
(c) consider current and projected costs of infrastructure, urban services, and public facilities necessary:
(i) to facilitate full development of the area within the municipality; and
(ii) to expand the infrastructure, services, and facilities into the area being considered for inclusion in the expansion area;

(d) consider, in conjunction with the municipality's general plan, the need over the next 20 years for additional land suitable for residential, commercial, and industrial development;
(e) consider the reasons for including agricultural lands, forests, recreational areas, and wildlife management areas in the municipality; and
(f) be guided by the principles set forth in Subsection 10-2-806(5).
(4) Before presenting a recommended annexation policy plan to a municipal legislative body, the planning commission shall:
(a) prepare a proposed annexation policy plan, as described in Subsections (2)(a) and (3);
(b) hold a public meeting to allow affected entities to examine the proposed annexation policy plan and to provide comments on the proposed annexation policy plan;
(c) provide notice of the public meeting under Subsection (4)(b):
(i) as a class A notice, as described in Section 63G-30-102; and
(ii) to each affected entity at least 14 days before the day of the meeting;
(d) accept and consider any additional written comments from affected entities for 10 days following the public meeting under Subsection (4)(b);
(e) if the planning commission receives comments from affected entities under Subsection (4)(b) or written comments under (4)(d):
(i) if appropriate, make modifications to the proposed annexation policy plan; and
(ii) modify the proposed annexation policy plan to include the statement required by Subsection (2)(b);
(f) hold a public hearing on the proposed annexation policy plan, including any new modifications to the proposed annexation policy plan under Subsection (4)(e);
(g) provide notice of the public hearing described in Subsection (4)(f):
(i) as class A notice, as described in Section 63G-30-102; and
(ii) to each affected entity at least 14 days before the day of the hearing;
(h) make any final modifications to the proposed annexation policy plan, as appropriate, based on public input provided at the public hearing; and
(i) submit the planning commission's recommended annexation policy plan to the municipal legislative body.
(5) A municipal legislative body may reject a recommended annexation plan or adopt a recommended annexation plan as described in Subsection (6).
(6) To adopt a recommended annexation plan, a municipal body shall:
(a) hold a public hearing on the annexation policy plan recommended by the planning commission;
(b) provide notice of the public hearing described in Subsection (6)(a):
(i) as class A notice, as described in Section 63G-30-102; and
(ii) to each affected entity at least 14 days before the day of the hearing;
(c) after the public hearing, make modifications to the recommended annexation policy plan, as appropriate; and
(d) adopt the recommended annexation policy plan, with or without modifications.
(7) Within 30 days after adopting a recommended or modified annexation policy plan, the municipal legislative body shall submit a copy of the adopted annexation policy plan to the legislative body of each county in which any of the municipality's expansion area is located.
(8) Nothing in this chapter may be construed to prohibit or restrict two or more municipalities from negotiating and cooperating with respect to defining each municipality's expansion area under an annexation policy plan.
(9)

(a) This section does not apply to a municipality engaged in an automatic annexation under Section 10-2-814.
(b) A municipality is not required to comply with the provisions of this section for an annexation petition that is pending on May 7, 2025.

Renumbered and Amended by Chapter 399, 2025 General Session

10-2-804 Annexation -- Limitations.

(1) A contiguous, unincorporated area that is contiguous to a municipality may be annexed to the municipality as provided in this part.
(2) Except as provided in Subsection (3), a municipality may not annex an unincorporated area unless:
  (a) the unincorporated area is a contiguous area;
  (b) the unincorporated area is contiguous to the municipality;
  (c) annexation will not leave or create an unincorporated island or unincorporated peninsula:
    (i) except as provided in Subsection 10-2-812(2);
    (ii) except where an unincorporated island or peninsula existed before the annexation, if the annexation will reduce the size of the unincorporated island or peninsula; or
    (iii) unless the county and municipality have otherwise agreed; and
  (d) the area is within the proposed annexing municipality's expansion area, as specified in an annexation policy plan adopted as described in Section 10-2-803.
(3) A municipality may annex an unincorporated area within a specified county that does not meet the requirements of Subsection (2), leaving or creating an unincorporated island or unincorporated peninsula, if:
  (a) the area is within the annexing municipality's expansion area;
  (b) the county in which the area is located and the annexing municipality agree to the annexation;
  (c) the area is not within the area of another municipality's annexation policy plan, unless the other municipality agrees to the annexation; and
  (d) the annexation is for the purpose of providing municipal services to the area.
(4) Except as provided in Section 10-2-812, a municipality may not annex an unincorporated area unless a petition under Section 10-2-806 is filed requesting annexation.
(5)
  (a) An annexation under this part may not include part of a parcel of real property and exclude part of that same parcel unless the owner of that parcel has signed the annexation petition under Section 10-2-806.
  (b) A piece of real property that has more than one parcel number is considered to be a single parcel for purposes of Subsection (5)(a) if owned by the same owner.
(6) A municipality may not annex an unincorporated area for the sole purpose of acquiring municipal revenue or to hinder the capacity of another municipality to annex the same or a related area unless the annexing municipality has the ability and intent to benefit the annexed area by providing municipal services to the annexed area.
(7)
  (a) As used in this Subsection (7), "airport" means an area that the Federal Aviation Administration has, by a record of decision, approved for the construction or operation of a Class I, II, or III commercial service airport, as designated by the Federal Aviation Administration in 14 C.F.R. Part 139.
  (b) A municipality may not annex an unincorporated area within 5,000 feet of the center line of any runway of an airport operated or to be constructed and operated by another municipality

unless the legislative body of the other municipality adopts a resolution consenting to the annexation.

(c) A municipality that operates or intends to construct and operate an airport and does not adopt a resolution consenting to the annexation of an area described in Subsection (7)(b) may not deny an annexation petition proposing the annexation of that same area to that municipality.

(8)

(a) As used in this Subsection (8):

(i) "Authority" means the same as that term is defined in Section 63H-1-102.

(ii) "Project area" means the same as that term is defined in Section 63H-1-102.

(b) A municipality may not annex an unincorporated area located within a project area without the authority's approval.

(c) The authority may petition for annexation of the following areas to a municipality as if the authority was the sole private property owner within the area:

(i) an area within a project area;

(ii) an area that is contiguous to a project area and within the boundaries of a military installation;

(iii) an area owned by the authority; and

(iv) an area that is contiguous to an area owned by the authority that the authority plans to add to an existing project area.

(9)

(a) Except as provided in Subsection (9)(b), a municipality may not annex an unincorporated area if:

(i) the unincorporated area is proposed for incorporation in:

(A) a feasibility study conducted under Section 10-2a-205; or

(B) a supplemental feasibility study conducted under Section 10-2a-206; and

(ii) the county clerk completes the second public hearing on the proposed incorporation under Subsection 10-2a-207(4).

(b) If an unincorporated area proposed for incorporation, as described in Subsection (9)(a)(i), does not incorporate within three years from the day on which the county clerk completes the second public hearing on the proposed municipality, a municipality may annex the unincorporated area.

Renumbered and Amended by Chapter 399, 2025 General Session

10-2-805 Cross-county annexation -- Requirements.

(1) As used in this section:

(a) "Affected county" means the county in which an area proposed for cross-county annexation is located.

(b) "Affected municipality" means a municipality:

(i) located in an affected county; and

(ii) whose expansion area includes the area proposed for cross-county annexation.

(c) "Applicant" means a person intending to file an annexation petition proposing a cross-county annexation.

(d) "Cross-county annexation" means the annexation of an area located in a county that is not the county in which the proposed annexing municipality is located.

(e) "Specified public utility" means the same as that term is defined in Section 10-20-102.

(2) An applicant may not file a petition under Section 10-2-806 that proposes a cross-county annexation unless:

(a) the applicant sends a written notice of intent to file a petition proposing a cross-county annexation to the legislative body of each affected municipality describing:
(i) the area proposed for cross-county annexation; and
(ii) the proposed annexing municipality;
(b) the proposed annexing municipality adopts or amends the municipality's annexation policy plan under Section 10-2-803 to include the area proposed for cross-county annexation within the proposed annexing municipality's expansion area;
(c) the applicant files a request to approve the proposed cross-county annexation with the legislative body of the affected county:
(i) no sooner than 90 days after the day on which the applicant sends the written notice described in Subsection (2)(a) to each affected municipality; and
(ii) no later than 180 days after the day on which the applicant sends the written notice described in Subsection (2)(a) to each affected municipality;
(d) a feasibility consultant conducts a feasibility study in accordance with Subsection (3), unless the feasibility study is waived under Subsection (3)(b); and
(e) the legislative body of the affected county:
(i) holds a public hearing in accordance with Subsection (4); and
(ii) adopts the resolution described in Subsection (4)(a)(iii)(A).
(3)
(a) Within 60 days after the day on which a legislative body of an affected county receives the request described in Subsection (2)(c), or within a time period longer than 60 days if agreed to by the legislative body of the affected county and the applicant, the legislative body of the affected county and the applicant shall jointly select and engage a feasibility consultant to:
(i) conduct a feasibility study on the proposed cross-county annexation; and
(ii) submit written results of the feasibility study to the legislative body of the affected county and the applicant no later than 90 days after the day on which the feasibility consultant is engaged to conduct the feasibility study.
(b) The legislative body of the affected county may waive the requirement for a feasibility study under Subsection (3)(a).
(c) The feasibility study under Subsection (3)(a) shall determine:
(i) whether the proposed cross-county annexation eliminates, leaves, or creates an unincorporated island or unincorporated peninsula;
(ii) the fiscal impact of the proposed cross-county annexation on:
(A) the affected county;
(B) affected municipalities;
(C) specified public utilities that serve the area proposed for cross-county annexation; and
(D) affected entities;
(iii) the estimated cost that the proposed annexing municipality would incur to provide governmental services in the area proposed for cross-county annexation during the current fiscal year;
(iv) the estimated revenue that the proposed annexing municipality would receive from the area proposed for cross-county annexation during the current fiscal year; and
(v)
(A) each entity that has provided municipal-type services in the area proposed for cross-county annexation;
(B) the methods under which each entity described in Subsection (3)(c)(v)(A) has provided municipal-type services in the area proposed for cross-county annexation; and

(C) the feasibility of the proposed annexing municipality providing municipal-type services in the area proposed for cross-county annexation.

(d) For purposes of Subsection (3)(c)(iv), the feasibility consultant shall assume that the ad valorem property tax rate on property within the area proposed for cross-county annexation is the same property tax rate that the proposed annexing municipality currently imposes on property within the municipality.

(e) The applicant and the affected county shall share equally the feasibility consultant fees and expenses.

(4)

(a) A legislative body of an affected county shall hold, within 30 days after the day on which the legislative body receives the written results of the feasibility study under Subsection (3)(a) or waives the requirement for a feasibility study under Subsection (3)(b), a public hearing to:

(i) determine whether the requirements described in Subsections (2)(a) and (b) have been met;

(ii) consider the results of the feasibility study under Subsection (3)(a), unless the feasibility study is waived under Subsection (3)(b); and

(iii)

(A) adopt a resolution approving the proposed cross-county annexation; or

(B) adopt a resolution rejecting the proposed cross-county annexation.

(b) The legislative body of the affected county shall send, at least 15 days before the day on which the public hearing described in Subsection (4)(a) occurs, written notice of the public hearing to:

(i) the applicant;

(ii) each residence within, and to each owner of real property located within:

(A) the area proposed for cross-county annexation; and

(B) 300 feet of the area proposed for cross-county annexation;

(iii) the legislative body of:

(A) the proposed annexing municipality; and

(B) the county in which the proposed annexing municipality is located;

(iv) each specified public utility that serves the area proposed for cross-county annexation;

(v) each affected municipality; and

(vi) each affected entity.

(c) At the public hearing described in Subsection (4)(a), the legislative body of the affected county shall allow the individuals present to speak to the proposed cross-county annexation.

(d) A legislative body of an affected county may not adopt a resolution rejecting a proposed cross-county annexation under this section unless the legislative body determines that:

(i) the requirements described in Subsections (2)(a) and (b) have not been met; or

(ii) the results of the feasibility study under Subsection (3)(a) show that:

(A) the proposed cross-county annexation would impose a substantial burden on the affected county;

(B) the estimated revenue under Subsection (3)(c)(iv) exceeds the estimated cost to provide governmental services under Subsection (3)(c)(iii) by more than 5%; or

(C) it would not be feasible for the proposed annexing municipality to provide municipal-type services in the area proposed for cross-county annexation.

(e) A legislative body of an affected county that adopts a resolution rejecting a proposed cross-county annexation under this section shall provide to the applicant a written explanation of the legislative body's decision.

(f) A legislative body of an affected county may adopt a resolution approving a proposed cross-county annexation under this section regardless of the results of a feasibility study under Subsection (3)(a).

(5)

(a) A party adversely affected by a legislative body of an affected county's decision under Subsection (4)(a) may, within 30 days after the day on which the legislative body adopts a resolution approving or rejecting a cross-county annexation, file a petition for review of the decision in the district court with jurisdiction in the affected county.

(b) The district court shall defer to the legislative body of the affected county's decision under Subsection (4)(a) unless the court determines that the decision is arbitrary, capricious, or unlawful.

(6) Section 10-2-812 does not apply to a cross-county annexation unless consented to by all affected counties.

Amended by Chapter 16, 2025 Special Session 1

10-2-806 Annexation petition -- Requirements -- Notice required before filing.

(1) Except as provided in Section 10-2-812 and except for an automatic annexation under Section 10-2-814, the process to annex an unincorporated area to a municipality is initiated by a petition as provided in this section.

(2)

(a)

(i) Before filing a petition under Subsection (1), the person intending to file a petition shall:

(A) file with the municipal records officer of the proposed annexing municipality a notice of intent to file a petition; and

(B) send a copy of the notice of intent to file a petition to each affected entity.

(ii) Each notice of intent under Subsection (2)(a)(i) shall include an accurate map of the area that is proposed to be annexed.

(b)

(i) Subject to Subsection (2)(b)(ii), the county in which the area proposed to be annexed is located shall:

(A) mail the notice described in Subsection (2)(b)(iii) to:

(I) each owner of real property located within the area proposed to be annexed; and

(II) each owner of real property located within 300 feet of the area proposed to be annexed; and

(B) send to the proposed annexing municipality a copy of the notice and a certificate indicating that the notice has been mailed as required under Subsection (2)(b)(i)(A).

(ii) The county shall mail the notice required under Subsection (2)(b)(i)(A) within 20 days after receiving from the person who filed the notice of intent:

(A) a written request to mail the required notice; and

(B) payment of an amount equal to the county's expected actual cost of mailing the notice.

(iii) Each notice required under Subsection (2)(b)(i)(A) shall:

(A) be in writing;

(B) state, in bold and conspicuous terms, substantially the following:

"Attention: Your property may be affected by a proposed annexation.

Records show that you own property within an area that is intended to be included in a proposed annexation to (state the name of the proposed annexing municipality) or that is within 300 feet of that area. If your property is within the area proposed for

annexation, you may be asked to sign a petition supporting the annexation. You may choose whether to sign the petition. By signing the petition, you indicate your support of the proposed annexation. If you sign the petition but later change your mind about supporting the annexation, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality) within 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified.

There will be no public election on the proposed annexation because Utah law does not provide for an annexation to be approved by voters at a public election. Signing or not signing the annexation petition is the method under Utah law for the owners of property within the area proposed for annexation to demonstrate their support of or opposition to the proposed annexation.

You may obtain more information on the proposed annexation by contacting (state the name, mailing address, telephone number, and email address of the official or employee of the proposed annexing municipality designated to respond to questions about the proposed annexation), (state the name, mailing address, telephone number, and email address of the county official or employee designated to respond to questions about the proposed annexation), or (state the name, mailing address, telephone number, and email address of the person who filed the notice of intent under Subsection (2)(a)(i)(A), or, if more than one person filed the notice of intent, one of those persons). Once filed, the annexation petition will be available for inspection and copying at the office of (state the name of the proposed annexing municipality) located at (state the address of the municipal offices of the proposed annexing municipality)."; and

(C) be accompanied by an accurate map identifying the area proposed for annexation.

