



April 14, 2021
Kane County Planning Commission
Land Use Authority
Commission Chambers
76 N. Main St., Kanab, Utah

This meeting will be available via conference call at 435-676-9000.
Participant code 168030#.

Agenda

6:00 PM Call to Order
Invocation
Pledge of Allegiance

1. Approval of minutes

March 10, 2021 meeting

2. Public Comment

At this time, any member of the public may address the Commission on any subject within their jurisdiction that is not scheduled before the Commission on this agenda. Due to Open Meeting laws, the Commission cannot discuss or act on items presented during this portion of the agenda.

Legislative
Public Hearing

3. Zone Change/Ordinance 2021-13: Crimson Cliffs Development, LLC

An application for a zone change from AG to R-2 (Ordinance 2021-13), parcel 4-5-6-3, containing 117.54 acres, and 3-5-31-2G containing 4.26 acres. Submitted by Tom Avant, Iron Rock Engineering, holding power of attorney.

Administrative
Public Meeting

4. Compliance Review: Big Time Developers, LLC

An application for a compliance review of previously divided property; parcel #8-6-21-10, containing 10 acres. Submitted by Big Time Developers, LLC.

Administrative
Public Hearing

5. Lot Joinder: Farney

An application for a lot joinder; joining lots 47 & 60, Strawberry Valley Estates, Unit 4, Amended Subdivision, becoming new lot 47 containing 4.28 acres. Submitted by Brent Carter, New Horizon Engineering, holding power of attorney.

Administrative
Public Hearing

6. Lot Joinder: Dan Epple

An application for a lot joinder; joining lots 6, 7, 14, 15, 16, 84, 85 & 86, Little Ponderosa Ranch, Block D, Amended Plat, becoming new lot 85

containing 11.01 acres. Submitted by Brent Carter, New Horizon Engineering, holding power of attorney.

**Administrative
Public Hearing**

7. Lot Joinder: Cichocki

An application for a lot joinder; joining lots 10 & 11, Ponderosa Villa, Plat G, becoming new lot 11, containing .92 acres, and vacating (2) 7.5' utility easements. Submitted by Brent Carter, New Horizon Engineering, holding power of attorney.

**Administrative
Public Hearing**

8. Amended Subdivision: Hillegass Subdivision

An application for amending a subdivision; Hillegass Subdivision, preliminary plat, amending lots 1, 2 & 4, and creating lots 5, 6, 7 & 8. Submitted by Brent Carter, New Horizon Engineering, holding power of attorney.

**Administrative
Public Hearing**

9. Subdivision: Sunflower Valley Estates

An application for a subdivision preliminary plat; Sunflower Valley Estates Subdivision, parcel 4-5-5-1A, creating 69 two-acre lots. Submitted by Tom Avant, Iron Rock Engineering, holding power of attorney.

**Administrative
Public Hearing**

10. Platted Unimproved Subdivision: Dry Valley

An application for a platted unimproved subdivision; Dry Valley, parcel 8-2-12-1A, creating one lot consisting of 40.23 acres. Submitted by Tom Avant, Iron Rock Engineering, holding power of attorney.

**Administrative
Public Meeting**

11. Conditional Use Permit: ELOHI

An application for a conditional use permit for a glamping resort on parcel 1-8-10-1, occupying 27.74 acres. Submitted by Tom Avant, Iron Rock Engineering, holding power of attorney.

**Administrative
Public Meeting**

12. Conditional Use Permit: Boavida

An application for a conditional use permit for a motel, parcel 3-4.5-31-1A. Submitted by Tom Avant, Iron Rock Engineering, holding power of attorney.

**Legislative
Public Hearing**

13. Ordinance 2021-12: Reducing the right-of-way size

An ordinance revising KCLUO Chapter 21: Subdivision Regulations and Kane County Standard Specifications Details & Drawing Details for Design and Construction; reducing the 66 foot right-of-way requirement to 50 feet.

**Legislative
Public Hearing**

14. Ordinance 2021-11: Well Source Protection Areas

An ordinance revising KCLUO Chapter 26: Well Source Protection Areas.

**Administrative
Public Meeting**

15. Board Training

Board training presented by Commissioner Heaton.

Land Use Ordinances: kane.utah.gov; government; ordinances; title 9
Information Packets: kane.utah.gov; government; departments; planning commission; documents; general

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS:

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

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Shannon McBride at (435) 644-4966 or Charee Shepherd at (435)644-4364.

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

Definitions:

“Public Hearing” means a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing. “Public Meeting” means a meeting that is required to be open to the public pursuant to the requirements of Title 52, Chapter 4 Open and Public Meetings; the public may or may not be invited to participate. “Legislative” means an action taken by the County Commission or Land Use Authority; amending ordinances, adopting general plan, annexations, zoning and rezoning; a reasonable debatable action that could promote the general welfare of the community. “Administrative” means an action taken by the Land Use Authority Commission, staff, County Commission interpreting ordinances and regulations, conditional uses, approving subdivision site plans, issuing building permits; an administrative decision must satisfy the requirements prescribed under state law or the County Land Use Code (LUC), whichever is stricter.



KANE COUNTY LAND USE AUTHORITY

SHANNON MCBRIDE
LAND USE AUTHORITY
ZONING ADMINISTRATOR

Staff Report

DATE: March 26, 2021

To: Planning Commission
From: Shannon McBride, Planning and Zoning Administrator
Subject: Project # 21026: Zone Change Application, AG to R-2, Ordinance O-2021-13
Parcel 4-5-6-3, consisting of 117.54+/- acres and 3-5-31-2G consisting of 4.26 acres

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject area, on public websites, and in the Southern Utah Newspaper. A public notice was posted in two public locations.*

| PROPERTY PROJECT HISTORY | |
|--------------------------|------------------------------|
| Project Number | Agricultural |
| 21026 | Current zone is Agricultural |

REQUEST: On March 24, 2021, Crimson Cliffs Development, LLC and Michael Mongini, submitted a zone change application for parcels 4-5-6-3 and 3-5-31-2G, in the proximity of the Lost Springs Subdivision about a mile east of town; requesting to rezone from Agriculture to Residential 2. The current agricultural zone does not allow for subdividing under 10 acres for a subdivision. The applicant would like to develop the Crimson Estates Subdivision with 2-acre lots.

BACKGROUND: Parcels 4-5-6-3 and 3-5-31-2G are assigned Agricultural zoning.

LEGAL DESCRIPTION: Commencing at the Northwest Corner of Section 6, Township 44 South, Range 5 West, Salt Lake Base and Meridian, Utah; thence, along the North Line of said section, South 88° 52' 00" East 659.54 feet, to the POINT OF BEGINNING, and running; thence South 00° 34' 53" West 2640.91 feet, to the East-West X Line of said section; thence, along said line, South 89° 03' 00" East 1944.58 feet, to the Center X Corner; thence, along the North-South X Line, North 00° 55' 43" East 2634.58 feet, to the North X Corner; thence, along the North Line of said section, North 88° 52' 00" West 1356.59 feet, to the southernly right-of-way of Old Highway 89; thence, along said right-of-way, South 75° 22' 14" East 205.42 feet; thence South 01° 26' 36" West 128.14 feet; thence North 88° 33' 24" West 200.00 feet; thence North 01° 26' 36" East 175.00 feet, to said north line; thence, along said line, North 88° 52' 00" West 604.00 feet, to the POINT OF BEGINNING. And, Michael Mongini, parcel 3-5-31-2G, containing 4.26 acres, located near Lost Springs Road. Legal description: All of Sectional Lot 4 of Section 31,

Township 43 South, Range 5 West, Salt Lake Base and Meridian, which lies south of the Old Highway 89.

FACTS & FINDINGS:

- Parcels 4-5-6-3 and 3-5-31-2G meet the minimum acreage required to be zoned Residential 2. The parcel is currently zoned AG.
- The developer requests R-2 zoning which requires a zone change.
- All surrounding lots and parcels are zoned AG and R-5.
- The majority are zoned AG.
- All the lots gain access from Mountain View Drive/Old Highway 89 and Lost Springs Drive.
- All property owners within 500 ft. of this parcel have been mailed a public notice, no concerns have been voiced by the public.
- **9-5A-1: PURPOSE:** To preserve appropriate areas for permanent and temporary agricultural and open space areas as defined herein. Uses normally and necessarily related to agriculture are permitted as set forth in the use matrix below and uses adverse to the continuance of agricultural activity are discouraged in general and specifically prohibited only as set forth herein. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)
- **9-6A-1: PURPOSE:** To provide for residential neighborhoods of a rural character together with a limited number of livestock for the benefit and enjoyment of the residents. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)
- Kane County General Plan, Preamble: Given these basic premises, the Kane County Commission will use this Plan to guide land use decisions for the county. Where decisions regarding property rights versus property values are being made, deference shall be given to property rights. This Plan will assure that present and future residents and visitors to Kane County will be housed under safe, sanitary, and attractive conditions. Land uses in the unincorporated county will reflect the intent of the Commission to expect intensive, urban-scale uses and to provide self-supported basic services without county financial support.

Conclusion: The Applicant's request to rezone Parcels 4-5-6-3 and 3-5-31-2G from AG to R-2 would remain consistent with the Kane County General Plan and give private property rights deference. In the interest of growth, it would be beneficial to Kane County to allow properties to be utilized for the intended use if the use fits the qualifying zone; whether Commercial, Agricultural, or Residential. The Planning Commission should vote based on behalf of Kane County's best interest, including; future planning efforts, private property owner's rights, protecting existing zones, rights of surrounding property owners, and also maintaining the purposes of the Land Use Ordinance and General Plan.

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

If the zone change amendment is adopted, the regulations of the new zone of Residential 2 (R-2) can be found in the Kane County Land Use Ordinance, Chapter 5: Residential Zones.

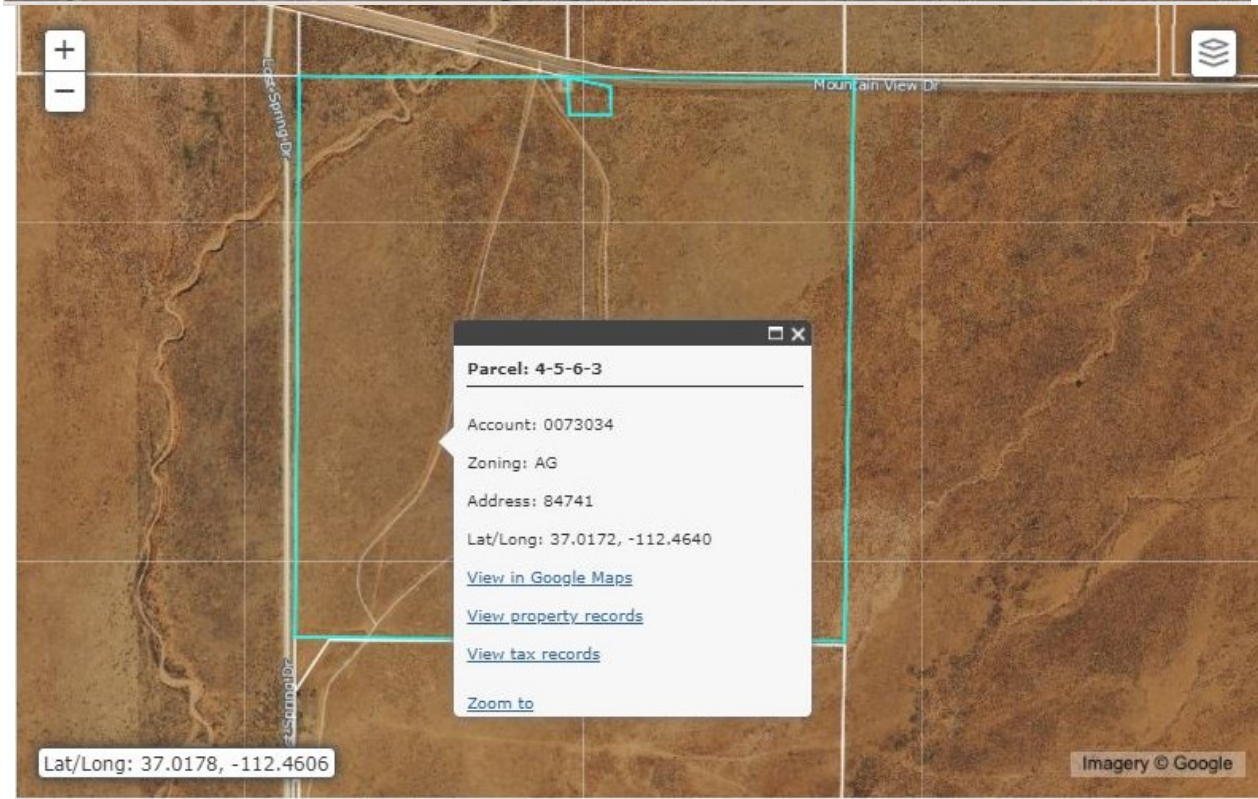
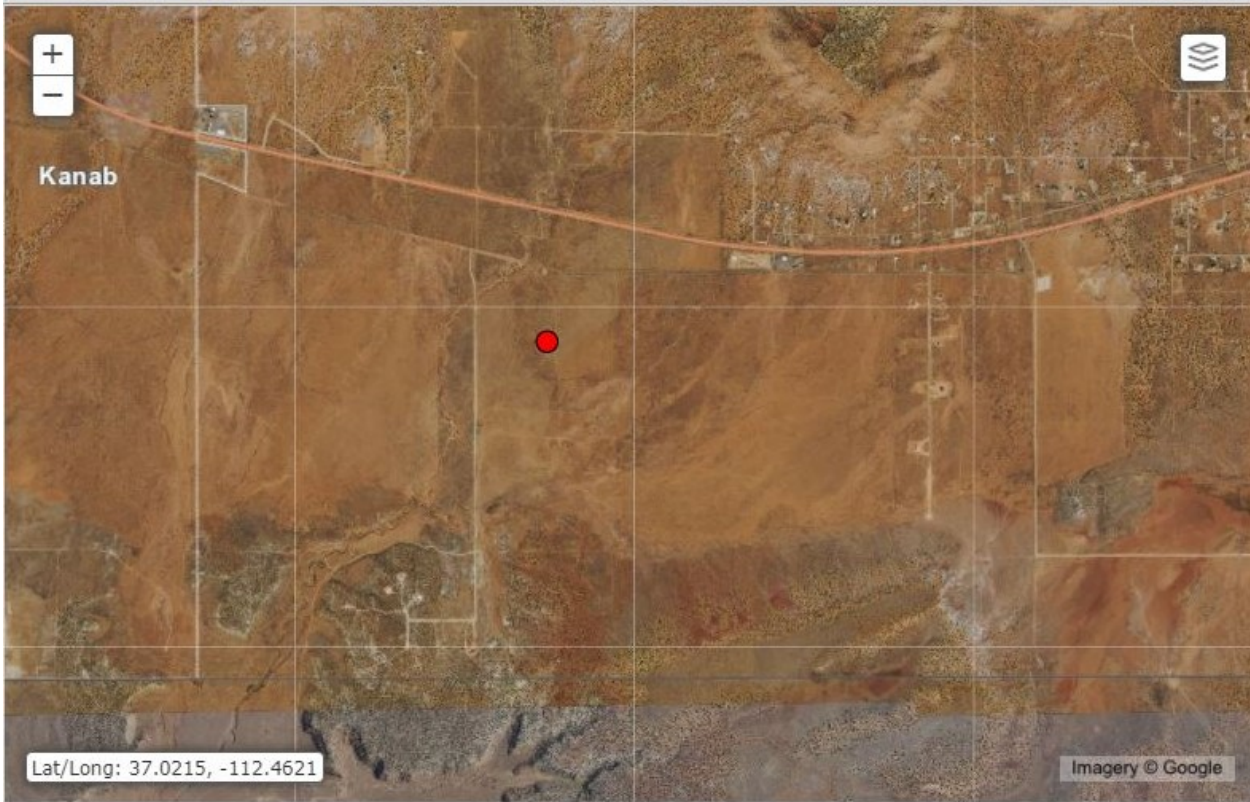
MOTION: I move to recommend denying/approving the zone change from AG to R-2 for parcels 4-5-6-3 and 3-5-31-2G & Ordinance O-2021-05 to the County Commission based on the facts and findings as documented in the staff report.

| Location | Owner | Value |
|---|--------------------------------------|---------------------------------------|
| Parcel Number 3-5-31-2G | Name MONGINI MICHAEL E J SUC TR- 50% | Market (2020) \$215,900 |
| Tax District 06 - COUNTY OUTSIDE | C/O: | Taxable \$461 |
| Acres 36.99 | PO BOX 35 | Tax Area: 06 Tax Rate 0.009262 |
| Site Address | JEROME, AZ 86331-0035 | Type Actual Assessed Acres |
| Legal ALL OF SECTIONAL LOT 4 OF SEC 31 T43S R5W SL&M, CONT 36.90 AC ML, LESS 2.71 AC IN HWY LEAVING 36.99 AC ML, LESS 0.11 AC IN NE COR N OF HWY THAT WENT TO 3-5-31-2D2, PLUS 0.11 AC ML IN NW COR FROM 3-5-31-2D3 S OF HWY, SUBJ TO & TOG WITH A NON EXCLUSIVE EASEMENT ESTABLISHED BY PRIOR USE FOR INGRESS, EGRESS & UTILITIES TO & FROM SAID PROP & OVER & ACROSS SAID PROP. | | FARMLAND (FAA) \$215,900 \$461 36.990 |
| *EMIL MONGINI DECEDANT TRUST* | | |
| Child Accounts | | |
| Child Parcels | | |
| Parent Accounts (80270) | | |
| Parent Parcels 3-5-31-2 | | |

| Transfers | | | |
|------------------------|------|------|-------------------------|
| Recording Date | Book | Page | Doc Description |
| 12/31/2019 02:26:23 PM | 0380 | 0406 | Lot Line Adjustment Map |

| Tax | | Images | |
|----------|--------|--------|-----|
| Tax Year | Taxes | Photo | GIS |
| 2020 | \$4.46 | | |
| 2019 | \$4.58 | | |

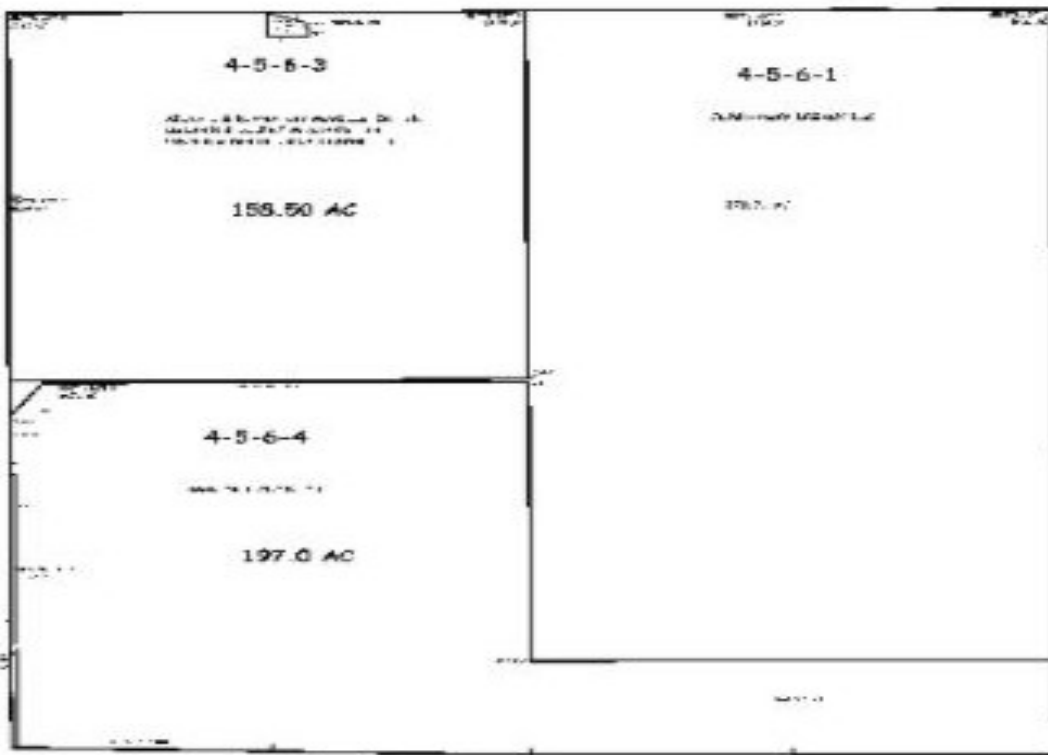




76 North Main Street | Kanab, Utah 84741 | p: (435) 644-4966 | www.kane.utah.gov
Shannon McBride | Zoning Administrator | e-mail: smcbride@kane.utah.gov



SECTION 6 T44S R5W



| Location | Owner | Value |
|--|--|--|
| Parcel Number 4-5-6-3 | Name MCALLISTER KEITH L & DIANA KAY -TR- | Market (2020) \$803,300 |
| Tax District 06 - COUNTY OUTSIDE | 445 E 180 S | Taxable \$1,970 |
| Acres 158.50 | KANAB, UT 84741-3738 | Tax Area: 06 Tax Rate: 0.009282 |
| Situs Address | | Type Actual Assessed Acres |
| Legal ALL OF SECTIONAL LOTS 3, 4, 5, & THE SE¼NW¼ OF SEC 6 T44S R5W SLB&M, UTAH, CONT 158.20 AC, M/L LESS 0.70 ACRES DEEDED TO KANAB CITY, LEAVING A TOTAL OF 158.50 AC, M/L | | FARMLAND (FAA) \$803,300 \$1,970 158.500 |
| *OSCAR R & LOLENE M ADAMS FAMILY TRUST* | | |
| *LYNN B & DEBRA L MCALLISTER FAMILY TRUST 11-3-14* | | |
| *KEITH L MCALLISTER & DIANA KAY MCALLISTER REVOCABLE LIVING TRUST 6-30-18* | | |
| Child Accounts 0143902 | | |
| Child Parcels 4-5-6-3A | | |
| Parent Accounts | | |
| Parent Parcels | | |

| Transfers | | | | |
|--|----------------------|----------------------|---------------------------------|--|
| Recording Date | Book | Page | Doc Description | |
| 07/01/2016 03:00:33 PM | 0483 | 0433 | Warranty Deed | |
| 01/30/2015 02:03:55 PM | 0444 | 0607 | Quit Claim Deed | |

| Tax | | Images | |
|----------|---------|--------|-----|
| Tax Year | Taxes | Photo | GIS |
| 2020 | \$18.25 | | |
| 2019 | \$18.77 | | |



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

KANE COUNTY ORDINANCE NO. O 2021-17

**AN ORDINANCE AMENDING THE ZONING OF PARCEL 4-5-6-3 FROM
AGRICULTURAL TO RESIDENTIAL 2**

WHEREAS, the Kane County Board of Commissioners finds that said zone change is in accordance with the Kane County Land Use Ordinance 9-6A-1: PURPOSE: To provide for residential neighborhoods of a rural character together with a limited number of livestock for the benefit and enjoyment of the residents. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

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

WHEREAS, the statutory authority for enacting this ordinance is Utah State Code Sections 7-27a-201- 205, 17-27a-308, and 17-27a-505;

WHEREAS, the Kane County Planning Commission and Kane County Board of Commissioners desire to make the recommended zone change to parcel 4-5-6-3 from Agricultural to Residential 2;

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

Parcel 4-5-6-3

Acres 117.54

Situs Address MOUNTAIN VIEW DR

Legal ALL OF SECT'L LOTS 3, 4, 5, & THE SE/4NW/4 OF SEC 6 T44S R5W SLB&M, UT. LESS & EXCEPTING THAT PORT OF SAID PROP THAT WAS DEEDED TO KANAB CITY WH IS DESC'D AS FOLLOWS:

BEG AT A PT 1,270.97 FT E FROM THE NW COR OF SEC 6 T44S R5W, SLB&M, & RUN TH S 175.0 FT; TH E 200.0 FT; TH N 127.72 FT; TH N 76°50'30" W 205.20 FT TO THE PT OF BEG.

TOG WITH A 66' R/W (SEE DEED 0552-652/657)

CRIMSON CLIFFS DEVELOPMENT LLC

Is hereby rezoned from Agricultural to Residential 2 and shall from here forth be zoned Residential 2.

---- END OF ORDINANCE ----

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

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

ADOPTED this ____ day of _____, 2021.

ATTEST:

KARLA JOHNSON
Kane County Clerk

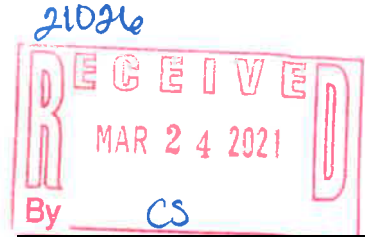
Andy Gant, Chair
Board of Commissioners
Kane County

Commissioner Heaton voted
Commissioner Gant voted
Commissioner Chamberlain voted



Land Use Authority

76 North Main Street
Kanab, Utah 84741
(435) 644-4964
planning@kane.utah.gov



0-2021-13

REQUEST FOR ZONE CHANGE

FEE: \$350

Owner Name: Crimson ~~Cliffs~~ Development LLC Date: 3-16-21
Address:  Email: 
City:  State:  Zip:  Phone: 

PARCEL #: 4-5-6-3 LOCATION AND LEGAL DESCRIPTION OF PROPERTY:
SEE ATTACHED.

CURRENT ZONE: AG PROPOSED ZONE: R-2

INTENDED USE AND REASON FOR ZONE CHANGE: SUBDIVISION DEVELOPMENT

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


Ow

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

Planning Commission Action: Approve Deny

COMMENTS: _____



Land Use Authority

76 North Main Street

Kanab, Utah 84741

(435) 644-4964

planning@kane.utah.gov

REQUEST FOR ZONE CHANGE

FEE: \$350

Owner Name: Michael Mongini Date: 03/22/21

Address: [REDACTED] Email: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED] Phone: [REDACTED]

PARCEL #: 3-5-31-2G LOCATION AND LEGAL DESCRIPTION OF PROPERTY:

See Attached Legal

CURRENT ZONE: AG PROPOSED ZONE: R-2

INTENDED USE AND REASON FOR ZONE CHANGE: Subdivision/ Development

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

[REDACTED]
Michael Mongini Mar 24 10:21:13 11 PDT

Owner's Signature

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

Planning Commission Action: Approve Deny

COMMENTS: _____

STAFF REPORT

DATE: 4/1/2021

TO: Kane County Planning Commission

FROM: Shannon McBride, Kane County Land Use Administrator

RE: Compliance Review of Previously Divided Property
APPLICANT: Big Time Developers, Thomas H. Jett
Parcel Number: 8-6-21-10

Pursuant to Resolution No. R 2015-10, the Land Use Administrator has received an application for Compliance Review of Previously Divided Property (“Compliance Review Application”) from Thomas H. Jett, for a parcel that was subdivided on or about 1997. The property owner bought the property on May 23, 2008 by warranty deed. Sandra DeMarco divided the property in 1997. Pursuant to the Resolution, ***no fee was collected*** for consideration of this application, and there has been no review by the County Engineer/Surveyor. The following was considered and determined relating to subdivision compliance, as required by the Resolution:

1. Whether the County considers the real property that is the subject of this application to be illegally or improperly subdivided:
2. FINDING: YES, the real property is considered to be illegally/improperly subdivided.
3. At the time this subdivision of property occurred, the following were the ***substantive requirements of Utah State Code*** to subdivide real property:
 - a. Utah State Code 17-27-806-Exemptions from plat requirement. (See Attached)
 - b. FINDING: Upon review, the Land Use Administrator has found that the Applicant was compliant with Utah State Code substantive requirements at the time of the subdivision. Except a record of survey was not filed, and they did not go through the Planning Commission.
4. At the time this subdivision of real property occurred, the following were the ***substantive requirements of the Kane County Ordinance*** to subdivide real property:
 - a. See Attached
 - b. FINDING: Upon review, the Land Use Administrator has found that the Applicant was compliant with County Ordinance substantive requirements at the time of the subdivision. A record of survey has been filed and the Planning Commission needs to recommend approval for the parcel to be compliant.
5. At the time this subdivision of property occurred, the following was ***procedurally required by Utah State Code*** to subdivide real property:
 - a. See attached Utah State Code.
 - b. FINDING: Upon review, the Land Use Administrator has found that the Applicant was compliant with Utah State Code substantive requirements at the time of the subdivision. The applicant has filed a record of survey and is asking for the Planning Commission’s approval for recommendation to be in compliance with the 1997 requirements under the exemption to the plat.

6. At the time this subdivision of property occurred, the following was ***procedurally required by County Ordinance***:
- a. [See attached County Code]

“If all substantive requirements were met but not all procedural requirements were met at the time of the illegal division of land the Land Use Administrator shall present the application to the Planning Commission/Land Use Authority for review and approval. All of the land included in an application that has been approved by the Planning Commission/Land Use Authority shall be considered legally divided as of the time of the division.”

FURTHER FINDINGS: No minutes were found showing the subdivision went before the Planning Commission as required per Utah State Code.

RECOMMENDATION: Based on staff’s review and analysis, it is recommended that the Kane County

MOTION: I move to approve the Compliance Review of Previously Divided Property on behalf of Big Time Developers, Thomas H. Jett for parcel number: 8-6-21-10

Planning Commission approve the Compliance Review Application, adopting the findings contained in this Staff Report, and authorizing the Chair and Land Use Administrator to execute any documentation to that affect. The property owner will be responsible for acquiring the needed 28' minimum access easement to obtain a building permit. The County is not responsible for the property owner’s easement.

Utah State Code 1997 17-27-806

the record.
 The filing of a petition does not stay the decision of board of adjustment.
 (i) Before filing the petition, the aggrieved party may petition the board of adjustment to stay its decision.
 (ii) Upon receipt of a petition to stay, the board of adjustment may order its decision stayed pending district court review if the board of adjustment finds it to be in the best interest of the county.
 (iii) After the petition is filed the petitioner may seek an injunction staying the board of adjustment’s decision. 1991

**PART 8
 SUBDIVISIONS**

1. Enactment of subdivision ordinance.
 Legislative body of any county may enact a subdivision ordinance requiring that a subdivision plat comply with the provisions of the subdivision ordinance and be approved as follows by this part before:
 (1) it may be filed or recorded in the county recorder’s office; and
 (2) lots may be sold. 1991

2. Preparation — Adoption.
 The planning commission shall:
 (1) prepare and recommend a proposed subdivision ordinance to the legislative body that regulates the subdivision of land in the county;

(2) (a) The owner of the land shall acknowledge the plat before an officer authorized by law to take the acknowledgement of conveyances of real estate.
 (b) The surveyor making the plat shall certify it.
 (c) The county legislative body shall approve the plat as provided in this part. Before the legislative body may approve a map or plat, the owner of the land shall provide the legislative body with a tax clearance indicating that all taxes, interest, and penalties owing on the land have been paid.
 (3) After the plat has been acknowledged, certified, and approved, the owner of the land shall file and record it in the county recorder’s office in the county in which the lands platted and divided are situated. 1997

17-27-805. Subdivision approval procedure.
 A person may not submit a plat of a subdivision to the county recorder’s office for filing or recording unless a recommendation has been received from the planning commission and:
 (1) the plat has been approved by:
 (a) the legislative body; or
 (b) other officers that the legislative body designates in an ordinance; and
 (2) the approvals are entered in writing on the plat by the chief executive officer or chairperson of the legislative body or by the other officers designated in the ordinance. 1997

17-27-806. Exemptions from plat requirement.
 In subdivisions of less than ten lots, land may be sold by metes and bounds, without the necessity of recording a plat if:

- (1) a recommendation has been received from the planning commission;
- (2) the deed contains a stamp or other mark indicating that the subdivision has been approved by:
 - (a) the legislative body; or
 - (b) other officers that the legislative body designates in an ordinance;
- (3) the subdivision is not traversed by the mapped lines of a proposed street as shown in the general plan and does not require the dedication of any land for street or other public purposes; and
- (4) if the subdivision is located in a zoned area, each lot in the subdivision meets the frontage, width, and area requirements of the zoning ordinance or has been granted a variance from those requirements by the board of adjustment.

1995

17-27-807. Dedication of streets.

- (1) Maps and plats, when made, acknowledged, filed, and recorded according to the procedures specified in this part, operate as a dedication of all streets and other public places, and vest the fee of those parcels of land in the county for the public for the uses named or intended in those maps or plats.
- (2) The dedication established by this section does not impose liability upon the county for streets and other public places that are dedicated in this manner but unimproved.

1991

17-27-808. Vacating or changing a subdivision plat.

- (1) (a) The county legislative body or any other officer that the legislative body designates by ordinance may, with or without a petition, consider any proposed vacation, alteration, or amendment of a subdivision plat, any portion of a subdivision plat, or any street, lot, or alley contained in a subdivision plat at a public hearing.

contained in a subdivision plat, to a public hearing after giving the
(6) Petitions to adjust lot lines may be executed upon the record if:

- (a) no new dwelling lot or lot line adjustment;
- (b) the adjoining property adjustment;
- (c) the lot line adjustment land that did not previously;
- (d) the adjustment does not cable zoning requirements.

17-27-809. Notice of hearing

- (1) (a) The responsible body the proposed plat change to owner of property located w that is the subject of the pr to the owner's mailing add the county assessor of the located.
- (b) The responsible body notice includes:
 - (i) a statement that posed plat change mus change within ten day;
 - (ii) a statement tha received by the legislat no public hearing will
 - (iii) the date, place, be held, if one is req alteration, or amende written objections ar petition that does not owners as required by
- (2) If the proposed change is



Lat/Long: 37.4867, -112.5357

Imagery © Google

| Location | Owner | Value | | | | | | | | |
|--|---------------------------------------|---|-------|--------|----------|-------|------------------|----------|----------|-------|
| Parcel Number 8-8-21-10 | Name BIG TIME DEVELOPERS LLC | Market (2020) \$34,800 | | | | | | | | |
| Tax District 15 - CEDAR MTN SSD | C/O THOMAS H JETT | Taxable \$34,800 | | | | | | | | |
| Acres 10.00 | 1046 BROOK ST CEDAR CITY, UT 84720 | Tax Area: 15 Tax Rate: 0.008282 | | | | | | | | |
| Situs Address W SILVERADO RIDGE | | <table border="1"> <thead> <tr> <th>Type</th> <th>Actual</th> <th>Assessed</th> <th>Acres</th> </tr> </thead> <tbody> <tr> <td>NON-PRIMARY LAND</td> <td>\$34,800</td> <td>\$34,800</td> <td>0.000</td> </tr> </tbody> </table> | Type | Actual | Assessed | Acres | NON-PRIMARY LAND | \$34,800 | \$34,800 | 0.000 |
| Type | Actual | Assessed | Acres | | | | | | | |
| NON-PRIMARY LAND | \$34,800 | \$34,800 | 0.000 | | | | | | | |
| Legal THE SE4SW4SW4 OF SEC 21 T38S R8W SL6M, UTAH, CONT 10 AC, ML TOG WITH AN EASEMENT FOR INGRESS, EGRESS & UTILITIES EXTENDING FROM EXISTING COUNTY ROAD (OLD HWY 14) THEN ACROSS THE NE4SW4SW4 OF SEC 21 T38S R8W, SL6M TO SAID LAND. | | | | | | | | | | |
| Child Accounts | | | | | | | | | | |
| Child Parcels 8-8-21-10A 8-8-21-10B 8-8-21-10C | | | | | | | | | | |
| Parent Accounts | | | | | | | | | | |
| Parent Parcels | | | | | | | | | | |

| Transfers | | | |
|--|----------------------|----------------------|---------------------------------------|
| Recording Date | Book | Page | Doc Description |
| 10/06/2009 12:18:40 PM | 0378 | 0423 | Trustee's Deed |
| 05/22/2008 11:43:47 AM | 0349 | 0417 | Special Warranty Deed |

Tax Images

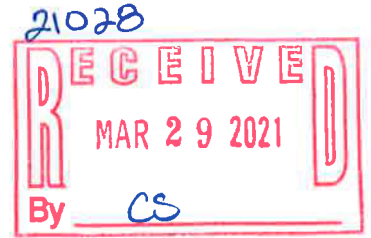
| Tax Year | Taxes |
|----------|----------|
| 2020 | \$320.47 |
| 2019 | \$328.80 |

Photo GIS Map





Land Use Authority
76 North Main Street, Kanab, Utah 84741
(435) 644-4966
Email: planning@kane.utah.gov



"COMPLIANCE REVIEW OF PREVIOUSLY DIVIDED PROPERTY" APPLICATION

Owner/Applicant: BIG TIME DEVELOPERS LLC Date: 3/25/2021

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED]

Phone: [REDACTED] Email: [REDACTED]

Engineer/Surveyor: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-Mail: _____

Name of Subdivision, if any: _____

Location and Legal Description of Divided Land: ACCESSED OFF SILVERADO RIDGE
SE4SW4SW4 OF SECTION 21 T38S R6W SLBEM

CONT. 10 ACRES

TAX ACCT 0140049 PARCEL 8-6-21-10

Number of Lots: _____ Minimum Lot Size: _____

Date land was divided: _____

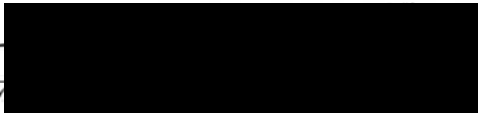
Document Checklist:

- Record of Survey Map
- Culinary Water Authority Approval
- Agreement of Understanding
- Sanitary Sewer Authority Approval

Additional Comments:

I HEREBY CERTIFY THE ABOVE INFORMATION TO BE TRUE AND ACCURATE

Signature: _____



Date: 3-27-21

Office Use Only:

Land Use Administrator Action:

Existing Zone: _____

General Plan Compliance: YES NO

Water/Sewer Compliance: YES NO

Current Subdivision Reg. Compliance: YES NO

Status of the Land: Compliant Substantive Non-Compliance

Procedural Defect Only Record of Survey Map: Approved Denied

Easements: Approved Denied N/A

Land Use Authority Action:

Approved Denied

Planning Commission Chair

Date



STAFF REPORT

DATE: 03/26/2021

PROJECT: A complete application for Amending a Subdivision Plat for a Lot Joinder, on behalf of Judith E. Farney-Trustee of the Milton R. & Judith E. Farney Trust, Dated May 19, 2000, in the Strawberry Valley Estates, Unit 4, Amended Plat, consisting of lots 47 and 60, becoming new lot 47, containing 4.28 acres within the SE ¼, Section 20, T38S, R7W SLB & M. The project was submitted by Brent Carter with New Horizon Engineering (holding power of attorney). All lots are zoned Residential 1/2, (R-1/2), as are all surrounding lots. The zoning will remain the same.

The reason for the lot joinder is to save on taxes.

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

STAFF DETERMINATIONS: Kane County Engineer, Tom Avant, recommends approval of this project. Kane County Land Use Administrator, Shannon McBride, has reviewed the application and supporting documents and recommends approval. The project complies with County and State Ordinance requirements.

MOTION: I move to **approve/deny** the amended subdivision plat for a Lot Joinder, on behalf of Judith E. Farney-Trustee of the Milton R. & Judith E. Farney Trust, Dated May 19, 2000, in the Strawberry Valley Estates, Unit 4, Amended Plat, consisting of lots 47 and 60, becoming new lot 47, based on the findings documented in the staff report.

THANK YOU.

AMENDED PLAT OF LOT 60 & AMENDED LOT 47, STRAWBERRY VALLEY ESTATES, UNIT 4

WITHIN SE1/4 SECTION 20, T38S-R7W, S.L.B.&M.

COUNTY ATTORNEY CERTIFICATE

I, _____ Attorney for Kane County, do hereby certify that I have examined the above subdivision amendment plat and said plat meets the requirements of Kane County and I hereby recommend for approval this _____ day of _____, 20____.

KANE COUNTY ATTORNEY

LAND USE AUTHORITY APPROVAL

On this the _____ day of _____, 20____, the Land Use Authority of Kane County, Utah, having reviewed the above Subdivision amendment plat, and having found that it complies with the requirements of the Land Use Ordinances. Do hereby recommend for approval by Kane County Commissioners.

LAND USE AUTHORITY CHAIRMAN - KANE COUNTY

OWNERS INFO:
JUDITH E. FARNEY - TRUSTEE OF THE MILTON R. & JUDITH E. FARNEY TRUST, Date May 19, 2000.
17481 NORWOOD PARK PL.
TUSTIN, CALI 92780

GENERAL NOTES:
1- THERE ARE NO FENCES ON THE SUBJECT LOTS.
2- WATER IS PROVIDED BY WELLS.

- LEGEND**
- ROAD AND ROAD & LOT (OR) EASEMENT
 - LOT REAR & PLASTIC (OR) L.S. NO. 30022
 - (OR) W. EASEMENT
 - SUBDIVISION LOT LINE
 - LOT BOUNDARY
 - LOT CORNER
 - PROPOSED VACATED LOT LINE

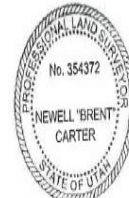
GRAPHIC SCALE



SURVEYOR'S CERTIFICATE

I, NEWELL BRENT CARTER, do hereby certify that I am a registered land surveyor, and that I hold Certificate No. 354372, as prescribed under the laws of the State of Utah. I further certify that I have made this plat of "AMENDED PLAT OF LOT 50 & AMENDED LOT 47, STRAWBERRY VALLEY ESTATES, UNIT 4", Located in Kane County, Utah, As shown hereon and described as follows:

LEGAL DESCRIPTION OF THAT PORTION OF STRAWBERRY VALLEY ESTATES, UNIT 4 EFFECTED BY THIS AMENDMENT:
(NEW LOT 47) LOTS 50 & AMENDED LOT 47, STRAWBERRY VALLEY ESTATES, UNIT 4, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE ORIGINAL NORTH CORNER OF ORIGINAL LOT 47, STRAWBERRY VALLEY ESTATES, UNIT 4; RUNNING THENCE S48°50'20"E 302.89 FEET TO THE ORIGINAL EAST CORNER OF LOT 47; THENCE N48°39'22"E 7.00 FEET; THENCE N78°50'12"E 84.85 FEET TO THE ORIGINAL NE CORNER OF LOT 60; THENCE S22°49'52"W 327.55 FEET TO THE ORIGINAL PC OF A CURVE TO THE RIGHT ON LOT 60; CURVE DATA: DELTA=91°51'48", RADIUS= 83.00', CHORD= 82.84' @ 78.62', THENCE ALONG THE ARC OF SAID CURVE 85.73 FEET TO THE ORIGINAL PT OF LOT 60; THENCE N70°18'20"W 288.74 FEET TO THE ORIGINAL PC OF A CURVE TO THE LEFT ON LOT 60; CURVE DATA: DELTA=47°45'16", RADIUS= 100.00', CHORD= 58.04' @ 78.62', THENCE ALONG THE ARC OF SAID CURVE 83.35 FEET TO THE ORIGINAL PT OF LOT 60; THENCE S58°58'25"W 38.65 FEET TO THE ORIGINAL SOUTH CORNER OF LOT 50; THENCE N28°17'38"W 138.57 FEET TO THE ORIGINAL WEST CORNER OF LOT 50; THENCE N38°28'42"E 239.70 FEET TO THE ORIGINAL WEST CORNER OF LOT 46; THENCE N47°38'12"E 241.58 TO THE POINT OF BEGINNING AND CONTAINING 4.28 AC.



Newell Brent Carter 3/17/2021
NEWELL BRENT CARTER DATE

COUNTY SURVEYOR CERTIFICATE

_____, the Kane County Surveyor, do hereby certify that this office has examined the above subdivision amendment plat, and have determined that it is correct and in accordance with information in file in this office and recommend it for approval this _____ day of _____, 20____.

KANE COUNTY SURVEYOR

COUNTY COMMISSION APPROVAL

_____, CHAIRMAN OF THE COUNTY COMMISSION OF KANE COUNTY, DO HEREBY CERTIFY THAT THIS PLAT OF "AMENDED PLAT OF LOTS 50 & AMENDED LOT 47, STRAWBERRY VALLEY ESTATES, UNIT 4" WAS ACCEPTED AND APPROVED BY THE KANE COUNTY COMMISSION ON THIS _____ DAY OF _____, AND IS HEREBY ORDERED FILED FOR RECORD IN THE OFFICE OF THE KANE COUNTY RECORDER, IN WITNESS WHEREOF, I HAVE SET MY HAND BY AUTHORITY OF A RESOLUTION OF THE COUNTY COMMISSION.

ATTEST:

CHAIRMAN - KANE COUNTY COMMISSION

KANE COUNTY CLERK

OWNERS CONSENT

The Owner(s) of the Property described in the Boundary Description, consent to the preparation and recording of this Amended Plat and also to the abandoning of lot 50, adding that area to Amended lot 47, as per this plat.
IN WITNESS, I have hereunto set our hands this _____ day of _____, 20____.

JUDITH E. FARNEY TRUSTEE OF THE MILTON R. & JUDITH E. FARNEY TRUST, Date May 19, 2000.

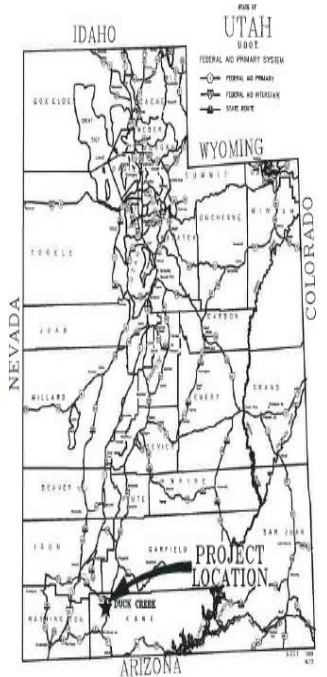
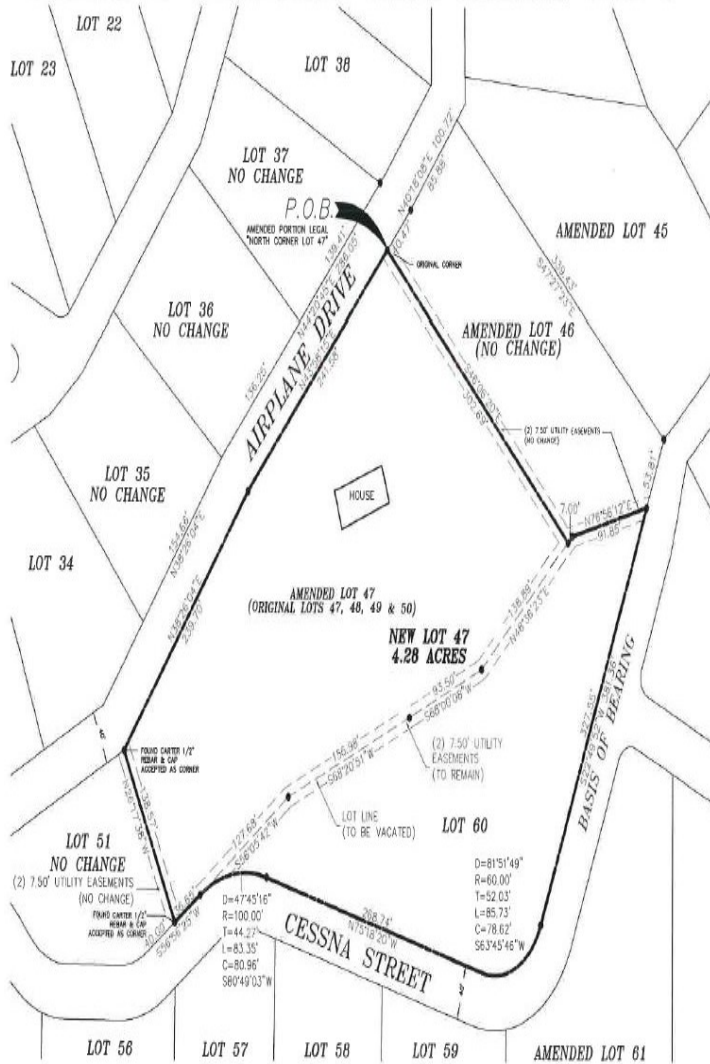
ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, JUDITH E. FARNEY, THE SIGNER OF THE OWNERS DECLARATION WHO BEING BY ME FULLY SWORN, DO SAY THAT HE IS THE OWNERS OF THE ABOVE DESCRIBED PROPERTY.

NOTARY PUBLIC

RESIDING IN _____ COUNTY
MY COMMISSION EXPIRES _____

PORTION OF STRAWBERRY VALLEY ESTATES, UNIT 4



SURVEY NARRATIVE

THIS SURVEY WAS DONE AT THE REQUEST OF JUDITH E. FARNEY TO ESTABLISH THE BOUNDARY AND MONUMENT THE CORNERS OF THE LOTS SHOWN HEREON, AND TO PROVIDE A RECORD OF SAID SURVEY.
THE BASIS OF BEARING IS S22°49'52"W BETWEEN THE NE CORNER LOT 60 (INES REAR & CAP) AND THE PC NEAR THE SE CORNER LOT 60 (INES REAR & CAP) STRAWBERRY VALLEY ESTATES, UNIT 4, AS PER A PREVIOUS PLAT AMENDMENT OF SAID SUBDIVISION.

CERTIFICATE OF RECORDING

_____, COUNTY RECORDER OF KANE COUNTY, UTAH DO HEREBY CERTIFY THAT THE ABOVE SUBDIVISION AMENDMENT PLAT WAS FILED FOR RECORD IN MY OFFICE ON THIS _____ DAY OF _____, 20____.

BOOK _____ PAGE _____ FEE _____ KANE COUNTY RECORDER
ENTRY NO. _____ DATE _____ TIME _____
RECORDED AT THE REQUEST OF: _____

KANE COUNTY AMENDED PLAT OF LOT 60 & AMENDED LOT 47 STRAWBERRY VALLEY ESTATES, UNIT 4

PREPARED FOR: JUDITH E. FARNEY - TRUSTEE OF THE MILTON R. & JUDITH E. FARNEY TRUST, Date May 19, 2000.

LOCATION: WITHIN SE1/4 SECTION 20, T38S-R7W, S.L.B.&M.
STRAWBERRY VALLEY ESTATES, UNIT 4

DATE: 3/17/2021 REVISION#: _____

NEW HORIZON
Engineering & Surveying LLC
4103 N. Morgan Drive (435) 586-8897
Enoch UT, 84721 (435) 559-4104



**Kane County
Land Use Authority**

76 North Main Street, Kanab, Utah 84741
Phone (435) 644-4966
planning@kane.utah.gov

21021
RECEIVED
MAR 24 2021
By CS

**Lot Joinder within a Subdivision Plat
Application Fee \$700.00**

***In the event additional engineering costs are accrued by the County related to a specific project, the project applicant will be responsible for all additional engineering fees.
(KCLUO 9-1-14)**

Property Owner's Name: JUDITH E. FARNEY - TRUSTEE OF THE MILTON R. & JUDITH E. FARNEY TRUST DATED 5-19-2000

Date: 2/17/21 Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Phone: [REDACTED] Email: [REDACTED]

Parcel #s: LOT 60 & NEW LOT 47, STRAWBERRY VALLEY ESTATES UNIT 4.

Reason for Lot Joinder Request: SAVE ON TAXES.

I (We) certify that the proposed subdivision plat will conform to the Kane County Subdivision Ordinance and that no changes will be made without prior approval.

[REDACTED SIGNATURE]

Signature of Owner / Trustee

Once lots are joined they may not be subdivided again.
Taxes will not be affected until the year following the project (plat) being recorded.
***Fee is non-refundable after engineer's review**

Land Use Authority Action:
 Approve Deny

Planning Commission Chairman _____ Date _____
Commission Approval Date: _____



STAFF REPORT

DATE: 03/26/2021

PROJECT: A complete application for Amending a Subdivision Plat for a Lot Joinder, on behalf of Dan Epple, as Trustee of the “Under that Certain Declaration of Trust Deed 4/30/84”, in the Little Ponderosa Ranch Subdivision, Block D, Amended Plat, consisting of lots 6, 7, 14, 15, 16, 84, 85 & 86, becoming new lot 85, containing 11.01 acres within the SW ¼, Section 6, T41S, R9W SLB & M. The project was submitted by Brent Carter with New Horizon Engineering (holding power of attorney). All lots are zoned Residential 1, (R-1), as are all surrounding lots. The zoning will remain the same.

The reason for the lot joinder is to save on taxes.

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

STAFF DETERMINATIONS: Kane County Engineer, Tom Avant, recommends approval of this project. Kane County Land Use Administrator, Shannon McBride, has reviewed the application and supporting documents and recommends approval. The project complies with County and State Ordinance requirements.

MOTION: I move to **approve/deny** the amended subdivision plat for a Lot Joinder, on behalf of Dan Epple, as trustee of the “Under that Certain Declaration of Trust Deed 4/30/84”, in the Little Ponderosa Ranch Subdivision, Block D, Amended Plat, consisting of lots 6, 7, 14, 15, 16, 84, 85 & 86 becoming new lot 85, based on the findings documented in the staff report.

THANK YOU.

LAND USE AUTHORITY APPROVAL

OWNERSHIP INFORMATION

ON THIS THE DAY OF MAY 20, 2011 THE LAND USE AUTHORITY OF KANE COUNTY HAS REVIEWED THE ABOVE SUBDIVISION AMENDMENT PLAT AND HAVING FOUND THAT IT COMPLIES WITH THE REQUIREMENTS OF THE LAND USE ORDINANCES DO HEREBY APPROVE THIS PLAT.

DAN EPSTE - TRUSTEE OF THE TRUST THAT CERTAIN SUBDIVISION OF TRUST DATED 4/29/04
WEST COVANA, CALIFORNIA 91790-1829

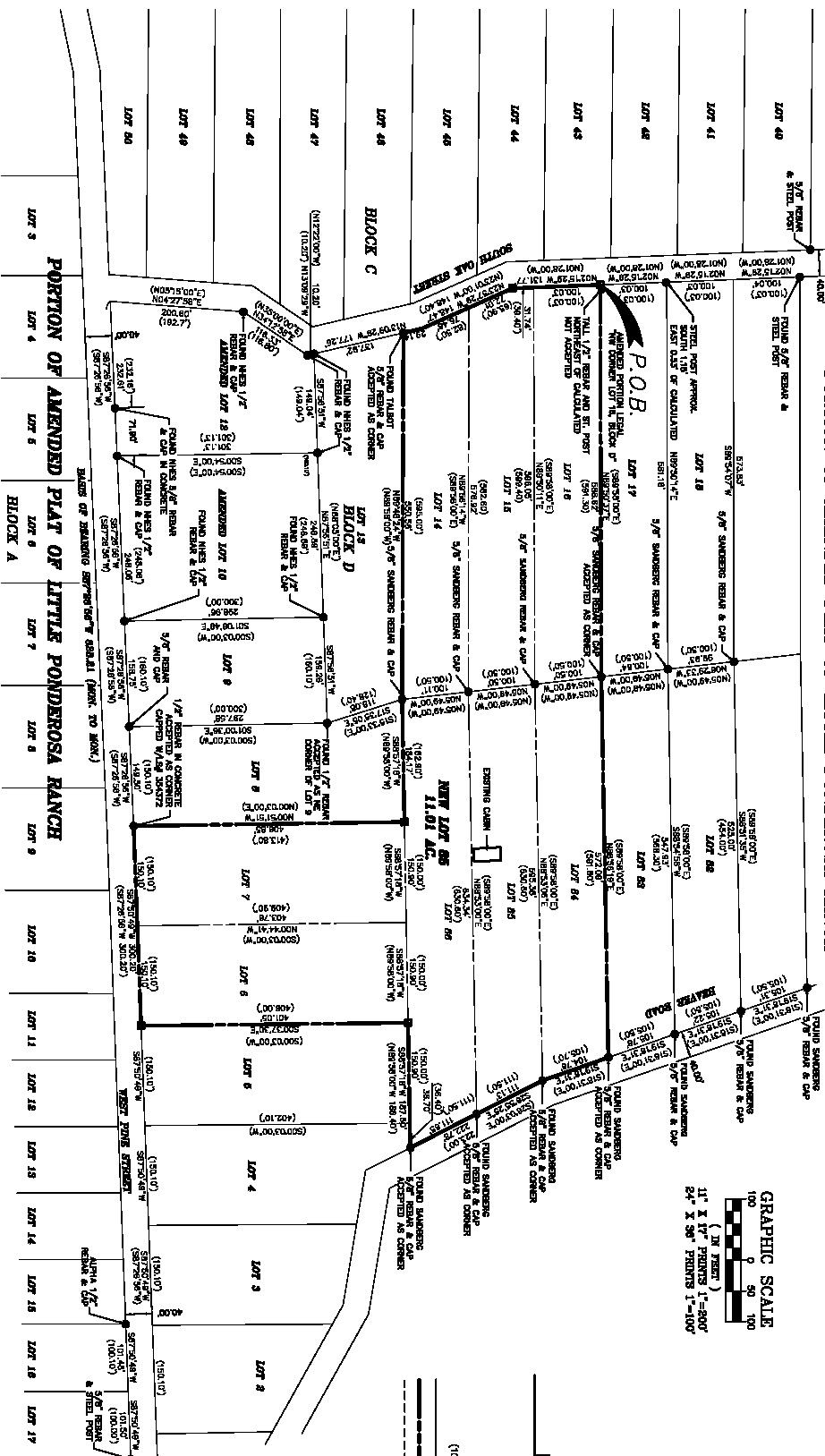
ACKNOWLEDGEMENT

NEWELL BRENT CARTER AS P.O.A. FOR DAN EPSTE - TRUSTEE OF THE TRUST THAT CERTAIN SUBDIVISION OF TRUST DATED 4/29/04
DAN EPSTE - TRUSTEE OF THE TRUST THAT CERTAIN SUBDIVISION OF TRUST DATED 4/29/04
STATE OF _____
COUNTY OF _____
ON THE DAY OF _____ 2011 PERSONALLY APPEARED BEFORE ME _____
NEWELL BRENT CARTER AS P.O.A. FOR DAN EPSTE - TRUSTEE OF THE TRUST THAT CERTAIN SUBDIVISION OF TRUST DATED 4/29/04
DAN EPSTE - TRUSTEE OF THE TRUST THAT CERTAIN SUBDIVISION OF TRUST DATED 4/29/04
HE DULY SWORN, DO SAY THAT HE IS THE OWNER OF THE ABOVE DESCRIBED PROPERTY.
RESIDING IN _____ COUNTY
MY COMMISSION EXPIRES _____

LAND USE AUTHORITY CHAIRMAN - KANE COUNTY

HONORARY PUBLIC

PORTION OF AMENDED PLAT OF LITTLE PONDEROSA RANCH



1" = 17' PRINTS 1"-800'
24" X 36" PRINTS 1"-100'



LEGEND

- SECTION CORNER
- FOUND MONUMENT
- SET BEAR & CAP I.S. NO.
- (100.00') RECORD DIVERSE
- SUBDIVISION LOT BOUNDARY
- UTILITY EASEMENT

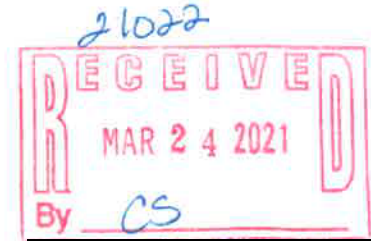


**Kane County
Land Use Authority**

76 North Main Street, Kanab, Utah 84741

Phone (435) 644-4966

planning@kane.utah.gov



**Lot Joinder within a Subdivision Plat
Application Fee \$700.00**

***In the event additional engineering costs are accrued by the County related to a specific project, the project applicant will be responsible for all additional engineering fees.
(KCLUO 9-1-14)**

Property Owner's Name: DANIELLE AS TRUSTEE OF THE "UNDER THAT CERTAIN DECLARATION OF TRUST DATED 1/30/81"

Date: 2/2/2021 Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Phone: [REDACTED] Email: [REDACTED]

Parcel #: LOTS 6, 7, 14, 15, 16, 24, 25 & 26; Block D; AMENDED PLAT OF LITTLE PIONEERS A LAMC-11

Reason for Lot Joinder Request: SAVE ON TAXES PLUS BETTER BUILDING SITE

I (We) certify that the proposed subdivision plat will conform to the Kane County Subdivision Ordinance and that no changes will be made without prior approval.

[REDACTED]

Signature of Owner / Trustee

Signature of Owner / Trustee

Once lots are joined they may not be subdivided again.

Taxes will not be affected until the year following the project (plat) being recorded.

***Fee is non-refundable after engineer's review**

Land Use Authority Action:

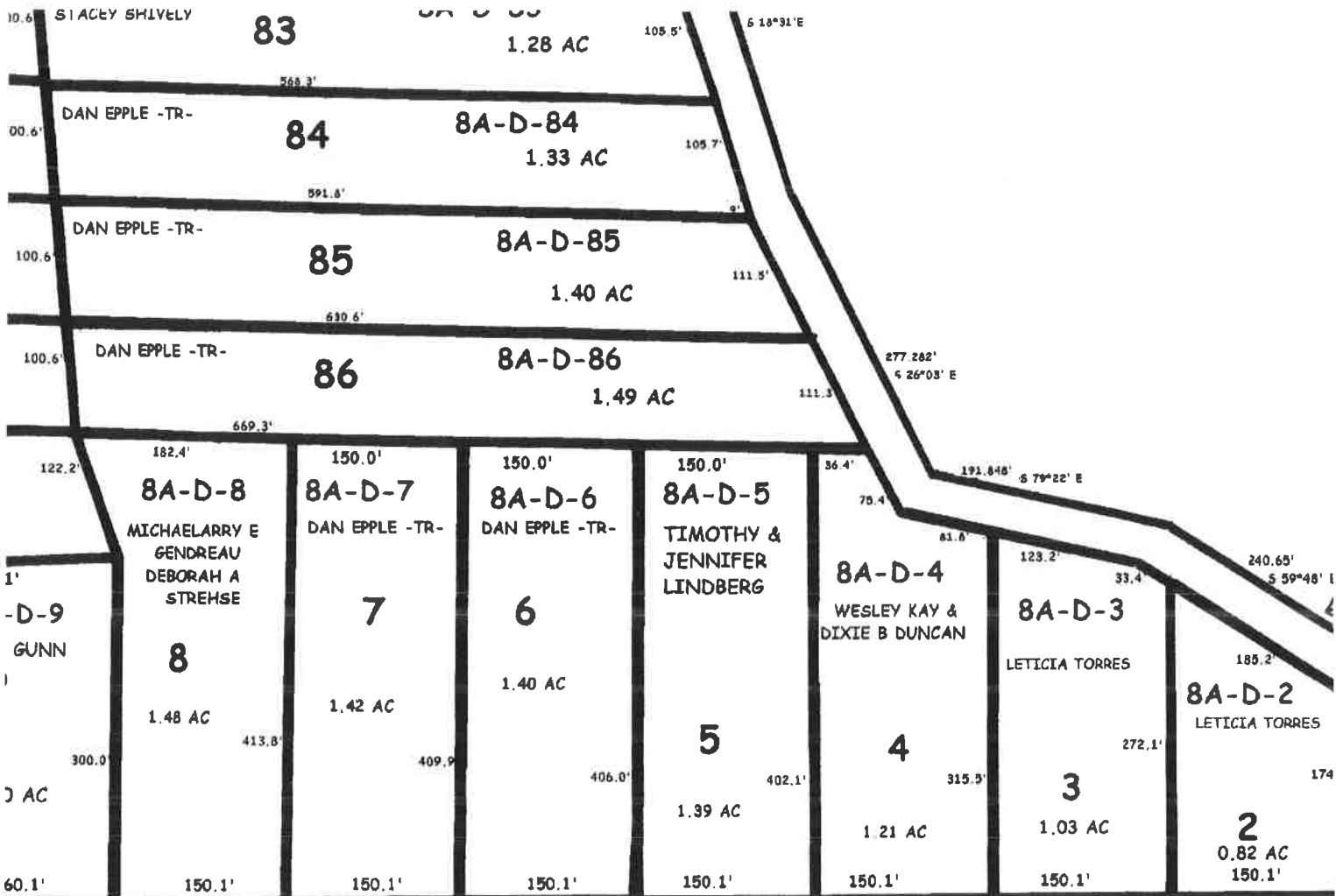
Approve

Deny

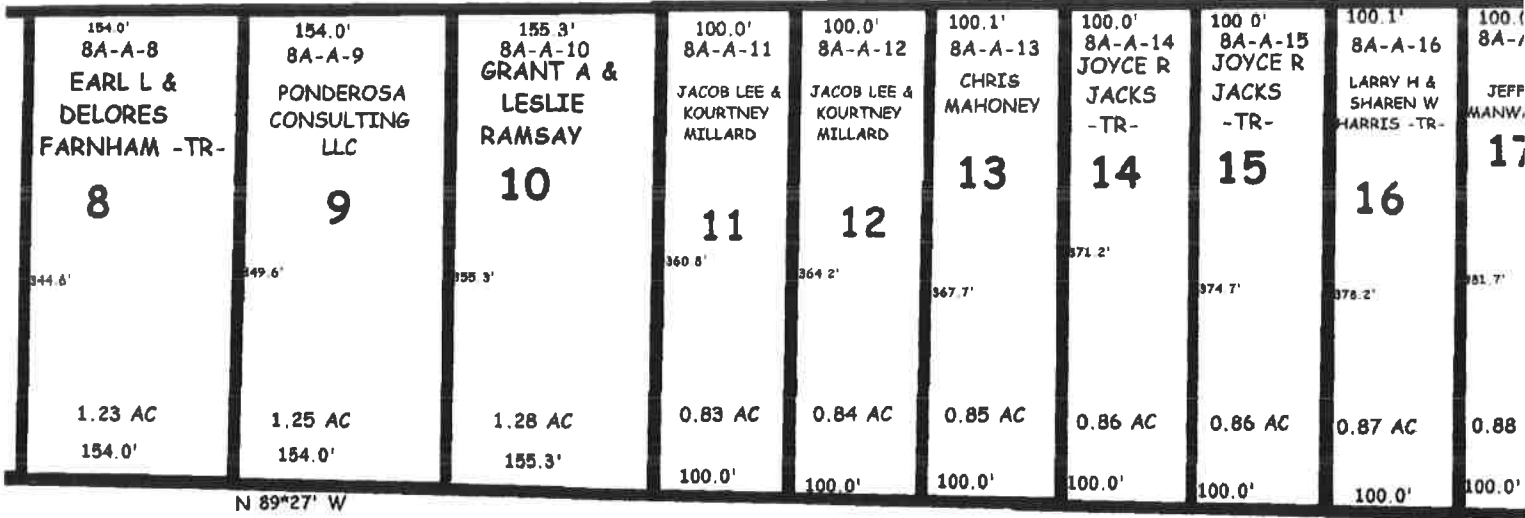
Planning Commission Chairman

Date

Commission Approval Date: _____



ONDEROSA PINE STREET



N 89°27' W

AMENDED PLAT OF LOTS 6, 7, 14, 15, 16, 84, 85 & 86, BLOCK D, AMENDED PLAT OF LITTLE PONDEROSA RANCH

WITHIN SW1/4 SECTION 6, T41S-R9W, S.L.B.&M., KANE COUNTY, UTAH.

COUNTY SURVEYOR CERTIFICATE

I, THE KANE COUNTY SURVEYOR, DO HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THE ABOVE SUBDIVISION AMENDMENT PLAT AND HAVING FOUND IT CORRECT AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND USE AUTHORITY ACT, I AM RECOMMENDING FOR APPROVAL THIS _____ DAY OF _____, 20__.

KANE COUNTY SURVEYOR

COUNTY ATTORNEY CERTIFICATE

I, AN ATTORNEY FOR KANE COUNTY, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ABOVE SUBDIVISION AMENDMENT PLAT AND SAID PLAT MEETS THE REQUIREMENTS OF KANE COUNTY AND IS HEREBY RECOMMENDED FOR APPROVAL THIS _____ DAY OF _____, 20__.

KANE COUNTY ATTORNEY

LAND USE AUTHORITY APPROVAL

ON THIS _____ DAY OF _____, 20__, THE LAND USE AUTHORITY OF KANE COUNTY UTAH, HAVING REVIEWED THE ABOVE SUBDIVISION AMENDMENT PLAT, AND HAVING FOUND THAT IT COMPLES WITH THE REQUIREMENTS OF THE LAND USE ORDINANCES DO HEREBY RECOMMEND FOR APPROVAL BY KANE COUNTY COMMISSIONERS.

LAND USE AUTHORITY CHAIRMAN - KANE COUNTY

OWNERSHIP INFORMATION

DAN EPPLÉ - TRUSTEE OF THE UNDER THAT CERTAIN DECLARATION OF TRUST DATED 4/30/84
322 N. LELAND AVENUE
WEST COVINA, CALIFORNIA 91790-1929

OWNERS CONSENT

THE OWNER(S) OF THE PROPERTY DESCRIBED IN THE BOUNDARY DESCRIPTION, CONSENT TO THE PREPARATION AND RECORDING OF THIS AMENDED PLAT AND TO THE VACATING OF LOTS 6, 7, 14, 15, 16, 84, 85 & 86, BLOCK D, AND ADDING THAT AREA TO LOT 85, BLOCK D, AS PER THIS PLAT. IN WITNESS WE HAVE HERETOBY SET OUR HANDS THIS _____ DAY OF _____, 20__.

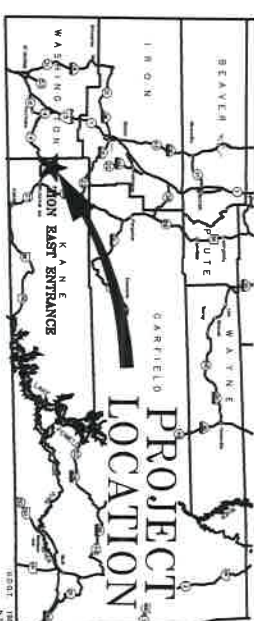
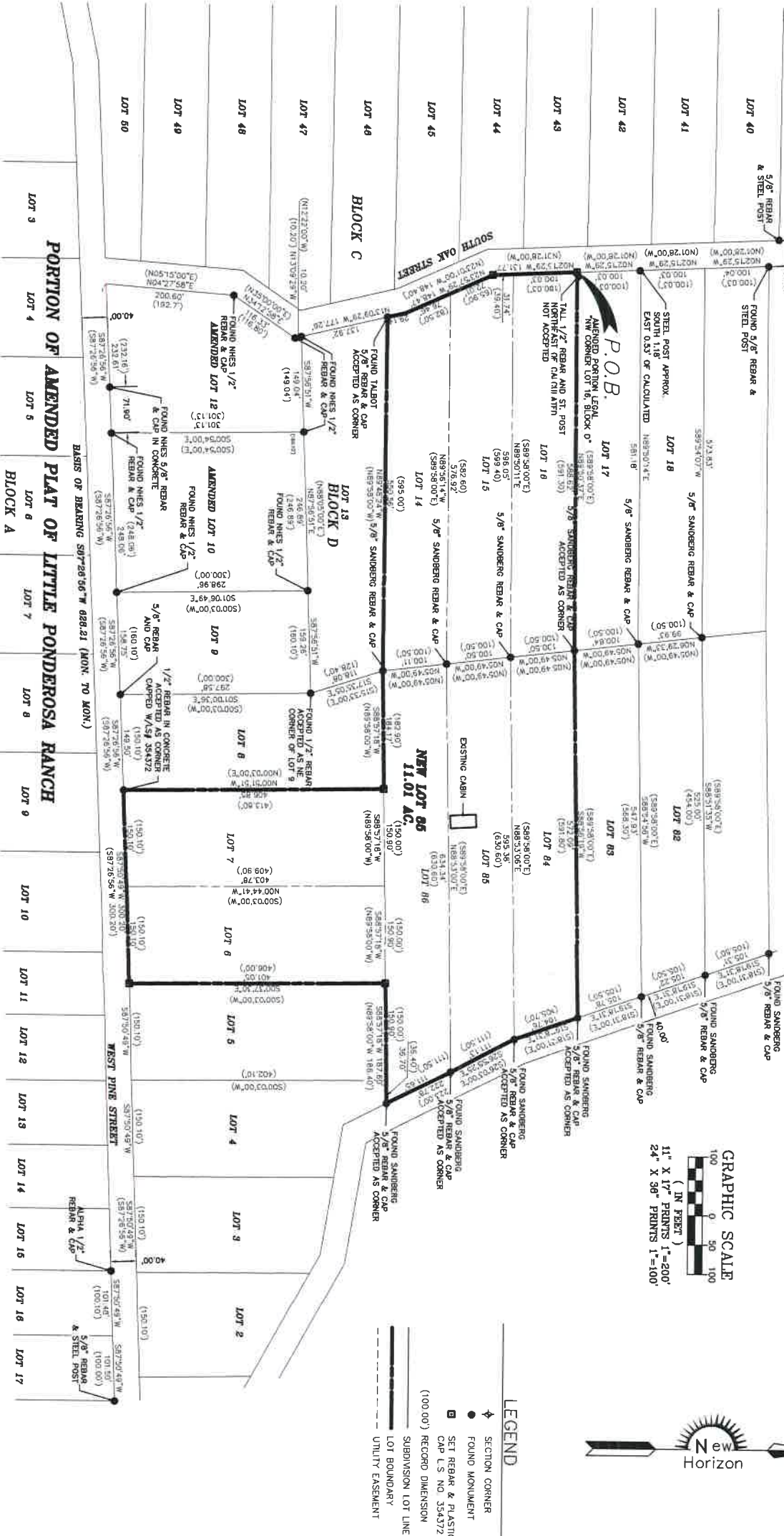
NEWELL BRENT CARTER AS P.O.A. FOR DAN EPPLÉ
DAN EPPLÉ - TRUSTEE OF THE UNDER THAT CERTAIN DECLARATION OF TRUST DATED 4/30/84

ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____
ON THE _____ DAY OF _____, 20__, PERSONALLY APPEARED BEFORE ME, NEWELL BRENT CARTER AS P.O.A. FOR DAN EPPLÉ - TRUSTEE OF THE UNDER THAT CERTAIN DECLARATION OF TRUST DATED 4/30/84, THE SIGNER OF THE OWNERS CONSENT WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE OWNER OF THE ABOVE DESCRIBED PROPERTY.
RESIDING IN _____ COUNTY
MY COMMISSION EXPIRES _____

NOTARY PUBLIC

PORTION OF AMENDED PLAT OF LITTLE PONDEROSA RANCH



SURVEYOR'S CERTIFICATE

I, NEWELL BRENT CARTER, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 354372, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. FURTHER, I HAVE MADE THIS PLAT OF "AMENDED PLAT OF LOTS 6, 7, 14, 15, 16, 84, 85 & 86, BLOCK D, AMENDED PLAT OF LITTLE PONDEROSA RANCH", LOCATED IN KANE COUNTY, UTAH, AS SHOWN HEREON AND DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION OF THAT PORTION OF AMENDED PLAT OF LITTLE PONDEROSA RANCH, MORE PARTICULARLY DESCRIBED AS FOLLOWS, BEGINNING AT THE ORIGINAL NW CORNER OF LOT 16, BLOCK D, AMENDED PLAT OF LITTLE PONDEROSA RANCH; RUNNING THENCE N89°50'37"E 588.62 FEET TO THE ORIGINAL NE CORNER OF LOT 16; THENCE N89°56'19"E 572.09 FEET TO THE ORIGINAL NE CORNER OF LOT 84; THENCE S18°51'00"E 104.78 FEET TO THE ORIGINAL SE CORNER OF LOT 84; THENCE S28°03'00"E 222.78 FEET TO THE ORIGINAL SE CORNER OF LOT 85; THENCE S84°57'18"E 401.03 FEET TO THE ORIGINAL SW CORNER OF LOT 8; THENCE S03°37'30"E 401.03 FEET TO THE ORIGINAL SW CORNER OF LOT 7; THENCE N00°51'51"W 408.85 FEET TO THE ORIGINAL SW CORNER OF LOT 7; THENCE S88°57'18"W 194.17 FEET TO THE ORIGINAL SE CORNER OF LOT 14; THENCE S89°48'24"W 550.56 FEET TO THE ORIGINAL SW CORNER OF LOT 15; THENCE N130°09'29"W 25.14 FEET; THENCE N23°57'29"W 148.47 FEET; THENCE N02°15'29"W 131.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.01 ACRES.



Newell Brent Carter
DATE: 3/16/2021

SURVEY NARRATIVE

THIS SURVEY WAS DONE AT THE REQUEST OF DAN EPPLÉ TO ESTABLISH THE BOUNDARY AND MONUMENT THE LOTS SHOWN HEREON, AND TO PROVIDE THIS AMENDED PLAT AS A RECORD OF SAID SURVEY. THE BASIS OF BEARING IS 897°26'56" W 628.21 FEET BETWEEN THE SE CORNER OF LOT 8 (1/2" REBAR IN CONCRETE) AND THE SW CORNER OF LOT 11 (NIBS 5/8" REBAR & CAP IN CONCRETE) BLOCK "D", AMENDED PLAT OF LITTLE PONDEROSA SUBDIVISION AS PER THE OFFICIAL PLAT THEREOF.

CERTIFICATE OF RECORDING

COUNTY RECORDER OF KANE COUNTY, UTAH DO HEREBY CERTIFY THAT THE ABOVE SUBDIVISION AMENDMENT PLAT WAS FILED FOR RECORD IN MY OFFICE ON THIS THE _____ DAY OF _____, 20__.

KANE COUNTY
AMENDED PLAT OF LOTS 6, 7, 14, 15, 16,
84, 85, BLOCK D,
AMENDED PLAT OF LITTLE PONDEROSA RANCH

PREPARED FOR: DAN EPPLÉ
LOCATION: SW1/4 SECTION 6, T41S-R9W, S.L.B.&M.,
AMENDED PLAT OF LITTLE PONDEROSA RANCH
DATE: 3/16/2021 REVISION 0:

NEW HORIZON
Engineering & Surveying LLC
4103 N. MORGAN DRIVE
ENOCH UT, 84721
(435) 566-8897
(435) 559-4104



STAFF REPORT

DATE: 03/25/2021

PROJECT: A complete application for Amending a Subdivision Plat for a Lot Joinder, on behalf of Gayle D. & Ruby A. Cichocki, in the Ponderosa Villa Subdivision, Plat G, consisting of lots 10 & 11 and becoming new lot 11, and vacating two (2) 7.5 feet public utility easements containing .92 acres within the SW ¼ SECTION 21, T38S, R7W SLB & M. The project was submitted by Brent Carter with New Horizon Engineering (holding power of attorney). All lots are zoned Residential ½, (R-1/2) as are all surrounding lots. The zoning will remain the same.

The reason for the lot joinder is to save on taxes.