(iv) A county may not mail with the notice required under Subsection (2)(b)(i)(A) any other information or materials related or unrelated to the proposed annexation.

(c)

(i) After receiving the certificate from the county as provided in Subsection (2)(b)(i)(B), the proposed annexing municipality shall, upon request from the person who filed the notice of intent under Subsection (2)(a)(i)(A), provide an annexation petition for the annexation proposed in the notice of intent.

(ii) An annexation petition provided by the proposed annexing municipality may be duplicated for circulation for signatures.

(3) Each petition under Subsection (1) shall:

(a) be filed with the municipal records officer of the proposed annexing municipality;

(b) contain the signatures of, if all the real property within the area proposed for annexation is owned by a public entity other than the federal government, the owners of all the publicly owned real property, or the owners of private real property that:

(i) is located within the area proposed for annexation;

(ii)

(A) subject to Subsection (3)(b)(ii)(C), covers a majority of the private land area within the area proposed for annexation;

(B) covers 100% of all of the rural real property within the area proposed for annexation; and

(C) covers 100% of all of the private land area within the area proposed for annexation if the area is within a migratory bird production area created under Title 23A, Chapter 13, Migratory Bird Production Area; and

(iii) is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;

(c) be accompanied by:
(i) an accurate and recordable map, prepared by a licensed surveyor in accordance with Section 17-73-507, of the area proposed for annexation; and
(ii) a copy of the notice sent to affected entities as required under Subsection (2)(a)(i)(B) and a list of the affected entities to which notice was sent;
(d) contain on each signature page a notice in bold and conspicuous terms that states substantially the following:

"Notice:

• There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

• If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality). If you choose to withdraw your signature, you shall do so no later than 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified.";
(e) if the petition proposes a cross-county annexation, as defined in Section 10-2-805, be accompanied by a copy of the resolution described in Subsection 10-2-805(4)(a)(iii)(A); and
(f) designate up to five of the signers of the petition as sponsors, one of whom shall be designated as the contact sponsor, and indicate the mailing address of each sponsor.
(4) A petition under Subsection (1) may not propose the annexation of all or part of an area proposed for annexation to a municipality in a previously filed petition that has not been denied, rejected, or granted.
(5) If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:
(a) along the boundaries of existing special districts and special service districts for sewer, water, and other services, along the boundaries of school districts whose boundaries follow city boundaries or school districts adjacent to school districts whose boundaries follow city boundaries, and along the boundaries of other taxing entities;
(b) to eliminate islands and peninsulas of territory that is not receiving municipal-type services;
(c) to facilitate the consolidation of overlapping functions of local government;
(d) to promote the efficient delivery of services; and
(e) to encourage the equitable distribution of community resources and obligations.
(6) On the date of filing, the petition contact sponsor shall deliver or mail a copy of the petition to the county clerk of the county in which the area proposed for annexation is located.
(7) A property owner who signs an annexation petition may withdraw the owner's signature by filing a written withdrawal, signed by the property owner, with the municipal records officer no later than 30 days after the municipal legislative body's receipt of the notice of certification under Subsection 10-2-807(2)(c)(i).

Amended by Chapter 16, 2025 Special Session 1

10-2-807 Acceptance or denial of an annexation petition -- Petition certification process -- Modified petition.

(1)
(a)
(i) A municipal legislative body may:
(A) subject to Subsection (1)(a)(ii), deny a petition filed under Section 10-2-806; or
(B) accept the petition for further consideration under this part.

(ii) A petition shall be considered to have been accepted for further consideration under this part if a municipal legislative body fails to deny or accept the petition under Subsection (1)(a)(i):
(A) in the case of a city of the first or second class, within 14 days after the petition is filed; or
(B) in the case of a city of the third, fourth, or fifth class or a town, at the next regularly scheduled meeting of the municipal legislative body that is at least 14 days after the date the petition was filed.
(b) If a municipal legislative body denies a petition under Subsection (1)(a)(i), it shall, within five days after the denial, mail written notice of the denial to:
(i) the contact sponsor; and
(ii) the county clerk of the county in which the area proposed for annexation is located.
(2) If the municipal legislative body accepts a petition under Subsection (1)(a)(i)(B) or is considered to have accepted the petition under Subsection (1)(a)(ii), the municipal records officer shall, within 30 days after the day of acceptance:
(a) obtain from the assessor, clerk, surveyor, and recorder of the county in which the area proposed for annexation is located the records the municipal records officer needs to determine whether the petition meets the requirements of Subsections 10-2-806(3) and (4);
(b) with the assistance of the municipal attorney, determine whether the petition meets the requirements of Subsections 10-2-806(3) and (4); and
(c)
(i) if the municipal records officer determines that the petition meets the requirements described in Subsection (2)(b), certify the petition and mail or deliver written notification to:
(A) the municipal legislative body;
(B) the contact sponsor; and
(C) the county legislative body; or
(ii) if the municipal records officer determines that the petition fails to meet a requirement described in Subsection (2)(b), reject the petition and mail or deliver written notification of the rejection and the reasons for the rejection to:
(A) the municipal legislative body;
(B) the contact sponsor; and
(C) the county legislative body.
(3) The day the municipal records officer mails or delivers written notification of the certification, as described in Subsection (2)(c)(i), is the day of certification.
(4)
(a)
(i) If the municipal records officer rejects a petition under Subsection (2)(c)(ii), the petition sponsor may modify the petition to correct the deficiencies for which it was rejected and refile the petition with the municipal records officer.
(ii) A signature on an annexation petition filed under Section 10-2-806 may be used toward fulfilling the signature requirement of Subsection 10-2-806(2)(b) for the petition as modified under Subsection (4)(a)(i).
(b) If a petition is refiled under Subsection (4)(a) after having been rejected by the municipal records officer under Subsection (2)(c)(ii), the refiled petition shall be treated as a newly filed petition under Subsection 10-2-806(1).
(5) Any vote by a municipal legislative body to deny a petition under this part may be recalled and set for reconsideration by a majority of the voting members of the municipal legislative body.
(6) Each county assessor, clerk, surveyor, and recorder shall provide copies of records that a municipal records officer requests under Subsection (2)(a).

Renumbered and Amended by Chapter 399, 2025 General Session

10-2-808 Notice of certification -- Providing notice of petition.

(1)

(a) After the day of certification as described in Subsection 10-2-807(3) and within the time described in Subsection (1)(b), the municipal legislative body shall provide notice:

(i) for the area proposed for annexation and any unincorporated area within 1/2 mile of the area proposed for annexation, as a class B notice under Section 63G-30-102; and

(ii) by mailing written notice to each affected entity.

(b) The municipal legislative body shall provide the notice:

(i) described in Subsection (1)(a)(i) no later than 10 days after the day of certification; and

(ii) described in Subsection (1)(a)(ii) no later than 20 days after the day of certification.

(2) The notice described in Subsection (1) shall:

(a) state that a petition has been filed with the municipality proposing the annexation of an area to the municipality;

(b) state the day of certification;

(c) describe the area proposed for annexation in the annexation petition;

(d) state that the complete annexation petition is available for inspection and copying at the office of the municipal records officer;

(e) state in conspicuous and plain terms that the municipality may grant the petition and annex the area described in the petition unless, no later than 30 days after the day of certification:

(i) a written protest to the annexation petition is filed with the boundary commission; and

(ii) a copy of the written protest is delivered to the municipal records officer of the proposed annexing municipality;

(f)

(i) state the address of the boundary commission where a protest to the annexation petition may be filed; or

(ii) if a boundary commission has not yet been created in the county, the address of the county clerk, where a protest to the annexation petition may be filed;

(g) provide brief instructions on how to file a protest to the annexation petition or a link to a webpage that contains instructions on how to file a protest to the annexation petition;

(h) state that the area proposed for annexation to the municipality will also automatically be annexed to a special district providing fire protection, paramedic, and emergency services or a special district providing law enforcement service, as the case may be, as provided in Section 17B-1-416, if:

(i) the proposed annexing municipality is entirely within the boundaries of a special district:

(A) that provides fire protection, paramedic, and emergency services or law enforcement service, respectively; and

(B) in the creation of which an election was not required because of Subsection 17B-1-214(3)(c); and

(ii) the area proposed to be annexed to the municipality is not already within the boundaries of the special district; and

(i) state that the area proposed for annexation to the municipality will be automatically withdrawn from a special district providing fire protection, paramedic, and emergency services or a special district providing law enforcement service, as the case may be, as provided in Subsection 17B-1-502(2), if:

(i) the petition proposes the annexation of an area that is within the boundaries of a special district:
(A) that provides fire protection, paramedic, and emergency services or law enforcement service, respectively; and
(B) in the creation of which an election was not required because of Subsection 17B-1-214(3)(c); and
(ii) the proposed annexing municipality is not within the boundaries of the special district.
(3) The statement required by Subsection (2)(e) shall state the deadline for filing a written protest in terms of the actual date, not by reference to the statutory citation.

Renumbered and Amended by Chapter 399, 2025 General Session

10-2-809 Boundary commission -- Creation -- Members -- Terms -- Chair -- Boundary commission quorum -- Municipal selection committee.
(1) The legislative body of each county:
(a) may create a boundary commission on its own initiative at any time; and
(b) shall create a boundary commission within 30 days of the filing of a protest under Section 10-2-810.
(2) A boundary commission shall hear and decide, according to the provisions of this part, any protest filed under Section 10-2-810 with respect to an area that is located within the boundary commission's county.
(3) Each boundary commission shall be composed of:
(a) in a county with two or more municipalities:
(i) two members who are elected county officers, appointed by:
(A) in a county operating under a form of government in which the executive and legislative functions are separated, the county executive with the advice and consent of the county legislative body; or
(B) in a county operating under a form of government in which the executive and legislative functions of the governing body are not separated, the county legislative body;
(ii) two members who are elected municipal officers from separate municipalities within the county, appointed by the municipal selection committee described in Subsection (13); and
(iii) three members who are residents of the county, none of whom is a county or municipal elected officer, appointed by the four other members of the boundary commission; and
(b) in a county with only one municipality:
(i) two members who are county elected officers, appointed by the county legislative body;
(ii) one member who is a municipal elected officer, appointed by the governing body of the municipality; and
(iii) two members who are residents of the county, neither of whom is a county or municipal elected officer, appointed by the other three members of the boundary commission.
(4) At the expiration of the term of each member appointed under this section, the member's successor shall be appointed by the same body that appointed the member whose term is expiring, as provided in this section.
(5)
(a) Except as provided in Subsection (5)(b), the term of each member of a boundary commission:
(i) is approximately four years; and
(ii) begins and expires on the first Monday of January of the applicable year.
(b) Notwithstanding Subsection (5)(a), the terms of the first members of a boundary commission shall be staggered by lot so that:

(i) on a seven-member commission described in Subsection (3)(a), the term of one member is approximately one year, the term of two members is approximately two years, the term of two members is approximately three years, and the term of two members is approximately four years; and

(ii) on a five-member commission described in Subsection (3)(b), the term of two members is approximately two years and the term of the other three members is approximately four years.

(c) A vacancy on a boundary commission shall be filled for the remaining unexpired term in the same manner that the predecessor member was appointed, as described in Subsection (3).

(6)

(a)

(i) The members of a boundary commission shall elect a chair from the eligible membership of the boundary commission.

(ii) A member of a boundary commission is eligible to serve as chair if the member has at least two years remaining in the member's term.

(b) The term of a boundary commission chair is two years from the day on which the chair is elected.

(7)

(a) A majority of the members of the boundary commission constitutes a quorum.

(b) Boundary commission action requires a majority vote of the members of the boundary commission.

(8)

(a) A member of the boundary commission is disqualified from hearing and deciding a protest if the boundary commission member owns any property within the area proposed for annexation that is the subject of the protest.

(b) In the event a member of the boundary commission is disqualified as described in Subsection (8)(a), the body that appointed the disqualified member of the boundary commission shall appoint an alternate member of the boundary commission to hear and decide the protest.

(9) In considering a protest filed under Section 10-2-810, the boundary commission may:

(a) adopt and enforce rules of procedure for the orderly and fair conduct of boundary commission proceedings;

(b) authorize a member of the boundary commission to administer oaths, if necessary in the performance of the boundary commission's duties;

(c) employ staff or retain professional or consulting services reasonably necessary to enable the commission to carry out the boundary commission's duties;

(d) incur reasonable and necessary expenses in order to carry out the boundary commission's duties; and

(e) request any additional information from the sponsor of the protest that the boundary commission considers necessary to make a determination.

(10) The legislative body of each county shall, with respect to the boundary commission in that county:

(a) furnish the boundary commission with any necessary office space, equipment, and supplies;

(b) pay necessary operating expenses incurred by the boundary commission; and

(c) reimburse the reasonable and necessary expenses incurred by each member appointed under Subsection (2), unless otherwise provided by interlocal agreement.

(11) Each county legislative body or municipal legislative body shall reimburse the reasonable and necessary expenses incurred by a boundary commission member who is a county or municipal elected officer, respectively.

(12) The boundary commission may request, and a relevant county or municipality shall provide, records, information, or any other relevant material necessary to enable the boundary commission to hear and decide a protest.
(13)
(a) A municipal selection committee consists of the municipal executive of each municipality in the county.
(b)
(i) In a county with an odd number of municipalities, a majority of the members of a municipal selection committee constitutes a quorum.
(ii) In a county with an even number of municipalities, half of the members of the municipal selection committee constitutes a quorum.
(c) A legislative body that creates a boundary commission described in Subsection (3)(a) shall, at the same time the legislative body creates the boundary commission as described in Subsection (1), notify the municipal selection committee of the obligation to select the members described in Subsection (3)(a)(ii).

Renumbered and Amended by Chapter 399, 2025 General Session

10-2-810 Protest to annexation petition -- Planning advisory area planning commission recommendation -- Petition requirements -- Disposition of petition if no protest filed -- Public hearing and notice.
(1) A protest to an annexation petition under Section 10-2-806 may only be filed by:
(a) the legislative body or governing board of an affected entity;
(b) an owner of rural real property located within the area proposed for annexation; or
(c) an owner of private real property located in a mining protection area.
(2) Each protest under Subsection (1) shall:
(a) be filed with the county clerk of the county in which the area proposed for annexation is located;
(b) state each reason for the protest of the annexation petition and justification for the protest under the standards established in this part;
(c) contain any information that the county boundary commission requires or the party filing the protest considers relevant to the protest; and
(d) contain the name and address of a contact person who is to receive notices sent by the boundary commission with respect to the protest proceedings.
(3) The party filing a protest under this section shall on the same date deliver or mail a copy of the protest to the municipal records officer of the proposed annexing municipality.
(4) Each county clerk who receives a protest under Subsection (2)(a) shall:
(a) immediately notify the county legislative body of the protest; and
(b) deliver the protest to the boundary commission within five days after:
(i) receipt of the protest, if the boundary commission has previously been created; or
(ii) creation of the boundary commission under Section 10-2-809, if the boundary commission has not previously been created.
(5)
(a) If a protest is filed under this section:
(i) the municipal legislative body may, at the next regular municipal legislative meeting occurring within 30 days of the day of certification, as described in Subsection 10-2-807(3), deny the annexation petition; or

(ii) if the municipal legislative body does not deny the annexation petition under Subsection (5)(a)(i), the municipal legislative body may not take further action on the annexation petition until after receipt of the boundary commission's notice of its decision on the protest under Section 10-2-811.

(b) If a municipal legislative body denies an annexation petition under Subsection (5)(a)(i), the municipal legislative body shall, within five days after the denial, send notice of the denial in writing to:

(i) the contact sponsor of the annexation petition;

(ii) the boundary commission; and

(iii) each entity that filed a protest.

(6)

(a) A protest may not be filed later than 30 days after the day of certification, as described in Subsection 10-2-807(3).

(b) If no timely protest is filed under this section, the municipal legislative body may, subject to Subsection (7), approve the annexation petition.