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

STAFF DETERMINATIONS: Kane County Engineer, Tom Avant, recommends Conditional approval of this project. Kane County Land Use Administrator, Shannon McBride, recommends CONDITIONAL has reviewed the application and supporting documents and recommends approval. The project complies with County and State Ordinance requirements. **The lien holder consent will be needed to record the plat.**

MOTION: I move to recommend approval/denial to the Kane County Commission to Vacate and Amend a Subdivision Plat for a Lot Joinder and vacating two (2) 7.5 feet public utility easements, on behalf of Gayle D. & Ruby A. Cichocki, in the Ponderosa Villa Subdivision, Plat G, consisting of lots 10 & 11 and becoming new lot 11, based on the findings documented in the staff report.

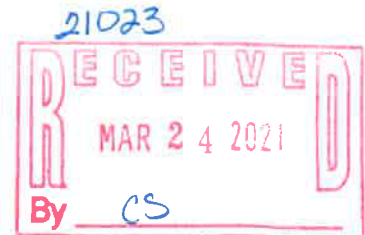
THANK YOU.



76 North Main Street, Kanab, Utah 84741



Kane County
Land Use Authority
 76 North Main Street, Kanab, Utah 84741
 Phone (435) 644-4966
planning@kane.utah.gov



Lot Joinder within a Subdivision Plat
Application Fee \$700.00

***In the event additional engineering costs are accrued by the County related to a specific project, the project applicant will be responsible for all additional engineering fees. (KCLUO 9-1-14)**

Property Owner's Name: GAYLE D & RUBY A. CICHOCKI

Date: 3/9/21 Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Phone: [REDACTED] Email: [REDACTED]

Parcel #: LOTS 10 & 10, PONDEROSA VILLA, PLAT G.

Reason for Lot Joinder Request: SAVE ON TAXES.

I (We) certify that the proposed subdivision plat will conform to the Kane County Subdivision Ordinance and that no changes will be made without prior approval.

[REDACTED]

Signature of Owner / Trustee

[REDACTED]

Signature of Owner / Trustee

Once lots are joined they may not be subdivided again.

Taxes will not be affected until the year following the project (plat) being recorded.

***Fee is non-refundable after engineer's review**

Land Use Authority Action:

Approve

Deny

 Planning Commission Chairman

 Date

Commission Approval Date: _____

AMENDED PLAT OF LOTS 10 & 11, PONDEROSA VILLA SUBDIVISION, PLAT G WITHIN SW1/4 SECTION 21, T38S-R7W, S.L.B.&M.

COUNTY ATTORNEY CERTIFICATE

I, _____ Attorney for Kane County, do hereby certify that I have examined the above subdivision amendment plat and said plat meets the requirements of Kane County and I hereby recommend for approval this _____ day of _____, 20__.

KANE COUNTY ATTORNEY

LAND USE AUTHORITY APPROVAL

On this _____ day of _____, 20__, the Land Use Authority of Kane County, Utah, having reviewed the above Subdivision amendment plat, and having found that it complies with the requirements of the Land Use Ordinances, Do hereby recommend for approval by Kane County Commissioners.

LAND USE AUTHORITY CHAIRMAN - KANE COUNTY

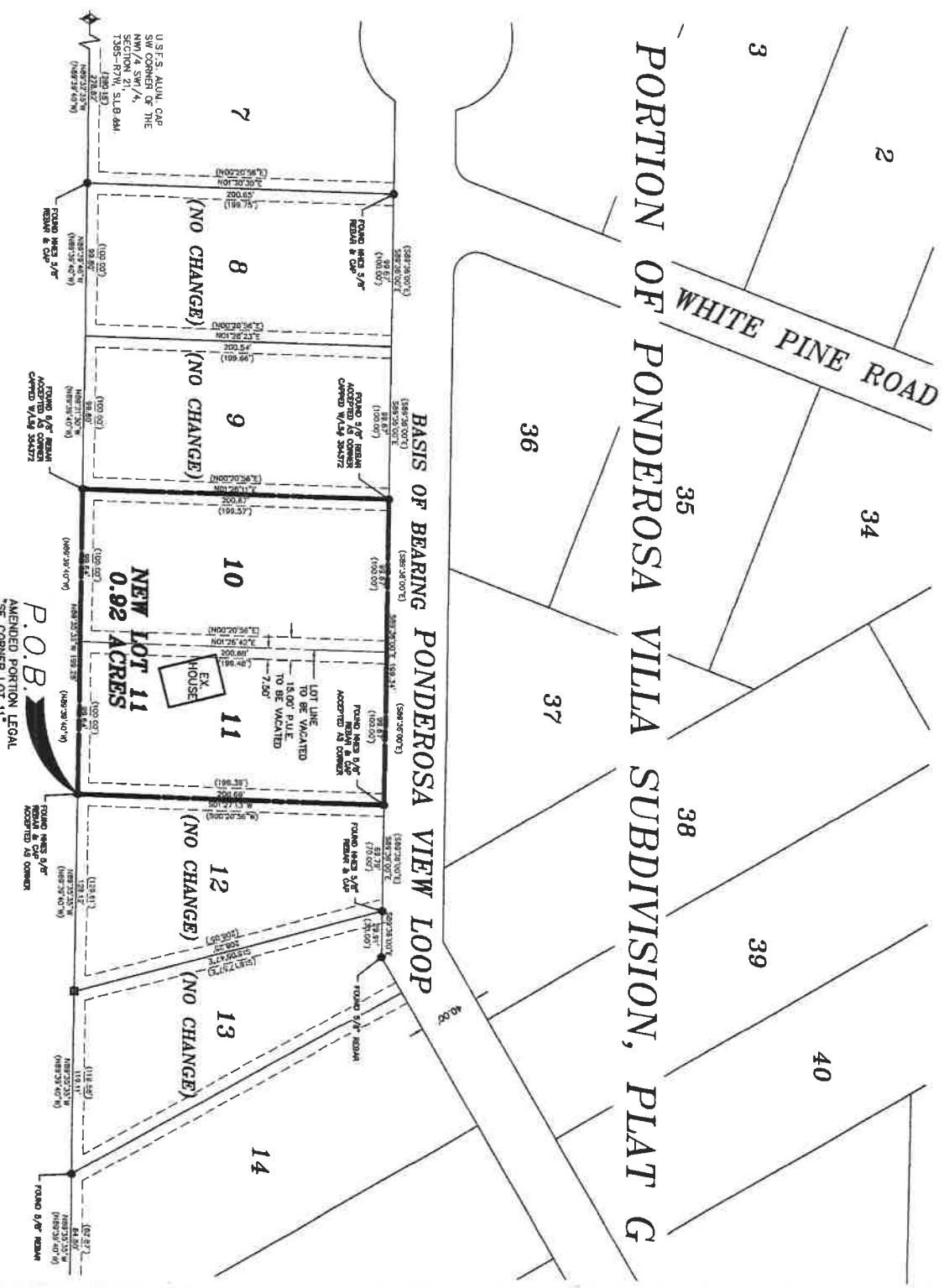
OWNERS INFO:
GAYLE D. & RUBY A. CHICOCKI
8122 BUFFALO CANY COURT
LS VEGAS, NEVADA 89130

GENERAL NOTES:
1- THERE ARE NO FENCES ON THE SUBJECT LOTS.
2- WATER IS PROVIDED BY WMCWD.



LEGEND

- KANE HITS REBAR & CAP
- SET REBAR & PLASTER
- C&G L.S. NO. 354372
- (100.00') RECORD DIMENSION
- SUBDIVISION LOT LINE
- LOT BOUNDARY
- UTILITY EASEMENT
- PROPOSED WACATED LOT LINE



SURVEYOR'S CERTIFICATE

I, Newell Brent Carter, do hereby certify that I am a registered land surveyor, and that I hold Certificate No. 354372. As prescribed under the laws of the state of Utah, I further certify that I have made this plat of "AMENDED PLAT OF LOTS 10 & 11, PONDEROSA VILLA SUBDIVISION, PLAT G", located in Kane County, Utah. As shown hereon and described as follows:

LEGAL DESCRIPTION OF THAT PORTION OF PONDEROSA VILLA SUBDIVISION, PLAT G EFFECTED BY THIS AMENDMENT:
(NEW LOT 11) LOTS 10 & 11, PONDEROSA VILLA SUBDIVISION, PLAT G, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE ORIGINAL SE CORNER OF ORIGINAL LOT 11, PONDEROSA VILLA SUBDIVISION, PLAT G; RUNNING THENCE N89°35'55"W 199.28 FEET TO THE ORIGINAL SW CORNER OF LOT 10; THENCE N01°26'11"E 200.67 FEET TO THE ORIGINAL NW CORNER OF LOT 10; THENCE S89°35'00"E 199.34 FEET TO THE ORIGINAL NE CORNER OF LOT 11; THENCE S01°27'13"W 200.69 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.92 AC.



Newell Brent Carter
DATE 3/17/21

COUNTY SURVEYOR CERTIFICATE

I, _____ the Kane County Surveyor, do hereby certify that this office has examined the above subdivision amendment 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

COUNTY COMMISSION APPROVAL

CHAIRMAN OF THE COUNTY COMMISSION OF KANE COUNTY, DO HEREBY CERTIFY THAT THIS PLAT OF "AMENDED PLAT OF LOTS 10 & 11, PONDEROSA VILLA SUBDIVISION, PLAT G" WAS ACCEPTED AND APPROVED BY THE KANE COUNTY COMMISSION ON THIS _____ DAY OF _____, AND IS HEREBY RECORDED FOR RECORD IN THE OFFICE OF THE KANE COUNTY RECORDER, IN WITNESS WHEREOF, I HAVE SET MY HAND BY AUTHORITY OF A RESOLUTION OF THE COUNTY COMMISSION.

CHAIRMAN - KANE COUNTY COMMISSION

ATTEST:
KANE COUNTY CLERK

OWNERS CONSENT

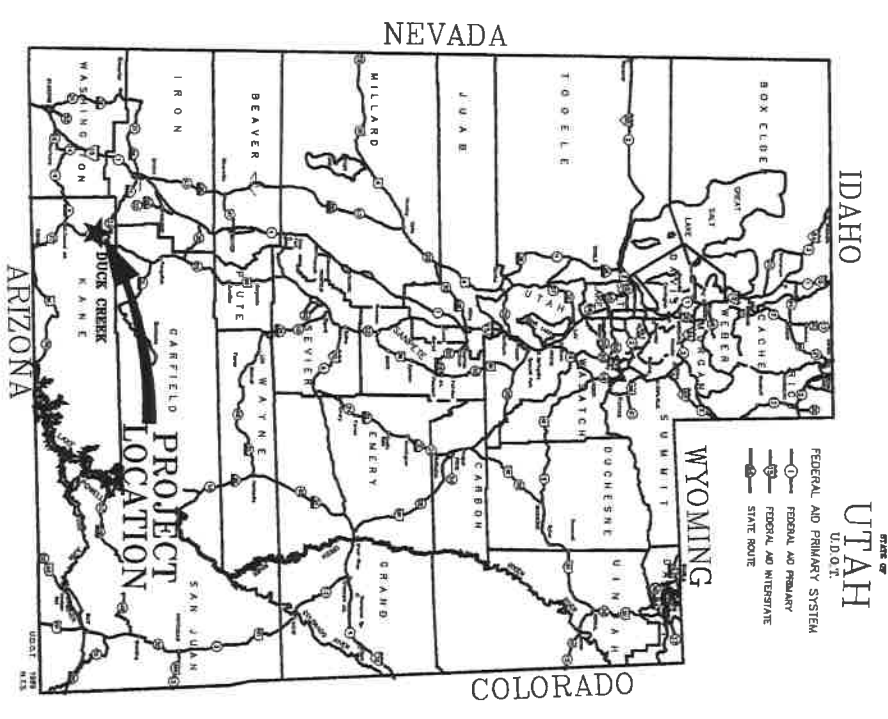
The Owner(s) of the Property described in the Boundary Description, consent to the preparation and recording of this Amended Plat and also to the abandonment of lot 10, adding that area to lot 11, as per this plat.

GAYLE D. CHICOCKI
RUBY A. CHICOCKI

ACKNOWLEDGEMENT

STATE OF _____ }
COUNTY OF _____ }
ON THE _____ DAY OF _____, 20__, PERSONALLY APPEARED BEFORE ME, GAYLE D. & RUBY A. CHICOCKI, THE SIGNERS OF THE OWNERS DEDICATION WHO BEING BY ME DULY SWORN, DID SAY THAT THEY ARE THE OWNERS OF THE ABOVE DESCRIBED PROPERTY.

NOTARY PUBLIC
RESIDING IN _____ COUNTY
MY COMMISSION EXPIRES _____



SURVEY NARRATIVE

THIS SURVEY WAS DONE AT THE REQUEST OF GAYLE D. & RUBY A. CHICOCKI TO ESTABLISH THE BOUNDARY AND MONUMENT THE CORNERS OF THE LOTS SHOWN HEREON, AND TO PROVIDE A RECORD OF SAID SURVEY. THE BASIS OF BEARING IS S89°35'00"E 498.38 FEET BETWEEN THE NW CORNER LOT 8 (HITS 5/8 REBAR & CAP) AND THE NORTH ANGLE POINT OF LOT 13 (5/8 REBAR), PONDEROSA VILLA SUBDIVISION, PLAT G. AS PER THE OFFICIAL PLAT THEREOF.

CERTIFICATE OF RECORDING

COUNTY RECORDER OF KANE COUNTY, UTAH DO HEREBY CERTIFY THAT THE ABOVE SUBDIVISION AMENDMENT PLAT WAS FILED FOR RECORD IN MY OFFICE ON _____ DAY OF _____, 20__.

KANE COUNTY
AMENDED PLAT OF LOTS 10 & 11,
PONDEROSA VILLA SUBDIVISION, PLAT G
PREPARED FOR: GAYLE D. & RUBY A. CHICOCKI

LOCATION: WITHIN SW1/4 SECTION 21, T38S-R7W, S.L.B.&M.
PONDEROSA VILLA SUBDIVISION, PLAT G
DATE: 3/15/2021 REVISION#:0

NEW HORIZON
Engineering & Surveying LLC
4103 N. Morgan Drive
(435) 586-8897
(435) 559-4104
Enoch UT, 84721



DRAFT STAFF REPORT

DATE: 03/27/2021

PROJECT: A complete application for Amending and Extending a Subdivision Plat, on behalf of Louis J. Jr. and Bonnie E. Hillegass, Trustees of the Hillegass Family Trust, and Sandra A. Holmes, Trustee of the Holmes Family Trust, in the Hillegass Subdivision, consisting of lots 1-3 and adding lots 4, 5, 6, 7, 8 and 9, equaling a total of 9.37 acres within the NE ¼, Section 18, T38S, R7W SLB & M. The project was submitted by Brent Carter with New Horizon Engineering (holding power of attorney). All lots are zoned Residential 1/2, (R-1/2), as are all surrounding lots. The zoning will remain the same.

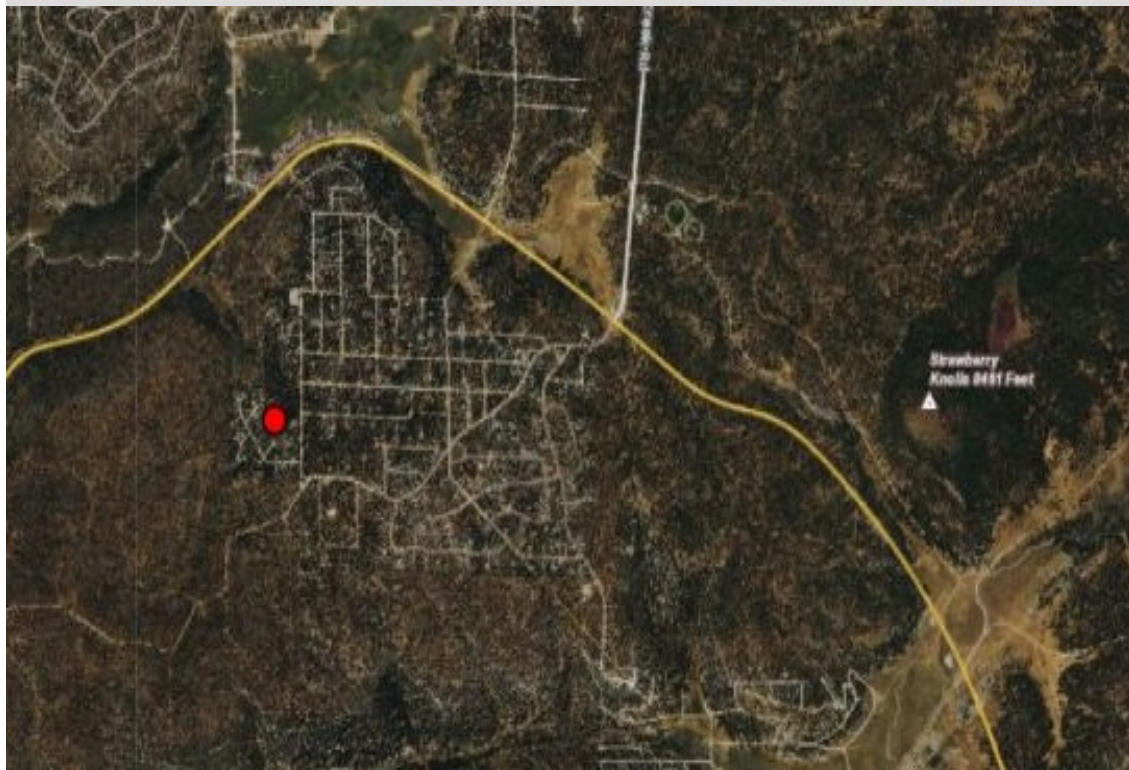
The reason for the plat amendment, adding more lots.

FINDINGS: Amending and extending a subdivision plat for the above stated subdivision conforms to the standards in the Kane County Land Use Ordinance, 9-21D-2 and 3, and Utah Code Sections §17-27a-201, 202, 206, 208 and §17-27a-608, 609. All requirements have been met. The project has been posted in two public places, noticed in the local newspaper, and on the county and state websites. Notices were mailed out to all property owners within 500 feet of the project. The new lot will retain the Residential 1/2 zoning, (R-1/2). Combining these lots is in compliance with all state and local ordinances.

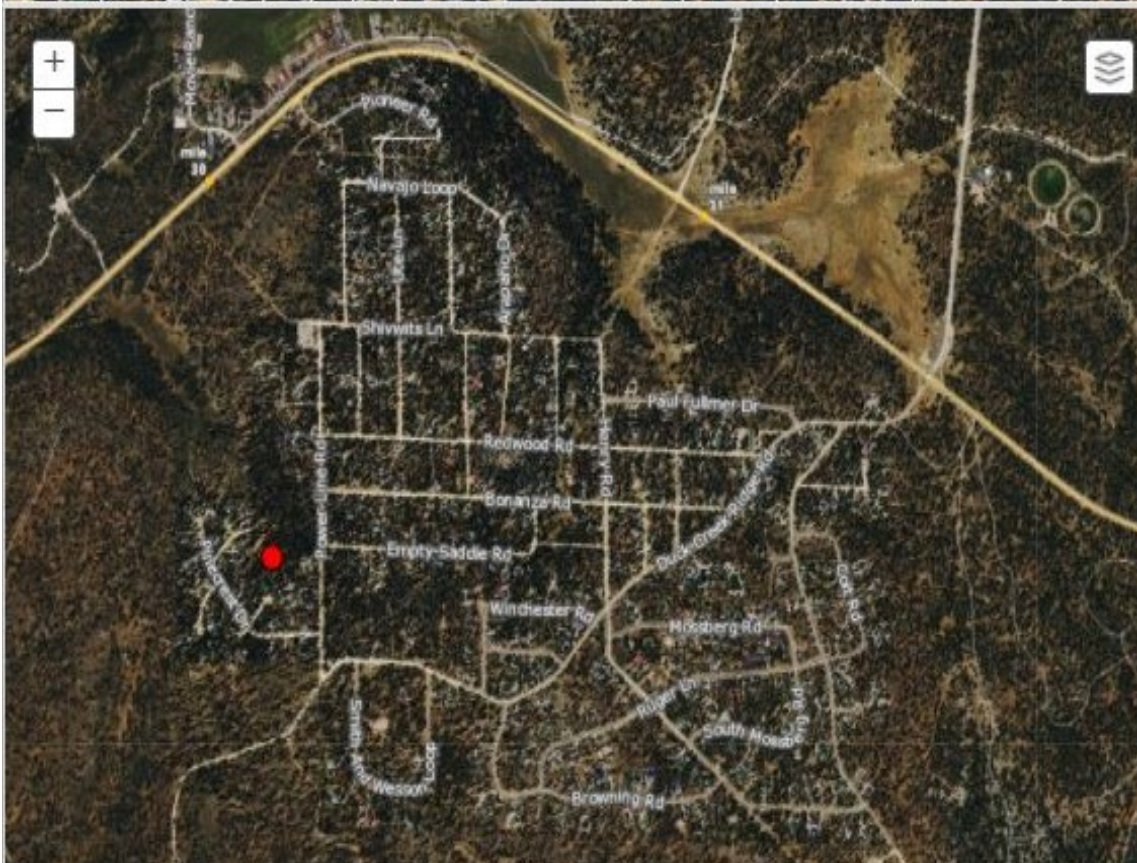
STAFF DETERMINATIONS: Kane County Engineer, Tom Avant, recommends **CONDITIONAL** approval of this project. Kane County Land Use Administrator, Shannon McBride, has reviewed the application and supporting documents and recommends approval. The project complies with County and State Ordinance requirements.

MOTION: I move to **approve/deny** the amended subdivision plat for extending the Hillegass Subdivision plat, on behalf of Louis J. Jr. and Bonnie E. Hillegass, Trustees of the Hillegass Family Trust, and Sandra A. Holmes, Trustee of the Holmes Family Trust, adding lots 4, 5, 6, 7, 8 and 9, based on the findings documented in the staff report.

THANK YOU.



76 North Main Street, Kanab, Utah 84741



76 North Main Street, Kanab, Utah 84741



Kane County Land Use Authority

76 North Main Street, Kanab, Utah 84741
(435) 644-4966 or (435) 644-4964
planning@kanab.utah.gov

21024
RECEIVED
MAR 24 2021
By CS

AMENDING, EXTENDING OR VACATING A SUBDIVISION PLAT

Application Fee \$300

+ \$10 per notice mailed to neighboring property owners

Engineering Deposit \$500

Owner/Applicant: SANDRA A. HOLMES AS TRUSTEE OF "THE HOLMES FAMILY TRUST DATED _____ Date: 3/21/21

Address: _____ Fax: N/A
City: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

Location and Legal Description of Subdivision Plat: LOT 2,
HILLEGASS SUBDIVISION

Reason for Amendment: MAKING LOTS SMALLER
AND ADDING MORE LOTS.

I certify that the proposed subdivision plat will conform to the Kane County Subdivision Ordinance and that no changes will be made without prior approval.

Signature of Property Owner: _____ Signature of Property Owner: _____

Land Use Action:

Approve Deny

Planning Commission Chairman
Commission Approval: _____

Date: _____



**Kane County
Land Use Authority**

76 North Main Street, Kanab, Utah 84741
(435) 644-4966 or (435) 644-4964
planning@kanab.utah.gov

STATE OF NEVADA
COUNTY OF CLARK
SUBSCRIBED AND SWORN TO BEFORE ME
THIS 22 DAY OF MARCH, 2021
BY BONNIE E. HILLEGASS, LOUIS JOHN HILLEGASS JR.
Frank Kolodziej-Zayas



**AMENDING, EXTENDING OR VACATING
A SUBDIVISION PLAT
Application Fee \$300**

+ \$10 per notice mailed to neighboring property owners

LOUIS J. HILLEGASS JR. Engineering Deposit \$500

AND **BONNIE E. HILLEGASS AS TRUSTEES OF "THE HILLEGASS**

Owner/Applicant: FAMILY TRUST DATED " Date: 3/21/21

Address: [REDACTED] Fax: N/A

City: [REDACTED] State: [REDACTED] Zip: [REDACTED]

Phone: _____ E-Mail: _____

Location and Legal Description of Subdivision Plat: LOTS 1 & 4,
HILLEGASS SUBDIVISION

Reason for Amendment: MAKING LOTS SMALLER AND
ADDING MORE LOTS.

I certify that the proposed subdivision plat will conform to the Kane County Subdivision Ordinance and that no other approval be made without prior approval.

[REDACTED] 3/22/2021 [REDACTED] 3/22/2021
Signature of Property Owner Date Signature of Property Owner Date

Land Use Action:

Approve Deny

Planning Commission Chairman
Commission Approval: _____

_____ Date



DRAFT STAFF REPORT

DATE: 4/06/2021

PROJECT: A complete application for the Sunflower Valley Estates Subdivision, Preliminary Plat, for parcel 4-5-5-1A, consisting of 165.35 acres, being subdivided into 69, two-acre lots, on behalf of 160 acres LLC, Colt Henderson, property owner, has been submitted by Tom Avant, Iron Rock Engineering, who holds power of attorney for this project.

FINDINGS: The Sunflower Valley Estates Subdivision, (SVES) application complies with State Code unannotated §17-27a-601, 603, 604, 604.5, 606, and 607. The SVES preliminary plat complies with Kane County Land Use Ordinance, Title 9, Chapter 21-Articles C-D Subdivision Regulations and Design Standards and 9-21H-1 (Article H) Construction Standards and 9-21I-(1-9) (Article I) Financial Responsibility. All requirements for rights-of-ways and easements conform to the standards in the Kane County Land Use Ordinance and the Kane County Standards Specifications and Drawing Details for Design and Construction. All notices are in conformance to all standards and notice requirements of §17-27a-201 & 202. A notice for the public hearing was posted in two public places; notices were mailed out to all affected entities and owners within 500 feet of the project and posted in the local newspaper and the County and Utah State web sites as a public hearing. The missing items are the following: Engineers estimate, deed restrictions and plat revisions.

STAFF RECOMMENDATION: Kane County **alternate** engineer, Kelvin Smith, of Civil Science Engineering, recommends **conditional** approval of this preliminary plat. Kane County Land Use Administrator, Shannon McBride, recommends Conditional approval based on the findings listed above. The engineering review is enclosed in the Kane County Planning Commission's packet for reference.

Motion: I move to **recommend/deny (conditional)** approval to the Kane County Commission for the Sunflower Valley Estates Subdivision, Preliminary Plat, parcel 4-5-5-1A, being subdivided into 69, two-acre lots, on behalf of 160 acres LLC, Colt Henderson. The preliminary plat can be placed on the Commission meeting agenda after the review and revisions have been received.

THANK YOU

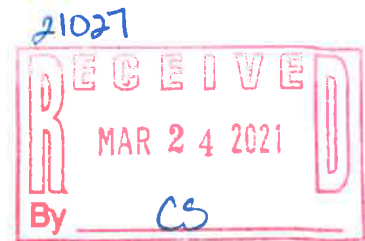
9-21D-5: LAND USE AUTHORITY APPROVAL:

- A. The Kane County land use administrator shall review all completed applications for preliminary plat approval and shall forward to the land use authority only those preliminary plats which it finds have been developed in accordance with the standards and criteria specified in this chapter and all other ordinances and laws of Kane County and the state of Utah; including, but not limited to, land use ordinances, general plan and transportation plan.
- B. At a public meeting the land use authority may recommend approval to the county commission, recommend approval to the county commission with conditions, table until additional information has been provided or disapprove the preliminary plat. In the event that the Kane County land use authority disapproves a preliminary plat, it shall state, in writing, within thirty (30) days to the developer/subdivider the reason for disapproval via certified mail, return receipt requested.**
- C. If recommended for approval to the county commission, the county commission shall review the application for approval, approval with conditions, or denial at the next regularly scheduled county commission meeting. (Ord. O-2016-4, 8-8-2016)



Land Use Authority

76 North Main Street, Kanab, Utah 84741
(435) 644-4966 or (435) 644-4964
planning@kanab.utah.gov



Subdivision & Planned Unit Development Application Fee \$3500 *see fee schedule

Name of Subdivision/Planned Unit Development:

Sunflower Valley Estates

Location (Legal Description)

Parcel 4-5-5-1A, See attached legal description.

Owner: 160 Acres, LLC

Address:

City:

State:

Zip:

Phone:

Email:

Applicant: Colt Henderson

Address:

City:

State:

Zip:

Phone:

Email:

Engineer or Surveyor: Iron Rock Engineering

Address: 460 E 300 S

City: Kanab

State: UT

Zip: 84741

Phone: 435 644 2031

Email: tom@ireng.net

Existing Zone R-2

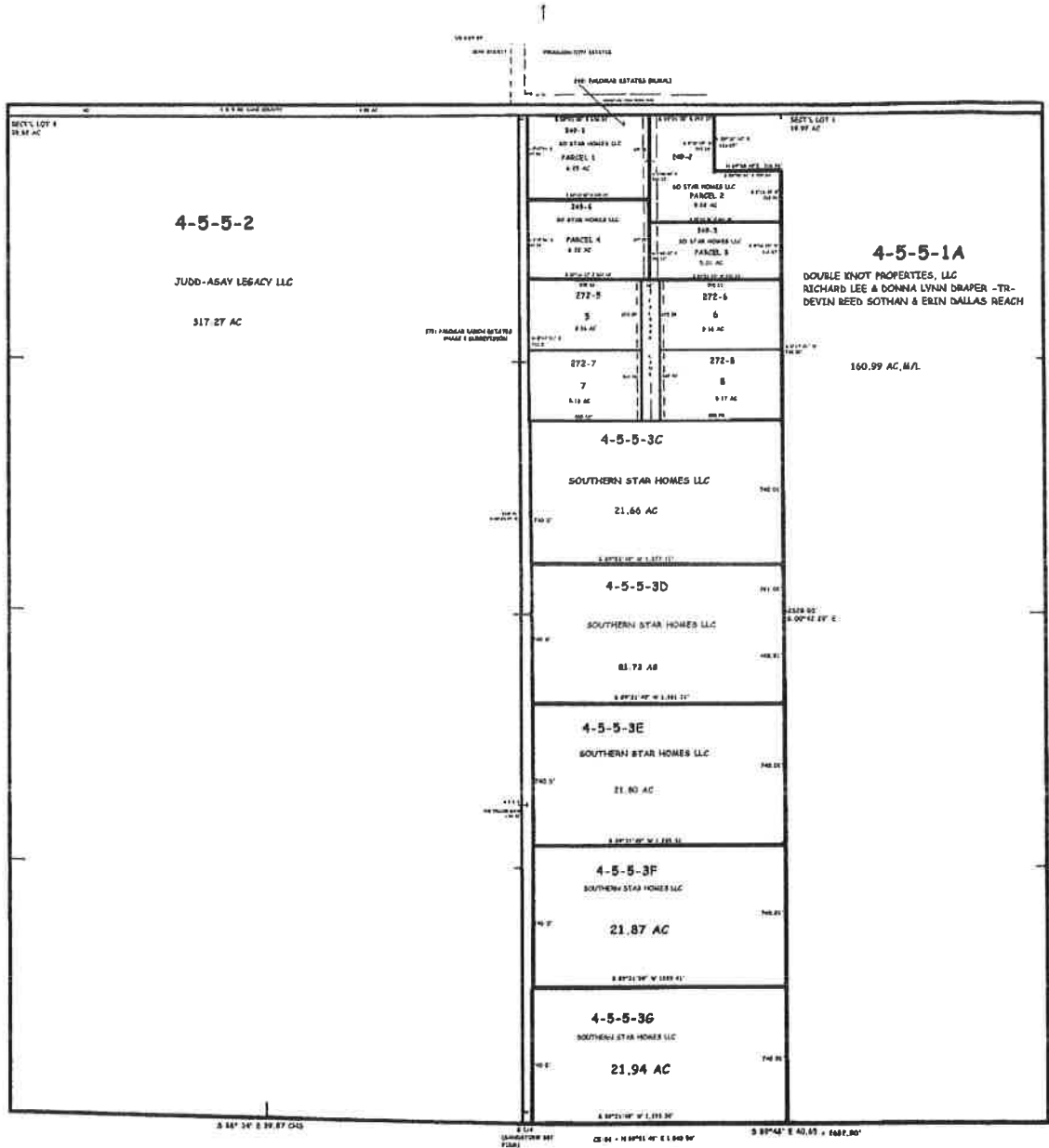
Zone Change Require Y

N X

Number of Lots 69

Total Acreage 165.35 Acres

SECTION 5 T44S R5W



SCALE: 1" = 400'

USA
SEC 5

SUNFLOWER VALLEY ESTATES SUBDIVISION

PRELIMINARY PLAT

KANE COUNTY, UTAH LOCATED IN THE NW¹/₄ NE¹/₄ AND THE E¹/₂ OF SECTION 5,
TOWNSHIP 44 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN

SURVEYOR'S CERTIFICATE

I, Thomas W. Avant, a Professional Land Surveyor, License No. 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 herein in accordance with Section 17-23-17 and have verified all measurements and have placed monuments as represented on this plat. I certify that by authority of the herein owners, I have made a survey of the tract of land as shown on this plat and have subdivided the same tract into 69 lots as well as Public Utility and Ingress & Egress Easements, as shown, which are herein after known as "SUNFLOWER VALLEY ESTATES"

and that the same has been correctly surveyed and staked on the ground as shown on this plat.

Thomas W. Avant, PLS # 5561917

Date:

NARRATIVE

The purpose of this survey was to subdivide 69 lots from Parcel 4-5-5-1A by retracing and marking on the ground the lines as shown on this Plat at the request of the client. All corners are set and found as shown. The basis of bearing for this survey is the Utah State Plane coordinate system South Zone, as measured between the Northwest and West Corners of Section 5 with a basis of S00°49'09"W and a distance of 2637.93', as shown on this Plat.

SUBDIVISION NAME: SUNFLOWER VALLEY ESTATES

PROPERTY OWNER: 360 PACOMAR LANE
248 SOUTH 100 EAST
SUITE #9
KANAB, UTAH 84741

ZONE: R-2

NUMBER OF LOTS: 69

TYPE OF DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL

ADJACENT PROPERTIES TO THE WEST INCLUDE PALOMAR ESTATE WITH A CURRENTLY ZONING OF AG, R-2, OR R-5 TO THE NORTH IS VERMILION CLIFFS ESTATES WITH A CURRENT ZONING OF C-1 OR C-2, TO THE WEST IS AG, R-5, OR BLM AND TO THE SOUTH IS BLM.

ALL LOTS HAVE SAGEBRUSH SEE PLAN AND PROFILE SHEETS FOR PROPOSED GRADING OF STREETS.

WATER TO BE SUPPLIED BY KANE COUNTY WATER CONSERVANCY DISTRICT. WATER LINES WILL BE MAINTAINED BY SAID COMPANY.

SEWER WILL BE HANDLED BY AN ONSITE WASTEWATER SYSTEM ON EACH LOT. POWER SUPPLIED BY GARKANE ENERGY.

ALL UTILITIES AND UTILITY MAINS WILL BE PLACED EITHER IN THE ROADWAY OR IN PUBLIC UTILITY EASEMENTS. THE CURRENT PROPERTY IS SURROUNDED BY A BARB WIRE FENCE.

BE SET AT EACH CORNER AND BE REBAR AND PLASTIC CAP MARKED IRON ROCK UT PLS 5561917 WILL BE SET AT EACH LOT CORNER UNLESS OTHERWISE SHOWN.

A FEW JUNIPER TREES ARE LOCATED ON THE NORTH AND WEST PART OF THE PROPERTY

3/8" REBAR AND PLASTIC CAPS WILL BE SET AT ALL LOT CORNERS

LEGAL DESCRIPTION: A portion of the NW¹/₄, NE¹/₄ and the E¹/₂ of Section 5, Township 44 South, Range 5 West, Salt Lake Base and Meridian, more particularly described as follows:

BEGINNING at the Southeast corner of said Section 5, thence, along the south line of said section, North 89° 34' 13" West 1343.14 feet, to the East 1/16 corner of Sections 5 and 8 of said township and range and said subdivision, North 00° 29' 12" East 2671.34 feet, to the Center-East 1/16 corner of said Section 5 and thence, continuing along said east 1/16 line and said subdivision boundary, North 00° 17' 01" East 2332.46 feet, thence, along the north boundary of Palomar Estates Rural Unimproved Subdivision, North 88° 50' 44" West 327.05 feet, thence, continuing along the east boundary of said subdivision, North 00° 17' 01" East 2332.46 feet, thence, along the north boundary of Palomar Estates Rural Unimproved Subdivision, North 88° 50' 44" West 327.05 feet, to the south right-of-way line of Mountain View Drive, thence, along said right-of-way line, South 00° 51' 20" East 1650.09 feet, to the east section line of said section, thence, along said line, South 00° 09' 12" West 2667.01 feet, to the East 1/2 corner of said section, thence, along said line, South 00° 10' 59" West 2633.65 feet, to the POINT OF BEGINNING, containing 163.644 acres (more or less)

REFERENCED DOCUMENTS

- PALOMAR ESTATES PHASES 1-7
- VERMILION CLIFFS ESTATES
- ROS, BUSH & GUDGELL, INC. CS-94
- ROS, TALBOT LAND SURVEYORS, GIMAC & SOUTHERN STAR, CS-510
- ROS, IRON ROCK / T/C ENG., JUD-DASHY LEGACY LLC, CS-986
- BLM SURVEY, 44S, 5W, 1915

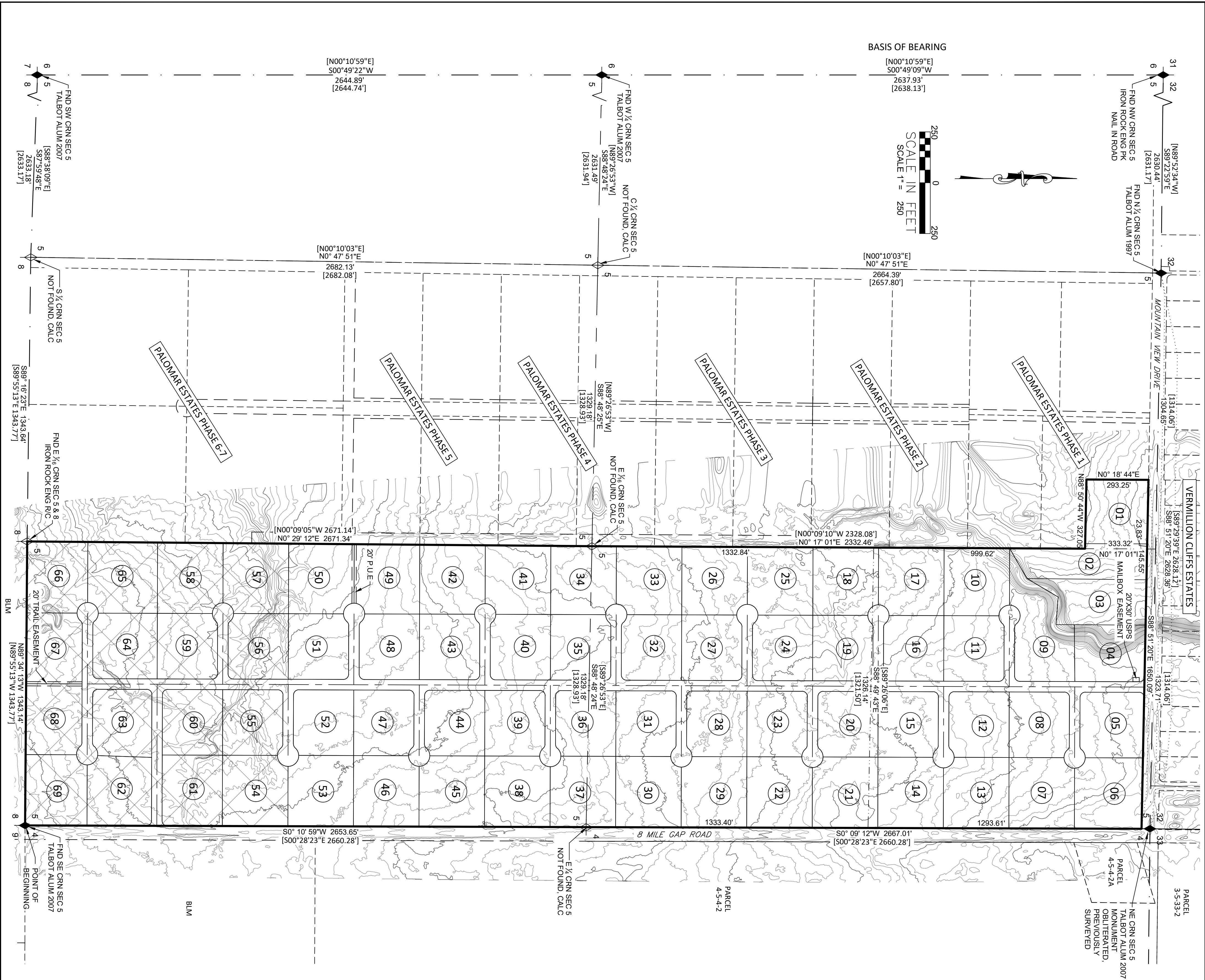
MINIMUM LOT SIZE FOR ZONE R-2: 2 ACRE
AVERAGE AREA OF EACH LOT: 2,167 ACRES
MINIMUM LOT AREA: 14,323 ACRES
STREETS AREA: 149,512 ACRES
LOT AREA: None
OPEN SPACE: None

VICINITY MAP



LEGEND

| | |
|--|---|
| | PROPERTY LINE |
| | STREET CENTER LINE |
| | PUBLIC UTILITY EASEMENT |
| | ADJACENT PROPERTY LINE |
| | SECTION LINE |
| | 1/4 SECTION LINE |
| | 1/2 SECTION LINE |
| | SURVEY BOUNDARY |
| | EAT/LEAN CLAY ADDITIONAL TESTING MAY BE NEEDED. LOTS WILL ALSO REQUIRE ADVANCED SEPTIC SYSTEMS. |
| | SET 5/8" X 3/8" REBAR WITH PLASTIC CAP |
| | MARKED IRON ENG. PLS 5561917 |
| | FOUND REBAR AND CAP AS NOTED |
| | FOUND SECTION MONUMENT AS NOTED |
| | SECTION MONUMENT NOT FOUND |
| | SOILS/PERIC TEST LOCATION |



COUNTY ENGINEER: Kane County Engineer, do hereby certify that this office has examined the above Preliminary Plat and find the same to conform to the provisions of the Utah State Plane coordinate system South Zone, as measured between the Northwest and West Corners of Section 5 with a basis of S00°49'09"W and a distance of 2637.93', as shown on this Plat.

COUNTY SURVEYOR CERTIFICATE: Kane County Surveyor, do hereby certify that this office has examined the above Preliminary Plat and find the same to conform to the provisions of the Utah State Plane coordinate system South Zone, as measured between the Northwest and West Corners of Section 5 with a basis of S00°49'09"W and a distance of 2637.93', as shown on this Plat.

APPROVAL OF THE LAND USE AUTHORITY: On this _____ day of _____, 20____, the Land Use Authority of Kane County, Utah, having reviewed the above Preliminary Plat and find by authorization of said Authority, that the same conforms to the provisions of the Utah State Plane coordinate system South Zone, as measured between the Northwest and West Corners of Section 5 with a basis of S00°49'09"W and a distance of 2637.93', as shown on this Plat.

DRAWN BY: MJS
SCALE: 1" = 250'
SHEET: 1 OF 3

| | | |
|-------------------|-------|--------------|
| INITIAL SUBMITTAL | DATE: | 03/24/21 |
| REV# | DATE: | DESCRIPTION: |
| | | |
| | | |

SUNFLOWER VALLEY ESTATES SUBDIVISION
KANE COUNTY, UTAH

IRON ROCK ENGINEERING
SURVEYING & DESIGN

Building on Solid Foundations

460 E. 300 SOUTH
KANAB, UTAH 84741
435-644-2031
www.ironrockeng.com

SUNFLOWER VALLEY ESTATES SUBDIVISION

PRELIMINARY PLAT

KANE COUNTY, UTAH LOCATED IN THE NW¹/₄, NE¹/₄ AND THE E¹/₂ OF SECTION 5,
TOWNSHIP 44 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN



SUBDIVISION NAME: SUNFLOWER VALLEY ESTATES
PROPERTY OWNER: 160 ACRES, LLC
 248 SOUTH 100 EAST
 SUITE #3
 KANAB, UTAH 84741

ZONE: R-2
NUMBER OF LOTS: 69
FEPA FLOOD DESIGNATION: THIS SITE IS LOCATED IN ZONE 'D' (NOT A FLOOD ZONE) PER FEMA MAP #490083-0040A TOWNSHIP 44 SOUTH, RANGE 5 WEST, SECTION 5.
CONTOUR INTERVALS: MAJOR: 2 FEET
 MINOR: 1 FEET

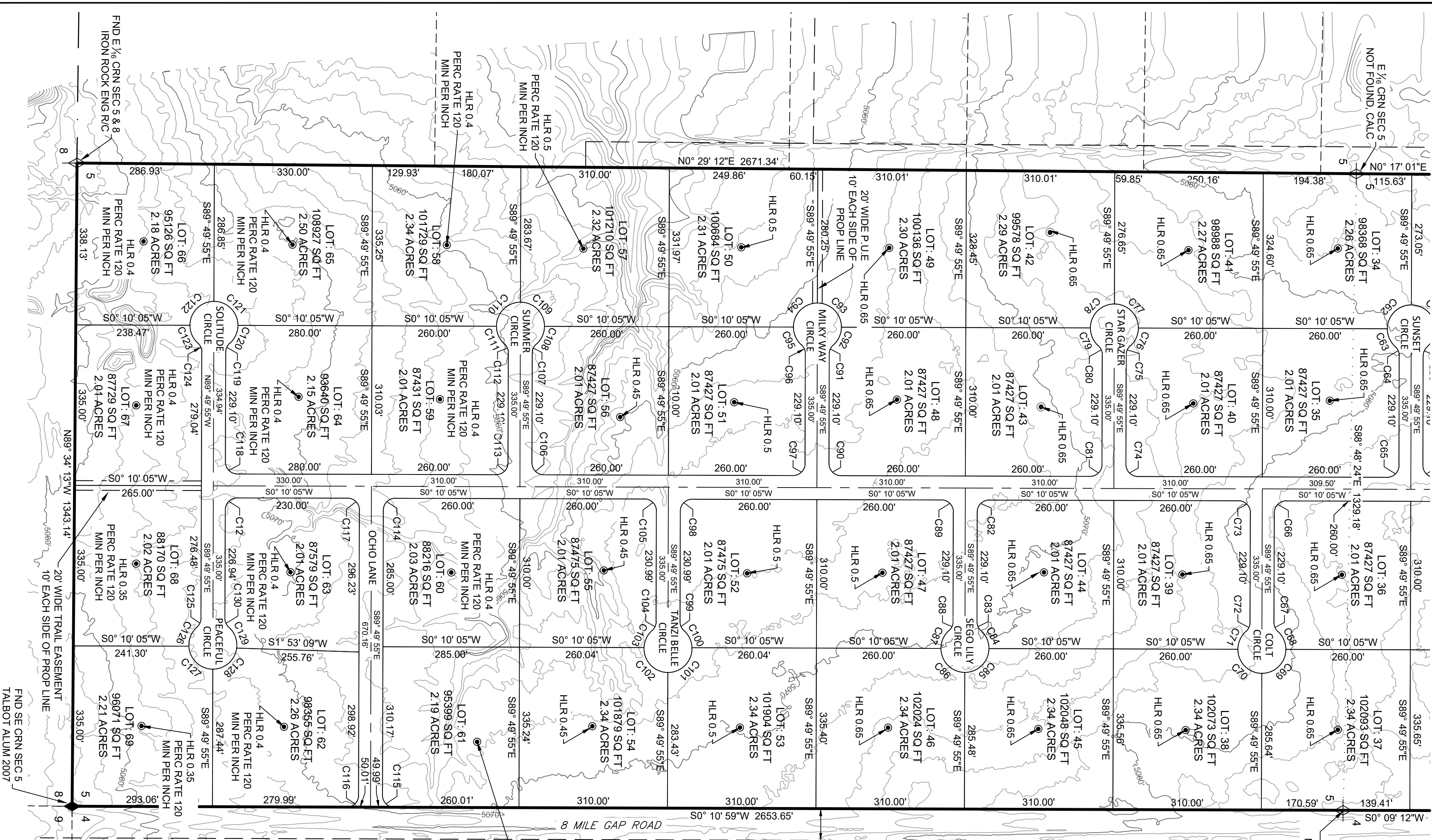
SETBACKS:
 FRONT: 50 FT
 REAR: 10 FT
 SIDE: 10 FT

NUMBER OF LOTS: 69
MINIMUM LOT SIZE FOR ZONE R-2: 2 ACRES
AVERAGE AREA OF EACH LOT: 2,689 ACRES
STREETS AREA: 14,332 ACRES
LOT AREA: 149,512 ACRES
OPEN SPACE: None

TYPE OF DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL
 ADJACENT PROPERTIES TO THE WEST INCLUDE PALOALTO ESTATE WITH A CURRENTLY ZONING OF AG-R-2, OR R-5, TO BE OPEN TO THE SOUTH AND ADJACENT TO THE EAST TO BE FOR PUBLIC USE. ROAD SURFACES WILL BE 28 FEET IN WIDTH AND WILL BE MAINTAINED BY KANE COUNTY FOR YEAR AROUND USE. A REBAR AND PLASTIC CAP MARKED IRON ROCK UT P15 5561917 WILL BE SET AT EACH LOT CORNER UNLESS OTHERWISE SHOWN.
 A FEW JUNIPER TREES ARE LOCATED ON THE NORTH AND WEST PART OF THE PROPERTY.
 1/2" REBAR AND PLASTIC CAPS WILL BE SET AT ALL LOT CORNERS.

LEGEND

- PROPERTY LINE
- SET 5/8" x 3/8" REBAR WITH PLASTIC CAP
- PRINCIPAL UTILITY EASEMENT
- MARKED IR. ENG. P15 5561917
- ADJACENT PROPERTY LINE
- FOUND REBAR AND CAP AS NOTED
- SECTION LINE
- SECTION MONUMENT NOT FOUND
- 1/2 SECTION LINE
- SECTION MONUMENT AS NOTED
- SURVEY BOUNDARY
- SOLIS/PERC TEST LOCATION
- RECORD BEARING AND DISTANCE



Curve Table

Curve Table

Curve Table

Curve Table

| Curve # | Length | Radius | Delta | Chord Direction | Chord Length |
|---------|--------|--------|-----------|-----------------|--------------|
| C60 | 42.05' | 50.00' | 48°11'23" | N65°44'13"W | 40.82' |
| C61 | 78.54' | 50.00' | 90°00'00" | S45°10'05"W | 70.71' |
| C62 | 78.54' | 50.00' | 90°00'00" | S44°49'55"E | 70.71' |
| C63 | 42.05' | 50.00' | 48°11'23" | N66°04'24"E | 40.82' |
| C64 | 21.03' | 25.00' | 48°11'23" | N66°04'24"E | 20.41' |
| C65 | 39.27' | 25.00' | 90°00'00" | S44°49'55"E | 35.36' |
| C66 | 39.27' | 25.00' | 90°00'00" | N44°49'55"W | 35.36' |
| C67 | 21.03' | 25.00' | 48°11'23" | S66°04'24"W | 20.41' |
| C68 | 42.05' | 50.00' | 48°11'23" | S66°04'24"W | 40.82' |
| C69 | 78.54' | 50.00' | 90°00'00" | N44°49'55"W | 70.71' |
| C70 | 78.54' | 50.00' | 90°00'00" | N45°10'05"E | 70.71' |
| C71 | 42.05' | 50.00' | 48°11'23" | S65°44'13"E | 40.82' |
| C72 | 21.03' | 25.00' | 48°11'23" | S65°44'13"E | 20.41' |
| C73 | 39.27' | 25.00' | 90°00'00" | N45°10'05"E | 35.36' |
| C74 | 39.27' | 25.00' | 90°00'00" | S45°10'05"W | 35.36' |
| C75 | 21.03' | 25.00' | 48°11'23" | N65°44'13"W | 20.41' |
| C76 | 42.05' | 50.00' | 48°11'23" | N65°44'13"W | 40.82' |
| C77 | 78.54' | 50.00' | 90°00'00" | S45°10'05"W | 70.71' |
| C78 | 78.54' | 50.00' | 90°00'00" | S44°49'55"E | 70.71' |
| C79 | 42.05' | 50.00' | 48°11'23" | N66°04'24"E | 40.82' |
| C80 | 21.03' | 25.00' | 48°11'23" | N66°04'24"E | 20.41' |
| C81 | 39.27' | 25.00' | 90°00'00" | S44°49'55"E | 35.36' |
| C82 | 39.27' | 25.00' | 90°00'00" | N44°49'55"W | 35.36' |
| C83 | 21.03' | 25.00' | 48°11'23" | S66°04'24"E | 20.41' |
| C84 | 42.05' | 50.00' | 48°11'23" | S66°04'24"E | 40.82' |
| C85 | 78.54' | 50.00' | 90°00'00" | N44°49'55"W | 70.71' |
| C86 | 78.54' | 50.00' | 90°00'00" | N45°10'05"E | 70.71' |
| C87 | 42.05' | 50.00' | 48°11'23" | S65°44'13"E | 40.82' |
| C88 | 21.03' | 25.00' | 48°11'23" | S65°44'13"E | 20.41' |
| C89 | 39.27' | 25.00' | 90°00'00" | N45°10'05"W | 35.36' |
| C90 | 39.27' | 25.00' | 90°00'00" | S45°10'05"W | 35.36' |
| C91 | 21.03' | 25.00' | 48°11'23" | N65°44'13"W | 20.41' |
| C92 | 42.05' | 50.00' | 48°11'23" | N65°44'13"W | 40.82' |
| C93 | 78.54' | 50.00' | 90°00'00" | S45°10'05"W | 70.71' |
| C94 | 78.54' | 50.00' | 90°00'00" | S44°49'55"E | 70.71' |
| C95 | 42.05' | 50.00' | 48°11'23" | N66°04'24"E | 40.82' |
| C96 | 21.03' | 25.00' | 48°11'23" | N66°04'24"E | 20.41' |
| C97 | 39.27' | 25.00' | 90°00'00" | S44°49'55"E | 35.36' |
| C98 | 39.27' | 25.00' | 90°00'00" | N44°49'55"W | 35.36' |
| C99 | 21.03' | 25.00' | 48°11'23" | S66°04'24"E | 20.41' |
| C100 | 40.16' | 50.00' | 92°10'11" | N45°55'00"W | 72.04' |
| C101 | 80.43' | 50.00' | 92°10'11" | N45°55'00"W | 72.04' |
| C102 | 80.43' | 50.00' | 92°10'11" | N46°15'11"E | 72.04' |
| C103 | 40.16' | 50.00' | 46°10'12" | S44°39'08"E | 39.09' |
| C104 | 21.03' | 25.00' | 48°11'23" | S65°44'13"E | 20.41' |
| C105 | 78.54' | 50.00' | 90°00'00" | S45°10'05"W | 70.71' |
| C106 | 78.54' | 50.00' | 90°00'00" | S45°10'05"W | 70.71' |
| C107 | 21.03' | 25.00' | 48°11'23" | N65°44'13"W | 20.41' |
| C108 | 39.27' | 25.00' | 90°00'00" | S45°10'05"W | 35.36' |
| C109 | 78.54' | 50.00' | 90°00'00" | S45°10'05"W | 70.71' |
| C110 | 78.54' | 50.00' | 90°00'00" | S45°10'05"W | 70.71' |
| C111 | 42.05' | 50.00' | 48°11'23" | N66°04'24"E | 40.82' |
| C112 | 21.03' | 25.00' | 48°11'23" | N66°04'24"E | 20.41' |
| C113 | 39.27' | 25.00' | 90°00'00" | S44°49'55"E | 35.36' |
| C114 | 39.27' | 25.00' | 90°00'00" | N44°49'55"W | 35.36' |
| C115 | 39.26' | 25.00' | 89°59'07" | S45°10'32"W | 35.35' |
| C116 | 39.26' | 25.00' | 90°00'53" | S44°49'28"E | 35.36' |
| C117 | 39.27' | 25.00' | 90°00'00" | N45°10'05"E | 35.36' |
| C118 | 39.27' | 25.00' | 90°00'00" | S45°10'05"E | 35.36' |
| C119 | 21.03' | 25.00' | 48°11'23" | N65°44'13"W | 20.41' |
| C120 | 42.11' | 50.00' | 48°15'25" | N65°46'14"W | 40.88' |
| C121 | 78.48' | 50.00' | 89°55'58" | S45°08'04"W | 70.67' |
| C122 | 78.48' | 50.00' | 89°55'58" | S44°47'54"E | 70.67' |
| C123 | 42.11' | 50.00' | 48°15'25" | N66°06'25"E | 40.88' |
| C124 | 21.16' | 25.00' | 48°11'23" | N66°04'24"E | 20.41' |
| C125 | 21.16' | 25.00' | 48°29'08" | S65°35'21"E | 20.53' |
| C126 | 44.67' | 50.00' | 51°11'28" | S66°56'30"E | 43.20' |
| C127 | 78.47' | 50.00' | 87°37'34" | N43°38'59"E | 69.23' |
| C128 | 72.32' | 50.00' | 82°52'07" | N41°35'52"W | 66.18' |
| C129 | 47.73' | 50.00' | 54°41'32" | S69°37'19"W | 45.94' |
| C130 | 20.90' | 25.00' | 47°53'33" | S66°13'19"W | 20.29' |

DATE: 03/24/21

INITIAL SUBMITTAL

| REV# | DATE: | DESCRIPTION: |
|------|-------|--------------|
| | | |
| | | |
| | | |

DRAWN BY: MJS

SCALE: 1" = 150'

SHEET: 3 OF 3

SUNFLOWER VALLEY ESTATES
 SUBDIVISION

KANE COUNTY, UTAH

IRON ROCK
 ENGINEERING
 SURVEYING & DESIGN

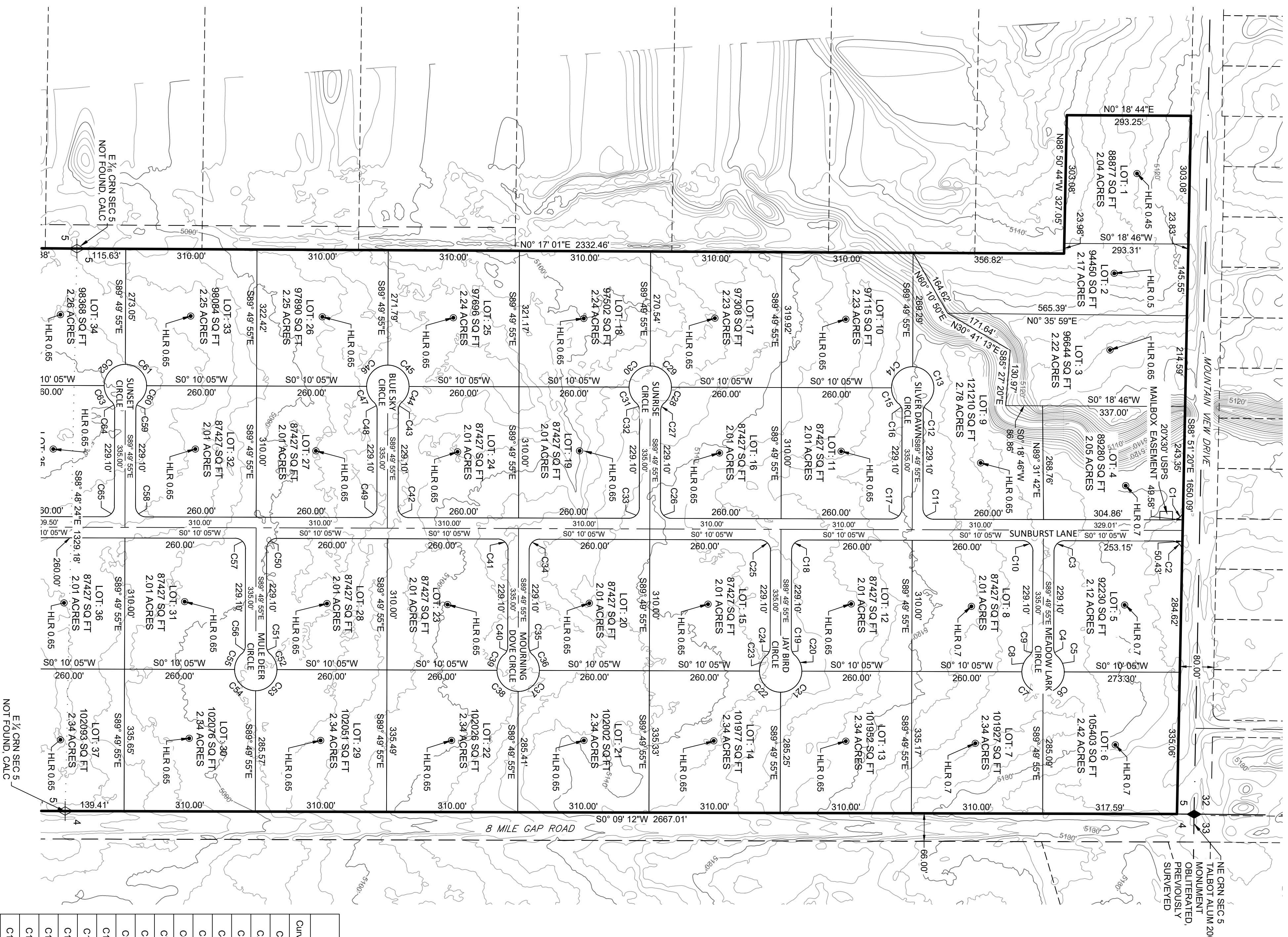
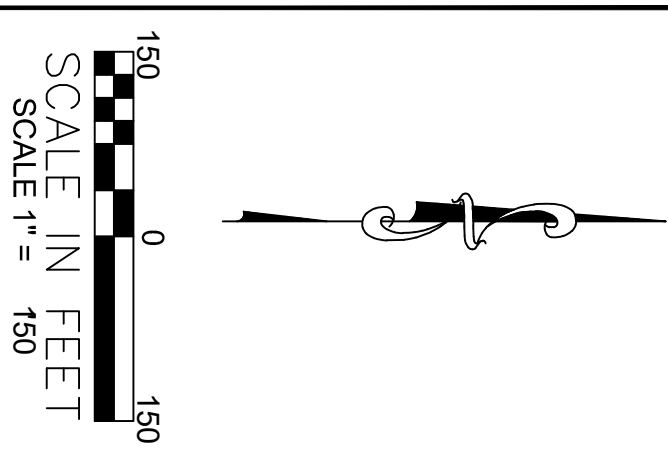
Building on Solid Foundations

460 E. 300 SOUTH
 KANAB, UTAH 84741
 435-644-2031
 www.ironrockeng.com

SUNFLOWER VALLEY ESTATES SUBDIVISION

PRELIMINARY PLAT

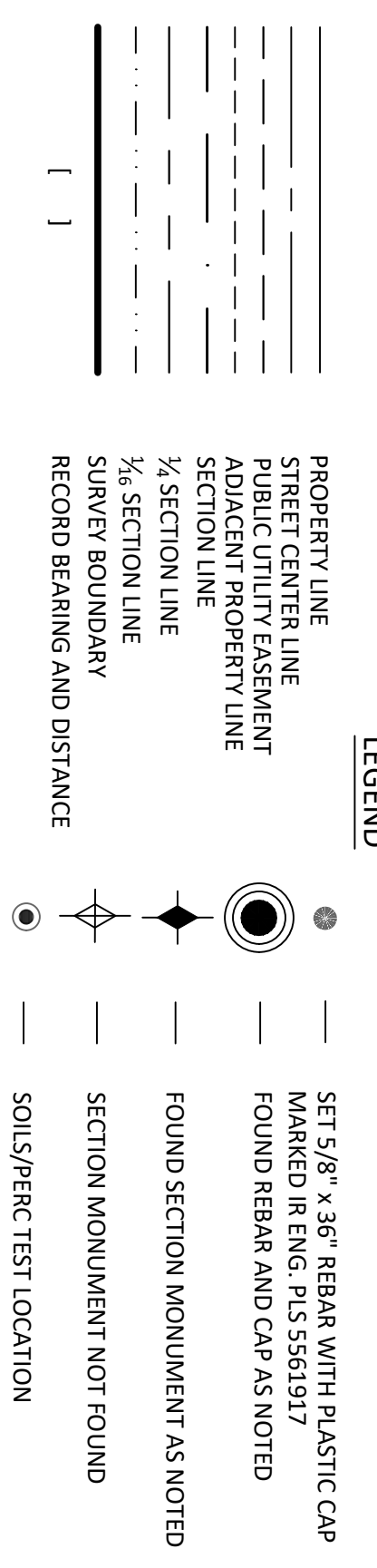
KANE COUNTY, UTAH LOCATED IN THE NW¹/₄ NE¹/₄ AND THE E¹/₂ OF SECTION 5,
TOWNSHIP 44 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN



SUBDIVISION NAME: SUNFLOWER VALLEY ESTATES
PROPERTY OWNER: 160 ACRES, LLC
248 SOUTH 100 EAST
SUITE #3
KANAB, UTAH 84741

ZONE: R-2
NUMBER OF LOTS: 69
MINIMUM LOT SIZE FOR ZONE R-2: 2.00 ACRES
AVERAGE AREA OF EACH LOT: 2.89 ACRES
STREETS AREA: 14.332 ACRES
OPEN SPACE: 149.512 ACRES
None

TYPE OF DEVELOPMENT: SINGLE-FAMILY RESIDENTIAL
**ADJACENT PROPERTIES TO THE WEST INCLUDE PALOMAR ESTATE WITH A CURRENTLY ZONING OF AG-R-2, OR R-S, TO THE NORTH IS WASHINGTON CREEK ESTATES WITH A CURRENT ZONING OF C-1 OR C-2, TO THE WEST IS AG-R-5 OR BEHAVIOR OF THE SOLID ROCK ESTATE WITH A CURRENT ZONING OF C-1 OR C-2, TO THE WEST IS AG-R-5 OR SEE PLAN AND PROFILE SHEETS FOR PROPOSED GRADING OF STREETS.
- ALL UTILITIES HAVE SAGEBRUSH.
- WATER TO BE SUPPLIED BY KANE COUNTY WATER CONSERVANCY DISTRICT. WATER LINES WILL BE MAINTAINED BY SAID COMPANY.
- SEWERS WILL BE HANDLED BY AN ONSITE WASTEWATER SYSTEM ON EACH LOT.
- ALL UTILITIES AND UTILITY MAINS WILL BE PLACED EITHER IN THE ROADWAY OR IN PUBLIC UTILITY EASEMENTS.
- THE CURRENT PROPERTY IS SURROUNDED BY A BARB WIRE FENCE.
- BE 28 FEET IN WIDTH AND WILL BE MAINTAINED BY KANE COUNTY FOR YEAR AROUND USE.
- A REBAR AND PLASTIC CAP MARKED IRON ROCK UT P15 5561917 WILL BE SET AT EACH LOT CORNER UNLESS OTHERWISE SHOWN.
- A FEW JUNIPER TREES ARE LOCATED ON THE NORTH AND WEST PART OF THE PROPERTY
- 3/4" REBAR AND PLASTIC CAPS WILL BE SET AT ALL LOT CORNERS**



| Curve Table | | | | Curve Table | | | | Curve Table | | | | | | | | | |
|-------------|--------|--------|-----------|-----------------|--------------|---------|--------|-------------|-----------|-----------------|--------------|---------|--------|--------|-----------|-----------------|--------------|
| Curve # | Length | Radius | Delta | Chord Direction | Chord Length | Curve # | Length | Radius | Delta | Chord Direction | Chord Length | Curve # | Length | Radius | Delta | Chord Direction | Chord Length |
| C1 | 38.84' | 25.00' | 89°01'26" | S44°20'37"E | 35.05' | C26 | 39.27' | 25.00' | 90°00'00" | S45°10'05"W | 35.36' | C46 | 78.54' | 50.00' | 90°00'00" | S44°49'55"E | 70.71' |
| C2 | 38.70' | 25.00' | 90°58'34" | N45°39'23"E | 35.66' | C27 | 21.03' | 25.00' | 48°11'23" | N65°44'13"W | 20.41' | C47 | 42.05' | 50.00' | 48°11'23" | N66°04'24"E | 40.82' |
| C3 | 39.27' | 25.00' | 90°00'00" | N44°49'55"W | 35.36' | C28 | 42.05' | 50.00' | 48°11'23" | N65°44'13"W | 40.82' | C48 | 21.03' | 25.00' | 48°11'23" | N66°04'24"E | 20.41' |
| C4 | 21.03' | 25.00' | 48°11'23" | N65°44'13"E | 20.41' | C29 | 78.54' | 50.00' | 90°00'00" | S45°10'05"W | 70.71' | C49 | 39.27' | 25.00' | 90°00'00" | S44°49'55"E | 35.36' |
| C5 | 42.05' | 50.00' | 48°11'23" | S66°04'24"W | 40.82' | C30 | 78.54' | 50.00' | 90°00'00" | S44°49'55"E | 70.71' | C50 | 39.27' | 25.00' | 90°00'00" | N44°49'55"W | 35.36' |
| C6 | 78.54' | 50.00' | 90°00'00" | N45°10'05"E | 70.71' | C31 | 42.05' | 50.00' | 48°11'23" | N66°04'24"E | 40.82' | C51 | 21.03' | 25.00' | 48°11'23" | S66°04'24"W | 20.41' |
| C7 | 78.54' | 50.00' | 90°00'00" | N45°10'05"E | 70.71' | C32 | 21.03' | 25.00' | 48°11'23" | N66°04'24"E | 20.41' | C52 | 42.05' | 50.00' | 48°11'23" | S66°04'24"W | 40.82' |
| C8 | 42.05' | 50.00' | 48°11'23" | S65°44'13"E | 40.82' | C33 | 39.27' | 25.00' | 90°00'00" | S44°49'55"E | 35.36' | C53 | 78.54' | 50.00' | 90°00'00" | N44°49'55"W | 70.71' |
| C9 | 21.03' | 25.00' | 48°11'23" | S65°44'13"E | 20.41' | C34 | 39.27' | 25.00' | 90°00'00" | N44°49'55"W | 35.36' | C54 | 78.54' | 50.00' | 90°00'00" | N45°10'05"E | 70.71' |
| C10 | 39.27' | 25.00' | 90°00'00" | N45°10'05"E | 35.36' | C35 | 21.03' | 25.00' | 48°11'23" | S66°04'24"W | 20.41' | C55 | 42.05' | 50.00' | 48°11'23" | S65°44'13"E | 40.82' |
| C11 | 38.27' | 25.00' | 90°00'00" | S45°10'05"W | 35.36' | C36 | 42.05' | 50.00' | 48°11'23" | S66°04'24"W | 40.82' | C56 | 21.03' | 25.00' | 48°11'23" | S65°44'13"E | 20.41' |
| C12 | 21.03' | 25.00' | 48°11'23" | N65°44'13"W | 20.41' | C37 | 78.54' | 50.00' | 90°00'00" | N44°49'55"W | 70.71' | C57 | 39.27' | 25.00' | 90°00'00" | N45°10'05"E | 35.36' |
| C13 | 39.27' | 25.00' | 90°00'00" | N44°49'55"W | 35.36' | C38 | 78.54' | 50.00' | 90°00'00" | N45°10'05"E | 70.71' | C58 | 39.27' | 25.00' | 90°00'00" | S45°10'05"W | 35.36' |
| C14 | 78.54' | 50.00' | 90°00'00" | S44°49'55"E | 70.71' | C39 | 42.05' | 50.00' | 48°11'23" | S65°44'13"E | 40.82' | C59 | 21.03' | 25.00' | 48°11'23" | N65°44'13"W | 20.41' |
| C15 | 42.05' | 50.00' | 48°11'23" | N66°04'24"E | 40.82' | C40 | 21.03' | 25.00' | 48°11'23" | N65°44'13"W | 20.41' | C60 | 42.05' | 50.00' | 48°11'23" | N65°44'13"W | 40.82' |
| C16 | 21.03' | 25.00' | 48°11'23" | N66°04'24"E | 20.41' | C41 | 39.27' | 25.00' | 90°00'00" | N45°10'05"W | 35.36' | C61 | 78.54' | 50.00' | 90°00'00" | S44°49'55"E | 70.71' |
| C17 | 39.27' | 25.00' | 90°00'00" | S44°49'55"E | 35.36' | C42 | 39.27' | 25.00' | 90°00'00" | S45°10'05"W | 35.36' | C62 | 78.54' | 50.00' | 90°00'00" | S44°49'55"E | 70.71' |
| C18 | 39.27' | 25.00' | 90°00'00" | N44°49'55"W | 35.36' | C43 | 21.03' | 25.00' | 48°11'23" | N65°44'13"W | 20.41' | C63 | 42.05' | 50.00' | 48°11'23" | N66°04'24"E | 40.82' |
| C25 | 39.27' | 25.00' | 90°00'00" | N45°10'05"E | 35.36' | C44 | 42.05' | 50.00' | 48°11'23" | N65°44'13"W | 40.82' | C64 | 21.03' | 25.00' | 48°11'23" | N66°04'24"E | 20.41' |
| | | | | | | C45 | 78.54' | 50.00' | 90°00'00" | S45°10'05"W | 70.71' | C65 | 39.27' | 25.00' | 90°00'00" | S44°49'55"E | 35.36' |

SUNFLOWER VALLEY ESTATES
SUBDIVISION
KANE COUNTY, UTAH

IRON ROCK ENGINEERING & DESIGN
Building on Solid Foundations
460 E. 300 SOUTH
KANAB, UTAH 84741
435-644-2031
www.ironrockeng.com

| | | |
|-------------------|-------|--------------|
| INITIAL SUBMITTAL | DATE: | 03/24/21 |
| REV# | DATE: | DESCRIPTION: |
| | | |
| | | |

DRAWN BY: MJS
SCALE: 1" = 150'
SHEET: 2 OF 3



DRAFT STAFF REPORT

DATE: 03/29/2021

PROJECT: A complete application for the Dry Valley, Platted Unimproved Subdivision (PLUS) on behalf of Samantha Starr & Brendan Kawakami, property owner, parcel #8-2-12-1A becoming one properly subdivided parcel has been submitted by Iron Rock.

FINDINGS: The application for a Platted Unimproved Subdivision (PLUS) complies with Utah State Code unannotated §17-27a-605 (1), (ab)-(i)-(iv). Dry Valley, PLUS complies with Kane County Land Use Ordinance, Title 9, Chapter 21, Article K, 1-3. All requirements for rights-of-way and EXISTING easements conform to the standards in the Kane County Land Use Ordinance at the time of the application for the PLUS process. All notices are in conformance with all standards and notice requirements of §17-27a-202. A notice was posted that was visible to the public for 10 days prior, on two public notice boards at the Kane County courthouse, posted in the local newspaper, the Utah State website and the Kane County website. This PLUS contains one new 40 acre parcel.

- (1) A land use authority shall apply the plain language of land use regulations.
- (2) If a land use regulation does not plainly restrict a land use application, the land use authority shall interpret and apply the land use regulation to favor the land use application.
- (3) A land use decision of a land use authority is an administrative act, even if the land use authority is the legislative body.

STAFF RECOMMENDATION: Kane County, alternate, engineer, Civil Science, Kelvin Smith, recommends Conditional approval of this project. Kane County Land Use Administrator, Shannon McBride, recommends approval to the Kane County Commission for the Dry Valley, Platted Unimproved Subdivision. The engineering review is enclosed in the Kane County Planning Commission's packet for reference.

I move to recommend approval/denial to the Kane County Commissioners, for the Dry Valley Platted Unimproved Subdivision for parcel #8-2-12-1A becoming one properly subdivided parcel, based on the findings in the staff report.



DRY VALLEY A PLATTED UNIMPROVED PARCEL 8-2-12-1A

KODACHROME, UTAH
LOCATED IN THE SW¹/₄ SW¹/₄ OF SECTION 12,
TOWNSHIP 38 SOUTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN



SURVEYOR'S CERTIFICATE

I, Thomas W. Avara, a Professional Land Surveyor, License Number 55519117, hold this license in accordance with Title 48, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act and have completed this survey of the property described herein in accordance with Section 11-23.17 and have verified all measurements and have placed monuments as represented on this Record of Survey.

Thomas W. Avara, PLS # 55519117 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, as measured between the West 1/4 Corner and the South West Corner of Section 22, Township 38 South, Range 2 West, S28M with a basis of S00°27'46\"/>

Legal Description

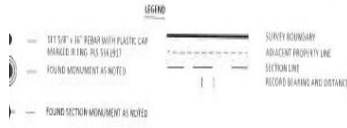
THE SW¹/₄SW¹/₄ OF SEC 12 T38S R2W S28M, CONT. 40.23 AC, M.U.

SURVEYED AT THE REQUEST OF:

Samantha Sign
922 2nd Ave
Salt Lake City, UT 84102

REFERENCED DOCUMENTS

- S.M. SURVEY 1888
- GRANTSHAW RECORD OF SURVEY CG-210 1899



ONCESS ASSURANCE:
The Owner(s) of the Property described in this Boundary Description, that consent to the preparation and recording of this Survey and Subject to any conditions and limitations stated herein, have consent the same to be officially submitted as a legal record together with the right of record thereon.
It is WITNESSED that I have personally set out the corners hereon this _____ day of _____, 2021.