(7) Before approving an annexation petition under Subsection (6), the municipal legislative body shall:

(a) hold a public hearing; and

(b) provide notice of the public hearing by publishing the notice for the municipality and the area proposed for annexation, as a class B notice under Section 63G-30-102, for at least seven days before the date of the public hearing.

Renumbered and Amended by Chapter 399, 2025 General Session

10-2-811 Public hearing of protest -- Notice -- Decision -- Municipal legislative action -- Judicial review.

(1)

(a) Except as provided in Subsection (1)(b), the boundary commission for each county shall hear and decide, according to the provisions of this part, each protest timely filed under Section 10-2-810.

(b) If the municipal legislative body has already denied the petition for annexation that is the subject of the protest under Subsection 10-2-810(5)(a), the boundary commission shall take no further action on the protest.

(2) In regard to a protest described in Subsection (1)(a), the boundary commission shall:

(a) schedule a public hearing on the protest no later than 30 days from the day on which the time for filing a protest expired; and

(b) except as provided in Subsection (5), hold the public hearing on the protest.

(3) At least 14 days before the day of a hearing described in Subsection (2), the boundary commission shall provide notice of the public hearing:

(a)

(i) by posting one notice, and at least one additional notice per 2,000 residents within the area proposed for annexation, in places reasonably likely to give notice of the public hearing; and

(ii) by mailing notice to each resident within, and each owner of property located within, the area proposed for annexation;

(b) by posting notice on the Utah Public Notice Website, created in Section 63A-16-601, for 14 days before the day of the public hearing;

(c) if the annexing municipality has a website, by providing notice to the municipal records officer to post on the municipality's website for 14 days before the day of the public hearing; and

(d) by posting notice on the county's website for 14 days before the day of the public hearing.
(4) Each notice described in Subsection (3) shall:
(a) state the date, time, and place of the hearing;
(b) briefly summarize the nature of the protest; and
(c) state that a copy of the protest is on file at:
(i) the boundary commission's office, if the boundary commission has a physical office; or
(ii) the county recorder's office.
(5) The boundary commission may postpone a scheduled public hearing, but no postponed hearing may be held later than 60 days after the original hearing date.
(6) In considering a protest, the boundary commission shall consider whether the proposed annexation:
(a) complies with the requirements of:
(i) Section 10-2-804;
(ii) Section 10-2-806; and
(iii) the annexation policy plan of the proposed annexing municipality, as described in Section 10-2-803;
(b) conflicts with the annexation policy plan of another municipality; and
(c) if the proposed annexation includes urban development, will have an adverse tax consequence on the remaining unincorporated area of the county.
(7) After the public hearing required by this section, the boundary commission:
(a) shall, within 30 days, issue a written decision on the protest filed under Section 10-2-810;
(b) shall send a copy of the written decision described in Subsection (7)(a) to:
(i) the legislative body of the county in which the area proposed for annexation is located;
(ii) the legislative body of the proposed annexing municipality;
(iii) the sponsor of the annexation petition; and
(iv) the contact person for the protest; and
(c) may:
(i) recommend approval of the proposed annexation, either with or without conditions; or
(ii) recommend denying the proposed annexation.
(8)
(a) The boundary commission shall record each public hearing under this section by electronic means.
(b) The record of a boundary commission proceeding includes:
(i) the transcription of the recording under Subsection (8)(a);
(ii) the feasibility study, if applicable;
(iii) information received at the hearing; and
(iv) the written decision of the boundary commission.
(9) Except as provided in Subsection (12), upon receipt of the boundary commission's written decision under Subsection (7), the legislative body of the annexing municipality shall take action no earlier than 30 days after but no later than 60 days after receipt of the boundary commission's written decision to:
(a) deny the annexation petition; or
(b) subject to Subsection (10), approve the annexation petition, with or without any conditions recommended by the boundary commission.
(10) A municipal legislative body shall exclude from an annexation:
(a) rural real property, unless the owner of the rural real property has signed the annexation petition or otherwise gives written consent to the inclusion of the owner's property to the annexation; and

(b) private real property located within a mining protection area, unless the owner of the private property located in the mining protection area has signed the annexation petition or otherwise gives written consent to the inclusion of the owner's property to the annexation.

(11)

(a) As used in this subsection, "party" means:

(i) an annexing municipality;

(ii) the contact sponsor of an annexation petition; or

(iii) the contact person for a protest.

(b) A party may seek review of a boundary commission's written decision in the state district court with jurisdiction over the county in which the boundary commission is established by filing a petition for review of the written decision within 20 days of receiving the boundary commission's written decision.

(c) A party that files a petition for review under Subsection (11)(b) shall provide notice of the filing to the legislative body of the annexing municipality, unless the annexing municipality is the party that filed a petition for review.

(d) The district court shall consider the record described in Subsection (8)(b) and affirm the boundary commission's written decision unless the court determines the boundary commission's written decision is arbitrary or capricious.

(12) The legislative body of an annexing municipality is excused from complying with the requirements of Subsection (9) until judicial review is concluded.

Renumbered and Amended by Chapter 399, 2025 General Session

10-2-812 Annexation of an island or peninsula without a petition -- Notice -- Hearing.

(1) Notwithstanding Subsection 10-2-804(4), a municipality may annex an unincorporated area under this section without an annexation petition if:

(a) for an unincorporated area within the expansion area of more than one municipality, each municipality agrees to the annexation; and

(b)

(i)

(A) the area to be annexed consists of one or more unincorporated islands within or unincorporated peninsulas contiguous to the municipality;

(B) the majority of each island or peninsula consists of residential or commercial development;

(C) the area proposed for annexation requires the delivery of municipal-type services; and

(D) the municipality has provided most or all of the municipal-type services to the area for more than one year;

(ii)

(A) the area to be annexed consists of one or more unincorporated islands within or unincorporated peninsulas contiguous to the municipality, each of which has fewer than 800 residents; and

(B) the municipality has provided one or more municipal-type services to the area for at least one year;

(iii) the area consists of:

(A) an unincorporated island within or an unincorporated peninsula contiguous to the municipality; and

(B) no more than 50 acres; or

(iv)

(A) the area to be annexed consists only of one or more unincorporated islands in a county of the second class;
(B) the area to be annexed is located in the expansion area of a municipality; and
(C) the county legislative body in which the municipality is located provides notice to each property owner within the area to be annexed that the county legislative body will hold a public hearing, no less than 15 days after the day on which the county legislative body provides the notice, and may make a recommendation of annexation to the municipality whose expansion area includes the area to be annexed after the public hearing.

(2) Notwithstanding Subsection 10-2-804(2)(c), a municipality may annex a portion of an unincorporated island or unincorporated peninsula under this section, leaving unincorporated the remainder of the unincorporated island or unincorporated peninsula, if:
(a) in adopting the resolution under Subsection (3)(a) the municipal legislative body determines that not annexing the entire unincorporated island or unincorporated peninsula is in the municipality's best interest; and
(b) for an annexation of one or more unincorporated islands under Subsection (1)(b), the entire island of unincorporated area, of which a portion is being annexed, complies with the requirement of Subsection (1)(b)(ii) relating to the number of residents.

(3) The legislative body of each municipality intending to annex an area under this section shall:
(a) adopt a resolution indicating the municipal legislative body's intent to annex the area, describing the area proposed to be annexed; and
(b) hold a public hearing on the proposed annexation no earlier than 30 days after the adoption of the resolution described in Subsection (3)(a).

(4) A legislative body described in Subsection (3) shall provide notice of a public hearing described in Subsection (3)(b):
(a) for at least three weeks before the day of the public hearing, for the municipality and the area proposed for annexation, as a class B notice under Section 63G-30-102; and
(b) by sending written notice to:
(i) the board of each special district and special service district whose boundaries contain some or all of the area proposed for annexation; and
(ii) the legislative body of the county in which the area proposed for annexation is located.

(5) The legislative body of the annexing municipality shall ensure that:
(a) each notice described in Subsection (4):
(i) states that the municipal legislative body has adopted a resolution indicating the municipality's intent to annex the area proposed for annexation;
(ii) states the date, time, and place of the public hearing described in Subsection (3)(b);
(iii) describes the area proposed for annexation; and
(iv) except for an annexation that meets the requirements of Subsection (6)(b) or (c), states in conspicuous and plain terms that the municipal legislative body will annex the area unless, at or before the public hearing described in Subsection (3)(b), written protests to the annexation are filed by the owners of private real property that:
(A) is located within the area proposed for annexation;
(B) covers a majority of the total private land area within the entire area proposed for annexation; and
(C) is equal in value to at least 1/2 the value of all private real property within the entire area proposed for annexation; and
(b) the first publication of the notice described in Subsection (4)(a) occurs within 14 days after the day on which the municipal legislative body adopts a resolution under Subsection (3)(a).

(6)

(a) Except as provided in Subsections (6)(b)(i) and (6)(c)(i), upon conclusion of the public hearing described in Subsection (3)(b), the municipal legislative body may adopt an ordinance approving the annexation of the area proposed for annexation under this section unless, at or before the hearing, written protests to the annexation have been filed with the recorder or clerk of the municipality by the owners of private real property that:

(i) is located within the area proposed for annexation;

(ii) covers a majority of the total private land area within the entire area proposed for annexation; and

(iii) is equal in value to at least 1/2 the value of all private real property within the entire area proposed for annexation.

(b)

(i) Notwithstanding Subsection (6)(a), upon conclusion of the public hearing described in Subsection (3)(b), a municipality may adopt an ordinance approving the annexation of the area proposed for annexation under this section without allowing or considering protests under Subsection (6)(a) if the owners of at least 75% of the total private land area within the entire area proposed for annexation, representing at least 75% of the value of the private real property within the entire area proposed for annexation, have consented in writing to the annexation.

(ii) Upon the effective date under Section 10-2-813 of an annexation approved by an ordinance adopted under Subsection (6)(b)(i), the area annexed is conclusively presumed to be validly annexed.

(c)

(i) Notwithstanding Subsection (6)(a), upon conclusion of the public hearing described in Subsection (3)(b), a municipality may adopt an ordinance approving the annexation of an area that the county legislative body proposes for annexation under this section without allowing or considering protests under Subsection (6)(a) if the county legislative body has formally recommended annexation to the annexing municipality and has made a formal finding that:

(A) the area to be annexed can be more efficiently served by the municipality than by the county;

(B) the area to be annexed is not likely to be naturally annexed by the municipality in the future as the result of urban development;

(C) annexation of the area is likely to facilitate the consolidation of overlapping functions of local government; and

(D) annexation of the area is likely to result in an equitable distribution of community resources and obligations.

(ii) The county legislative body may base the finding required in Subsection (6)(c)(i)(B) on:

(A) existing development in the area;

(B) natural or other conditions that may limit the future development of the area; or

(C) other factors that the county legislative body considers relevant.

(iii) A county legislative body may make the recommendation for annexation required in Subsection (6)(c)(i) for only a portion of an unincorporated island if, as a result of information provided at the public hearing, the county legislative body makes a formal finding that it would be equitable to leave a portion of the island unincorporated.

(iv) If a county legislative body has made a recommendation of annexation under Subsection (6)(c)(i):

(A) the relevant municipality is not required to proceed with the recommended annexation; and
(B) if the relevant municipality proceeds with annexation, the municipality shall annex the entire area that the county legislative body recommended for annexation.
(v) Upon the effective date under Section 10-2-813 of an annexation approved by an ordinance adopted under Subsection (6)(c)(i), the area annexed is conclusively presumed to be validly annexed.
(7)
(a) Except as provided in Subsections (6)(b)(i) and (6)(c)(i), if protests are timely filed under Subsection (6)(a), the municipal legislative body may not adopt an ordinance approving the annexation of the area proposed for annexation, and the annexation proceedings under this section shall be considered terminated.
(b) Subsection (7)(a) does not prohibit the municipal legislative body from excluding from a proposed annexation under Subsection (1)(b) the property within an unincorporated island regarding which protests have been filed and proceeding under Subsection (2) to annex some or all of the remaining portion of the unincorporated island.
(8) Nothing in this section prohibits a municipal legislative body from excluding from a proposed annexation any property that is the subject of a protest, or excluding from a proposed annexation any property for any other reason, and proceeding with the annexation of the non-excluded property if:
(a) the non-excluded property complies with Subsection (1); and
(b) the requirements of Subsection (2) are met.

Renumbered and Amended by Chapter 399, 2025 General Session

10-2-813 Filing of notice and plat -- Recording and notice requirements -- Effective date of annexation or boundary adjustment.
(1) An applicable legislative body shall:
(a) within 60 days after an annexation action, file with the lieutenant governor:
(i) a notice of an impending boundary action, as defined in Section 67-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(3);
(ii) a copy of an approved final local entity plat, as defined in Section 67-1a-6.5; and
(iii) if applicable, a copy of a resolution under Subsection 10-2-814(2)(b);
(b) upon the lieutenant governor's issuance of a certificate of annexation or boundary adjustment, as the case may be, under Section 67-1a-6.5:
(i) if the annexed area or area subject to the boundary adjustment is located within the boundary of a single county, submit to the recorder of that county the original notice of an impending boundary action, the original certificate of annexation or boundary adjustment, the original approved final local entity plat, and a certified copy of the ordinance approving the annexation or boundary adjustment; or
(ii) if the annexed area or area subject to the boundary adjustment is located within the boundaries of more than a single county:
(A) submit to the recorder of one of the affected counties the original notice of impending boundary action, the original certificate of annexation or boundary adjustment, and the original approved final local entity plat;
(B) submit to the recorder of each other affected county a certified copy of the documents listed in Subsection (1)(b)(ii)(A); and

(C) submit a certified copy of the ordinance approving the annexation or boundary adjustment to each county described in Subsections (1)(b)(ii)(A) and (B); and
(c) concurrently with Subsection (1)(b):
(i) send notice of the annexation or boundary adjustment to each affected entity; and
(ii) in accordance with Section 53-2d-514, file with the Bureau of Emergency Medical Services:
(A) a certified copy of the ordinance approving the annexation of an unincorporated area or the adjustment of a boundary, if applicable; and
(B) a copy of the approved final local entity plat.
(2) If an annexation under this part or a boundary adjustment under Part 9, Municipal Boundary Adjustments, also causes an automatic annexation to a special district under Section 17B-1-416 or an automatic withdrawal from a special district under Subsection 17B-1-502(2), the municipal legislative body shall, as soon as practicable after the lieutenant governor issues a certificate of annexation or boundary adjustment under Section 67-1a-6.5, send notice of the annexation or boundary adjustment to the special district to which the annexed area is automatically annexed or from which the annexed area is automatically withdrawn.
(3) Each notice required under Subsection (1) relating to an annexation or boundary adjustment shall state the effective date of the annexation or boundary adjustment, as determined under Subsection (4).
(4) An annexation under this part or a boundary adjustment under Part 9, Municipal Boundary Adjustments, is completed and takes effect:
(a) for the annexation of or boundary adjustment affecting an area located in a county of the first class, except for an annexation under Section 10-2-812:
(i) July 1 following the lieutenant governor's issuance under Section 67-1a-6.5 of a certificate of annexation or boundary adjustment if:
(A) the certificate is issued during the preceding November 1 through April 30; and
(B) the requirements of Subsection (1) are met before that July 1; or
(ii) January 1 following the lieutenant governor's issuance under Section 67-1a-6.5 of a certificate of annexation or boundary adjustment if:
(A) the certificate is issued during the preceding May 1 through October 31; and
(B) the requirements of Subsection (1) are met before that January 1; and
(b) subject to Subsection (5), for all other annexations and boundary adjustments, the date of the lieutenant governor's issuance, under Section 67-1a-6.5, of a certificate of annexation or boundary adjustment.
(5)
(a) The effective date of an annexation or boundary adjustment for purposes of assessing property within an affected area is governed by Section 59-2-305.5.
(b) Until the documents listed in Subsection (1)(b)(i) are recorded in the office of the recorder of each county in which the property is located, a municipality may not:
(i) levy or collect a property tax on property within an affected area;
(ii) levy or collect an assessment on property within an affected area; or
(iii) charge or collect a fee for service provided to property within an affected area, unless the municipality was charging and collecting the fee within that area immediately before annexation.