Boundary Surveyor
922 E. 2nd Ave
Salt Lake City, UT 84102

Samantha Sign
922 E. 2nd Ave
Salt Lake City, UT 84102

| | | | | | |
|--|--|---|--|---|--|
| <p>COUNTY SURVEYOR CERTIFICATE</p> <p>I, _____, Five County Surveyor, do hereby certify that this office has examined the above Survey and have determined that it is correct and in accordance with the provisions of the Act in this office and I have recorded it in accordance with the provisions of the Act.</p> <p>_____ Five County Surveyor Five County Utah</p> | <p>Five County Land Use Authority</p> <p>On this _____ day of _____, 2021, the Utah Five County Land Use Authority, hereby certifies that the above Survey and plat comply with the provisions of the Act and that the same are in accordance with the provisions of the Act and that the same are in accordance with the provisions of the Act.</p> <p>_____ Five County Land Use Authority Five County Utah</p> | <p>By the Five County Commission</p> <p>I, _____, Five County Commissioner, do hereby certify that the above Survey and plat comply with the provisions of the Act and that the same are in accordance with the provisions of the Act and that the same are in accordance with the provisions of the Act.</p> <p>_____ Five County Commissioner Five County Utah</p> | <p>COUNTY ATTORNEY CERTIFICATE</p> <p>I, _____, Attorney for Kane County, do hereby certify that I have examined the above Survey and plat and that the same are in accordance with the provisions of the Act and that the same are in accordance with the provisions of the Act.</p> <p>_____ County Attorney Kane County Utah</p> | <p>APPROVAL OF RECORDING</p> <p>I, _____, Recorder of Kane County, do hereby certify that I have examined the above Survey and plat and that the same are in accordance with the provisions of the Act and that the same are in accordance with the provisions of the Act.</p> <p>_____ Recorder of Kane County Kane County Utah</p> | <p>ACKNOWLEDGMENT</p> <p>On this _____ day of _____, 2021, I, _____, personally appeared before me, _____, a Notary Public in and for the State of Utah, and acknowledged to me that he executed this plat as the _____ of the above named and that he executed this plat as the _____ of the above named and that he executed this plat as the _____ of the above named.</p> <p>_____ Notary Public Kane County Utah</p> |
|--|--|---|--|---|--|

IRON ROCK ENGINEERING
REGISTERED PROFESSIONAL ENGINEERS

Building on Solid Foundations

480 E. 300 SOUTH
KANAB, UTAH 84741
435-644-2021
www.ironrockeng.com

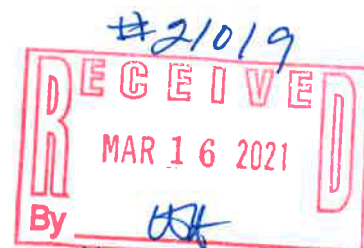
PLATTED UNIMPROVED
PARCEL 8-2-12-1A
KODACHROME, UTAH

| DATE | DESCRIPTION |
|----------|-------------|
| 02/25/21 | |

DRAWN BY: CM
SCALE: 1" = 100'
SHEET: 1 OF 1



Land Use Authority
 76 North Main Street, Kanab, Utah 84741
 (435) 644-4966 or (435) 644-4951
planning@kane.utah.gov



PLATTED UNIMPROVED SUBDIVISION
Application Fee \$500

***In the event additional engineering costs are accrued by the County related to a specific project, the project applicant will be responsible for all additional engineering fees. (KCLUO 9-1-14)**

Owner/Applicant: Samantha Starr & Brendan Kawakami **Date:** 03/01/2021
Address: [REDACTED] **Fax:** _____
City: [REDACTED] **State:** [REDACTED] **Zip:** [REDACTED]
Phone: [REDACTED] **E-Mail:** [REDACTED]

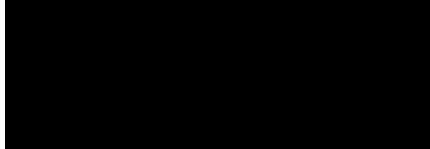
Name of Subdivision: Dry Valley
Location and Legal Description: See Attached

Number of Lots 1 **Minimum Lot Size** 40 Acres

Will the parcels divided by this Rural Unimproved land be used for anything other than agricultural uses under the FAA definitions of Utah State Code? Yes No

If yes, please explain: AG and Residential

I HEREBY CERTIFY THE ABOVE INFORMATION TO BE TRUE AND ACCURATE:



3.3.21
Date



3.3.21
Date

Planning Commission Action:

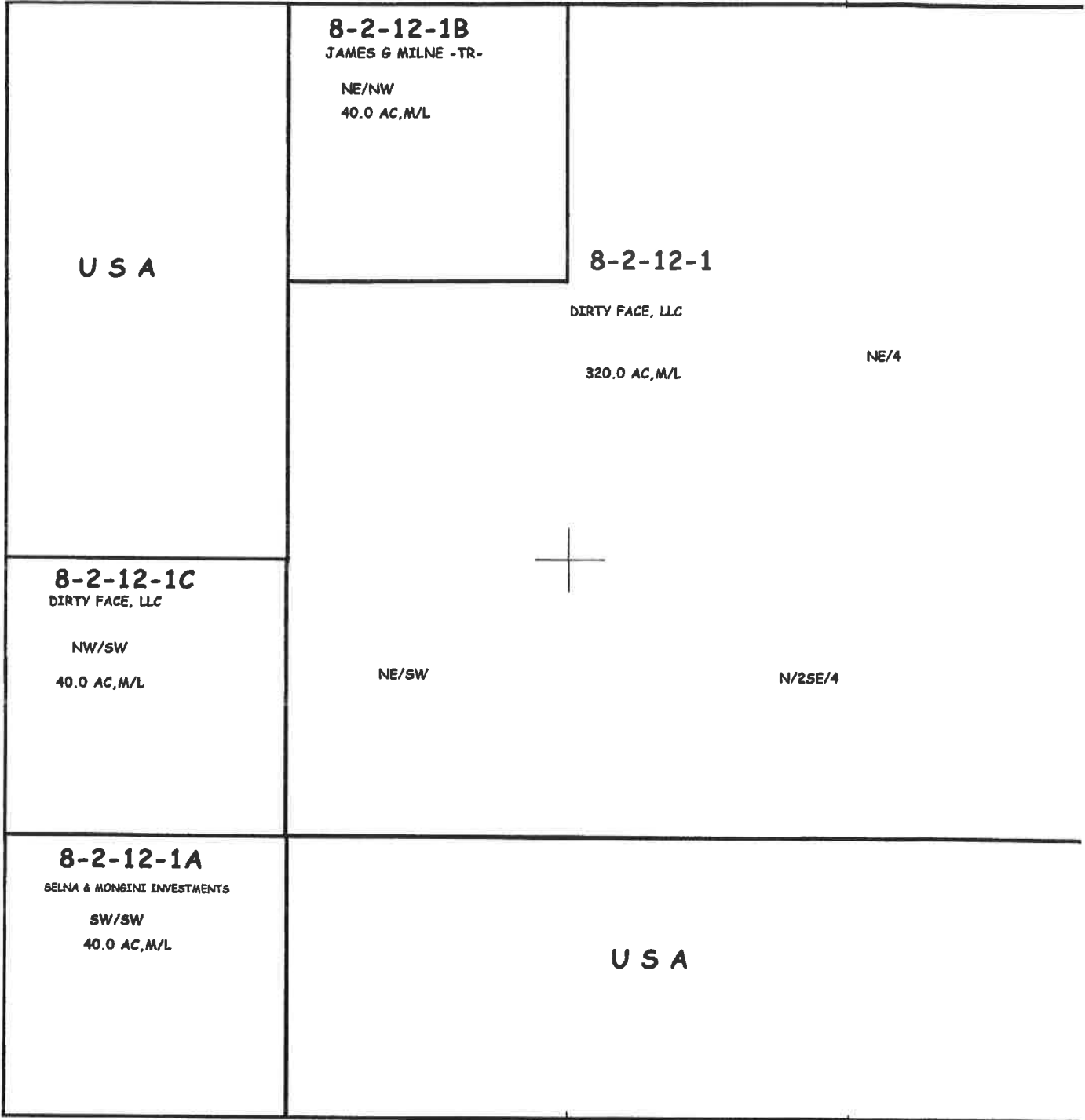
Approved Denied

Planning Commission
 Chairman: _____ Date: _____

Commission Approval: _____

SECTION 12 T38S R2W

S 89°54' W 80.0 CHAINS



SCALE: 1" = 400'

PLATTED UNIMPROVED PARCEL 8-2-12-1A

KODACHROME, UTAH
LOCATED IN THE SW¹/₄, SW¹/₄ OF SECTION 12,
TOWNSHIP 38 SOUTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN



SURVEYORS CERTIFICATE

I, Thomas W. Avanti, a Professional Land Surveyor, License Number 5561917, hold this license in accordance with Title 36, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act and have completed this survey of the property described herein 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. Avanti, PLS # 5561917 _____ Date: _____

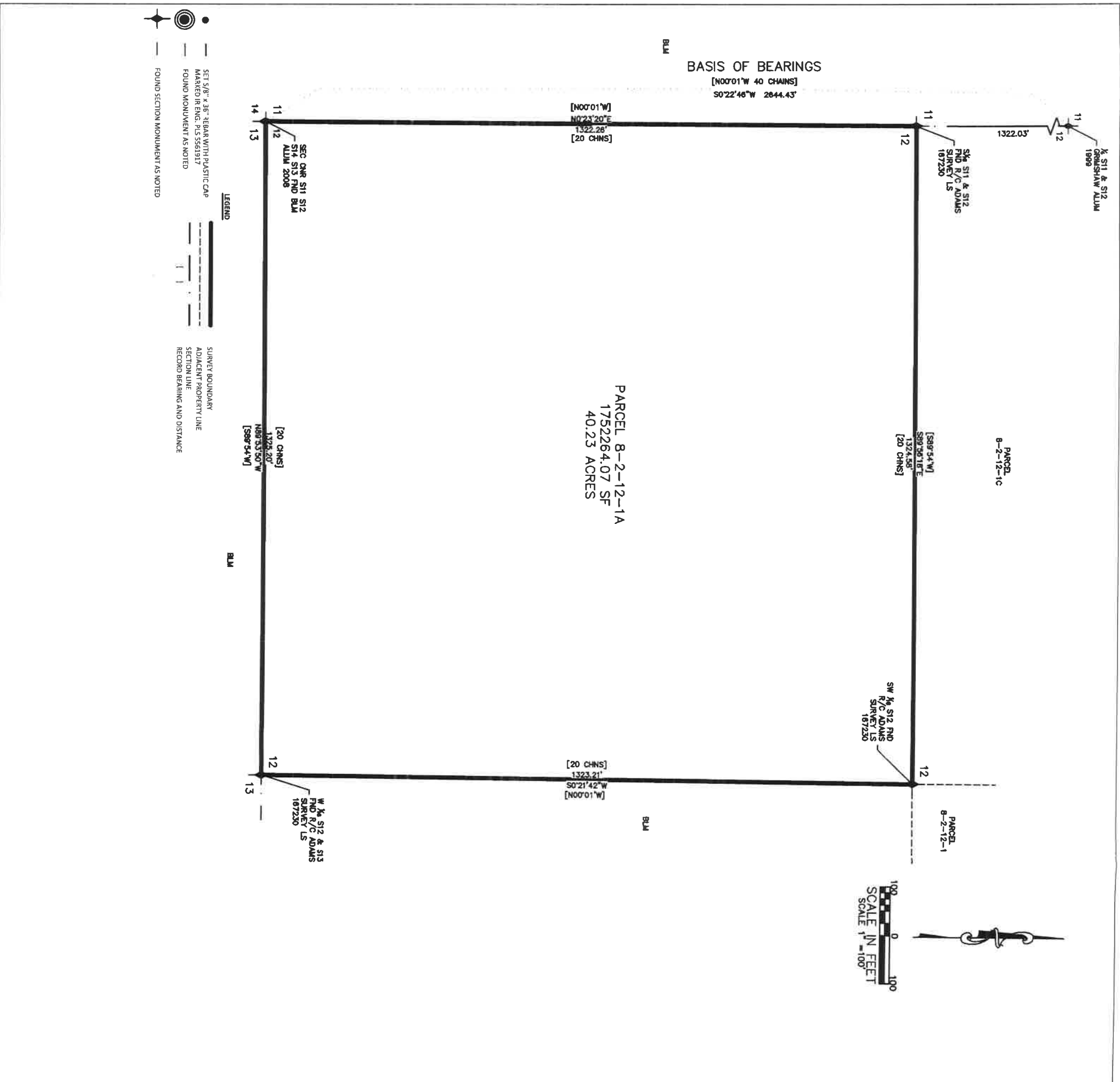
NARRATIVE

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, as measured between the West X Corner and the South West Corner of Section 12, Township 38 South, Range 2 West, S12&M with a basis of S00°22'46"W and a distance of 2844.43', as shown on this Plat.

Legal Description:
THE SW¹/₄SW¹/₄ OF SEC 12 T38S R2W S12&M, CONT 400 AC, M/L.

SURVEYED AT THE REQUEST OF:
Samantha Star
922 3rd Ave
Salt Lake City, UT 84103

- REFERENCED DOCUMENTS**
- BLM SURVEY 1898
 - GRIMSHAW RECORD OF SURVEY CS:210 1899



| | | |
|-------------------|-------|--------------|
| INITIAL SUBMITTAL | DATE: | 02/25/21 |
| REV# | DATE: | DESCRIPTION: |
| | | |
| | | |
| | | |

**PLATTED UNIMPROVED
PARCEL 8-2-12-1A**

KODACHROME, UTAH

IRON ROCK
ENGINEERING
SURVEYING & GEOTECHNICAL

Building on Solid Foundations

460 E. 300 SOUTH
KANAB, UTAH 84741
435-644-2031
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STAFF REPORT

DATE: 3/30/2021

PROJECT: The Applicants, Elohi Camp Zion LLC, Alberto Gana, Iron Rock, (Tom Avant holding power of attorney), submitted a Conditional Use Permit application for 32 glamping sites, a restaurant, and employee housing, each tent being less than 500 sq. ft., located on parcel 1-8-10-1, Section 10 & 15, T41S, R8W, SLB&M, zoned Rural-40 on 140.53 acres.

FINDINGS: The above application complies with the Kane County Land Use Ordinance, 9-15A-1-6: Conditional Uses and the Kane County Land Use Ordinance 9-5B-6, (Rural-40) and the Rural Zone, (Uses Table); which allows the use of glamp-grounds through a conditional use permit. The CUP has the conditions to mitigate safety issues and must be implemented at the time of the building permit application. No single tent will be over 500 square feet. This glamp-ground is accessed off of the Mineral Springs road, which is a Class B County road.

Kane County Land Use Ordinance: 9-1-7: DEFINITIONS: (KCLUO): CAMPGROUND: A parcel designated commercial or agricultural with improvements for the occupancy by semi-permanent structures providing overnight sleeping accommodations, such as tents, yurts, etc., on a temporary basis; which includes, day use areas, recreation camps, modern camps, semi-developed campgrounds, primitive, and semi-primitive campgrounds as defined in Utah Administrative Code R393-300. Exceptions include rural unimproved subdivisions that can only be used for agricultural purposes as defined in Utah State Code 59-2-50

GLAMPING: Shall be defined in Kane County as a semi-permanent structure placed on a permanent/semi-permanent foundation providing overnight sleeping accommodations.

KCLUO: 9-5-3: USES TABLE:

| | |
|--|-----|
| Campground/glamp-ground with up to 14 sites for the first 10 acres, and an additional 8 sites for each additional 10 acres up to a maximum of 70 sites on 80 acres or more | C |
| Cafe, cafeteria, catering establishment, restaurant (not a drive-through) | C C |

KCLUO: 9-5A-5:

F. A conditional use permit shall regulate the size of the structure, not including the foundation; to be no larger than five hundred (500) square feet (such as, but not limited to: tents/covered wagons/tee-pees/tree houses/yurts).

G. All structures and amenities within the campground/glamp-ground are to have a minimum setback of one hundred feet (100') from all private property boundary lines or twenty five feet (25') from all public land boundaries.

H. The maximum campground/glamp-ground capacity in the Rural-40 Zone shall not exceed 70 tent sites.

I. Conditions for all campgrounds/glamp-grounds can be found in [chapter 15](#), "Conditional And Temporary Uses", of this title. (Ord. O-2018-5, 7-9-2018)

KCLUO: 9-15A-2-E: 1-28: The Land Use Authority shall approve a conditional use permit if conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. In approving any conditional use permit, the Land Use Authority may impose conditions deemed necessary to protect the public welfare, ensure compatibility with other uses in the vicinity, and ensure that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions may include the following:

Land Use Authority Action: The Land Use Authority shall approve a conditional use permit if conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. In approving any conditional use permit, the Land Use Authority may impose conditions deemed necessary to protect the public welfare, ensure compatibility with other uses in the vicinity, and ensure that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions may include the following:

1. Assurance that the use will not be detrimental to the health, safety, comfort, order, or general welfare of persons residing or working in the vicinity;
2. Assurance the use will:
 - a. Comply with the intent, spirit and regulations of the Kane County Land Use Ordinance and Kane County General Plan. Kane County Land Use Ordinance, Chapter 5, Rural 40 Zone, Chapter 10 Supplementary & Qualifying Regulations, Chapter 13 Parking and Loading Space, and Chapter 15 Conditional Uses.
 - b. Make the use harmonious with other neighboring uses in that zone;
3. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;

KCLUO: 9-13-13: SUBMITTAL OF PARKING, LOADING AND CIRCULATION PLANS:

The site is planned to be a walkable facility. No guest vehicles are allowed past the welcome center. If needed, the guests will be transported by staff to the different facilities. This will include transportation for the two (2) ADA tents.

The Fire Warden will need to approve the final site plan for WUI compliance and safety. A shuttle in case of an emergency will need to be located up in the glamp site area. **In case of an emergency evacuation from the site, provide a large enough transport vehicle to provide a timely evacuation for all guests. ADDRESS the concerns of emergency exit shuttle.**

Said plans shall be in compliance with all standards and provisions set forth in this title and shall receive written approval of the land use authority prior to the issuance of a building permit. Appropriate filing fees shall be determined by the land use authority and submitted with each plan.

Notwithstanding all provisions of this section, all commercial, industrial and professional developments and all other nonresidential uses of land shall provide sufficient parking for all employees, business vehicles and equipment, customers, clients and patients of such business, industry or professionally used property, as may be required by the planning commission in addition to spaces presently required by this title. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

4. Evidence that all required public facilities have adequate capacity to serve the proposed conditional use;

Feasibility letters from UDOT, Garkane, Health Department, WKCSSD, an application for a food service establishment needs to be applied for and septic permits.

The private helipad will have appropriate signage for warnings and delineation of the pad area.

The on-site waste disposal will receive On-site Septic Approval prior to start of construction.

Drains from the spa tubs at each site shall not be connected to the septic system but shall drain to daylight. Mitigation for erosion may be through various erosion protections proposed by the owner and approved by Kane County. Mitigation for highly on concentrated chlorinated water may occur through dilution to EPA regulated levels safe for discharge to natural ground.

The restaurant shall only be for occupants staying at the site and not for a single meal service to any other persons.

5. Limiting the hours, days, place and/or manner of operation; comply with the nuisance ordinance and hours of operation.

Kane County Nuisance Ordinance: 4-3-3 (25): Noise Related Nuisances: It shall be unlawful for any person in the county in a public or private place to make, cause to be made or allow the making of any noise which is inconsistent with the zoning area between the hours of eleven o'clock (11:00) P.M. and sunrise which is unnecessary or unusual, which noise annoys, disturbs or affects the comfort, repose, health or peace of others. Any such noise hereinbefore described, heard outside the limits of the real estate from which said noise has its source and heard by another person, shall be a noise as is hereby prohibited, which noise constitutes the basis of the violation of this section.

6. Requiring size or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, glare, erosion, odor and/or dust;

The development will utilize solar as much as possible. All buildings are being built to match the surrounding environment as much as possible.

KCLUO: 9-10-14: LIGHTING: The concerns of safety, utility, dark sky protection and aesthetic appearance need not compete. Good modern lighting practices can provide adequate light for safety and utility without excessive glare or light pollution. Careful attention to when, where, and how much nighttime lighting is needed results in better lighting practices, darker skies and reduced energy use and costs. Kane County encourages lighting practices and systems which will: minimize light pollution, glare, and excessive glare; conserve energy and resources while maintaining nighttime safety, utility, security, and productivity; and curtail the degradation of the nighttime visual environment. Any and all new and

major addition to land uses, developments and buildings or structures are encouraged to use hooded lighting practices. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

7. Requiring larger setback areas, lot area, and/or lot depth or width:

100 foot setbacks from the shared property line. Agricultural setbacks are in place on the site plan.

8. Limiting the building height size or lot coverage, and/or location on the site;

9-5B-3: HEIGHT REGULATIONS: A building erected to a height greater than thirty five feet (35') requires a conditional use permit. (Ord. O-2020-14, 6-23-2020)

9-19-1: REQUIREMENTS:

When the Kane County land use authority administrator, county engineer or the building official deems it necessary, any application for a conditional use permit, a planned unit development, subdivision, MPR, mobile home park, RV park or a building or use permit shall be accompanied by a geologic and soils survey report for the land, lot, or parcel for which application approval is sought. The report shall be prepared at the applicant's expense by a registered or licensed geologist, soils engineer or civil engineer and shall show the suitability of soils on the property to accommodate the proposed construction, and any discernible flood, earthquake, or other natural hazards. Refer to chapter 21, "Subdivision Regulations", of this title for report and certification requirements.

Whenever a geologic and soils survey report indicates a parcel subject to an unusual potential or actual hazard, the applicant shall meet the special conditions required by the Kane County engineer or building official, to mitigate such hazard, or the application shall be denied. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9. Designating the size, number, location and/or design of vehicle access points or parking areas;

As shown on the site plan.

10. Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved provided that:

- a. An essential link exists between a legitimate governmental interest and each exaction; and
- b. Each exaction is roughly proportionate, both in nature and extent to the impact of the proposed development;

11. Assurance that the use will not be detrimental to the health, safety, comfort, order, or general welfare of persons residing or working in the vicinity; therefore dust mitigation, noise, glare, light and traffic plans need to be detailed. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations, as listed below: (12-28).

The number of shuttles to match the number of guest will be provided, and an emergency exit shuttle will be provided. The shuttles will help eliminate excessive dust to the site. The site plan shows the

glamping sites spread out on the property. The site is designed to match the surrounding natural setting, as much as possible, for aesthetic purposes. The development is geared for the outdoor enthusiast.

- 12. Limiting the number, size, location, height and/or lighting of signs;

KCLUO: 9-16-5: REGULATIONS OF SIGNS BY ZONE:

| | |
|----|----------------------------------|
| AG | See chart for manufacturing zone |
|----|----------------------------------|

This development is located off of a scenic byway. All signs will require a UDOT permit.

- 13. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;

All lighting will comply with the dark sky recommendations as found in Chapter 9-10-14: Lighting:
The concerns of safety, utility, dark sky protection and aesthetic appearance need not compete. Good modern lighting practices can provide adequate light for safety and utility without excessive glare or light pollution. Careful attention to when, where, and how much nighttime lighting is needed results in better lighting practices, darker skies and reduced energy use and costs. Kane County encourages lighting practices and systems which will: minimize light pollution, glare, and excessive glare; conserve energy and resources while maintaining nighttime safety, utility, security, and productivity; and curtail the degradation of the nighttime visual environment. Any and all new and major addition to land uses, developments and buildings or structures are encouraged to use hooded lighting practices. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

- 14. Requiring berms, screening or landscaping and the establishment of standards for their installation and maintenance;

As much native vegetation, as allowed, per Wildland Urban Interface, (WUI) will remain in place to provide natural screening. With any berms or landscaping that is installed, it will be added to the regular maintenance schedule with their maintenance and landscaping teams.

- 15. Requiring and designating the size, height, location and/or materials for fences;

Utah is a fence-out state.

- 16. Encouraging the protection and preservation of natural features including existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, slopes, cultural resources, and/or sensitive lands;

Wildland Urban Interface for fires will need to be complied through the building department.

The majority of the land will remain as is. WUI will regulate the allowance of surrounding trees and brush and will be approved by the Kane County Fire Warden. There are no water areas or wetlands found on the property.

- 17. Requiring the protection and preservation of groundwater recharge areas;

Mitigation: All state and federal guidelines and permits need to be applied for before a building will be approved.

18. Limiting noise generation;

An onsite manager will be available at all times.

19. Minimizing environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities;

The majority of the land will remain as is. Only the minimal amount of trees and brush will be cleared, except that which is necessary to make way for structures, road, paths, etc. There are no water areas or wetlands found on the property.

20. Requiring turn lane improvements at street intersections when:

- a. An unsafe condition would be created by the development without the improvements; or
- b. The projected increase in traffic generated by the new or expanded use will lower the level of service;

A Utah Department of Transportation letter of feasibility was submitted. The majority of the traffic will be via shuttles for the transportation of guests to help alleviate excessive traffic to the area.

21. Providing for emergency access;

The road and driveways on site will be made adequately wide so that in the event of an emergency, access will be appropriate for all vehicles.

22. Requiring pedestrian, bicycle and transit circulation, including related facilities, as needed among buildings and related uses on the development site, as well as to adjacent and nearby residential areas, transit stops, neighborhood activity centers, office parks, and industrial parks;

The site plan will show adequate circulation paths throughout the interior of the project.

23. Requiring approval of septic and of water systems;

Department of Environment Quality, and Department of Water Quality, and the Health Department permit/approvals will be obtained prior to starting construction on the Elohi development.

24. Requiring buildings to be built to specific requirements; (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

The State International building codes will be applied when building or remodeling. The building department will need to inspect all glamping sites, restaurants and employee housing facilities.

25. Recreation vehicle parks: a) business license required; b) Transient Room Taxes required; c) the use must be consistent with the environmental, commercial, and economical land use purposes stated in the General Plan, as amended; d) an official site plan that clearly demonstrates that the park will not cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, or other similar unreasonable risks; the existence or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets shall be reviewed; e) RV parks and campgrounds/glamping sites must have State and/or County approved access off a State highway, County B or D road, BLM road or, if off a private road, roads will meet Wild Land Interface Urban Code standards and will require a

road maintenance agreement between property owners and easement holders memorializing the mutual understanding that an increased use to the road will result and that proof of easements to property would be required; f) Health Department permit required if over forty (40) RV sites; the Department of Environmental Quality permit is also required for water and waste; g) must comply with Building Department and building permit regulations; h) on-site manager for RV parks and campgrounds; unless the campground is considered a primitive campground; i) requirements for the management and maintenance of facilities is adequate; j) the use shall not result in a situation which will create a need for essential services which cannot be reasonably met by local service providers, including roads and access for emergency vehicles and residents; fire protection; police protection; schools and school busing; drinkable water; sewer; storm drainage; and garbage removal; k) feasibility letters required for services extended to the RV parks and campgrounds to mitigate traffic safety conditions as to not adversely affect the use and surrounding areas; l) emergency access is adequate; m) a plan for fencing, screening, and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses is adequate; n) exterior lighting is adequate and does not unduly disturb the surrounding areas; o) exceptions include rural unimproved subdivisions that can only be used for agricultural purposes as defined in Utah State Code 59-2-502; (Ord. O-2017-16, 1-8-2018)

Feasibility letters from U.D.O.T, **Western Kane County Service District**, Garkane Energy, **Southwest Health Department**.

26. The conditions in subsection E26 of this section apply for glamp-grounds; limited to seventy (70) sites on this parcel of land;

As stated above and throughout the conditions.

27. The conditions in subsection E26 of this section apply for campgrounds; limited to seventy (70) sites this parcel of land. (Ord. O-2018-6, 7-9-2018)

As part of approving a conditional use permit, Kane County may require that a Traffic Impact Study (TIS) be completed for any development projects where it is deemed necessary. The traffic study shall, at a minimum, incorporate traffic engineering principles and standards as presented in national practices. Additional requirements and investigation may be imposed upon the applicant as necessary. The County shall determine the need and requirements for a traffic impact study. The requirements of the TIS may be expanded, reduced, or altered by the County based on the proposed project being analyzed. (Ord. O-2017-16, 1-8-2018)

Kane County Land Use Ordinance: 9-15A-2-F-1-3:

F: Findings: In approving a conditional use permit, the Land Use Authority shall find:

1. That the proposed use is necessary or desirable and will contribute to the general well-being of the community;
2. That the use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to the property or improvements in the vicinity;
3. That the proposed use is in harmony with the intent of the general plan and the zone in which it is located. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

All notices are in conformance with all standards and notice requirements of §17-27a-201-205. The agenda was noticed in three different public places and posted on the Kane County and Utah State websites.

This CUP complies with Utah State Code section unannotated § 17-27a-506, Conditional Uses.

- (1) A land use ordinance may include conditional uses and provisions for conditional uses that require compliance with standards set forth in an applicable ordinance.
- (2) (a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.
(b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

The conditions, as stated in the CUP application, will be enforced by the Land Use Authority (LUA) Administrator and the Building Department staff throughout the building process. The Land Use Administrator will enforce the CUP conditions after the development is finalized.

STAFF RECOMMENDATION: Kane County Land Use Administrator, Shannon McBride, and Civil Science Engineering, Kelvin Smith, recommends approval of the Elohi Conditional Use Permit application, submitted by Elohi Camp Zion LLC, Alberto Gana, with Tom Avant, holding power of attorney, for 32 Tents, a restaurant, and employee housing structures, located on Parcel 1-8-10-1, Sections 10 & 15, T41S, R8W, SLB&M, zoned Rural-40 on 140.53 acres. In preparing for the approval of the CUP a development meeting was held to review this project with necessary staff, therefore; mitigating any health, safety and welfare issues. Kane County, (alternate) engineer, Kelvin Smith, Civil Science, reviewed the development site plans and is recommending approval with the conditions stated in the attached report.

This does **not** need to be recommended to the County Commissioners.

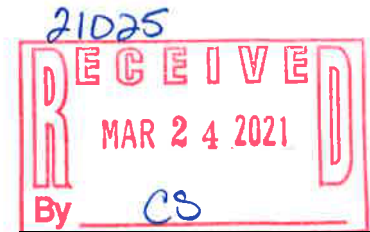
Please note: **9-15A-5: TIME LIMIT:** Action authorized by a conditional use permit must commence within one year of the time the permit is issued. If the permit holder has not commenced action under the permit within this time, the permit shall expire and the holder must apply for a new permit. The Land Use Authority may grant an extension for good cause shown. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

I move to **approve/deny** the Conditional Use Permit application, submitted by Elohi Camp Zion LLC, for 32 tents, a restaurant, and accessory structures, including employee housing structures, located on Parcel 1-8-10-1, (*if denied, the reasons for denial would need to be health, safety and welfare; in other words, what conditions could not be mitigated*).



**Kane County
Land Use Authority**

76 North Main Street
Kanab, Utah 84741
Phone (435) 644-4966
planning@kane.utah.gov



**Commercial Conditional Use Permit
Application Fee \$500
Engineering Deposit \$500**

***In the event additional engineering costs are accrued by the County related to a specific project the project applicant will be responsible for all additional engineering fees.
(KCLUO 9-15A-2C)**

Applicant's Information

Name: ELOHI Camp Zion, LLC (Alberto Gana)

Mailing Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip: [REDACTED]

Phone: [REDACTED] E-mail address: [REDACTED]

Property Information

Parcel # 1-8-10-1 Zone: R-40 Total acreage: 140 Acres

Acreage occupied by new use: 27.74 Current use of land: R-40

PROPOSED USE: Glamping Resort

***Please provide proof of ownership.**

***Application must be received in office 21 days prior to the scheduled Land Use Authority Meeting (KCLUO 9-15A-2A).**

***Incomplete applications will be returned to the applicant/engineer.**

*Fee is non-refundable after engineer's review.

Property Owner's information
(if different than applicant)

Name: Same as above

Address: _____

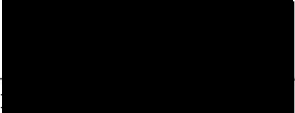
City: _____ State: _____ Zip: _____

Phone: _____ E-mail address: _____

A notarized affidavit by owner that the applicant has authority to act on their behalf is required.

There shall be no presumption of approval of any aspect of the process. Each application for a Conditional Use Permit shall have all required submittals before it is accepted as a complete application. It is highly recommended that the applicant or their authorized agent be present at the Planning Commission meeting that the Conditional Use Permit is an agenda item. Electronic appearance is acceptable if prior arrangements are made.

I (We) understand that the Land Use Authority shall not authorize a Conditional Use Permit unless the evidence presented is such as to establish that such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified in the Kane County Land Use Ordinance for such use. (9-15A-(1-7))

Signature of 

March 24, 2021
Date

ATTACH A LOCATION MAP, SITE MAP, DEVELOPMENT PLAN, DETAILED DESCRIPTION OF PROPOSED USE AND FEASIBILITY LETTERS.
Please include a parcel map obtained from the Kane County Recorder's Office.

Land Use Authority Action:

Approve

Deny

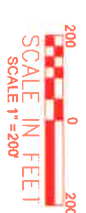
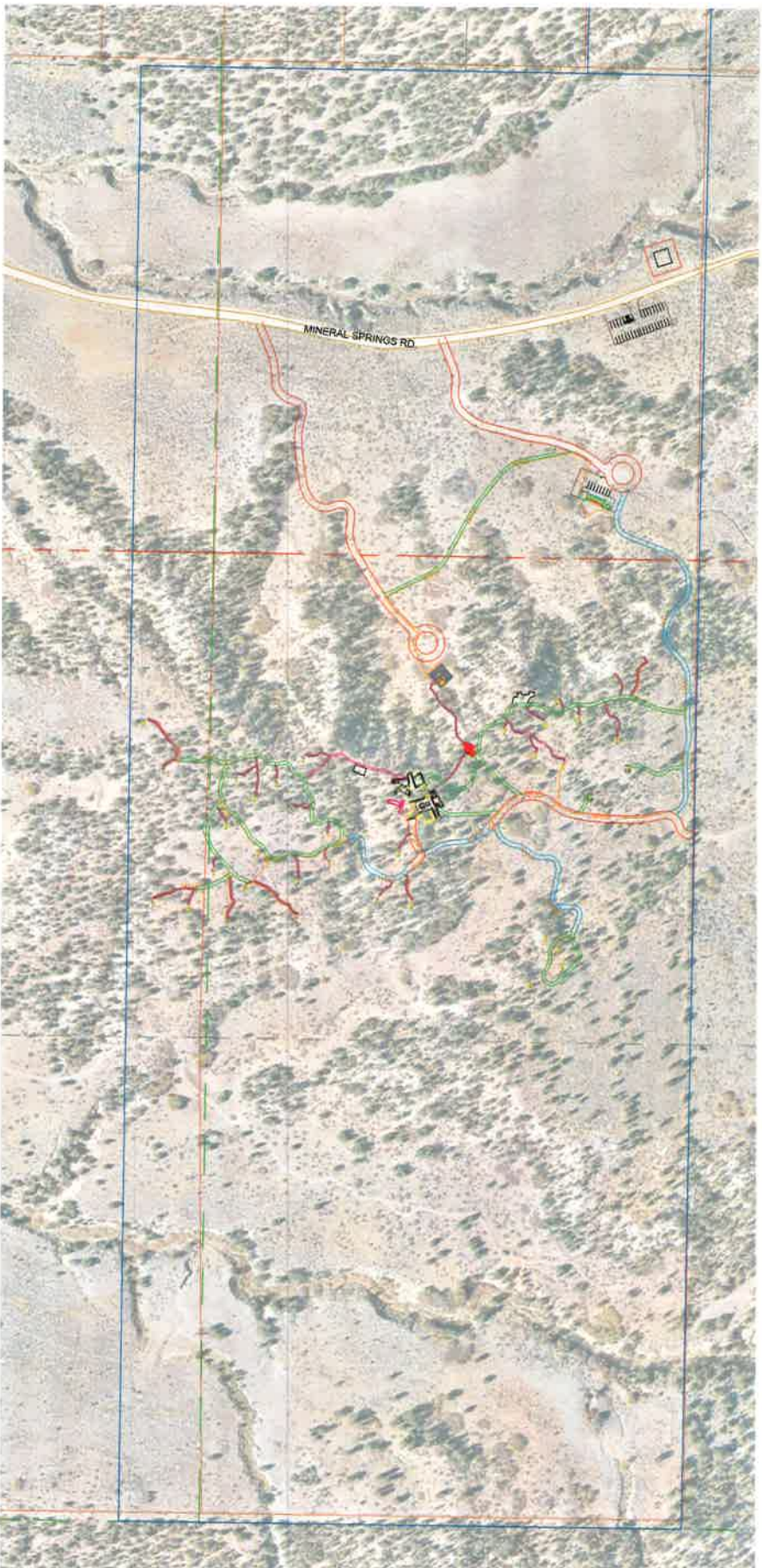
Planning Commission Chairman

Date

ELOHI CAMP SITE

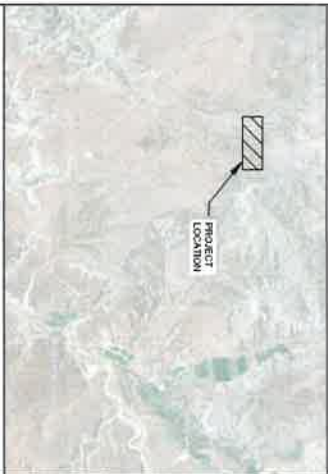
CONDITIONAL USE PERMIT

KANAB, UTAH



IRON ROCK ENGINEERING
SURVEYING & DESIGN
Building on Solid Foundations
460 E. 300 SOUTH
KANAB, UTAH 84741
435-644-2031
www.ironrockeng.com

PROJECT INFORMATION:
 PROJECT LOCATION: KANE COUNTY, UTAH
 PARCEL NUMBER: 1-8-10-1
 ZONE: RURAL 40
 SET BACKS:
 FRONT: 30'
 SIDE: 30'
 REAR: 30'
 OWNER & DEVELOPER: ELOHI CAMP ZON, LLC
 5040 WILLOREY CANYON RD,
 SALT LAKE CITY, UT 84109
 DESIGN SPECIFICATIONS: KANE COUNTY ZONING ORDINANCE
 PARKING COUNT:
 TOTAL RENTALS: 32
 REQUIRED PARKING: 34
 TOTAL PROVIDED PARKING: 40
 REQUIRED VAN ACCESSIBLE: 1
 PROVIDED VAN ACCESSIBLE: 1
 TOTAL REQUIRED ACCESSIBLE PARKING: 2
 PROVIDED ACCESSIBLE PARKING SPACES: 2



VICINITY MAP

ELOHI CAMP SITE

COVER SHEET

PARCEL 1-8-10-1
KANE COUNTY, UT 84741

INITIAL SUBMITTAL: 3/23/2021

| REV# | DATE | DESCRIPTION |
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NOT FOR CONSTRUCTION

Know what's below. Call 811 before you dig.

BLUE STAKES OF UTAH
 UTILITY NOTIFICATION CENTER, INC.
 www.bluestakes.org
 1-800-662-4111

DRAWN BY: **RLB**
 SCALE: 1"=200'
 SHEET: **C001**

GENERAL NOTES:

ALL MATERIALS WORKMANSHIP SHALL BE IN CONFORMANCE WITH THE LATEST STANDARDS AND SPECIFICATIONS OF THE APPROPRIATE GOVERNING AGENCY. THE CONTRACTOR SHALL HAVE IN HIS POSSESSION AT ALL TIMES ONE (1) SIGNED COPY OF THE PLANS, STANDARDS, AND SPECIFICATIONS AS APPROVED BY THE APPROPRIATE GOVERNING AGENCY.

THE CONTRACTOR SHALL OBTAIN, AT HIS OWN EXPENSE, ALL APPLICABLE CODES, LICENSES, STANDARDS, SPECIFICATIONS, PERMITS, BONDS, ETC. WHICH ARE NECESSARY TO PERFORM THE PROPOSED WORK.

IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE ENGINEER OF ANY PROBLEMS IN CONFORMING TO THE APPROVED PLANS FOR ANY ELEMENT OF THE PROPOSED IMPROVEMENTS PRIOR TO ITS CONSTRUCTION.

SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN SECTION 3 OF THE KANE COUNTY STANDARD SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND REPLACING ALL SOFT, YIELDING OR UNSUITABLE MATERIALS AND REPLACING WITH SUITABLE MATERIALS AS SPECIFIED IN THE SOILS REPORT. ALL EXCAVATED OR FILLED AREAS SHALL BE COMPACTED TO 96% OF MODIFIED PROCTOR MAXIMUM DENSITY PER AASHTO T99. METHOD D FOR A-1 SOILS AND AASHTO T99. METHOD D FOR OTHER SOILS FOR TRAVELLED AREAS INCLUDING ROADS, SHOULDERS AND PARKING LOTS. AND DRIVEWAYS AND 90% OF MODIFIED PROCTOR MAXIMUM DENSITY PER AASHTO T99. METHOD D FOR A-1 SOILS AND AASHTO T99. METHOD D FOR OTHER SOILS FOR NON-TRAVELLED AREAS. MOISTURE CONTENT AT TIME OF PLACEMENT SHALL NOT EXCEED 2% PLUS OR MINUS OF OPTIMUM. PLACE BACKFILL AND EMBANKMENT MATERIALS IN LAYERS NOT EXCEEDING 12 INCHES NON-COMPACTIVE DEPTH. CONTRACTOR SHALL SUBMIT A COMPACTION REPORT PREPARED BY A QUALIFIED REGISTERED SOILS ENGINEER, VERIFYING THAT ALL FILLED AREAS AND SUBGRADE AREAS WITHIN THE BUILDING PAD AREA AND AREAS TO BE PAVED, HAVE BEEN COMPACTED IN ACCORDANCE WITH THESE PLANS & SPECS AND THE RECOMMENDATIONS SET FORTH IN THE SOILS REPORT.

BACKFILL MATERIAL FOR UTILITY TRENCHES SHALL BE MATERIAL FREE OF RUBBER, DEBRIS, ORGANIC MATERIAL, FROZEN MATERIAL, ROCKS EXCEEDING 12 INCHES, OR OTHER OBJECTIVE MATERIAL. BACKFILL FOR ELECTRICAL TRENCHES SHALL NOT INCLUDE ANY ROCKS EXCEEDING 3 INCHES IN SIZE. BROKEN PORTLAND CEMENT CONCRETE OR ASPHALT BEDDING SHALL BE NATIVE OR IMPORTED SOIL, SAND, GRAVEL, CRUSHED ROCK OR OTHER MATERIAL NOT EXCEEDING 3/4 INCH MAXIMUM PARTICLE SIZE. FLOWABLE FILL CAN BE USED AS BEDDING. DO NOT PLACE ROCKS LARGER THAN 2.5 INCHES IN BACKFILL PLACED WITHIN 12 INCHES LINEAR FEET OF OPEN TRENCH IS PERMITTED. BACKFILL TRENCHES AS SOON AS POSSIBLE. NO MORE THAN 500

ANY CONSTRUCTION DEBRIS OR MUD DROPPED INTO MANHOLES, INLETS, PIPES OR TRACKED ONTO EXISTING ROADWAYS SHALL BE REMOVED IMMEDIATELY BY THE CONTRACTOR. THE CONTRACTOR SHALL REPAIR ANY EXCAVATIONS OR PAVEMENT FAILURES CAUSED BY HIS CONSTRUCTION. THE CONTRACTOR SHALL PROPERLY BARRICADE THE CONSTRUCTION SITE UNTIL CONSTRUCTION IS COMPLETE.

THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS AT AND ADJACENT TO THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THE CONTRACTOR SHALL PROVIDE ALL LIGHTS SIGNS, BARRICADES, FLAGMEN, OR OTHER DEVICES NECESSARY TO PROVIDE FOR PUBLIC SAFETY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. ALL ROADWAY AREAS WILL HAVE STERILIZATION OF THE SOIL TO EPA STANDARDS AND USU EXTENSION RECOMMENDED PRODUCTS PRIOR TO PLACEMENT OF USC ROAD BASE OR ASPHALT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE APPROPRIATE FIRE DEPARTMENT OF ALL STREET CLOSINGS AND EXISTING FIRE HYDRANTS TAKEN OUT OF SERVICE AT LEAST 48 HOURS PRIOR TO THE START OF CONSTRUCTION.

THE CONTRACTOR SHALL NOTIFY ALL PUBLIC UTILITY COMPANIES AND DETERMINE THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO PROCEEDING WITH CONSTRUCTION. ALL WORK PERFORMED IN THE AREA OF PUBLIC UTILITIES SHALL BE PERFORMED ACCORDING TO THE REQUIREMENTS OF THESE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ANY EXISTING UTILITY (INCLUDING DEPTH WHICH MAY CONFLICT WITH THE PROPOSED CONSTRUCTION. THE CONTRACTOR SHALL PROTECT AT HIS OWN EXPENSE ALL EXISTING UTILITIES AND BE RESPONSIBLE FOR THEIR REPAIR IF THEY ARE DAMAGED DURING CONSTRUCTION.

EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN.

IN COMPLIANCE WITH THE PROVISIONS OF THE FEDERAL WATER POLLUTION CONTROL ACT, THE CONTRACTOR SHALL OBTAIN A CONSTRUCTION ACTIVITY STORMWATER DISCHARGE PERMIT THROUGH THE UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF WATER QUALITY, PRIOR TO CONSTRUCTION IN ACCORDANCE WITH THE UTAH STORMWATER GENERAL PERMIT UTR300000. THE CONTRACTOR IS RESPONSIBLE FOR COMPLIANCE WITH THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) AND REPORT. THE CONTRACTOR IS TO USE BEST MANAGEMENT PRACTICES FOR PROVIDING EROSION CONTROL FOR CONSTRUCTION OF THIS PROJECT.

THE CONTRACTOR SHALL PROTECT ALL WORK AREAS AND FACILITIES FROM WATER AT ALL TIMES. AREAS AND FACILITIES SUBJECT TO FLOODING, REGARDLESS OF THE SOURCE OF WATER SHALL BE PROMPTLY DEWATERED AND RESTORED AT THE CONTRACTOR'S EXPENSE.

WATER SHALL BE USED AS A DUST PALLIATIVE WHERE REQUIRED. WATER WILL NOT BE PAID FOR SEPARATELY BUT WILL BE INCLUDED IN THE WORK. CONSTRUCTION SHALL BE CONDUCTED SUCH THAT ACCESS TO ALL DRIVEWAYS IS MAINTAINED THROUGHOUT THE DURATION OF CONSTRUCTION.

1. ALL CONSTRUCTION SHALL CONFORM TO THE "KANE COUNTY STANDARD SPECIFICATIONS AND DRAWING DETAILS FOR DESIGN AND CONSTRUCTION". THE INTERNATIONAL PLUMBING CODE FOR VILLAGE AREAS. SURFACE GRADERS SHALL BE WITHIN ONE FOOT OF FINISHED GRADE AND FERTILIZATION OF COMPOST OBTAINED AND SUBMITTED TO THE APPROPRIATE GOVERNING AGENCY FOR THEIR REVIEW PRIOR TO PIPELINE INSTALLATION.

NO WORK SHALL BE BACKFILLED (INCLUDING BEDDING MATERIAL ABOVE THE SPRING LINE OF THE PIPE) UNTIL THE CONSTRUCTION HAS BEEN INSPECTED AND APPROVED FOR BACKFILLING BY THE APPROPRIATE GOVERNING AGENCY OR THE CONTRACTING OFFICER.

ALL BACKFILL MATERIAL SHALL BE COMPACTED IN ACCORDANCE WITH THE SOILS REPORT AND THE APPROPRIATE GOVERNING AGENCY. COMPACTION TESTS SHALL BE SUBMITTED TO THE APPROPRIATE GOVERNING AGENCY OR THE CONTRACTING OFFICER PRIOR TO THE FINAL ACCEPTANCE.

ALL SITE CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3000 PSI. ANY CONCRETE THAT HAS THE POSSIBILITY OF BEING SUBJECT TO VEHICULAR LOADS, SUCH AS DRIVE APRONS OR SIDEWALKS IN FIRE LANES, SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 4200 PSI.

ALL RIM ELEVATIONS OF MANHOLES, CLEANOUTS, VALVES, METERS, ETC. SHALL BE ADJUSTED TO FINISHED GRADE, UNLESS SPECIFICALLY DIRECTED OTHERWISE.

THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR THE PROPER FUNCTIONING OF THE GAS, SEWER, WATER AND STORM SEWER LINES FOR UP TO ONE (1) YEAR FROM THE DATE OF ACCEPTANCE OF THE LINES BY THE APPROPRIATE GOVERNING AGENCY OR BY THE FEDERAL GOVERNMENT. ANY MALFUNCTION DURING THIS PERIOD OF GUARANTEE SHALL BE REMEDIATED BY THE CONTRACTOR TO THE SATISFACTION OF THE APPROPRIATE GOVERNING AGENCY AND OWNER AT NO EXPENSE TO THE AGENCY OR OWNER.

TEMPORARY FLOOD AND SEDIMENT CONTROL FACILITIES SHALL BE CONSTRUCTED OR PUT IN PLACE PRIOR TO THE COMMENCEMENT OF ANY GRADING OPERATIONS. THE CONTRACTOR WILL BE HELD LIABLE FOR ANY FLOOD DAMAGE DOWNSTREAM DUE TO RUNOFF FROM THE CONSTRUCTION SITE DURING CONSTRUCTION.

WATER NOTES:

1. ALL CONSTRUCTION SHALL CONFORM TO THE "KANE COUNTY STANDARD SPECIFICATIONS AND DRAWING DETAILS FOR DESIGN AND CONSTRUCTION". THE INTERNATIONAL PLUMBING CODE.

2. CONTRACTOR SHALL POT-HOLE ALL PIPELINES TO VERIFY DEPTH PRIOR TO PROCEEDING WITH ANY BUILDING OR PIPELINE CONSTRUCTION.

3. 1/2 GAUGE WIRE SHALL BE TAPED TO ALL WATER LINES FOR LOCATING PURPOSES. THE WIRE SHALL ALSO BE BROUGHT UP AT EACH VALVE BOX AND HYDRANT.

4. THURST RESTRAINT ON THE NEW PIPELINE SHALL BE BELL AND SPIGOT JOINT RESTRAINT HARNES OR CLAMP RATED AT PRESSURE CLASS OF PIPE OR GREATER. USE MEGALUD OR APPROVED EQUAL ON THE FITTINGS AND FIELD LOCK GASKETS ON THE REQUIRED LENGTH OF RESTRAINED PIPE.

5. ASPHALT REPLACED OVER THE PIPE TRENCHING IS TO MATCH EXISTING PAVEMENT DEPTHS WITH A 6" OVER CUT FROM THE EDGE OF THE TRENCH LINE ON EACH SIDE OF THE TRENCH. SEE DETAIL 4, SHEET C400.

7. ANY CHANGES MADE IN THE FIELD MUST BE FIRST APPROVED AND DOCUMENTED BY THE ENGINEER.

9. ALL WATER LINES TO BE 8" C-900 PIPE WITH BELL AND SPIGOT JOINTS WITH ELASTOMERIC GASKETS AND BEAR NSF LABEL. ALL FITTINGS SHALL BE CAST IRON OR DUCTILE IRON. ALL WATER LINES SHALL BE INSTALLED AND TESTED AS PER KANE COUNTY STANDARD SPECIFICATIONS.

10. ALL SERVICE LINE SHALL BE HOPE PIPE, 200 PSI, IRON PIPE SIZE WITH STAINLESS STEEL INSERT STEPPERS AND MAINTAIN 6 FEET MINIMUM COVER TO TOP OF PIPE. TAP SANDLIE CORPORATION STOP AND SERVICE METER PER KANE COUNTY STANDARD SPECIFICATIONS. INSTALL METER ON PUBLIC SIDE OF PROPERTY LINE AND WITHIN 2 FEET OF PROPERTY LINE.

11. ALL FIRE HYDRANTS SHALL BE AMWA C502, DRY BARREL, TYPE WITH PRIMER AND TWO COATS OF RED ENAMEL WITH A MIN 6 FOOT BURST. HYDRANTS SHALL HAVE A 6" C-900 PIPE AND SHUT-OFF VALVE BETWEEN WATER SUPPLY AND HYDRANT AND INSTALLED AS PER KANE COUNTY STANDARD SPECIFICATIONS.

12. ALL WATER MAIN LINES TO BE INSTALLED A MINIMUM OF 10' HORIZONTALLY FROM ANY SEWER MAIN LINE AND 18' VERTICALLY ABOVE TOP OF SEWER MAIN LINE OR STORM DRAIN LINE AT ANY CROSSINGS. WHEN THE WATER MAIN CANNOT BE AS HIGH AS 18 INCHES ABOVE THE SEWER, THE SEWER SHALL BE CONSTRUCTED OF MATERIAL WITH PRESSURE CONDUIT STANDARDS FOR A DISTANCE OF 20 FEET ON EITHER SIDE OF THE CROSSING. ALL PORTABLE AND RIVER WATER LINE TO MAINTAIN A MINIMUM DEPTH OF 60" BELOW FINISHED GRADE TO TOP OF PIPE.

13. ALL TEES, BENDS PLUGS AND HYDRANTS SHALL BE PROVIDED WITH REACTION BLOCKING, THE ROOS OR JOINTS DESIGNED TO PREVENT MOVEMENT.

14. ALL VALVES SHALL BE AMWA C509 IRON BODY GATE VALVES WITH BRONZE TRIM, NON-RISING STEM WITH A 2" SQUARE OPERATING NUT, SINGLE WEDGE, RESILIENT SEAT, MECHANICAL JOINT ENDS, RATED FOR 200 POUNDS PER SQUARE INCH WORKING PRESSURE. VALVE BOX AND COVER SHALL BE CAST IRON EXTENSION SLEEVE TYPE WITH "WATER" CAST ON COVER WITH A CLASS AA/D REINFORCED CONCRETE.

WATER PIPE TESTING:

1. TEST WATER MAINS AT LESSER OF 200 PSI OR PRESSURE RATING OF PIPE. TEST SHALL BE WITNESSED BY A REPRESENTATIVE OF THE KANE COUNTY ENGINEER, OR KANE COUNTY WATER CONSERVANCY DISTRICT, AS APPLICABLE.

- A. FILL PIPE WITH WATER AND PLACE UNDER SLIGHT PRESSURE FOR AT LEAST 48 HOURS.
- B. BRING PIPE PRESSURE TO TEST PRESSURE AND MAINTAIN FOR 4 HOURS MIN.
- C. PROVIDE ACCURATE MEANS FOR MEASURING QUANTITY OF WATER NEEDED TO MAINTAIN TEST PRESSURE ON PIPE FOR TEST PERIOD.
- D. IF VOLUME OF WATER ADDED TO PIPE IS 10 GALLONS PER INCH OF PIPE DIAMETER PER MILE OF PIPE PER 24 HOURS OR LESS, PIPE PASSES TEST.
- E. IF PIPE DOES NOT PASS TEST, FIND SOURCE OF LEAKAGE, REPAIR OR REPLACE, AND RETEST. REPEAT UNTIL PIPE PASSES TEST.

2. BACTERIOLOGICAL TEST - AFTER FLUSHING CHLORINATED WATER FROM WATER LINES, TAKE SAMPLE FOR BACTERIOLOGICAL TEST. IF NECESSARY, RE-CHLORINATE UNTIL SATISFACTORY BACTERIOLOGICAL TEST IS OBTAINED. DO NOT PUT PIPING INTO SERVICE UNTIL TEST RESULTS ARE SATISFACTORY.

THE FOLLOWING TEST PROTOCOL IS LISTED IN ANSIS/AWWA STANDARD C651.

- A. COLLECT TWO SAMPLES FROM EACH SAMPLE LOCATION TAKEN AT LEAST 24 HRS. APART.
- B. COLLECT A SAMPLE FROM AT LEAST EVERY 1,200 FT. OF NEW MAIN.
- C. COLLECT A SAMPLE FROM THE END OF THE LINE AND AT LEAST ONE FROM EACH BRANCH.
- D. TEST SAMPLES FOR TOTAL COLIFORM BACTERIA IN ACCORDANCE WITH STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER. ADDITIONAL TESTS MAY BE REQUIRED INCLUDING: CHLORINE RESIDUAL, TURBIDITY, pH, AND HETERO TROPHIC PLAT COUNT (HPC).
- E. SPECIAL CONDITION, COLLECT ADDITIONAL SAMPLES AT INTERVALS OF APPROXIMATELY 200 FT. IF TRENCH WATER HAS ENTERED THE NEW MAIN DURING CONSTRUCTION OR IF EXCESSIVE QUANTITIES OF DIRT OR DEBRIS HAVE ENTERED THE NEW MAIN. TAKE SAMPLES OF WATER THAT HAS STOOD IN THE NEW MAIN FOR AT LEAST 16 HOURS AFTER FINAL FLUSHING.
- F. COLLECT SAMPLES IN STERILE BOTTLES TREATED WITH SODIUM THIOSULFATE AS REQUIRED BY STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER DO NOT USE HOSE OR FIRE HYDRANTS FOR THE COLLECTION OF SAMPLES. ENSURE THAT THERE IS NO WATER IN THE TRENCH UP TO THE CONNECTION FOR SAMPLING. USE CLEAN AND DISINFECTED SAMPLING PIPE THAT HAS BEEN FLUSHED PRIOR TO SAMPLING. A CORPORATION COCK MAY BE INSTALLED IN THE MAIN WITH A COPPER TUBE GOOSENECK ASSEMBLY. THIS ASSEMBLY CAN BE REMOVED AFTER SAMPLING AND USED AGAIN.
- G. IF THE HPC TEST RESULTS ARE GREATER THAN 500 COLONY-FORMING UNITS(CFU) PER mL, FLUSH AND COLLECT A REPEAT SAMPLE UNTIL NO COLIFORMS ARE PRESENT AND HPC IS BELOW 500 CFU/mL.
- H. COLIFORM BACTERIA MUST BE ABSENT FROM THE SAMPLES AND THE BACTERIOLOGICAL QUALITY OF THE WATER EQUAL TO OR BETTER THAN THAT OF THE DISTRIBUTION SYSTEM.

- 1. RESAMPLE. IF CHECK SAMPLES ALSO FAIL, TO PRODUCE ACCEPTABLE RESULTS, RECHLORINATE THE MAIN BY THE CONTINUOUS-FEED OR SLUG METHOD UNTIL TWO CONSECUTIVE SETS OF ACCEPTABLE TESTS ARE TAKEN AT LEAST 24 HR APART. IN SOME CASES, IT MAY BE NECESSARY TO PIG OR PRESSURE WASH THE PIPE PRIOR TO RECHLORINATING THE MAIN. IT IS ADVISABLE TO CHECK THE QUALITY OF THE WATER ENTERING THE NEW MAIN BECAUSE HIGH VELOCITIES USED FOR FLUSHING MAY HAVE DISTURBED SEDIMENT IN THE SUPPLY PIPING AND RESULTED IN POOR QUALITY FEED WATER.

WATER PIPE DISINFECTION

1. AFTER COMPLETING PRESSURE TESTING, FLUSH PIPE TO REMOVE DIRT OR OTHER FOREIGN OBJECTS.

2. ADD LIQUID CHLORINE OR LIQUID CALCIUM HYPOCHLORITE TO PIPE TO OBTAIN 50 PPM CONCENTRATION OF CHLORINE. MAINTAIN 25 PPM CHLORINE RESIDUAL AT THE END OF 24 HOURS. DISINFECTION PROCEDURES SHALL COMPLY WITH UTAH STATE RULES FOR PUBLIC DRINKING WATER SYSTEMS, PART 11 AND AMWA C551.

3. FLUSH CHLORINATED WATER FROM PIPE. DISPOSE OF DISCHARGED CHLORINATED WATER IN ACCEPTABLE MANNER AND IN CONFORMANCE WITH RULES OF UTAH WATER QUALITY BOARD (SEE R317 OF ADMINISTRATIVE CODE), AND/OR AMWA STANDARDS.

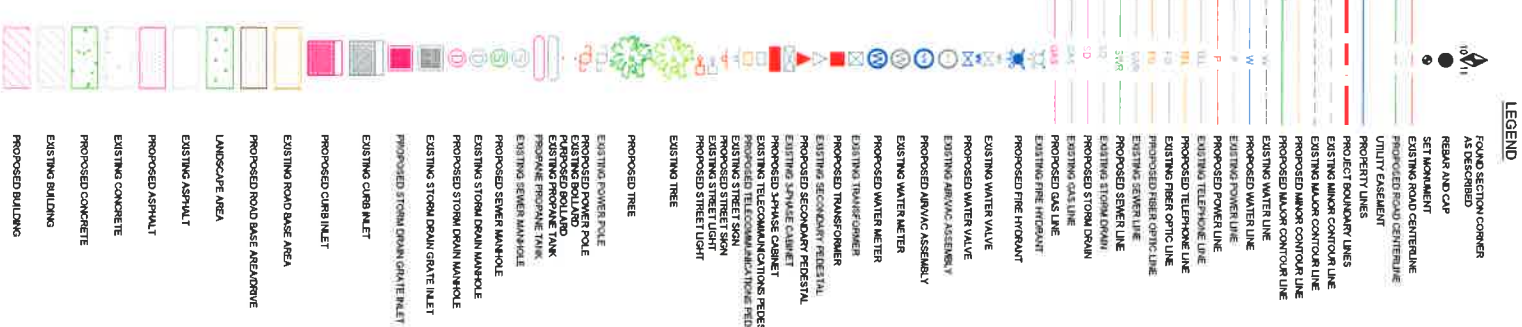
DRAINAGE NOTES:

1. ALL CONSTRUCTION SHALL CONFORM TO THE "KANE COUNTY STANDARD SPECIFICATIONS AND DRAWING DETAILS FOR DESIGN AND CONSTRUCTION".

2. ALL DRAINAGE PIPE SHALL BE CORRUGATED HIGH DENSITY POLYETHYLENE PIPE WITH SMOOTH LINING, GASKETED SPIGOT AND BELL ENDS AND SHALL CONFORM TO AASHTO M294 AND ASTM D3350.

3. VERIFY LOCATION AND ELEVATION OF ALL IMPROVEMENTS PRIOR TO PLACING DRAINAGE STRUCTURES.

4. INSTALL PIPE AND FITTINGS IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS. INSTALL PIPE STARTING AT DOWNSTREAM END. SECURE JOINTS WATER TIGHT.



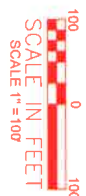
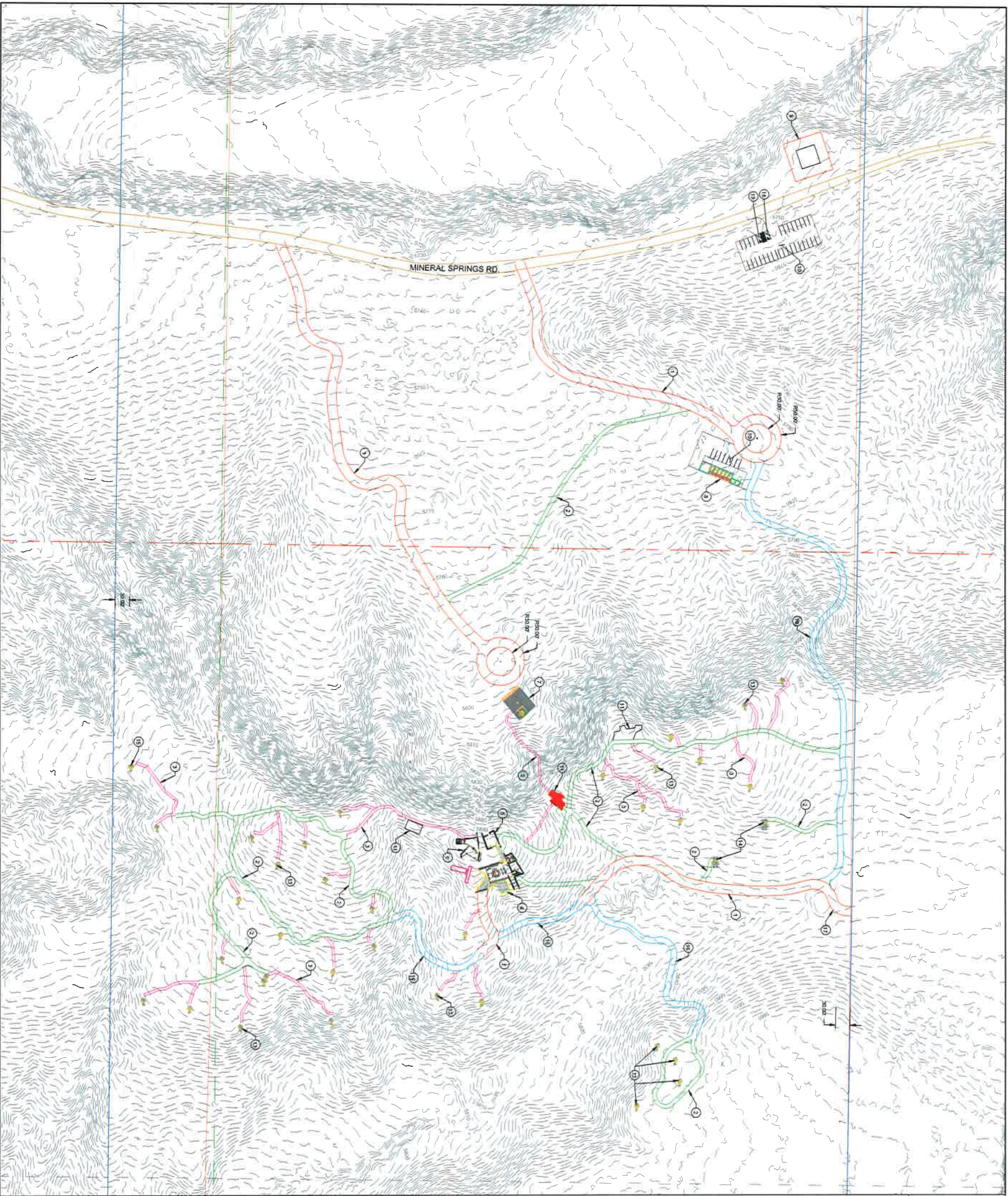
IRON ROCK ENGINEERING
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 480 E. 300 SOUTH
 KANAB, UTAH 84741
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ELOHI CAMP SITE
SPECIFICATIONS SHEET
 PARCEL 1-8-10-1
 KANE COUNTY, UT 84741

| INITIAL SUBMITTAL: | 3/23/2021 | |
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| REV#: | DATE: | DESCRIPTION: |
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NOT FOR CONSTRUCTION

DRAWN BY: **RLB**
 SCALE: **NA**
C002



- SCOPE OF WORK:
 PROVIDE INSTALLATION CONSTRUCTION THE FOLLOWING PER THE
 SPECIFICATIONS GIVEN OR REFERENCED AND THE DETAILS NOTED AND AS
 SHOWN ON THE CONSTRUCTION DRAWINGS:
- 1 PROPOSED 27' GRAVEL ROAD
 - 2 PROPOSED 9' GRAVEL WALKING PATH TO TENT (TPP)
 - 3 PROPOSED RESTAURANT STRUCTURE
 - 4 PROPOSED RECEPTION STRUCTURE
 - 5 PROPOSED SITE STRUCTURE
 - 6 PROPOSED LOBBY STRUCTURE
 - 7 PROPOSED STAFF HOUSING/STORAGE STRUCTURE
 - 8 PROPOSED HELICOPTER LANDING PAD
 - 9 PROPOSED GRAVEL PARKING (TPP, 18729)
 - 10 PROPOSED DECK
 - 11 PROPOSED SPA TENT
 - 12 PROPOSED SPA TENT
 - 13 PROPOSED TENT (TPP)
 - 14 PROPOSED ADA TENT
 - 15 PROPOSED HOTEL MANAGER TENT
 - 16 PROPOSED 27' GRAVEL CART PATH
 - 17 PROPOSED 27' GRAVEL PREFERENTIAL APPARATUS ACCESS ROAD. SEE SHEET C201 FOR CONTINUATION
 - 18 PROPOSED ADA PARKING STALL
 - 19 PROPOSED VAN/ADA PARKING STALL

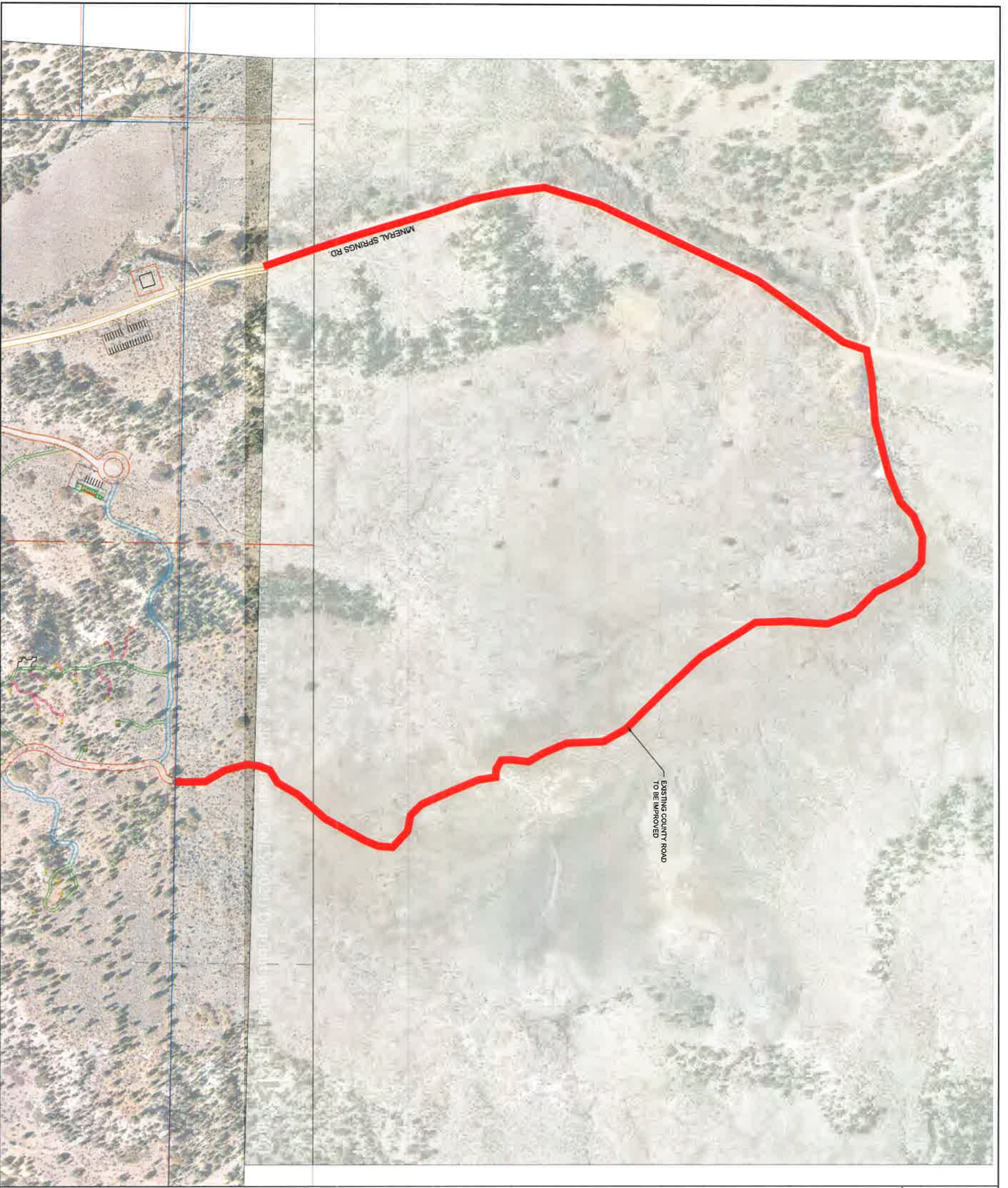
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ELOHI CAMP SITE
SITE PLAN
 PARCEL 1-8-10-1
 KANE COUNTY, UT 84741

| INITIAL SUBMITTAL: 3/23/2021 | | |
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| REV# | DATE | DESCRIPTION |
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NOT FOR CONSTRUCTION

DRAWN BY: **RLB**
 SCALE: 1"=100'
 SHEET: **C200**



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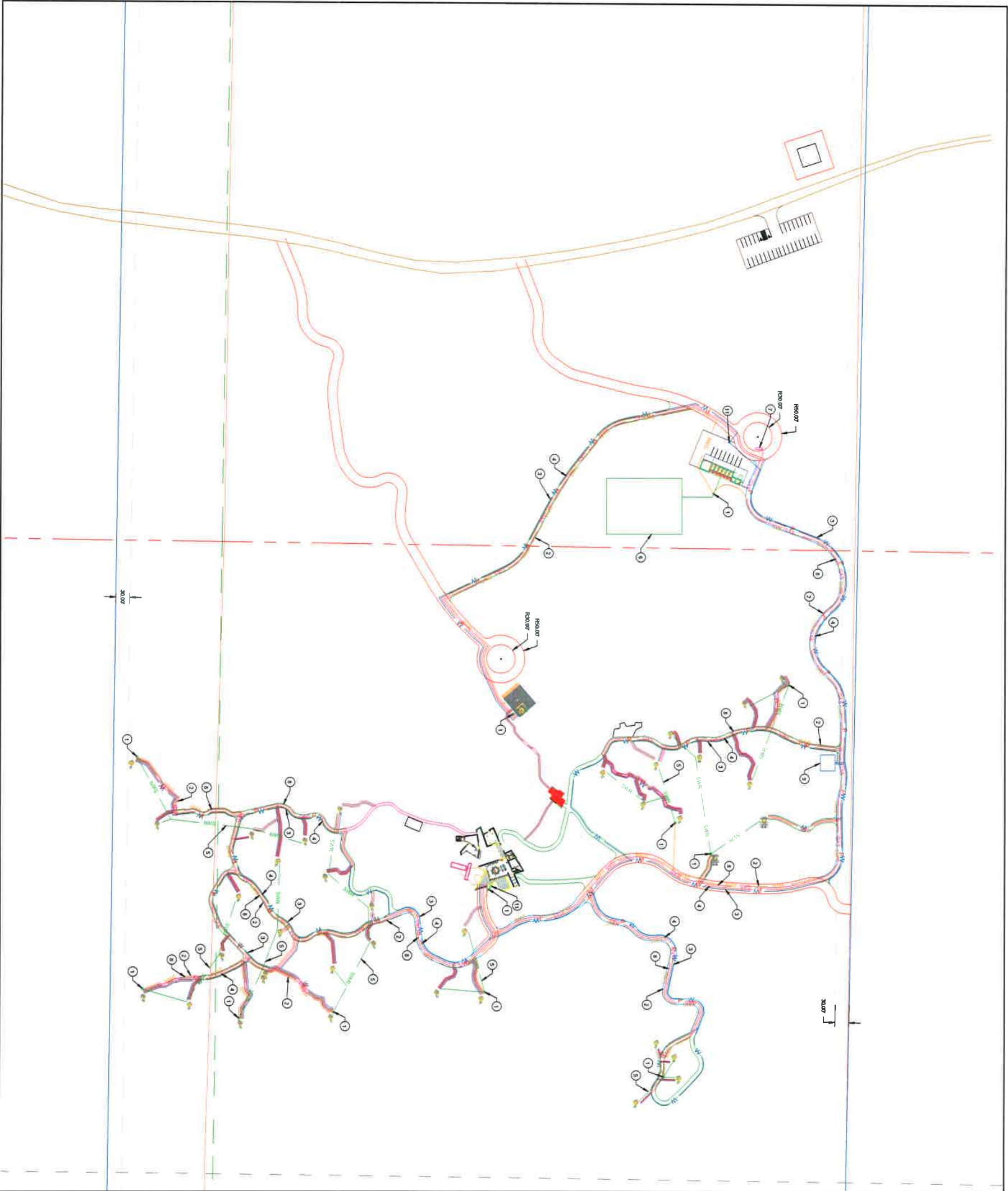
ELOHI CAMP SITE
FIRE/EMERGENCY ACCESS
 PARCEL 1-8-10-1
 KANE COUNTY, UT 84741

INITIAL SUBMITTAL: 3/23/2021

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NOT FOR CONSTRUCTION

DRAWN BY: RLB
 SCALE: 1"=150'
 SHEET: **C201**



1"=100'
SCALE IN FEET
SCALE 1"=100'



- SCOPE OF WORK:
 PROVIDE DETAILED LAYOUT AND CONSTRUCTION DETAILS FOR THE
 SPECIFICATIONS GIVEN OR REFERENCED AND THE DETAILS NOTED AND AS
 SHOWN ON THE CONSTRUCTION DRAWINGS.
- 1 PROPOSED ELOHI GRABBER AT UNIT (GPP)
 - 2 PROPOSED ELOHI GRABBER AT UNIT (GPP)
 - 3 PROPOSED WATER LINE (GPP)
 - 4 PROPOSED POWER LINE (GPP)
 - 5 PROPOSED GRANITE SEWER LINE (GPP)
 - 6 PROPOSED SEPTIC FIELD
 - 7 PROPOSED PROPAANE TANK
 - 8 PROPOSED WATER PUMP AND PUMP HOUSE
 - 9 EXISTING WELL
 - 10 PROPOSED GREASE TRAP



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ELOHI CAMP SITE
UTILITY PLAN
 PARCEL 1-8-10-1
 KANE COUNTY, UT 84741