Amended by Chapter 472, 2026 General Session

10-2-814 Automatic annexations in counties of the first class and second class -- Notice.
(1) As used in this section:

(a) "Most populous bordering municipality" means the municipality with the highest population of any municipality that shares a common border with an unincorporated island.
(b) "Unincorporated island" means:
(i) within a county of the first class, an area that is:
(A) not within a municipality; and
(B) completely surrounded by land that is within one or more municipalities within the county of the first class; or
(ii) within a county of the second class, an area:
(A) that is 55 acres or smaller;
(B) that is not within a municipality;
(C) that is completely surrounded by land that is within one municipality within the county of the second class; and
(D)
(I) to which the municipality that completely surrounds the area provides sanitary sewer service or culinary water service;
(II) that does not contain any public infrastructure; or
(III) that contains public infrastructure that currently meets the municipal code and standards of the municipality that completely surrounds the area.
(2) Notwithstanding any other provision of this part, on July 1, 2027, an unincorporated island within a county of the first class is automatically annexed to:
(a) the most populous bordering municipality, except as provided in Subsection (2)(b); or
(b) a municipality other than the most populous bordering municipality if:
(i) the other municipality shares a common border with the unincorporated island; and
(ii) the other municipality and the most populous bordering municipality each adopt a resolution agreeing that the unincorporated island should be annexed to the other municipality.
(3) Notwithstanding any other provision of this part, and except as provided in Subsection (6) or (7), on July 1, 2027, an unincorporated island within a county of the second class is automatically annexed to the municipality that completely surrounds the unincorporated island.
(4)
(a) No later than May 1, 2027, a county of the second class in which an unincorporated island will be automatically annexed shall:
(i) mail written notice to each owner of real property located within the unincorporated island that includes:
(A) a description and map of the unincorporated island;
(B) the effective date of the automatic annexation; and
(C) information about the municipality into which the unincorporated island will be annexed including:
(I) a summary of services the municipality provides; and
(II) the municipality's contact information; and
(ii) publish notice of the automatic annexation on the Utah Public Notice Website.
(b) A county required to provide the notice described in Subsection (4)(a) shall consult with the applicable municipality when preparing the notice.
(c) The notice described in Subsection (4)(a) is in addition to any boundary certification or recording requirements under this chapter.
(5) The effective date of an annexation under Subsection (2) or (3) is governed by Section 10-2-813.
(6) A legislative body of a county of the second class with a population of less than 600,000 may exempt an unincorporated island or a portion of an unincorporated island from the requirements

of this section by adopting a resolution on or before May 1, 2027, that includes a description or map of each exempted unincorporated island or portion of an unincorporated island.

(7) In a county of the second class with a population of 600,000 or more, a legislative body of a municipality may exempt an unincorporated island or a portion of an unincorporated island from the requirements of this section by adopting a resolution on or before May 1, 2027, that includes a description or map of each exempted unincorporated island or portion of an unincorporated island.

Amended by Chapter 472, 2026 General Session

10-2-815 Conclusive presumption of annexation.

An area annexed to a municipality under this part shall be conclusively presumed to have been validly annexed if:

(1) the municipality has levied and the taxpayers within the area have paid property taxes for more than one year after annexation; and

(2) no resident of the area has contested the annexation in a court of proper jurisdiction during the year following annexation.

Renumbered and Amended by Chapter 399, 2025 General Session

10-2-816 Bonds not affected by annexations -- Payment of property taxes.

(1) An annexation under this part may not jeopardize or endanger any general obligation or revenue bond.

(2) A bondholder may require the payment of property taxes from any area that:

(a) was included in the taxable value of the municipality or other governmental entity issuing the bond at the time the bond was issued; and

(b) is no longer within the boundaries of the municipality or other governmental entity issuing the bond due to an annexation.

Renumbered and Amended by Chapter 399, 2025 General Session

10-2-817 Electric utility service in annexed area -- Reimbursement for value of facilities -- Liability -- Arbitration.

(1) As used in this section:

(a) "Commission" means the Public Service Commission established in Section 54-1-1.

(b) "Current replacement cost" means the cost the transferring party would incur to construct the facility at the time of transfer using the transferring party's:

(i) standard estimating rates and standard construction methodologies for the facility; and

(ii) standard estimating process.

(c) "Depreciation" means an amount calculated:

(i) based on:

(A) the life and depreciation mortality curve most recently set for the type of facility in the depreciation rates set by the commission or other governing regulatory authority for the electrical corporation; or

(B) a straight-line depreciation rate that represents the expended life if agreed to by the transferring and receiving parties; and

(ii) to include the gross salvage value of the type of facility based on the latest depreciation life approved by the commission or other governing regulatory authority for the electrical

corporation, with a floor at the gross salvage value of the asset and in no case less than zero.

(d) "Electrical corporation" means:

(i) an entity as defined in Section 54-2-1; or

(ii) an improvement district system described in Subsection 17B-2a-403(1)(a)(iv).

(e) "Facility" means electric equipment or infrastructure used to serve an electric customer, above ground or underground, including:

(i) a power line, transformer, switch gear, pole, wire, guy anchor, conductor, cable, or other related equipment; or

(ii) a right-of-way, easement, or any other real property interest or legal right or interest used to operate and maintain the electric equipment or infrastructure.

(f) "Facility transfer" means the transfer of a facility from a transferring party to a receiving party in accordance with Subsection (3).

(g) "Lost or stranded facility" means a facility that is currently used by a transferring party that will no longer be used, whether in whole or in part, as a result of a facility transfer.

(h) "Receiving party" means a municipality or electrical corporation to whom a facility is transferred.

(i) "Transferring party" means a municipality or electrical corporation that transfers a facility.

(2)

(a) If an electric customer in an area being annexed by a municipality receives electric service from an electrical corporation that is not an improvement district system described in Subsection 17B-2a-403(1)(a)(iv), the municipality may not, without the agreement of the electrical corporation, furnish municipal electric service to any electric customer in the annexed area until the municipality has reimbursed the electrical corporation for the value of each facility used to serve any electric customer within the annexed area, including the value of any facility owned by a wholesale electric cooperative affiliated with the electrical corporation, dedicated to provide service to the annexed area.

(b) If an electric customer in an area being annexed by a municipality receives electric service from an electrical corporation that is an improvement district system described in Subsection 17B-2a-403(1)(a)(iv), the municipality may not, without the agreement of the electrical corporation, furnish municipal electric service to the electric customer until the municipality has reimbursed the electric corporation for the value of the facility used to serve the electric customer within the annexed area.

(3) The following procedures apply if a municipality transfers a facility to an electrical corporation in accordance with Section 10-8-14 or if an electrical corporation transfers a facility to a municipality in accordance with Subsection (2), Section 54-3-30, or 54-3-31:

(a) the transferring party shall provide a written estimate of the transferring party's cost of preparing the inventory required in Subsection (3)(c) to the receiving party no later than 60 days after the date of notice from the receiving party;

(b)

(i) the receiving party shall pay the estimated cost of preparing the inventory to the transferring party no later than 60 days after the day that the receiving party receives the written estimate; or

(ii) if the actual cost of preparing the inventory differs from the estimated cost, the transferring party shall include the difference between the actual cost and the estimated cost in the reimbursement described in Subsection (5);

(c) except as provided in Subsection (3)(f), the transferring party shall prepare, in accordance with Subsection (4), and deliver the inventory to the receiving party no later than 180 days after the day that the transferring party receives the payment specified in Subsection (3)(b);

(d)

(i) at any time, the parties may by agreement correct or update the inventory; or

(ii) if the parties are unable to reach an agreement on an updated inventory, they shall:

(A) proceed with the facility transfer and reimbursement based on the inventory as submitted in accordance with Subsection (3)(c); and

(B) resolve their dispute as provided in Subsection (6);

(e) except as provided in Subsection (3)(f), the parties shall complete each facility transfer and reimbursement contemplated by this Subsection (3) no later than 180 days after the date that the transferring party delivers the inventory to the receiving party in accordance with Subsection (3)(c); and

(f) the periods specified in Subsections (3)(c) and (e) may be extended for up to an additional 90 days by agreement of the parties.

(4)

(a) The inventory prepared by a transferring party in accordance with Subsection (3)(c) shall include an identification of each facility to be transferred and the amount of reimbursement as provided in Subsection (5).

(b) The transferring party may not include in the inventory a facility that the transferring party removed from service for at least 36 consecutive months prior to the date of the inventory, unless the facility was taken out of service as a result of an action by the receiving party.

(5)

(a) Unless otherwise agreed by the parties, the reimbursement for the transfer of each facility shall include:

(i) the cost of preparing the inventory as provided in Subsection (3)(b);

(ii) subject to Subsection (5)(b)(i), the value of each transferred facility calculated by the current replacement cost of the facility less depreciation based on facility age;

(iii) the cost incurred by the transferring party for:

(A) the physical separation of each facility from its system, including the cost of any facility constructed or installed that is necessary for the transferring party to continue to provide reliable electric service to its remaining customers;

(B) administrative, engineering, and record keeping expenses incurred by the transferring party for the transfer of each facility to the receiving party, including any difference between the actual cost of preparing the inventory and the estimated cost of preparing the inventory; and

(C) reimbursement for any tax consequences to the transferring party resulting from each facility transfer;

(iv) the value of each lost or stranded facility of the transferring party based on the valuation formula described in Subsection (5)(a)(ii) or as otherwise agreed by the parties;

(v) the diminished value of each transferring party facility that will not be transferred based on the percentage of the facility that will no longer be used as a result of the facility transfer; and

(vi) the transferring party's book value of a right-of-way or easement transferred with each facility.

(b)

(i)

(A) The receiving party may review the estimation of the current replacement costs of each facility, including the wage rates, material costs, overhead assumptions, and other pricing used to establish the estimation of the current replacement costs of the facility.
(B) Prior to reviewing the estimation, the receiving party shall enter into a nondisclosure agreement acceptable to the transferring party.
(C) The nondisclosure agreement shall restrict the use of the information provided by the transferring party solely for the purpose of reviewing the estimation of the current replacement cost and preserve the confidentiality of the information to prevent any effect on a competitive bid received by either party.
(ii)
(A) If the age of a facility may be readily determined by the transferring party, the transferring party shall use that age to determine the facility's depreciation.
(B) If the age of a facility cannot be readily determined, the transferring party shall estimate the age of the facility based on the average remaining life approved for the same type of facility in the most current depreciation rates set by the commission or other governing regulatory authority for the electrical corporation.
(c)
(i)
(A) A transferring party that transfers a facility in accordance with this section shall, upon delivery of a document conveying title to the receiving party, transfer the facility without any express or implied warranties.
(B) A receiving party that receives a facility in accordance with this section shall, upon receipt of a document conveying title, accept the facility in its existing condition and assume any and all liability, fault, risk, or potential loss arising from or related to the facility.
(ii) Notwithstanding Subsection (5)(c)(i), if, within six months after the date that any oil filled equipment is transferred, the receiving party discovers that a transferred oil filled equipment contains polychlorinated biphenyl, the transferring party shall reimburse the receiving party for the cost of testing and disposal of that oil filled equipment.
(6)
(a) If the parties cannot agree on each facility to be transferred or the respective reimbursement amount, the parties shall:
(i) proceed with the facility transfer and the reimbursement based on the inventory as submitted by the transferring party in accordance with Subsection (3)(c) and in accordance with the schedule provided in Subsection (3)(e); and
(ii) submit the dispute for mediation or arbitration.
(b) The parties shall share equally in the costs of mediation or arbitration.
(c) If the parties are unable to resolve the dispute through mediation or arbitration, either party may bring an action in the state court of jurisdiction.
(d) The arbitrator, or state court if the parties cannot agree on arbitration, shall determine each facility to be transferred and the amount to be reimbursed in accordance with Subsection (5).
(e) If the arbitrator or state court determines that:
(i) a transferring party transferred a facility that should not have been transferred, the receiving party shall return the facility;
(ii) a party did not transfer a facility that should have been transferred, the party that should have transferred the facility shall transfer the facility to the party to whom the facility should have been transferred;
(iii) the amount reimbursed by the receiving party is insufficient, the receiving party shall pay the difference to the transferring party; or

(iv) the amount reimbursed by the receiving party is more than the amount that should have been reimbursed, the transferring party shall pay the difference to the receiving party.

(7) Unless otherwise agreed upon in writing by the parties:

(a) a party shall transfer a facility to be transferred in accordance with Subsection (6)(e) no later than 60 days after the day that the arbitrator or court issues a determination unless the parties mutually agree to a longer time to complete the transfer; and

(b) a party shall:

(i) pay an amount required to be paid in accordance with Subsection (6)(e) no later than 30 days after the day that the arbitrator or court issues a determination; and

(ii) include interest in the payment at the overall rate of return on the rate base most recently authorized by the commission or other governing regulatory agency for the electrical corporation from the date the reimbursement was originally paid until the difference is paid.

(8)

(a) Nothing in this section limits the availability of other damages under law arising by virtue of an agreement between the municipality and the electrical corporation.

(b) Notwithstanding Subsection (8)(a), a party described in this section is not entitled to an award for:

(i) damages that are indirect, incidental, punitive, exemplary, or consequential;

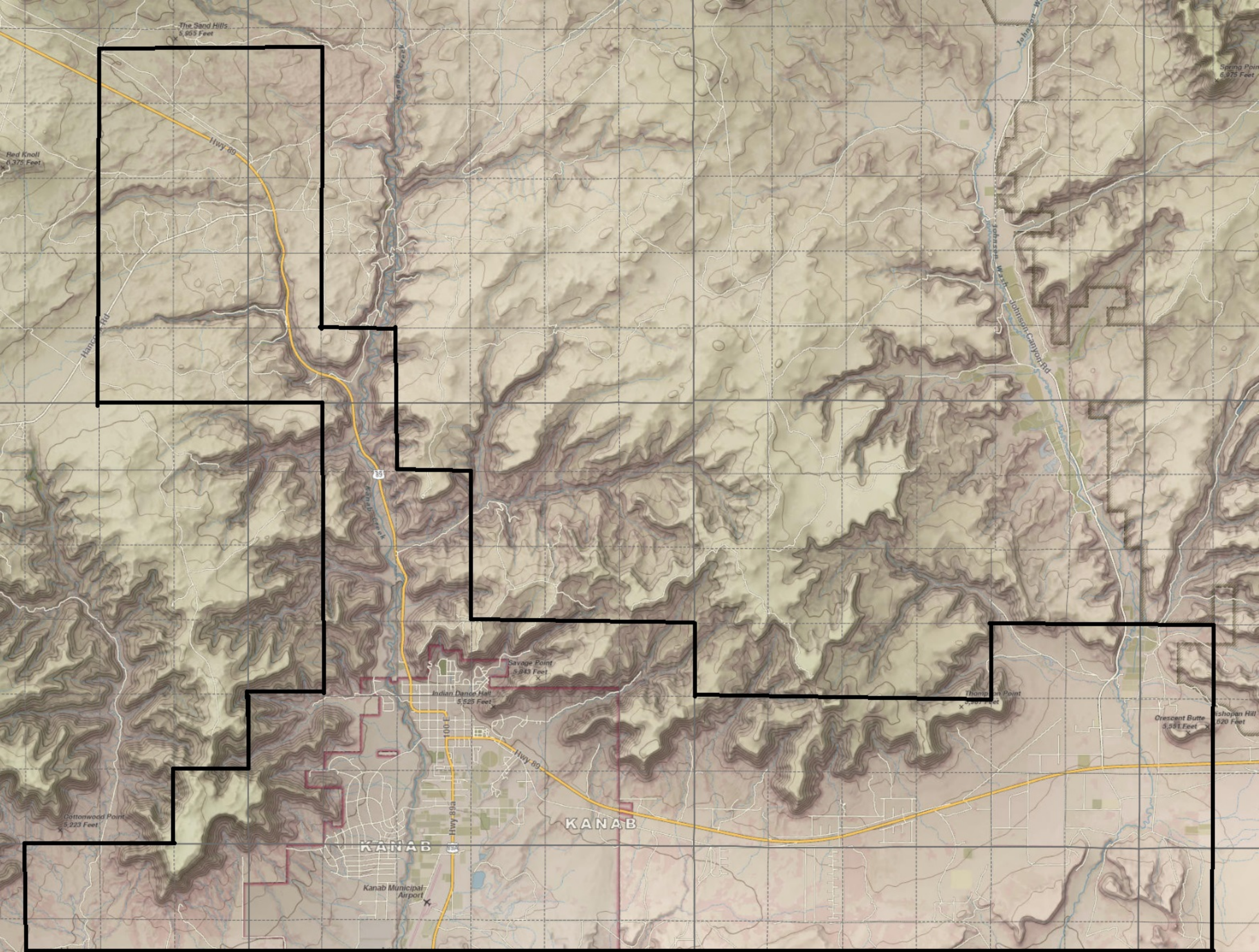
(ii) lost profits; or

(iii) other business interruption damages.