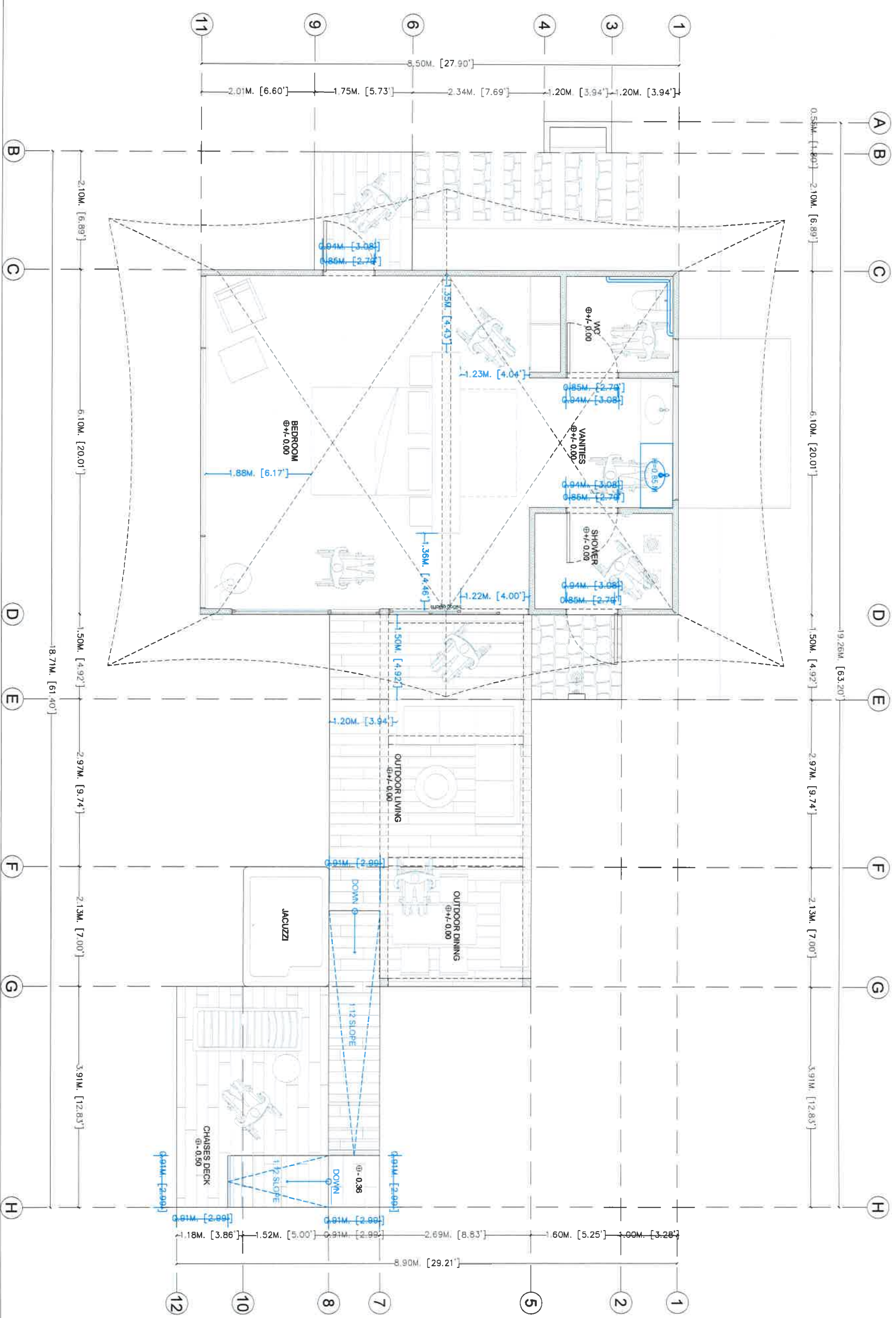
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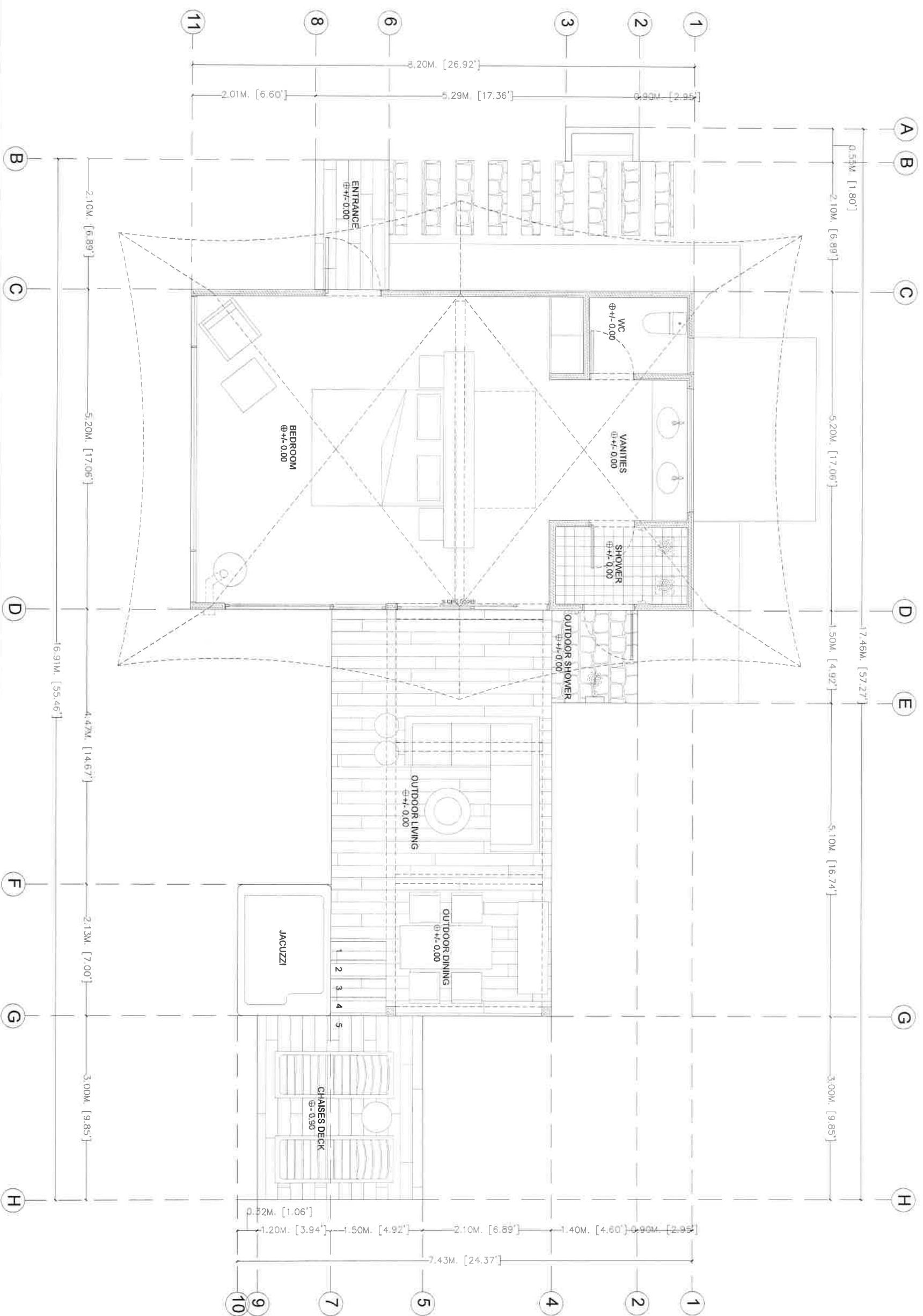
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 SHEET:

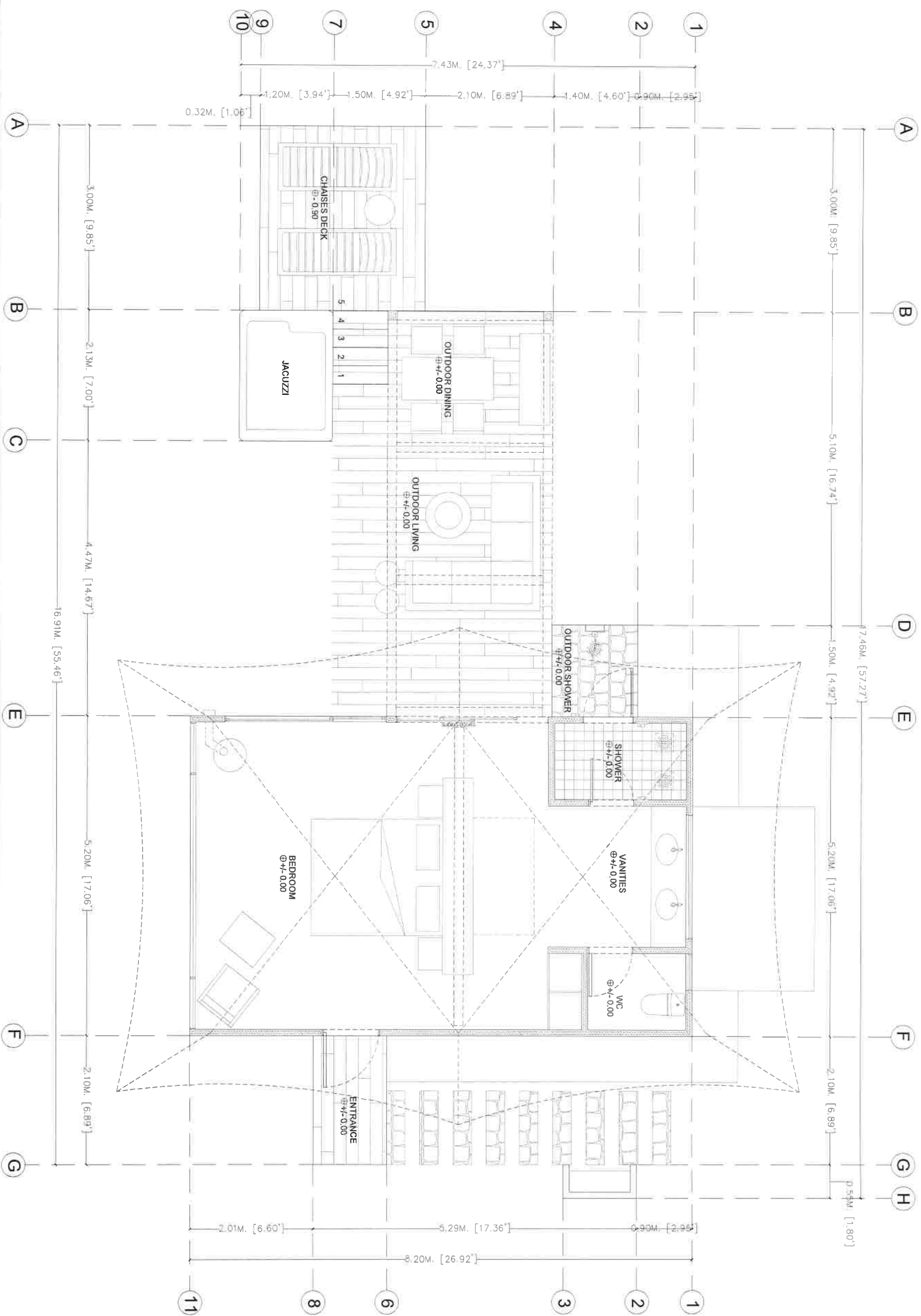
C400



ELOHI DECK GLAT UNIT - REGULAR ADA LAYOUT (RIGHT ENTRANCE, LEFT DECK)
 ESC: NE



ELOHI DECK GLAT UNIT - REGULAR LAYOUT (RIGHT ENTRANCE, LEFT DECK)
 ESC: N/E



ELOHI DECK GLAT UNIT - REVERSED LAYOUT (LEFT ENTRANCE, RIGHT DECK)
 ESC: N/E

- EXTERIOR FINISH LEGEND
- (1) VERTICAL WOOD SERRA
WOOD SHAPING
OAK OR DELTA BLACK
DELTA MILWORKS
 - (2) NATIONAL TRIMSTONE VENEER
MERRILLSTONE
 - (3) VERTICAL WOOD SERRA
WOOD SHAPING
VARIABLE WIDTHS - 4", 5" AND 6"
OAK OR DELTA BLACK
DELTA MILWORKS



3D View B



4 LIVING WEST ELEVATION
1/4" = 1'-0"



2 LIVING SOUTH ELEVATION
1/4" = 1'-0"



3 LIVING EAST ELEVATION
1/4" = 1'-0"



1 LIVING NORTH ELEVATION
1/4" = 1'-0"

FOR
ELOHI
CLARK COLLECTION

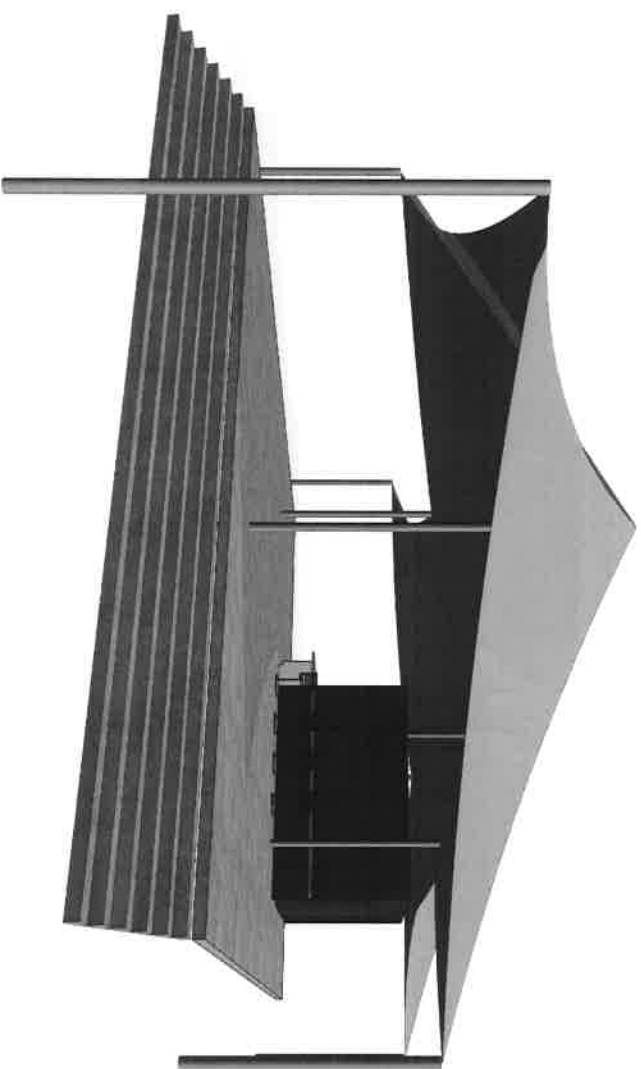
FOR
ELOHI
CLARK COLLECTION

DATE: 08/16/2014

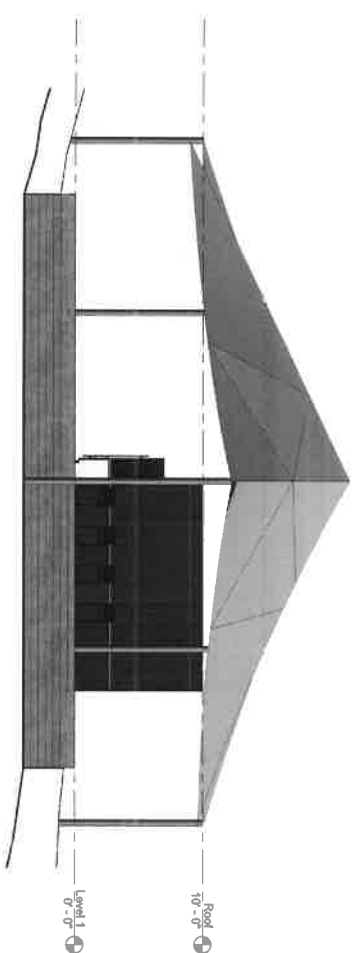
ELEVATIONS

DATE: 08/16/2014
PROJECT # 200
DRAWN BY: [Name]
CHECKED BY: [Name]
LIVING

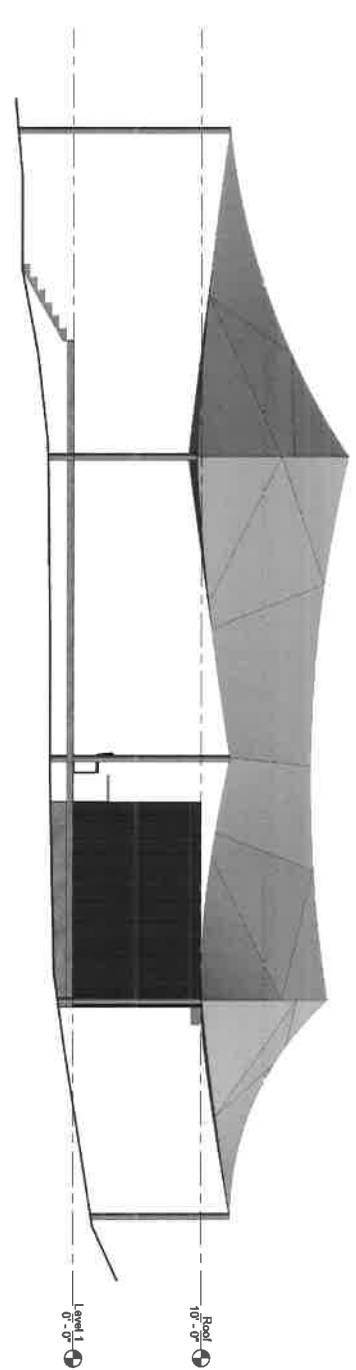
A200



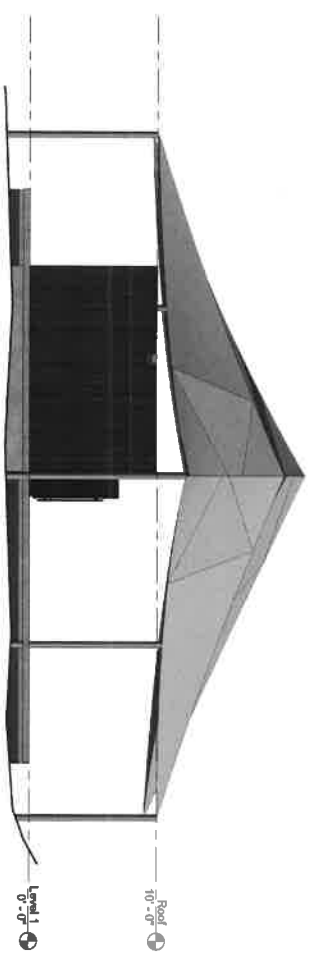
3 3D VIEW 1



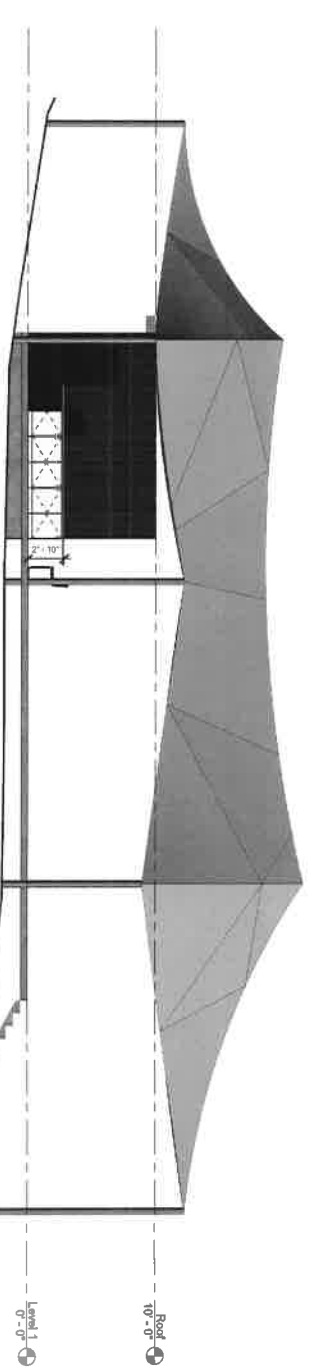
4 ARRIVAL WEST ELEVATION
3/16" = 1'-0"



2 ARRIVAL SOUTH ELEVATION
3/16" = 1'-0"



1 ARRIVAL EAST ELEVATION
3/16" = 1'-0"



1 ARRIVAL NORTH ELEVATION
3/16" = 1'-0"

TONY
ELOHI
 CAPRA COLLECTION

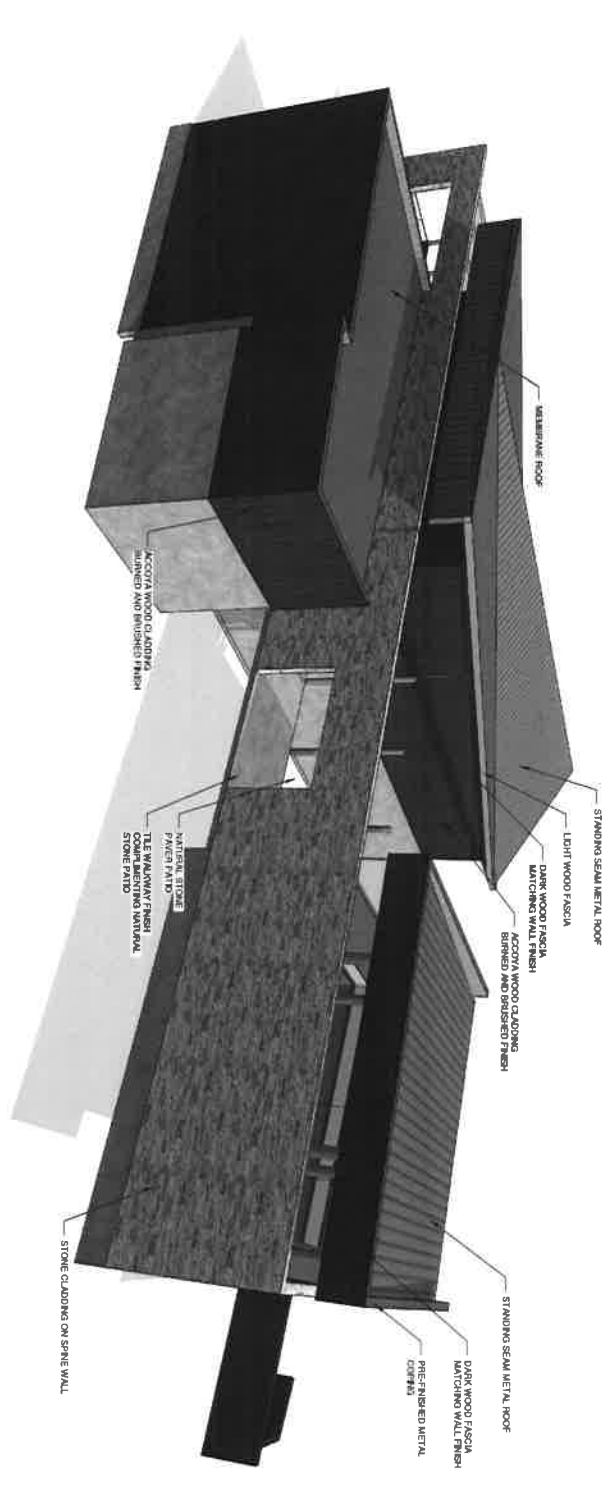
ELOHI
 CAPRA COLLECTION

DATE: DECEMBER

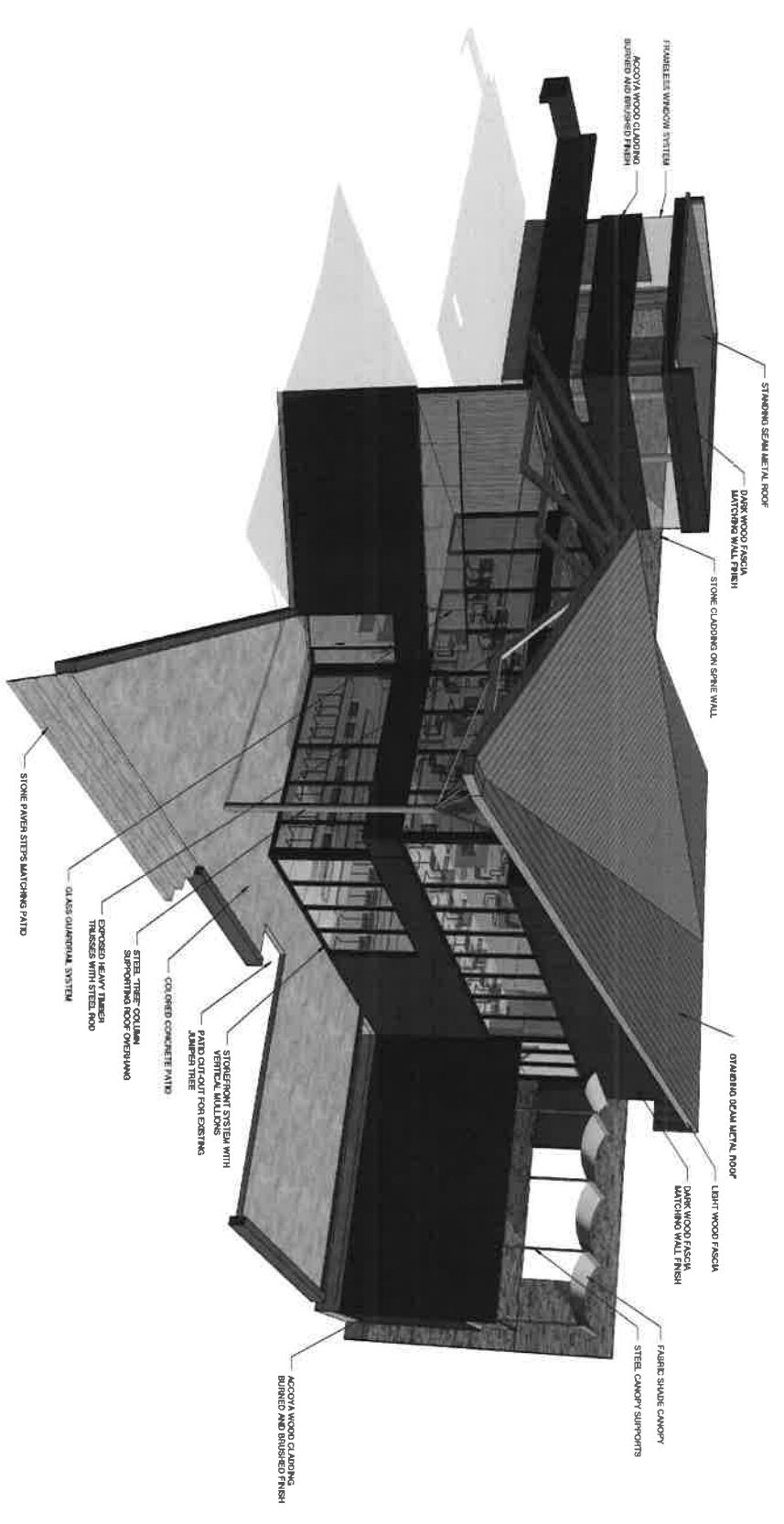
ELEVATIONS

DATE: 08/01
 PROJECT: 2000
 DRAWING: 000
 CHECKED BY: 0000
 ARRIVAL TEXT

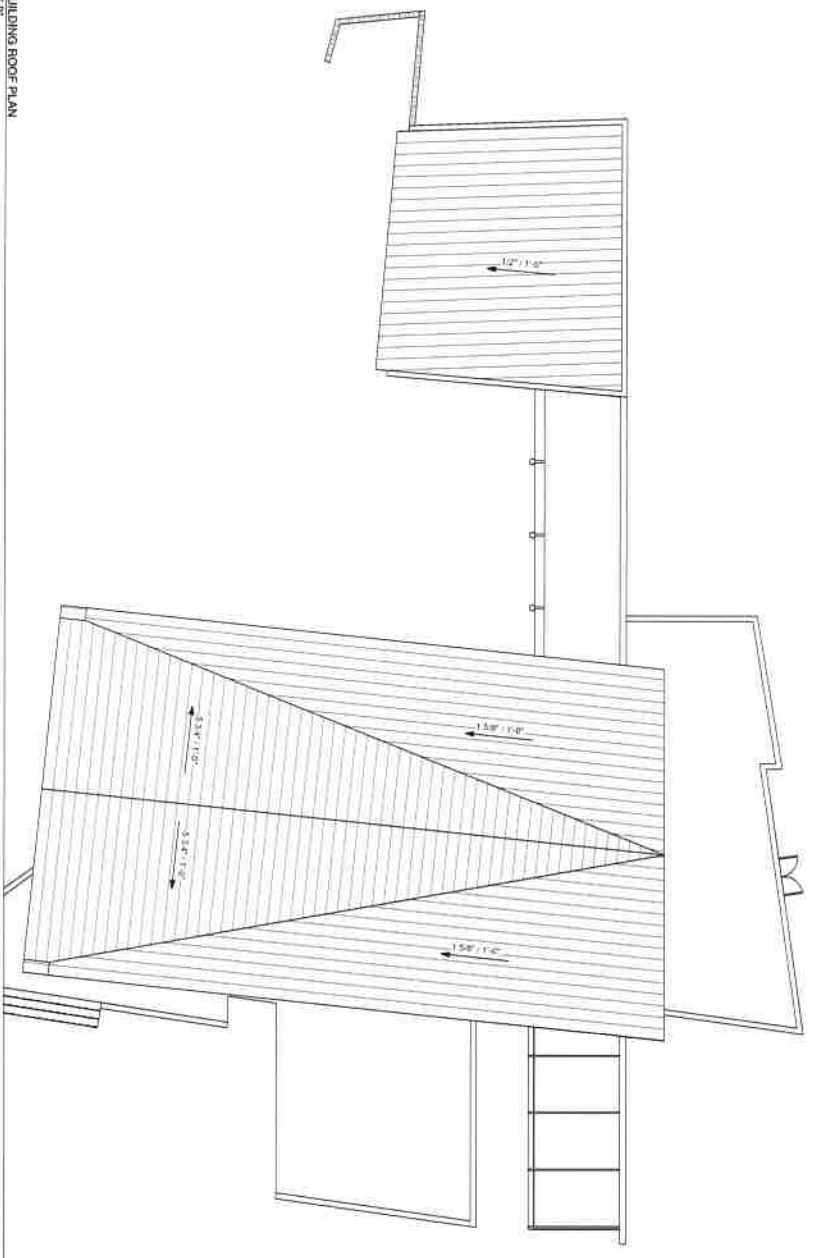
A200



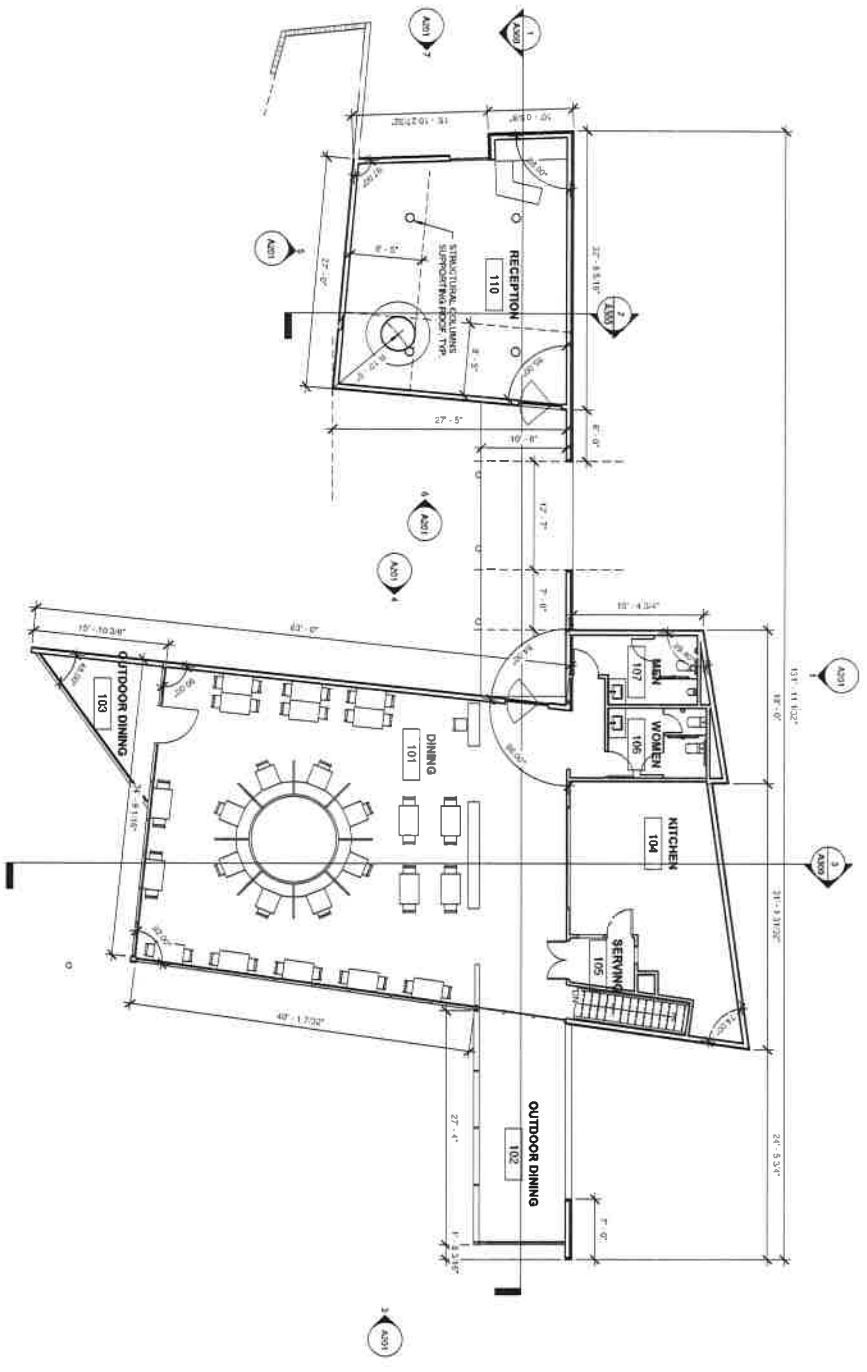
2 3D View 4



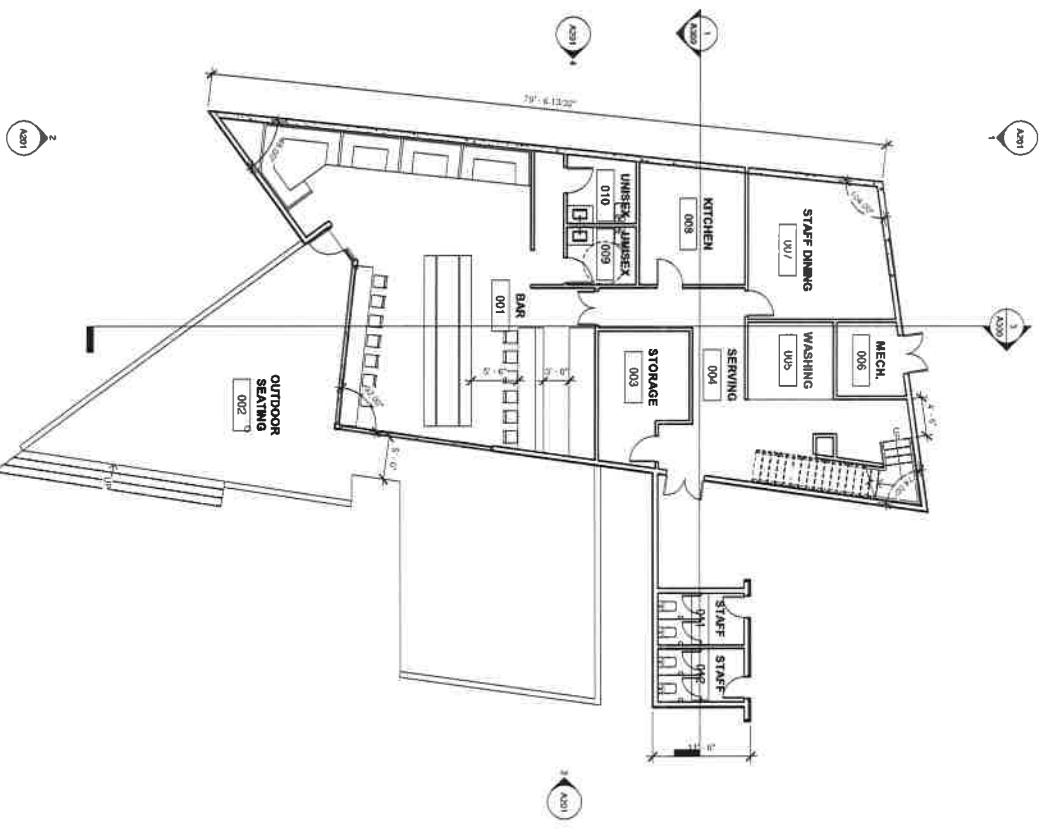
1 Southeast Perspective



③ MAIN BUILDING ROOF PLAN
 1/8" = 1'-0"



② RESTAURANT AND RECEPTION PLAN
 1/8" = 1'-0"



① BAR FLOOR PLAN
 1/8" = 1'-0"

ELOHI
 CABRI COLLECTION
 ELOHI
 CABRI COLLECTION

DATE DESCRIPTION

OVERALL FLOOR AND ROOF PLANS

DATE: 08/20
 PROJECT: A101
 DRAWING NO: 001
 CHECKED BY: [Signature]
 MAIN BUILDING

A101



3D View 2



RESTAURANT WEST ELEVATION
1/8" = 1'-0"



RESTAURANT EAST ELEVATION
1/8" = 1'-0"



RECEPTION WEST ELEVATION
1/8" = 1'-0"



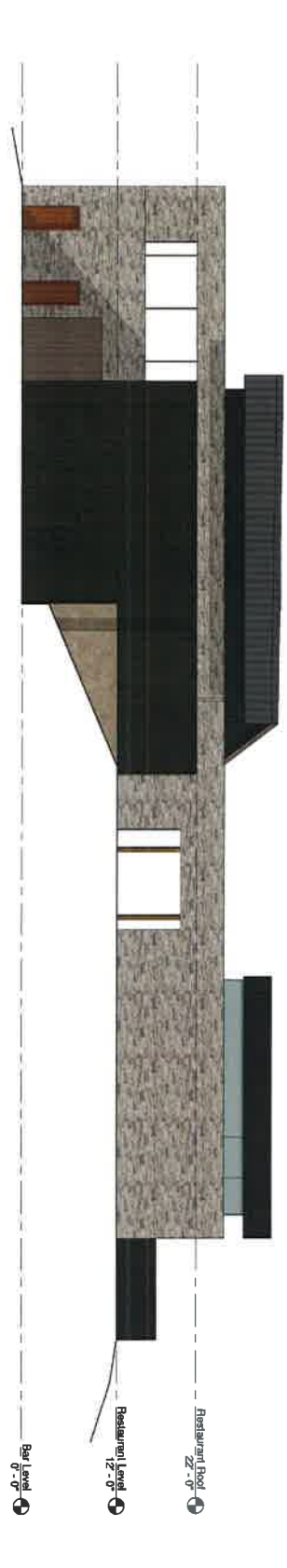
RECEPTION EAST ELEVATION
1/8" = 1'-0"



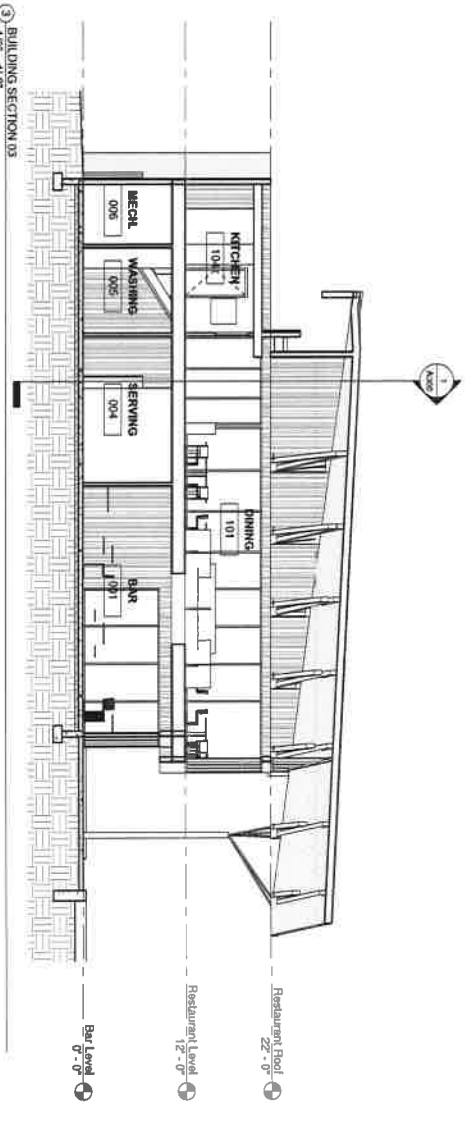
MAIN BUILDING SOUTH ELEVATION
1/8" = 1'-0"



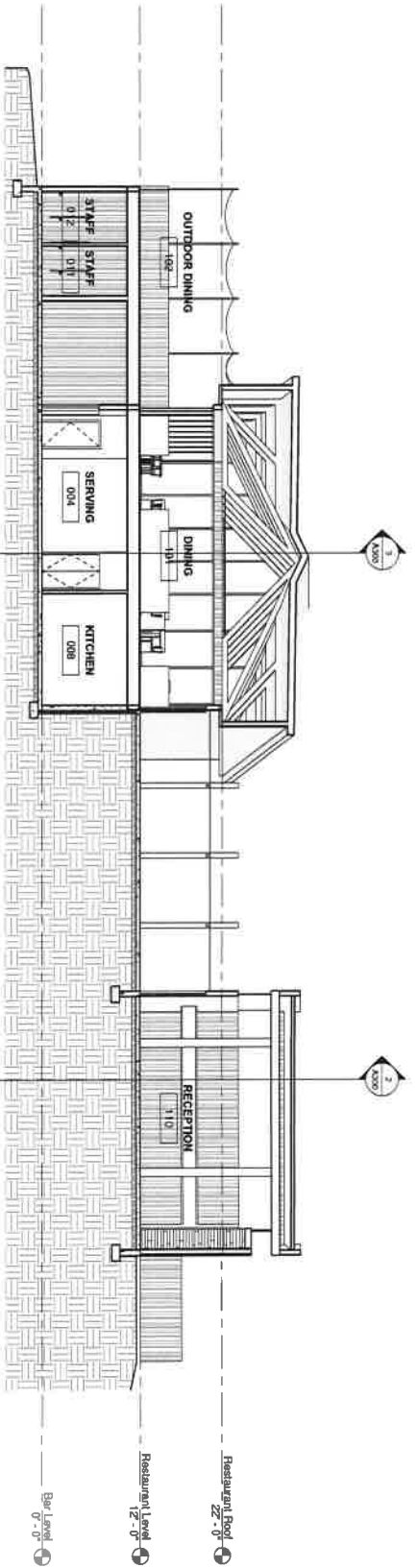
RECEPTION SOUTH ELEVATION
1/8" = 1'-0"