(9) Nothing in this section or Section 10-8-14, 54-3-30, or 54-3-31 applies to a transfer of facilities from an electrical corporation to a municipality in accordance with a decision by a municipality that did not previously provide electric service and seeks to commence providing electric service to a customer currently served by an electrical corporation within the municipal boundary.

(10) The provisions of this section apply to any annexation under this part.

Renumbered and Amended by Chapter 399, 2025 General Session


The Sand Hills
5,955 Feet
Red Knoll
6,375 Feet
Hwy 89
Kanab Creek
Johnson Wash
Johnson Canyon Rd
Spring Po
6,975 Feet
Hamco Rd
Savage Point
5,943 Feet
Indian Dance Hall
5,525 Feet
100 E
Hwy 89
Hwy 89a
KANAB
KANAB
Kanab Municipal
Airport
Cottonwood Point
5,223 Feet
Crescent Butte
5,551 Feet

ORDINANCE NO. 1-2-060

AN ORDINANCE ADOPTING KANAB CITY ANNEXATION POLICY PLAN

BE IT ORDAINED BY THE CITY COUNCIL OF THE MUNICIPALITY OF KANAB CITY, COUNTY OF KANE, STATE OF UTAH:

The Kanab City Annexation Policy Plan is hereby adopted to read as follows:

(See Attached.)

1. So far as the provision of the Revised Ordinances are the same as those of previously existing ordinance, they shall be constructed as continuations thereof.
2. This ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause, paragraph, sentence of provision of this ordinance shall not effect the validity of any other.

This Ordinance shall become effective thirty (30) days from its passage or twenty (20) days from its first posting, whichever is the most remote from the passage hereof.

Passed and ordered posted this 24 day of June, 2006.

KANAB CITY

MAYOR

ATTEST:

RECORDER

KANAB CITY CORPORATE SEAL

KANAB CITY

ANNEXATION POLICY PLAN

January 24, 2006

KANAB CITY
ANNEXATION POLICY PLAN

A. INTRODUCTION

In accordance with the provisions of 10-2-400, Utah Code Annotated, all municipalities within the State, except in Salt Lake County, are required to adopt an Annexation Policy Plan. In this Annexation Policy Plan, the cities are required to develop an "expansion area" map or plan for the future growth of the community. The annexation area plan shall incorporate the long range planning objectives contained in the land use plan of the community and shall represent a graphic illustration/representation of the areas that the city intends to provide services to.

The Annexation Policy Plan is created by the City to guide decision making regarding future annexations. It also helps the city plan for future expansion in conjunction with neighboring political entities. Open communication between the City and other political entities, particularly the County, is a priority in the process of developing the Annexation Policy Plan.

The Annexation Policy Plan anticipates the annexation of the following areas.

Area:	**1-North**	**14,400 acres**
	2-East	**26,880 acres**
	3-South	**640 acres**
	4-West	**640 acres**
TOTAL		**42,560 acres**

B. CHARACTER OF THE COMMUNITY

Kanab, Utah is in the center of Utah's scenic Southwest it is located just north of the Arizona border, 80 miles east of St. George. Traveling along Scenic Byway U.S. 89 puts you less than 90 minutes from Bryce, Zion, and Grand Canyon National parks. Pipe Springs, Cedar Breaks National Monument, Coral Pink Sand Dunes and Kodachrome Basin State Park are just minutes away. Glen Canyon National Recreation Area - better know as Lake Powell - is just a short 55 miles east of Kanab, Utah.

Kanab is a community which provides an excellent location for individuals and families interested in an outdoor lifestyle surrounded by a scenic environment. The relatively close commute to surrounding areas has attracted, and will continue to attract, a large number of people who want to live in this community but are willing to commute to work and shopping within reasonable driving distances from the City. This poses a rather unique problem for the community that affects its growth and development. For this and other reasons, Kanab City's tax base needs more diversification, specifically permanent jobs and commercial services. Thus, developing an annexation policy that deals with the specific issues of Kanab City will have a significant impact on the future quality of life and development of Kanab area.

The Kanab General Plan indicates that Kanab will annex lands when such annexation helps the City realize its vision and goals. To that end, the City supports entering beneficial annexation agreements, inter-local agreements and boundary management agreements with adjoining public entities. When the annexed property is developed it should be done in accordance with the Kanab Land Management code. (ie. General Plan, Zoning & Subdivision Ordinances)

C. EXPANSION AREA MAP

The City shall adopt and maintain an expansion area map (Exhibit A) that represents the growth boundary which includes territories outside, but adjacent to, the community that may be annexed into the City. This map is consistent with the "Kanab City General Plan." These areas are not bordered by any other municipality. Even though the proposed properties may lie within the expansion area, there is no guarantee that the annexation request will be approved by the City. The petition for annexation may require additional requirements than those contained in the current Annexation Policy Plan.

D. POPULATION

Population growth projections for the municipality for the next 20 years.

Kanab's growth projections are as follows:

Year	Population
2000	3,564
2010	3,862
2020	4,185

E. POLICY/CRITERIA

The following are policy statements, and criteria Kanab City will use in determining whether or not to approve future annexation petitions.

Policy:

1. DEVELOPMENT IN ANNEXED AREAS TO CONFORM TO GENERAL PLAN
   All annexations accepted by Kanab City shall be found in conformance with the Kanab City General Plan. Kanab City may exercise its initiative to adopt an area options Master Plan for future development in those extraterritorial areas of interest for future annexation as indicated in this Policy Declaration. These area specific Master Plans will define proposed land uses as well as the nature and density of development desired in each particular area. Once adopted, any proposed development in an area to be annexed must conform to the Master Plan and General Plans, notwithstanding the said Master Plan may be amended from time to time as deemed necessary and appropriate.

2. PLANNING AND ZONING COMMISSION TO REVIEW ANNEXATION
   In order to facilitate orderly growth and development in Kanab City, the Planning Commission shall review

all proposed annexations and make recommendations to the City Council (as set forth in the State Statute) concerning the parcel to be annexed, effects on the City's General Plan, and the recommended zoning district designation for the proposed annexed area.

3. ANNEXATION TO BE CONSIDERED ONLY IN AREAS OF POTENTIAL URBAN SERVICE
Kanab City's policy is to consider annexation only in those areas where the City that has the potential to provide urban service (either directly or through inter-local cooperative agreement). These areas may include locations served or to be served by the City's water system, sewer system, police and fire protection services.

Criteria:

1. Areas to be annexed must be contiguous to the corporate limits of Kanab City at the time of submission of the annexation request.

2. Kanab City shall avoid gaps between or overlaps with the expansion areas of other municipalities.

3. Proposed annexations will not be approved if they create an island or peninsula of the unincorporated area.

4. Areas to be annexed shall not be located within the corporate limits of another incorporated town or be part of a previously filed annexation petition that has not been either denied, accepted, or approved.

5. When feasible, the city favors annexation along boundaries of water and sewer improvements, special service districts, or other taxing entities.

6. It is not Kanab City's intent to annex territory for the sole purpose of acquiring revenue.

7. There has been no exclusion of urban development within the policy plan. No urban development, as defined in 10-2-401(1)(i) Utah Code Annotated, exists within ½ mile of Kanab City's boundary.

8. The annexation petition must comply with the requirements of Section 10-2-403, Utah Code Annotated. (Exhibit B)

9. Annexations will facilitate the consolidation of overlapping functions of local government by assuring jurisdiction is providing services to an area.

10. Kanab wishes to promote the efficient delivery of service by clearly defining who will provide service to a particular area. Consideration shall be given to encourage the equitable distribution of community resources and obligations.

11. Kanab's Capital Facilities Master Plan outlines the provisions of municipal services in the Annexation Policy Plan area and assures that the services will be equitably distributed.

F. DEVELOPMENT OF SERVICES

All areas included in the Annexation Policy Plan will need municipal services. Kane County Policy is that municipal services should be provided by cities and not by the county. Kanab City has identified Capital Facilities Master Plans for water, sewer, streets, parks, and storm drainage. These plans include the area outlined in the Annexation Policy Plan. Line sizes, etc. have been increased to include these areas.

1. Developer pays service extension

In areas where municipal services are not presently extended, services will be extended on an as-needed basis at the cost of the developer. All extensions of municipal services must comply with all city ordinance and policy criteria and will be paid for by the individual developer or property owner.

2. Annexation Agreements

An annexation agreement will be prepared between the city and future developers outlining specific circumstances relating to water, sewer, streets, electricity, telecommunications, fiber optic/broadband, and other specific improvements.

3. Water Rights

Water rights, of the type and quantity acceptable to Kanab City, that can be utilized for underground water rights (culinary, secondary) shall be required to be conveyed to Kanab City as a condition of development, subdivision approval or issuance of a building permit on property annexed into the Kanab City limits. It is the intent that land annexed to Kanab City be accompanied by water rights sufficient to accommodate the needs of the existing and potential occupants of said land when development occurs. The water rights conveyance requirements of development shall be in addition to any requirement that may be imposed upon development of the land after annexation and in addition to appropriate Kanab City impact fees. Water requirements will be established utilizing, among other things, Division of Drinking Water standards. Specific requirements will be contained in the annexation agreement. The general guideline of one (1) acre foot of water per residential building permit will be a minimum standard or as required by the Capital Facilities Plan. All water rights must be transferable and approved by Kanab City. If water rights are not available, usable and transferable, Kanab City will require a water right fee for the annexed area as set forth in the Capital Facilities Plan.

The annexation will allow developers of the annexed property access to culinary water, sewer, and other services, provided all developments meet City specifications and comply with all applicable development ordinances and all improvements are installed pursuant to Kanab City standards.

4. Financial Implications

The manner in which these amenities are developed will have a bearing on how they will be financed. Property taxes with increased valuation of property and sales tax will contribute to the general fund to help defray the added expenses the city may incur by annexing these properties. In summary, the newly annexed developing areas shall finance the extension of needed municipal services, such as new utilities, streets, curb and gutters, sidewalks, and other capital improvements as development occurs.

It is not anticipated that the annexation should or will cause any adverse consequences to the residents in the city or in the area annexed, except there may be a slight reduction in general services to the city residents in the present city limits as general services are expanded into the newly annexed territory. It is further anticipated that the expanded growth, when development occurs, shall be borne by the developer and not city residents.

It is anticipated that the residents in the territory to be annexed will experience an increase in their property tax because of the difference in the certified tax rates in the County and Kanab City. It is further anticipated that as newly annexed territory property taxes are received by the city, the city will expand the total level of services to include the total community. Additionally, persons in the newly annexed territory may experience reductions in their fire insurance rates and property insurance rates, although Kanab City makes no guarantee or representation of the same.

As areas grow and become more populated, the demand and need for services increase. Once this policy plan is adopted and areas begin to develop, continual planning by Kanab City will allow development to occur in an economical manner, since homes, buildings, streets, and other amenities will be developed in accordance with Kanab City specifications. The plan and time frame for the extension of municipal services will be determined by the

interest of the property owners to subdivide and develop their property.

G. The interests of all "affected" entities.

Big Water: Kanab City and Big Water may share a common boundary some day. Both entities will work together to decide upon a common boundary.

Orderville: Kanab City and Orderville may share a common boundary some day. Both entities will work together to decide upon a common boundary.

Kane County: Kane County's policy has been that municipal type development should take place in cities. All of the land shown in the Annexation Policy area would be able to be served by Kanab City.

BLM - Bureau of Land Management: Several of the annexations proposed in the Annexation Policy Area are adjacent to BLM lands. It is anticipated that the development of these lands would be compatible with the BLM land in preserving open space and not having a negative impact on the BLM land.

Kane County School District: Kane County School District is involved in the boundaries of the annexation area and it is anticipated that Kane County School District will provide school service to the area.

Western Kane County Special Service District & Garbage Collection: Provides landfill service and garbage collection for the whole county. District facilities have been sized to accommodate the growth of all cities.

H. ENVIRONMENTAL AND LAND USE ISSUES

Unincorporated area surrounding the City should be analyzed in terms of environmental and land use issues as it relates to possible annexations. The environmental and land use issues that were analyzed are included in the General Plan and are as follows:

Development in Sensitive Lands will be limited in order to protect and preserve environmentally and geologically sensitive lands in Kanab City. New development shall be prohibited above the elevation of 6000 feet Mean Sea Level unless it is demonstrated that the development would not adversely impact, or be impacted by, the following:

a. Fault and earthquake hazards.
b. Subsurface rock and soil types
c. Slope of the land
d. Groundwater recharge areas and local groundwater conditions.
e. Flood hazards and erosion types
f. Viewscapes
g. Flood Planes
h. Elevation
i. Cost of City Services
j. Wildlife habitat
k. Water quality

The Planning Commission will analyze each area proposed for annexation in accordance with the criteria outlined in the Land Use Element of the General Plan and this annexation plan.

I. JUSTIFICATION FOR EXCLUDING URBAN DEVELOPMENT WITHIN ONE-HALF MILE OF CITY'S CURRENT BOUNDARY

There are no urban developments within one-half mile of the City's current boundary that would be excluded from this Annexation Policy Plan.

J. PUBLIC COMMENTS

Copies of all written comments submitted by any interested party either during public hearings or during the adoption process of this Annexation Policy Plan have been attached hereto.

K. PROCEDURES FOR SUBMISSION OF AN ANNEXATION REQUEST:

The following steps reflect a general summary of requirements and procedures for processing an annexation request in Kanab City.

1. An annexation petition shall be filed with the City Recorder.

2. An annexation petition shall contain the signatures of the owners of private real property that is located within the area proposed for annexation, that covers a majority of private land area within the area proposed for annexation and is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation.

3. An annexation petition shall be accompanied by an accurate and recordable map prepared by a licensed surveyor, of the area proposed for annexation.

4. An annexation petition shall designate up to five of the signers of the petition as sponsors, one of whom shall be designated as the contact sponsor, and indicate the mailing address of each sponsor.

5. On the date of filing, the petition sponsors shall deliver or mail a copy of the petition to the Clerk of Kane County.

6. The City Recorder, upon receipt of a properly prepared and completed annexation petition accompanied by the proper plat, shall impose such fees, to recover the costs of processing said petition, as have been established by the City Council. The City Recorder, at that time, shall place the petition on the agenda for consideration at the next regular City Council meeting.

7. The City Council shall review the annexation petition and either accept the petition for further consideration or deny the petition.

8. If the City Council denies a petition, it shall, within five days of the denial, mail written notice of the denial to the contact sponsor, the Clerk of the County and the Chair of the Planning Commission.

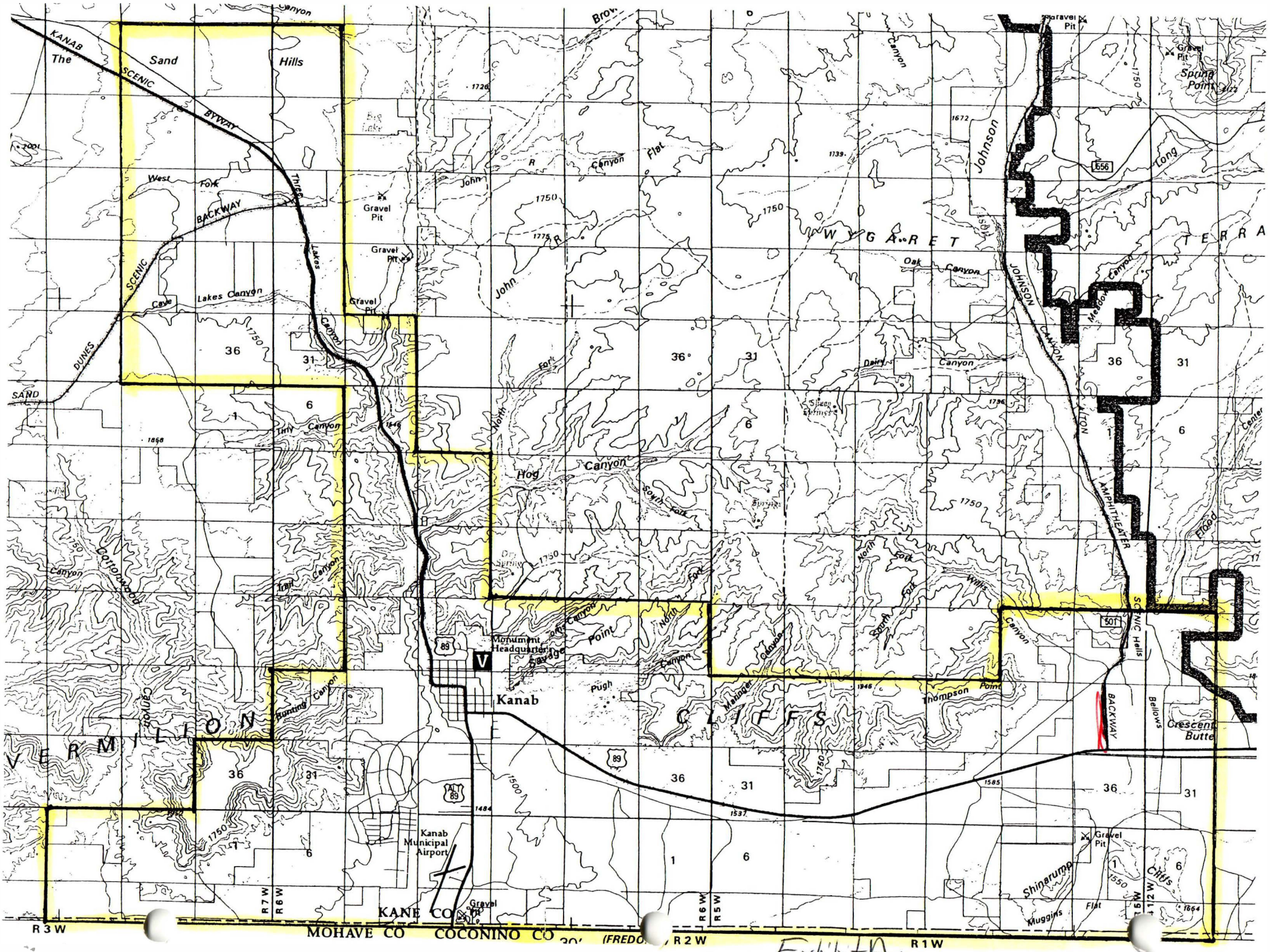
9. If the City Council accepts a petition, the City Recorder shall within 30 days determine whether the

petition meets the requirements of an annexation. If the petition meets the requirements, the City Recorder shall certify the petition and mail or deliver written notification of the certification to the City Council, the Contact Sponsor, the County Legislative Body and the Chair of the Planning Commission. If the petition fails to meet the requirements, the City Recorder shall reject the petition and mail the necessary written notification of the rejection and the reasons for the rejection.

10. The City Council, within ten (10) days after receipt of the Recorder's notice of certification, shall publish a notice of the proposed annexation at least once a week for three (3) consecutive weeks. Said notice shall contain information about the proposed annexation and explain how written protest is to be filed, within thirty (30) days after the date of the City Council's receipts of the certification notice.

11. If no timely protest is filed, and after the Planning Commission has made a recommendation to the City Council regarding the annexation petition, the City Council shall hold a public hearing, after giving at least seven (7) days notice of the hearing. After the hearing, the City Council may grant the petition and by ordinance annex the area that is subject of the annexation petition.

12. If a protest is filed, the City Council may deny the annexation petition or take no further action on the annexation petition or take no further action on the annexation petition until after receipt of the County Boundary Commission's notice of its decision on the protest. Upon receipt of the Boundary Commission's decision, the City Council may deny or approve the proposed annexation subject of the Boundary Commission's decision.


KANAB SCENIC BYWAY
The Sand Hills
West Fork
Thies Lakes Canyon
Lakes Canyon
Cave
SCENIC BACKWAY
DUNES
SAND
Gravel Pit
John R Canyon
Flat
Johnson
Long
Spring Point
Oak Canyon
Meadow Canyon
JOHNSON CANYON
Dairy Canyon
Hog Canyon
North Fork
South Fork
Tiny Canyon
Trail Canyon
Cottonwood Canyon
Burning Canyon
Monument Headquarters
Kanab
Point
Pugh
Manager
Wills
Thompson Point
AMPHITHEATER
SCENIC Hills
BACKWAY
Bellows
Crescent Butte
Shingarump
Muggins Flat
Cliffs
VERMILION CLIFFS
Kanab Municipal Airport
KANE CO
MOHAVE CO
COCONINO CO
R 3 W
R 7 W
R 6 W
R 5 W
R 2 W
R 1 W
36
31
6
1
89
ALT 89
501
556
1750
1500
1550
1585
1537
1484
1946
1672
1739
1775
1796
1868
1864
Exhibit A

Mayor
Colten Johnson
City Council
Arlon Chamberlain
Steven Shrope
Chris Heaton
Boyd Corry
Peter Banks

City Manager
Kyler Ludwig
City Attorney
Kent Burggraaf
City Recorder
Celeste Cram
City Treasurer
Danielle Ramsay

KANAB
UTAH

DATE: August 11, 2026
TO: Mayor and City Council
SUBJECT: Standard Contract Provisions
PREPARED BY: Kyler Ludwig, City Manager

Background:

The City enters into a variety of contracts each year for professional services, construction, equipment purchases, and other municipal operations. While contracts are reviewed individually, staff and the City Attorney have identified the benefit of establishing a standardized set of contract provisions that would be incorporated into City agreements whenever applicable.

These standard provisions would be adopted by ordinance and would establish consistent legal protections for the City, regardless of the type of contract being executed.

Analysis:

The purpose of this agenda item is informational. The City Attorney is currently developing proposed contract language that will address common legal issues and reduce risk to the City. Potential provisions may include standardized requirements related to indemnification, insurance, termination, governing law, default, dispute resolution, compliance with applicable laws, and other protections commonly found in municipal contracts.

Establishing standard contract language would promote consistency across City agreements, improve administrative efficiency, and help ensure that appropriate legal protections are included whenever the City enters into contractual obligations.

Legal:

The proposed ordinance is currently being drafted by the City Attorney. Formal legal review will be completed prior to the ordinance being presented for adoption.

Financial:

Recommendations/Actions:

It is recommended that the City Council receive the presentation, discuss the concept of adopting

Mayor
Colten Johnson
City Council
Arlon Chamberlain
Steven Shrope
Chris Heaton
Boyd Corry
Peter Banks

City Manager
Kyler Ludwig
City Attorney
Kent Burggraaf
City Recorder
Celeste Cram
City Treasurer
Danielle Ramsay

standardized contract provisions by ordinance, and provide any feedback or direction to staff prior to preparation of the final ordinance.

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City Treasurer
Danielle Ramsay

KANAB
UTAH

DATE: August 11, 2026
TO: Mayor and City Council
SUBJECT: Parks Discussion
PREPARED BY: Kyler Ludwig, City Manager

Background:

Over the past several years, the City has identified and discussed several park development projects intended to expand recreational opportunities, improve neighborhood access to parks, and meet the needs of a growing community. While some projects are currently underway, others remain in the planning or conceptual stages.

With multiple projects competing for future funding and staff resources, Council direction is needed to help establish priorities and identify the community's highest recreation needs. This discussion is intended to provide an opportunity for the City Council to review the status of planned park projects and provide policy guidance regarding future implementation.

Analysis:

The City has several park projects that have been identified through previous planning efforts and Council discussions, including:

- Completion of the Jacob Hamblin Park Expansion.
- Expansion of Ranchos Park.
- Development of the Mesa Hills Neighborhood Park.
- Completion of the Kanab Dog Park.
- Development of a Pocket Park near Kanab Creek and 10th West.

As the City plans for future capital improvements, staff is seeking Council direction on which projects should be prioritized and what amenities or concepts should be emphasized. This discussion will help guide future budgeting, grant applications, and long-term park planning.

Public engagement is a key component of successful park planning and design. Staff recommends forming a temporary Parks Advisory Committee to gather community input, review potential park concepts, and provide recommendations regarding park priorities and amenities.

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Celeste Cram
City Treasurer
Danielle Ramsay

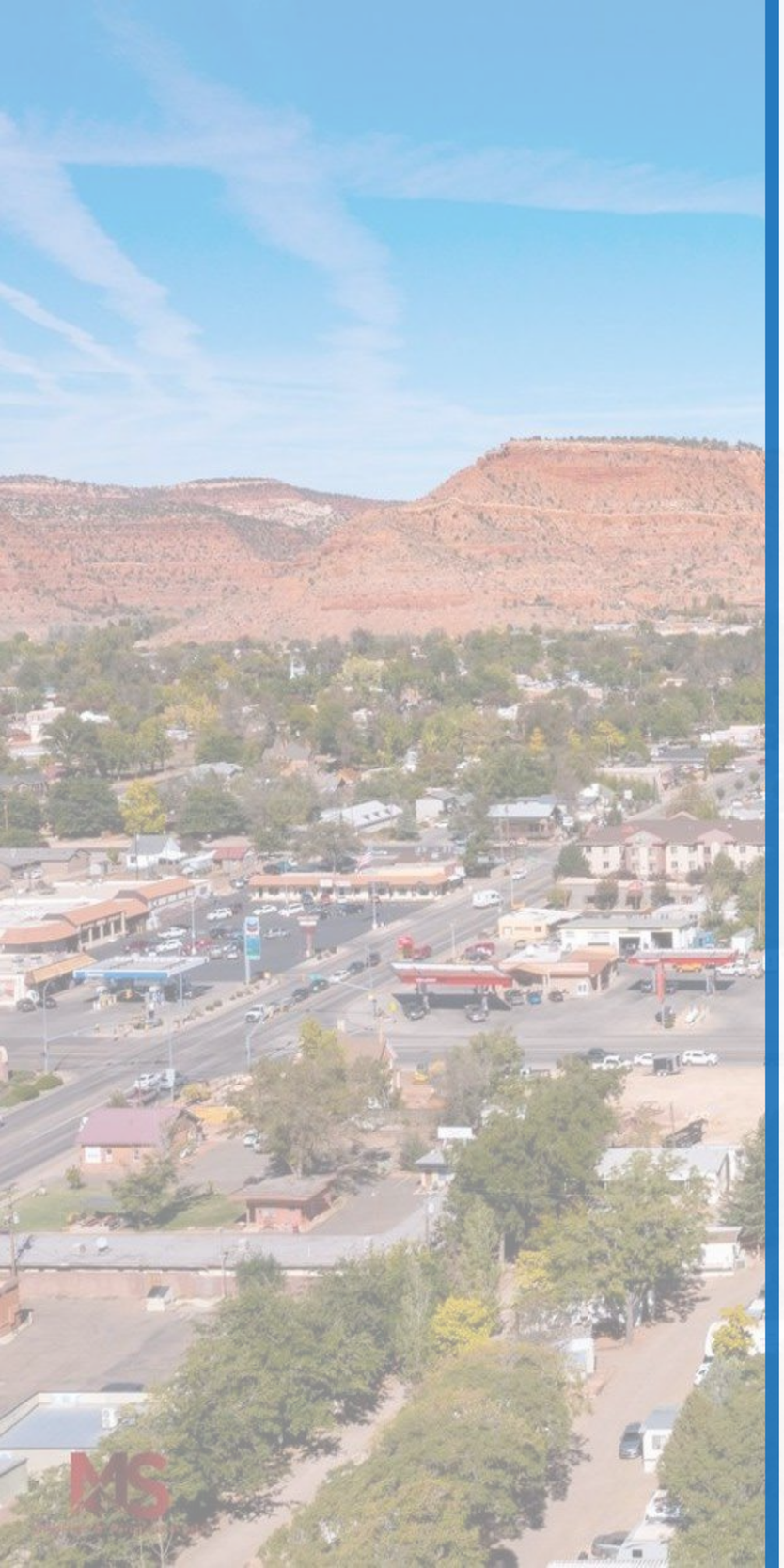
Legal:

Financial:

Recommendations/Actions:

It is recommended that the City Council:

1. Discuss and prioritize future park development projects.
2. Provide policy direction regarding desired park amenities and project sequencing.
3. Provide feedback on the creation of a temporary Parks Advisory Committee to gather public input and develop recommendations for future park development priorities.



JACOB HAMBLIN PARK EXPANSION

Preliminary Park Concepts

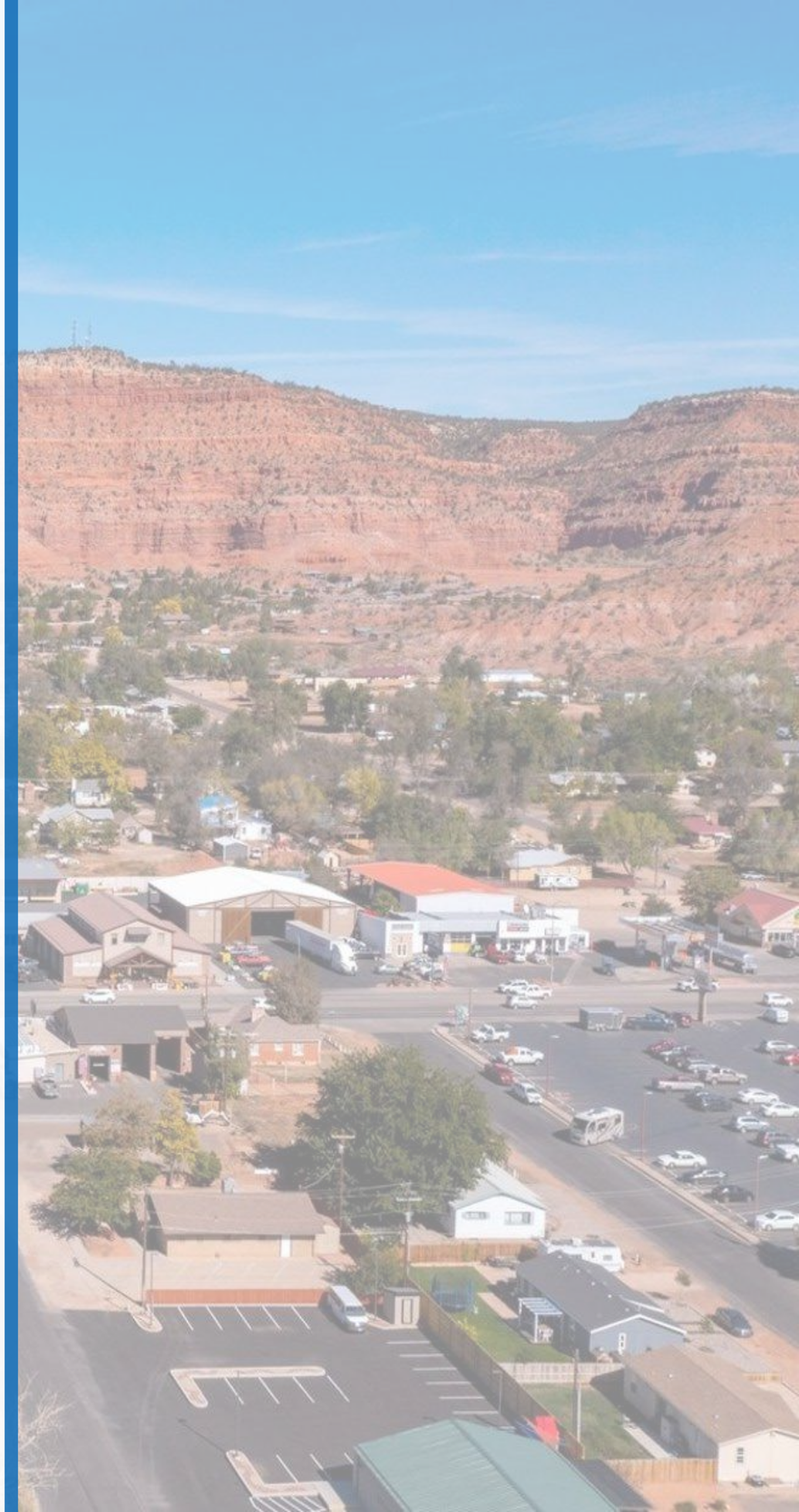
Draft

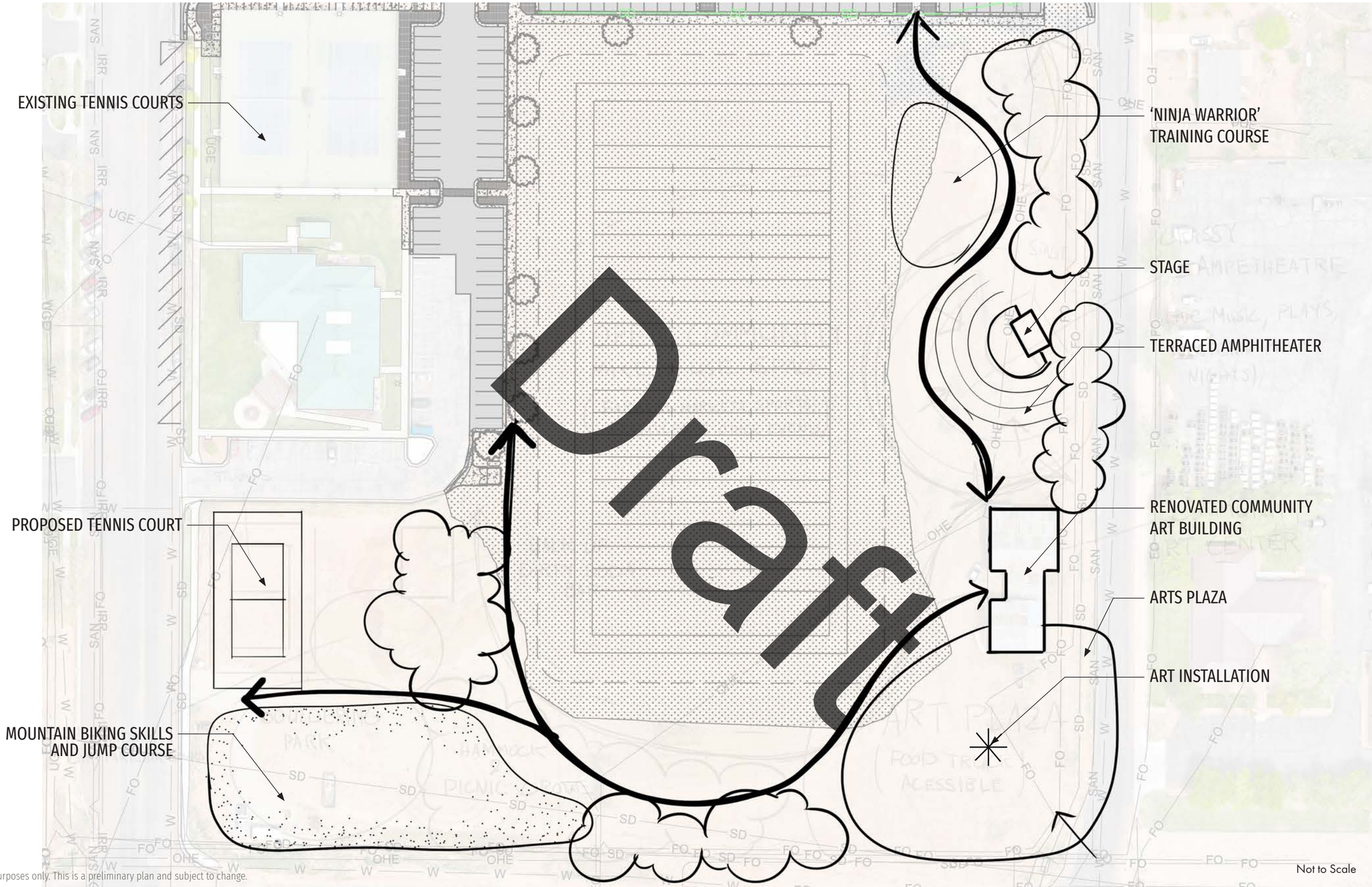
KANAB UTAH

DESIGNED AND PREPARED BY

CivilScience

MAY 2026

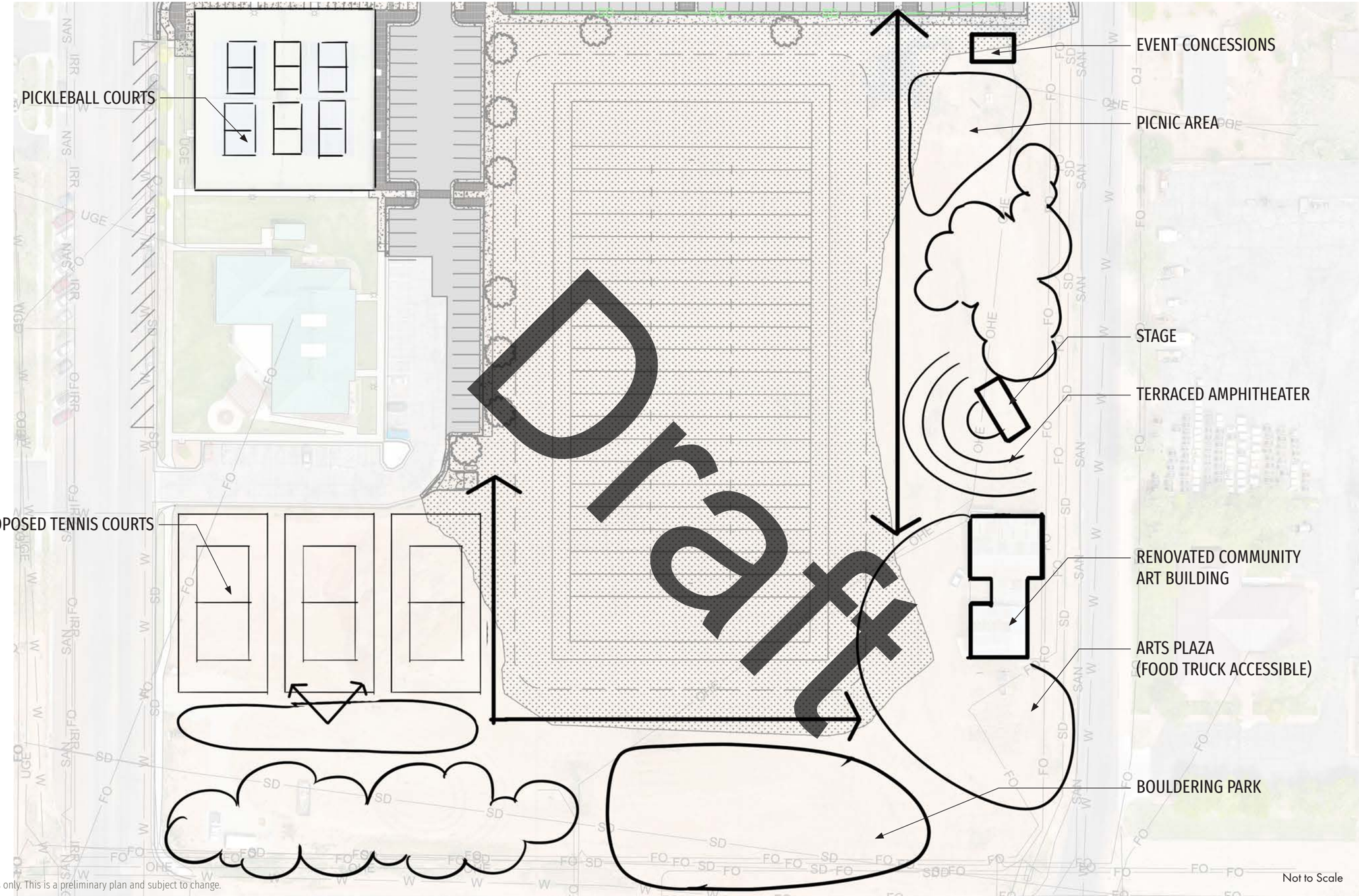




For illustrative purposes only. This is a preliminary plan and subject to change.

CONCEPT SKETCH 1

Jacob Hamblin Park Expansion



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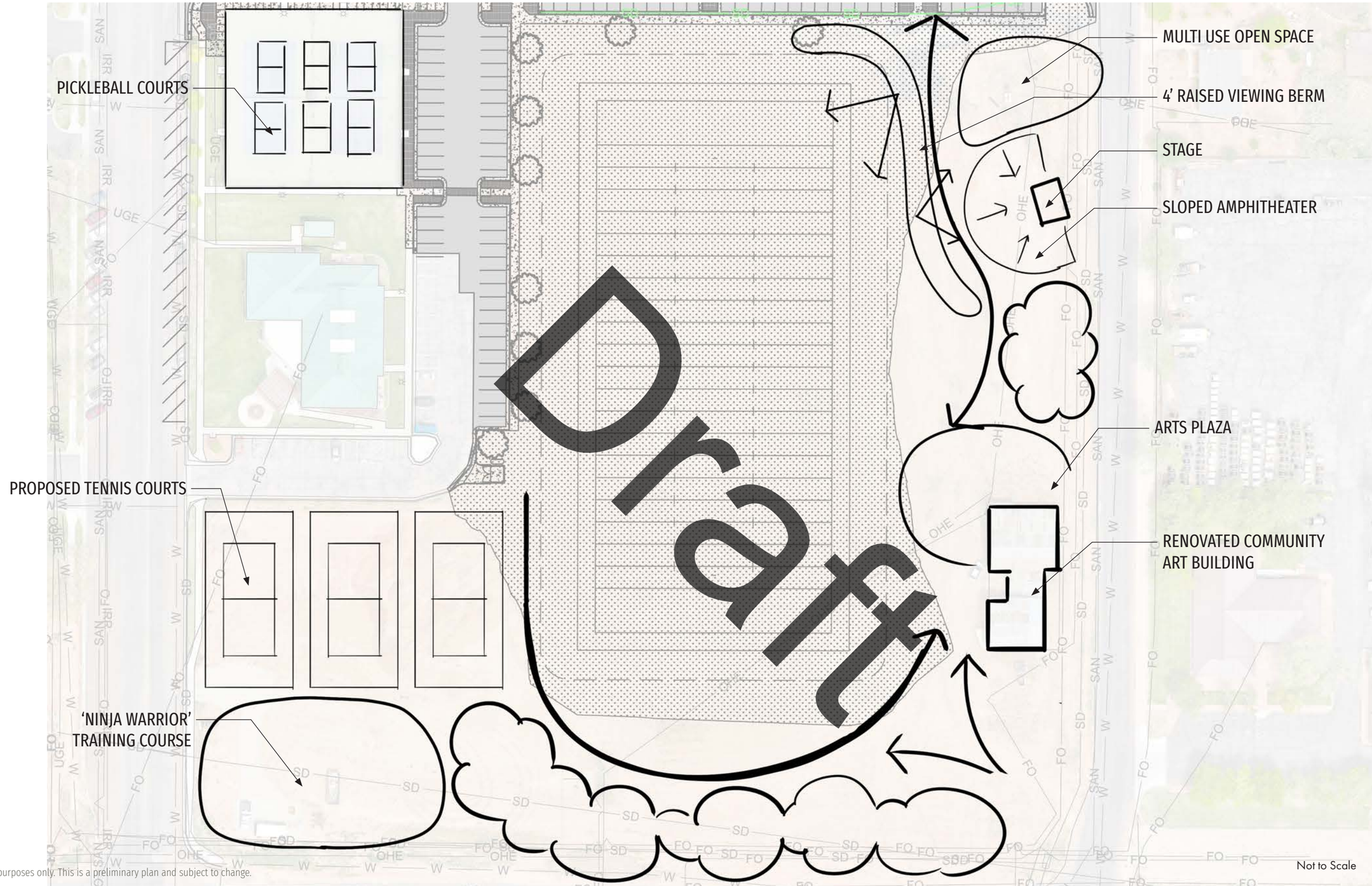
CONCEPT SKETCH 2

Jacob Hamblin Park Expansion



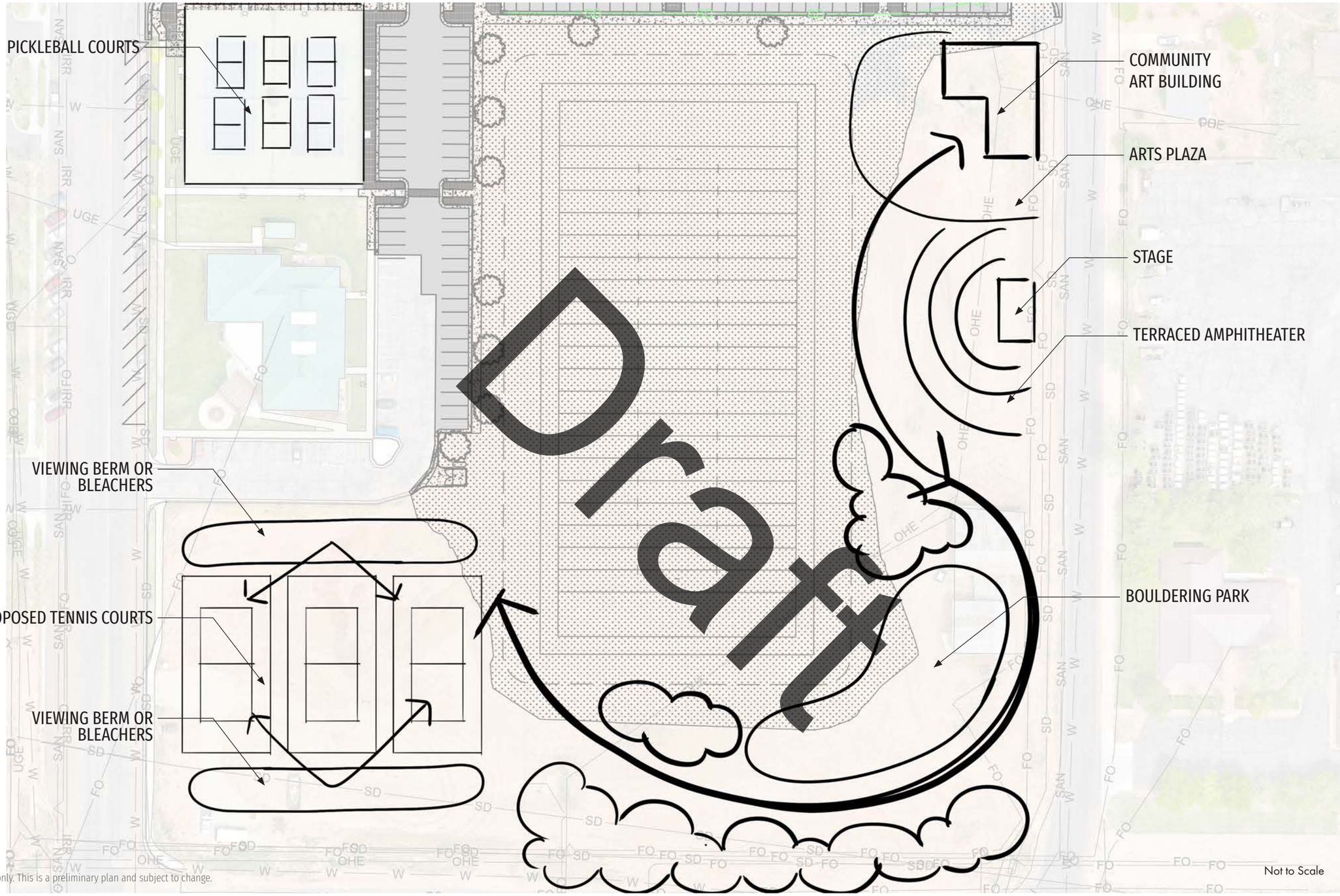
For illustrative purposes only. This is a preliminary plan and subject to change.

CONCEPT SKETCH 3

Jacob Hamblin Park Expansion

KANAB UTAH

CivilScience



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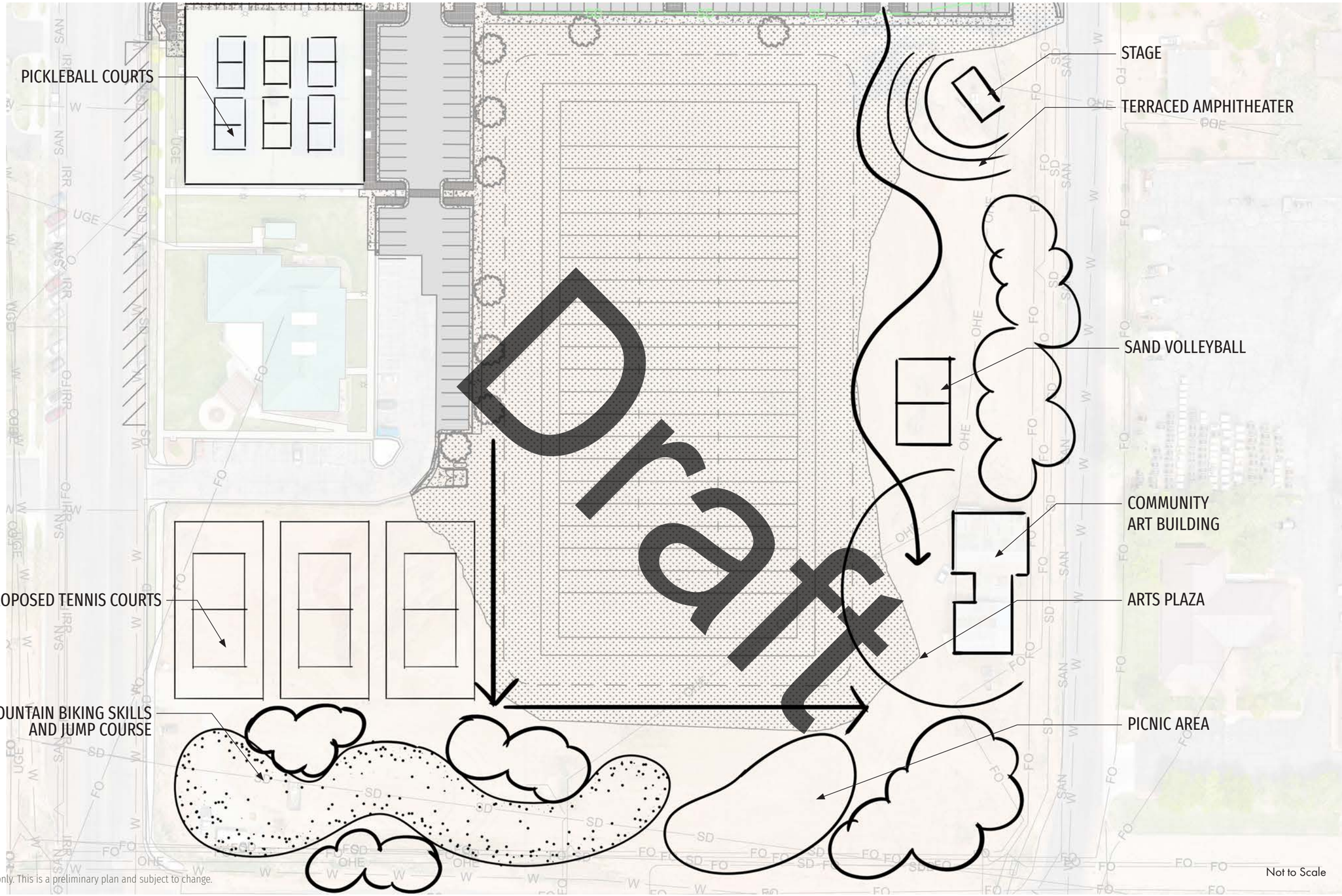
CONCEPT SKETCH 4

Jacob Hamblin Park Expansion



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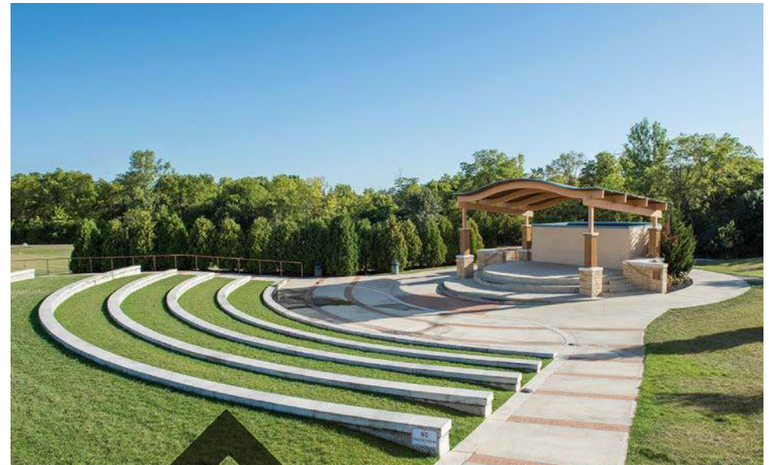
CONCEPT SKETCH 5

Jacob Hamblin Park Expansion

Mounting Biking Skills and Jump Course



Terracing and Amphitheater

Event Concession Stand

Bouldering Park

'Ninja Warrior' Training Course

Sand Volleyball

PRECEDENT IMAGES

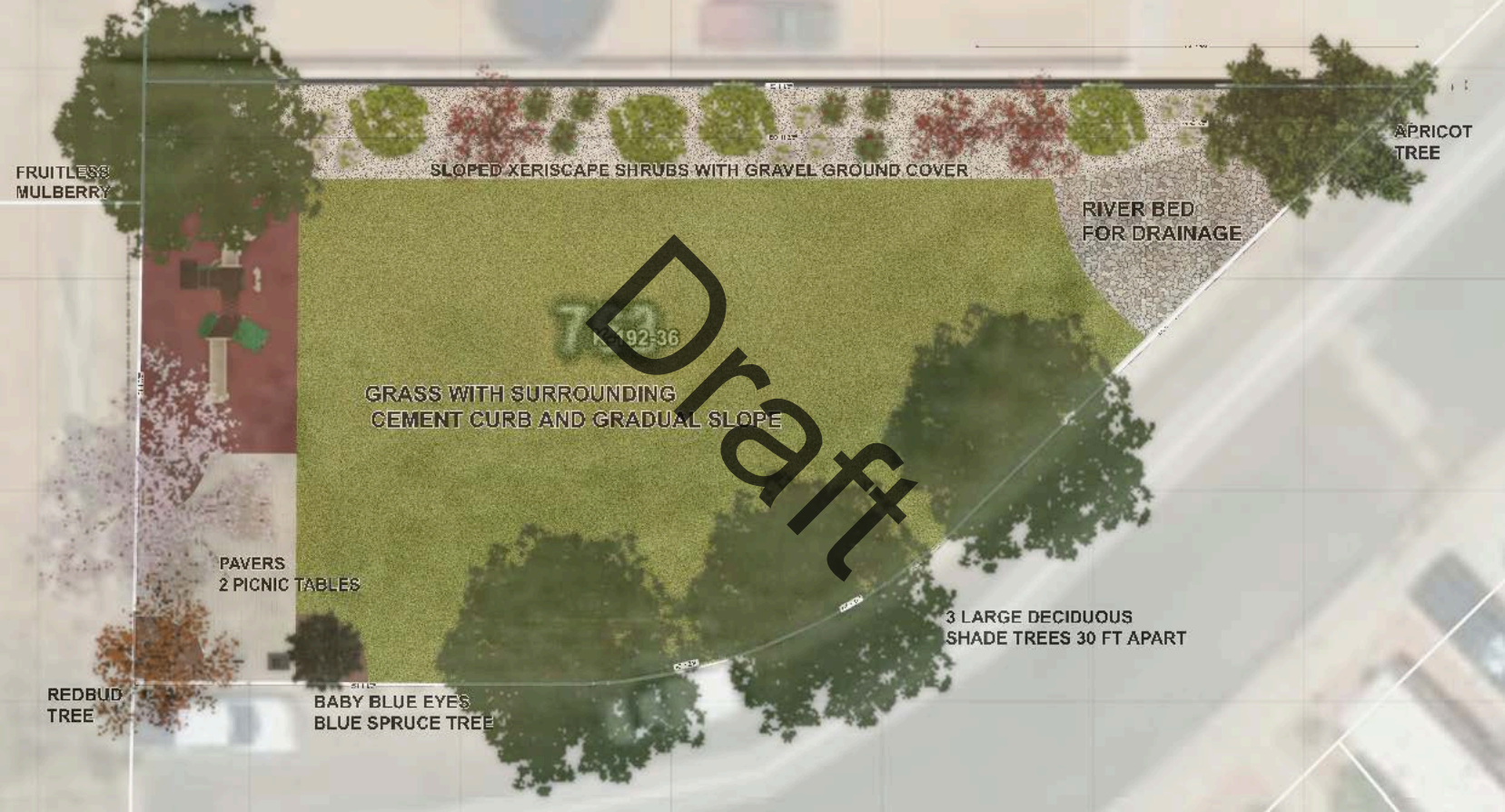
Jacob Hamblin Park Expansion

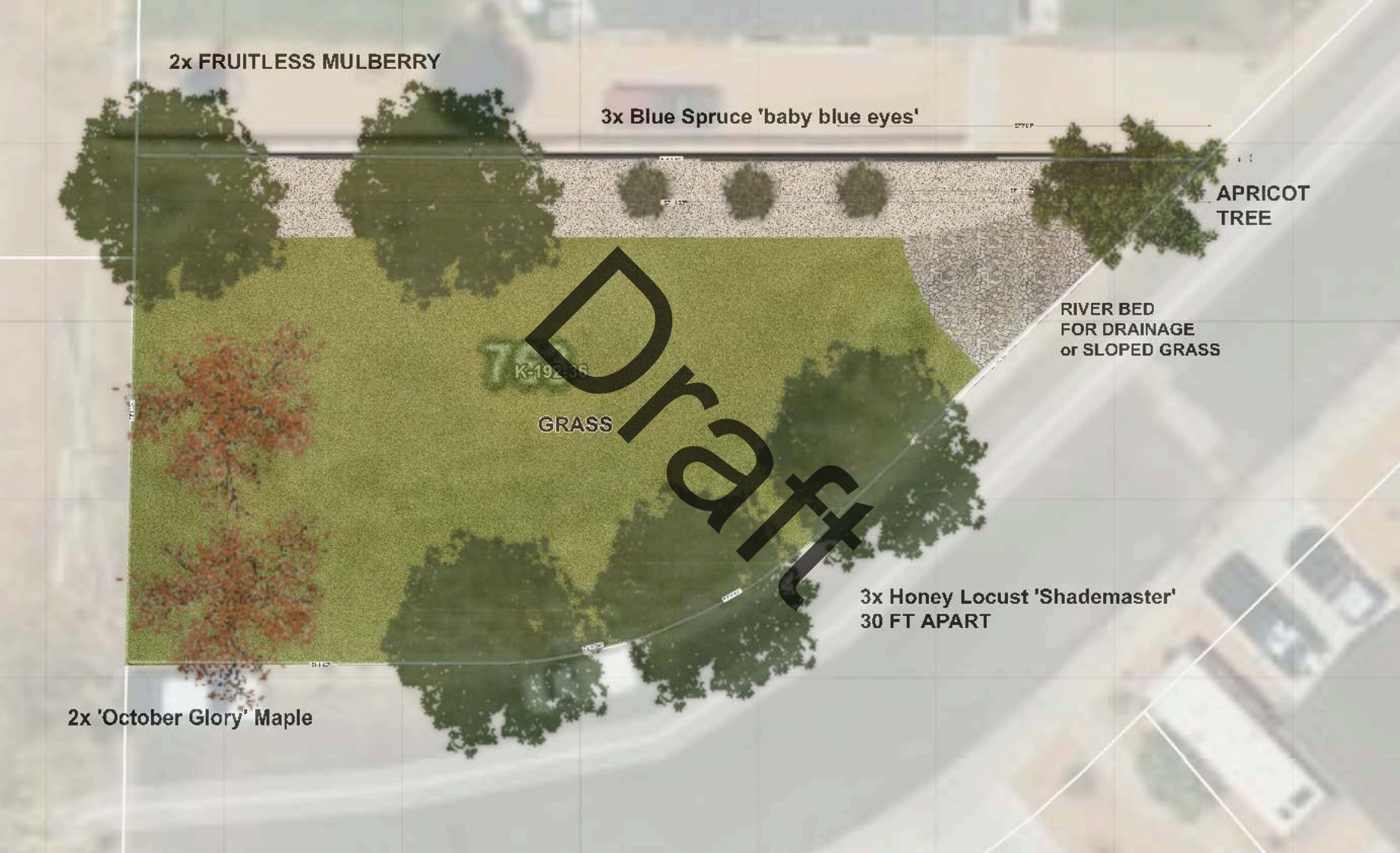
CivilScience

RANCHOS PARK - KANAB, UT

concept plan

ENVIRONMENTAL DESIGN STUDIO LLC
LANDSCAPE ARCHITECTURE · PLANNING · GRAPHICS


FRUITLESS MULBERRY
SLOPED XERISCAPE SHRUBS WITH GRAVEL GROUND COVER
APRICOT TREE
RIVER BED FOR DRAINAGE
GRASS WITH SURROUNDING CEMENT CURB AND GRADUAL SLOPE
Draft
PAVERS
2 PICNIC TABLES
3 LARGE DECIDUOUS SHADE TREES 30 FT APART
REDBUD TREE
BABY BLUE EYES
BLUE SPRUCE TREE


2x FRUITLESS MULBERRY
3x Blue Spruce 'baby blue eyes'
APRICOT TREE
RIVER BED FOR DRAINAGE or SLOPED GRASS
GRASS
Draft
3x Honey Locust 'Shademaster' 30 FT APART
2x 'October Glory' Maple

ROCKY ROAD PARK

PLANT & MATERIAL SCHEDULE

Trees:
3x Shademaster Honey Locust (Gleditsia triacanthos 'Shademaster')
3x Dwarf Blue Spruce (Picea pungens 'Baby Blue Eyes')
2x Fruitless Mulberry (Morus alba 'Fruitless')
2x October Glory Maple (Acer rubrum 'October Glory')
1x Mormon Apricot Tree (Prunus armeniaca 'Chinese')

Grass:
9500sf Kentucky Bluegrass sod

Ground Cover:
2000sf 1-2" rock
2000sf 5oz weed barrier mat

Draft

PARCEL 34-18 PARK CONCEPT

- MULTI-PURPOSE COURT PICKLEBALL / BASKETBALL
- SHADE PAVILION & PICNIC TABLES
- PLAY STRUCTURE (SPIDER CLIMBER)
- BENCHES
- LARGE OPEN LAWN
- TREES FOR SHADE

DRAFT