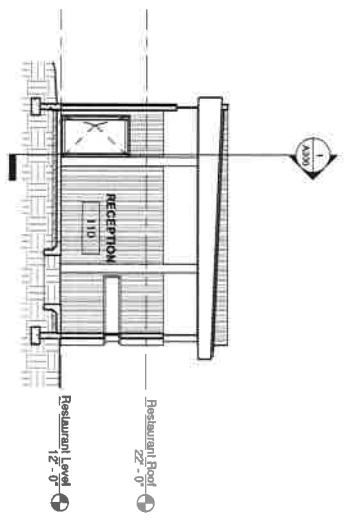
MAIN BUILDING NORTH ELEVATION
1/8" = 1'-0"



3 BUILDING SECTION 03
1/8" = 1'-0"



1 BUILDING SECTION 01
1/8" = 1'-0"



2 BUILDING SECTION 02
1/8" = 1'-0"

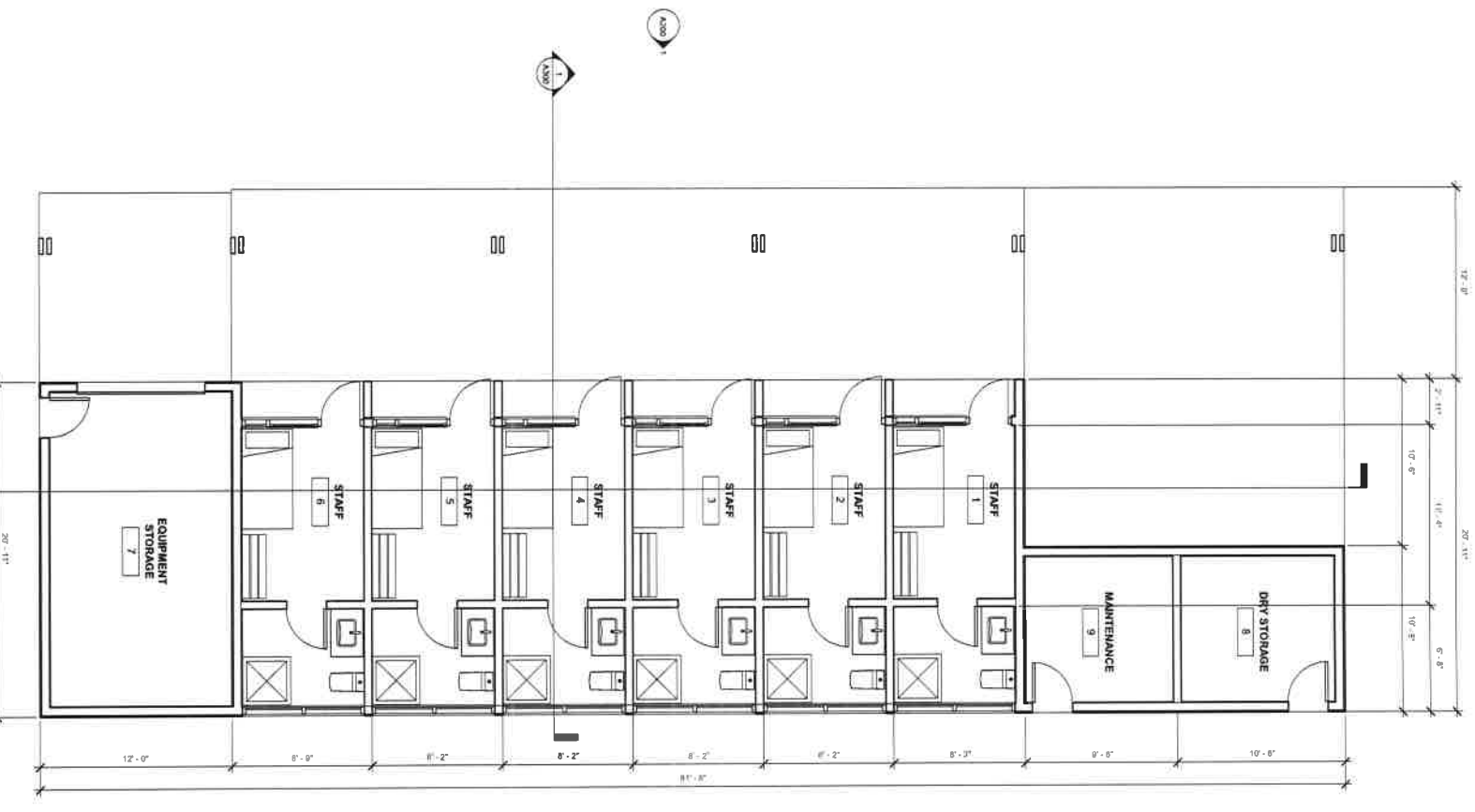
2024
ELOHI
 CMVA'S COLLECTION

2024
ELOHI
 CMVA'S COLLECTION

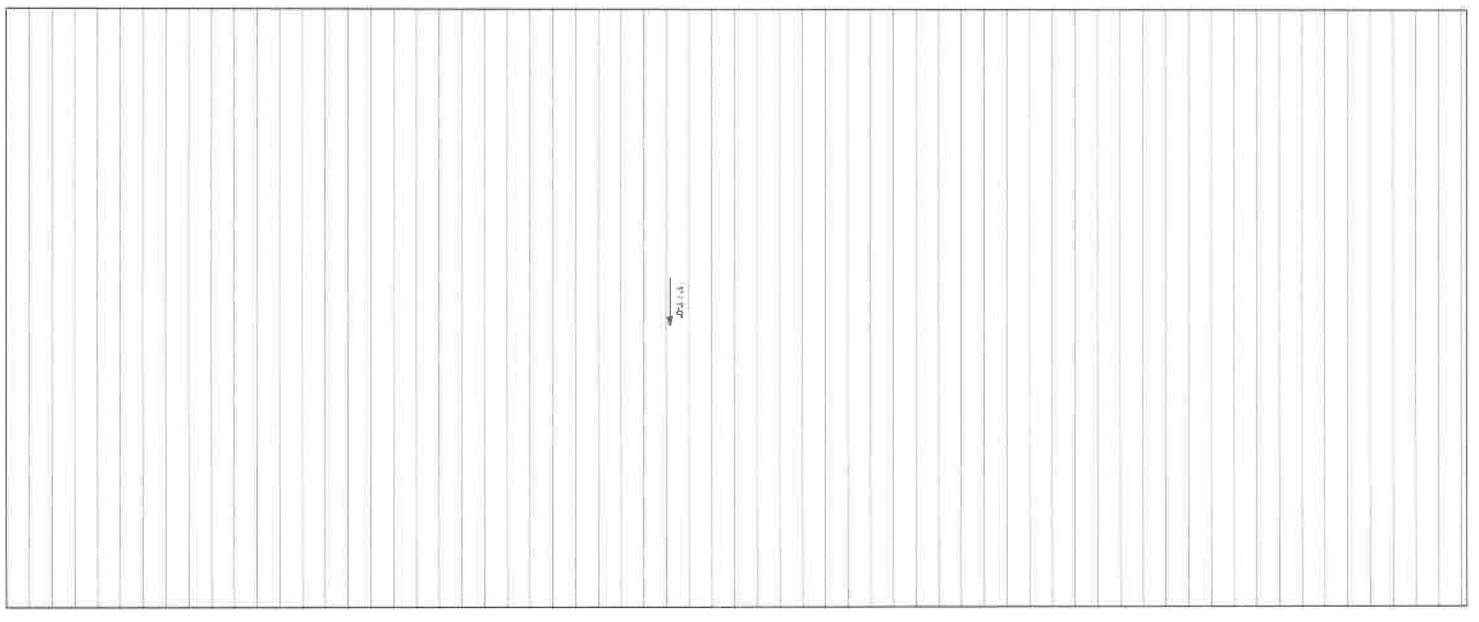
DATE: 02/20/2024
 DRAWN BY: [Name]
 CHECKED BY: [Name]

BUILDING SECTIONS
 MAIN BUILDINGS

DATE: 02/20/2024
 PROJECT: [Name]
 DRAWN BY: [Name]
 CHECKED BY: [Name]
A300



1 STAFF HOUSING FLOOR PLAN
 1/4" = 1'-0"



2 STAFF HOUSING ROOF PLAN
 1/4" = 1'-0"



3D View 1



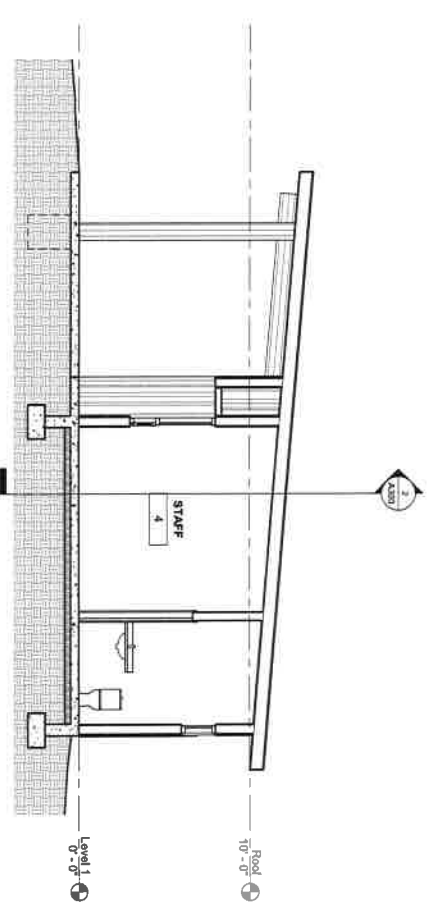
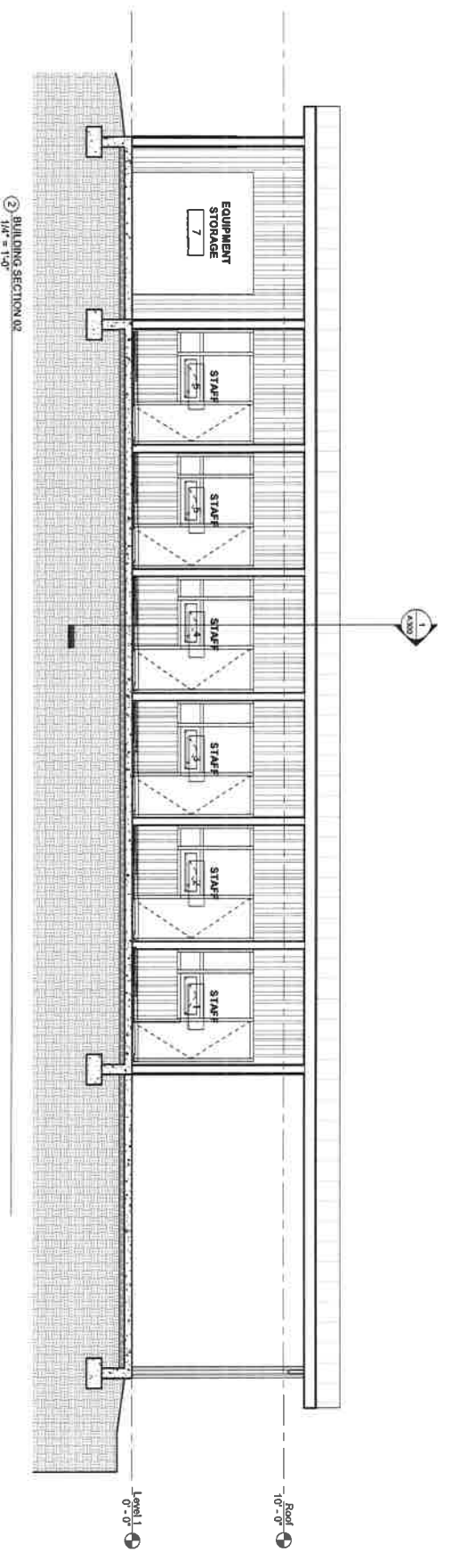
2 STAFF HOUSING EAST ELEVATION
1/4" = 1'-0"

2 STAFF HOUSING EAST ELEVATION
1/4" = 1'-0"



1 STAFF HOUSING WEST ELEVATION
1/4" = 1'-0"

1 STAFF HOUSING WEST ELEVATION
1/4" = 1'-0"



ELOHI
 CAMP COLLECTION

DATE DESCRIPTION

SECTIONS

DATE: NONE
 PROJECT: 200
 DRAWING: 200
 CHECKED BY: CAJ
 STAFF HOUSING

A300



STAFF REPORT

DATE: 3/30/2021

PROJECT: The Applicants, Boavida, LLC, Iron Rock Engineering, with Tom Avant holding power of Attorney, submitted a Conditional Use Permit application for 7 motel units, each being less than 400 sq. ft., located on parcel 3-4.5-31-1A, zoned Commercial 1, on 11.25 acres.

FINDINGS: The above application complies with the Kane County Land Use Ordinance, 9-15A-1-6: Conditional Uses and the Kane County Land Use Ordinance 9-5-3 (F-I) Agricultural Zone (Uses Table) which allows the use of glamp-grounds through a conditional use permit. The CUP has the conditions to mitigate safety issues and must be implemented at the time of the building permit application. This motel is accessed off a Class B County road 3205.

Kane County Land Use Ordinance, (KCLUO)

9-7B-5: USES TABLE:

| | | |
|-------------------|---|---|
| Hotel, motel, inn | C | P |
|-------------------|---|---|

Kane County Land Use Ordinance: 9-15A-2-F-1-3:

F: Findings: In approving a conditional use permit, the Land Use Authority shall find:

1. That the proposed use is necessary or desirable and will contribute to the general well-being of the community;
2. That the use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to the property or improvements in the vicinity;
3. That the proposed use is in harmony with the intent of the general plan and the zone in which it is located. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

All notices are in conformance with all standards and notice requirements of §17-27a-201-205. The agenda was noticed in three different public places and posted on the Kane County and Utah State websites.

This CUP complies with Utah State Code section unannotated § 17-27a-506, Conditional Uses.

- (1) A land use ordinance may include conditional uses and provisions for conditional uses that require compliance with standards set forth in an applicable ordinance.

- (2) (a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.
- (b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

The conditions as stated in the CUP application will be enforced by the Land Use Authority, (LUA) Administrator and the Building Department staff throughout the building process. After the development is finalized the LUA Administrator will enforce the CUP conditions.

As part of approving a conditional use permit, Kane County may require that a Traffic Impact Study (TIS) be completed for any development projects where it is deemed necessary. The traffic study shall, at a minimum, incorporate traffic engineering principles and standards as presented in national practices. Additional requirements and investigation may be imposed upon the applicant as necessary. The County shall determine the need and requirements for a traffic impact study. The requirements of the TIS may be expanded, reduced, or altered by the County based on the proposed project being analyzed. (Ord. O-2017-16, 1-8-2018)

This conditional use permit may be revoked in whole or in part or may be modified based on any failure to observe any of the conditions outlined herein or those enforceable in law or in equity.

9-15A-2-E, 1-28: The Land Use Authority shall approve a conditional use permit if conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. In approving any conditional use permit, the Land Use Authority may impose conditions deemed necessary to protect the public welfare, ensure compatibility with other uses in the vicinity, and ensure that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions may include the following:

1. Assurance that the use will not be detrimental to the health, safety, comfort, order, or general welfare of persons residing or working in the vicinity;
2. Assurance the use will:
 - a. Comply with the intent, spirit and regulations of the Kane County Land Use Ordinance and Kane County General Plan. Kane County Land Use Ordinance, Chapter 7 – Commercial Zones, Chapter 10 - Supplementary & Qualifying Regulations, Chapter 13 - Parking and Loading Space, and Chapter 15 - Conditional Uses.
 - b. Make the use harmonious with other neighboring uses in that zone;
3. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;

Kane County Land Use Ordinance

9-13-3: PARKING REQUIRED: At the time of site plan approval of any building or issuance of a building permit a site plan indicating no less than the minimum of parking spaces as shown in the uses table with adequate provisions of ingress and egress by standard sized automobiles shall be required. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9-13-4: SPACE SIZE: The dimensions of each street parking space shall be at least nine feet by eighteen feet (9' x 18') for diagonal or ninety degree (90°) spaces, or nine feet by twenty two feet (9' x 22') for parallel spaces, exclusive of access drives or aisles. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9-13-7: LOCATION OF PARKING SPACES: Parking spaces as required above shall be on the same lot or on a public street or public parking lot within five hundred feet (500'). The land use authority may approve community parking plans, or parking garages, or other arrangements, or agreements with site specific plans with the main building, or, in the case of buildings, other than dwellings, may be located not farther than five hundred feet (500') therefrom. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9-13-9: PARKING LOT REQUIREMENTS: Every parcel of land hereafter used as a parking lot shall be paved with a surfacing material of asphalt or concrete composition or four inch (4") gravel road base.

Each parking lot shall be permanently maintained. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9-13-12: ACCESSIBLE PARKING:

A. Required: Any parking area to be used by the general public shall provide accessible parking spaces. Accessible parking spaces shall conform to the standards of the international building code and the "Uniform Federal Accessibility Standards Manual". (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

9-13-13: SUBMITTAL OF PARKING, LOADING AND CIRCULATION PLANS:

Detailed plans for off street parking, loading, circulation, and screening shall be submitted to the land use authority for approval. Said plans shall be in compliance with all standards and provisions set forth in this title and shall receive written approval of the land use authority prior to the issuance of a building permit. Appropriate filing fees shall be determined by the land use authority and submitted with each plan.

Notwithstanding all provisions of this section, all commercial, industrial and professional developments and all other nonresidential uses of land shall provide sufficient parking for all employees, business vehicles and equipment, customers, clients and patients of such business, industry or professionally used property, as may be required by the planning commission in addition to spaces presently required by this title. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

4. Evidence that all required public facilities have adequate capacity to serve the proposed conditional use;

Feasibility letters from UDOT, WKCSSD, SWPHD, Garkane, were submitted. If on-site laundry service will be done the septic system will be sized appropriately for all wastewater uses.

5. Limiting the hours, days, place and/or manner of operation; comply with the nuisance ordinance and hours of operation.

Kane County Nuisance Ordinance 4-3-3-25 Noise Related Nuisances: It shall be unlawful for any person in the county in a public or private place to make, cause to be made or allow the making of any noise which is inconsistent with the zoning area between the hours of eleven o'clock (11:00) P.M. and sunrise

which is unnecessary or unusual, which noise annoys, disturbs or affects the comfort, repose, health or peace of others. Any such noise hereinbefore described, heard outside the limits of the real estate from which said noise has its source and heard by another person, shall be a noise as is hereby prohibited, which noise constitutes the basis of the violation of this section.

6. Requiring size or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, glare, erosion, odor and/or dust;

Site plans will be reviewed by Civil Science. Road base and gravel will be required for driveway to mitigate dust concerns. An on-site manager will need to reside on the premise.

7. Requiring larger setback areas, lot area, and/or lot depth or width:

Commercial setbacks will be in place.

KCLUO 9-7A-2: DEVELOPMENT RESTRICTIONS IN A COMMERCIAL ZONE: A. Setbacks: Minimum yard setback requirements shall be established in permitted use, conditional use or planned unit development approval; except no commercial building shall be located closer than fifty feet (50') to any Residential Zone boundary, or to any street line which continues into a Residential Zone, and no such building shall encroach on any easement. Any commercial lots abutting commercial lots shall have a front setback of no less than twenty five feet (25'), a side setback of no less than five feet (5') and a rear setback of no less than twenty feet (20'). (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

8. Limiting the building height size or lot coverage, and/or location on the site;

KCLUO 9-7A-3: MAXIMUM BUILDING HEIGHTS:

C-1 Zones: Four (4) stories and/or a maximum building height of forty feet (40') allowed with no limit on height for roof line and architectural features. (Ord. O-2019-2, 1-14-2019)

9. Designating the size, number, location and/or design of vehicle access points or parking areas;

Refer to #3

10. Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved provided that:

N/A

- a. An essential link exists between a legitimate governmental interest and each exaction; and
- b. Each exaction is roughly proportionate, both in nature and extent to the impact of the proposed development;

11. Assurance that the use will not be detrimental to the health, safety, comfort, order, or general welfare of persons residing or working in the vicinity; therefore dust mitigation, noise, glare, light and traffic plans need to be detailed. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations, as listed below:

Each cabin will have a gravel driveway that will end with a significantly wider parking space to provide ample room for multiple vehicles. This will match building code requirements, and enough space will be provided to turn vehicles around. Exact dimensions will need to be determined by the building department. There is an existing road that leads to the motel from Highway 89 with an easement in place that provides ingress and egress to the property.

Drainage, water quality facilities, and parking areas will be inspected for compliance with KCLUO Chapters 13 & 15.

12. Limiting the number, size, location, height and/or lighting of signs;

All signs will be in compliance with Chapter 16 - Sign Regulations.

13. Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;

All lighting will comply with the dark sky recommendations as found in Chapter 9-10-14. Sign permit required through the building department. The building department inspects electrical on signs.

Lighting: The concerns of safety, utility, dark sky protection and aesthetic appearance need not compete. Good modern lighting practices can provide adequate light for safety and utility without excessive glare or light pollution. Careful attention to when, where, and how much nighttime lighting is needed results in better lighting practices, darker skies and reduced energy use and costs. Kane County encourages lighting practices and systems which will: minimize light pollution, glare, and excessive glare; conserve energy and resources while maintaining nighttime safety, utility, security, and productivity; and curtail the degradation of the nighttime visual environment. Any and all new and major addition to land uses, developments and buildings or structures are encouraged to use hooded lighting practices. (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

14. Requiring berms, screening or landscaping and the establishment of standards for their installation and maintenance;

As much native vegetation will remain in place to provide natural screening. With any berms or landscaping that is installed, it will be added to the regular maintenance schedule with their maintenance and landscaping teams.

15. Requiring and designating the size, height, location and/or materials for fences;

A 6 ft. privacy fence is proposed along the south property line. Fences under 7 ft. tall do not require a bldg. permit. Privacy fencing should be installed between the Lazy J Subdivision and the motel development. Utah is a fence-out state.

16. Encouraging the protection and preservation of natural features including existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, slopes, cultural resources, and/or sensitive lands;

Wildland Urban Interface for fire protection will need to be complied through the building department.

The majority of the land will remain as is. No trees or brush will be cleared, except that which is necessary to make way for structures, road, paths, etc. There are no water areas or wetlands found on the property.

Existing trees, soils, vegetation, watercourses, habitat area, drainage areas, and slopes will be preserved as much as possible. There are no historic resources, cultural resources, and/or sensitive lands.

17. Requiring the protection and preservation of groundwater recharge areas;

All state and federal guidelines and permits need to be applied for through the building department. The septic system will be reviewed by the Southwest Public Health Department.

18. Limiting noise generation;

The units are strategically placed throughout the development. Customers will be encouraged to refrain from loud activities after daylight business hours.

19. Minimizing environmental impacts to identified wetlands, wildlife habitat, air and water quality, cultural resources, and scenic qualities;

The majority of the land will remain as is. No trees or brush will be cleared, except that which is necessary to make way for structures, road, paths, etc. There are no water areas or wetlands found on the property. Existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, and slopes will be preserved as much as possible. There are no historic resources, cultural resources, and/or sensitive lands.

20. Requiring turn lane improvements at street intersections when: N/A

a. An unsafe condition would be created by the development without the improvements; or

b. The projected increase in traffic generated by the new or expanded use will lower the level of service;

Utah Department of Transportation feasibility letter submitted.

21. Providing for emergency access;

The existing current dirt road that leads from highway 89 to the motel, and the road to be developed within the development, will be kept and well maintained. The road and driveways on site will be adequately wide so that in the event of an emergency, access will be appropriate for all vehicles. Emergency access will be provided.

22. Requiring pedestrian, bicycle and transit circulation, including related facilities, as needed among buildings and related uses on the development site, as well as to adjacent and nearby residential areas, transit stops, neighborhood activity centers, office parks, and industrial parks;

This motel is in a rural area outside any city limits. Because of this, it will have an insignificant impact on any existing public transit circulation, parks, businesses or related facilities.

23. Requiring approval of septic and of water systems;

Health Department permit/approval obtained. The building department will sign off on septic at the building permit stage.

24. Requiring buildings to be built to specific requirements; (Ord. 2013-5, 8-12-2013, eff. 8-27-2013)

State/international building codes will be applied when building. The building department will need to inspect all cabins and foundations.

25. Recreation vehicle parks: a) business license required; b) Transient Room Taxes required; c) the use must be consistent with the environmental, commercial, and economical land use purposes stated in the General Plan, as amended; d) an official site plan that clearly demonstrates that the park will not cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, or other similar unreasonable risks; the existence or need for dedicated turn lanes, pedestrian access, and capacity of the existing streets shall be reviewed; e) RV parks and campgrounds/glamping sites must have State and/or County approved access off a State highway, County B or D road, BLM road or, if off a private road, roads will meet Wild Land Interface Urban Code standards and will require a road maintenance agreement between property owners and easement holders memorializing the mutual understanding that an increased use to the road will result and that proof of easements to property would be required; f) Health Department permit required if over forty (40) RV sites; the Department of Environmental Quality permit is also required for water and waste; g) must comply with Building Department and building permit regulations; h) on-site manager for RV parks and campgrounds; unless the campground is considered a primitive campground; i) requirements for the management and maintenance of facilities is adequate; j) the use shall not result in a situation which will create a need for essential services which cannot be reasonably met by local service providers, including roads and access for emergency vehicles and residents; fire protection; police protection; schools and school busing; drinkable water; sewer; storm drainage; and garbage removal; k) feasibility letters required for services extended to the RV parks and campgrounds to mitigate traffic safety conditions as to not adversely affect the use and surrounding areas; l) emergency access is adequate; m) a plan for fencing, screening, and landscaping to separate the use from adjoining uses and mitigate the potential for conflict in uses is adequate; n) exterior lighting is adequate and does not unduly disturb the surrounding areas; o) exceptions include rural unimproved subdivisions that can only be used for agricultural purposes as defined in Utah State Code 59-2-502; (Ord. O-2017-16, 1-8-2018)

Mitigation: Feasibility letters from Western Kane County Service District, Garkane Energy, Southwest Health Department and UDOT.

STAFF RECOMMENDATIONS: Kane County Land Use Administrator, Shannon McBride and Civil Science Engineering, Kelvin Smith, recommends approving the conditional use permit application, submitted by Boavida, LLC, for a 7 unit motel, located on parcel 3-4.5-31-1A, zoned Commercial 1, on 11.25 acres.

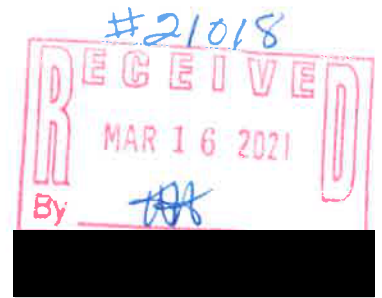
This does NOT need to be recommended to the County Commissioners.

I move to **approve/deny** the Conditional Use Permit application, submitted by Boavida, LLC, for a 7 unit motel located on parcel 3-4.5-31-1A, (*if denied, the reasons for denial would need to be health, safety and welfare; in other words, what conditions could not be mitigated*).



Kane County Land Use Authority

76 North Main Street
Kanab, Utah 84741
Phone (435) 644-4966
planning@kane.utah.gov



Commercial Conditional Use Permit Application Fee \$500 Engineering Deposit \$500

***In the event additional engineering costs are accrued by the County related to a specific project the project applicant will be responsible for all additional engineering fees. (KCLUO 9-15A-2C)**

Applicant's Information

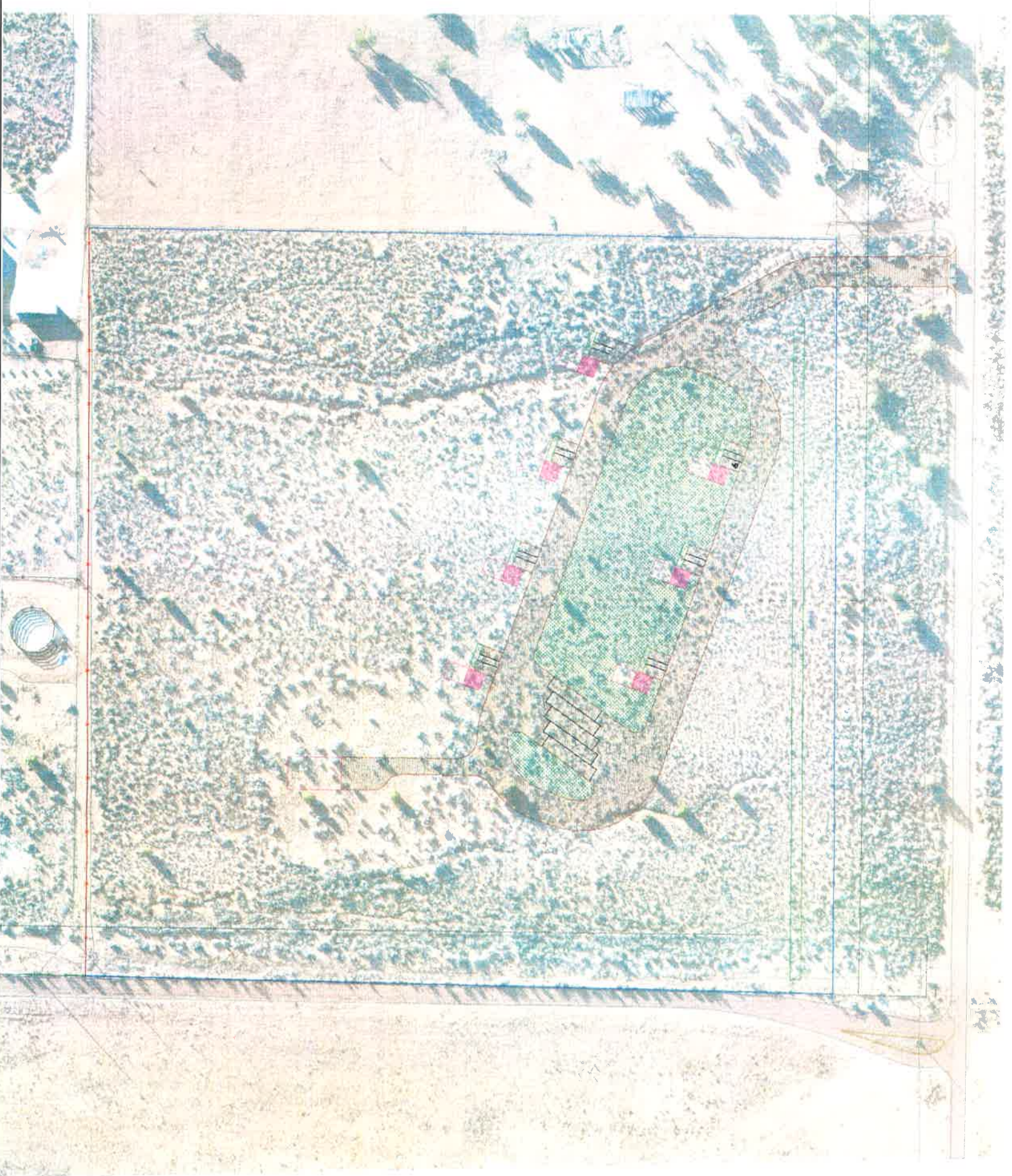
Name: BOAVIDA LLC
Mailing Address: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip: [REDACTED]
Phone: [REDACTED] E-mail address: [REDACTED]

Property Information

Parcel # 3-4.5-31-1A Zone: _____ Total acreage: 11.25
Acreage occupied by new use: _____ Current use of land: _____
PROPOSED USE: _____

***Please provide proof of ownership.**
***Application must be received in office 21 days prior to the scheduled Land Use Authority Meeting (KCLUO 9-15A-2A).**
***Incomplete applications will be returned to the applicant/engineer.**
***Fee is non-refundable after engineer's review.**

BOAVIDA PRELIMINARY SITE KANAB, UTAH



PROJECT INFORMATION:
 PROJECT LOCATION: KANE COUNTY, UTAH
 PARCEL NUMBER: 3-4-S-31-1A
 ZONE: C-2
 SET BACKS:
 FRONT: 25'
 SIDE: 5'
 REAR: 20'
 OWNER & DEVELOPER: DAN RYAN MITCHELL
 204 N MAIN STREET #207
 KANAB, UT 84707
 DESIGN SPECIFICATIONS: KANE COUNTY ZONING ORDINANCE
 PARKING COUNT:
 TOTAL SEATING: 2
 REQUIRED PARKING: 14
 TOTAL PROVIDED PARKING: 14
 REQUIRED VAN ACCESSIBLE: 1
 TOTAL REQUIRED ACCESSIBLE PARKING: 1
 PROVIDED ACCESSIBLE PARKING SPACES: 1



Know what's below.
Call 811 before you dig.
BLUE STAKES OF UTAH
 UTILITY NOTIFICATION CENTER, INC.
 www.bluestakes.org
 1-800-662-4111

IRON ROCK ENGINEERING
 Building on Solid Foundations
 480 E. 300 SOUTH
 KANAB, UTAH 84741
 435-644-2031
 www.ironrockeng.com

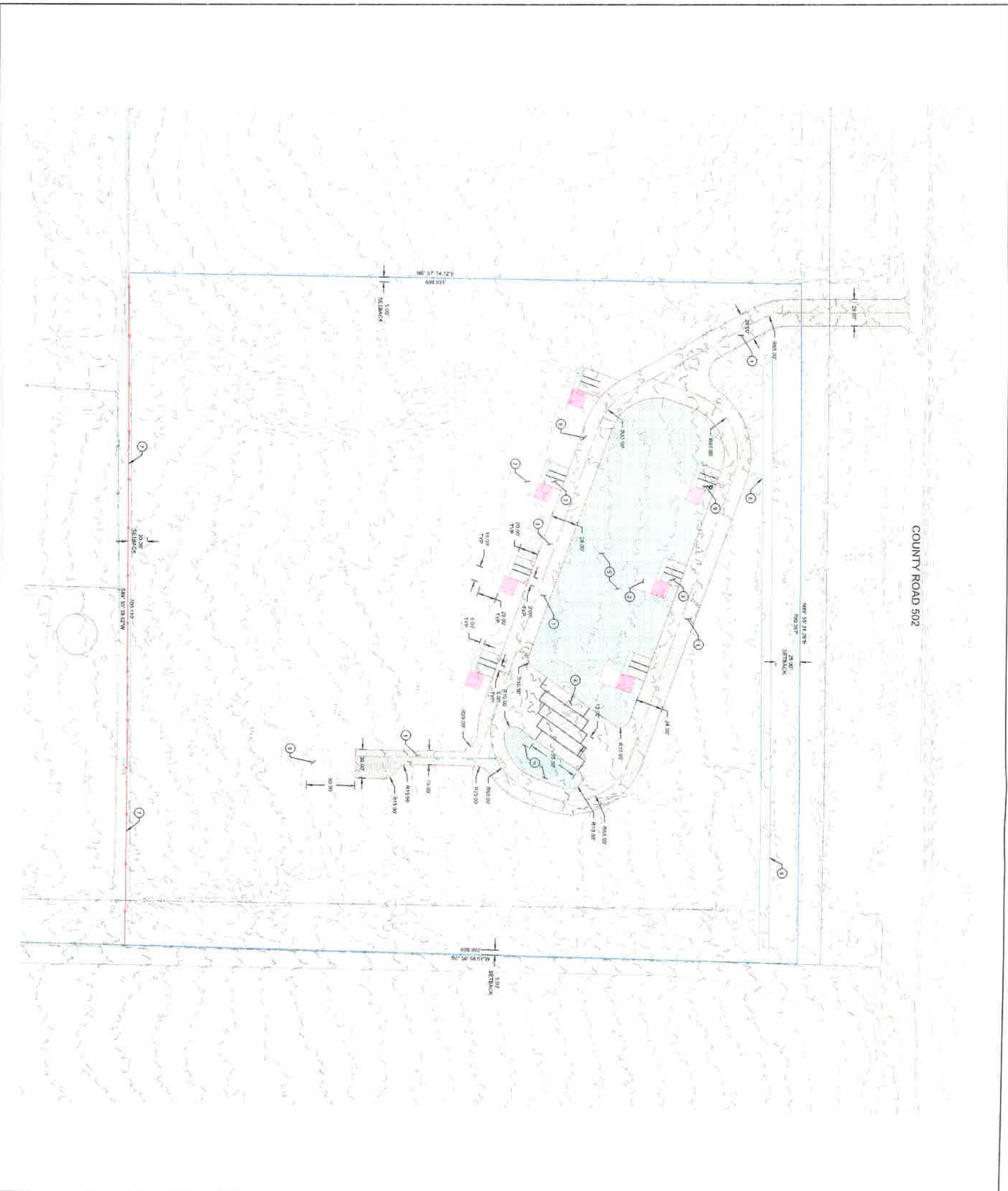
**BOAVIDA
COVER SHEET**
 460 E 300 S #1
 KANAB, UT 84741

INITIAL SUBMITTAL: 9/19/2017

| REV# | DATE | DESCRIPTION |
|------|------|-------------|
| | | |
| | | |
| | | |

NOT FOR CONSTRUCTION

DRAWN BY: RLB
 SCALE: 1"=50'
 SHEET: C001



COUNTY ROAD 502

SCALE IN FEET
SCALE 1" = 50'

- SCOPE OF WORK:
 1. PROVIDE ALL NECESSARY CONSTRUCTION DETAILS FOR THE PROPOSED TRAILER PARKING AND TRAILER BUILDING.
 2. PROVIDE ALL NECESSARY CONSTRUCTION DETAILS FOR THE PROPOSED TRAILER BUILDING.
 3. PROVIDE ALL NECESSARY CONSTRUCTION DETAILS FOR THE PROPOSED PAVEMENT FENCE.
 4. PROVIDE ALL NECESSARY CONSTRUCTION DETAILS FOR THE PROPOSED TRAILER PARKING.
 5. PROVIDE ALL NECESSARY CONSTRUCTION DETAILS FOR THE PROPOSED TRAILER BUILDING.
 6. PROVIDE ALL NECESSARY CONSTRUCTION DETAILS FOR THE PROPOSED PAVEMENT FENCE.
 7. PROVIDE ALL NECESSARY CONSTRUCTION DETAILS FOR THE PROPOSED TRAILER PARKING.
 8. PROVIDE ALL NECESSARY CONSTRUCTION DETAILS FOR THE PROPOSED TRAILER BUILDING.
 9. PROVIDE ALL NECESSARY CONSTRUCTION DETAILS FOR THE PROPOSED PAVEMENT FENCE.



IRON ROCK
 ENGINEERING
Building on Solid Foundations
 480 E. 300 SOUTH
 KANAB, UTAH 84741
 435-644-2031
 www.ironrockeng.com

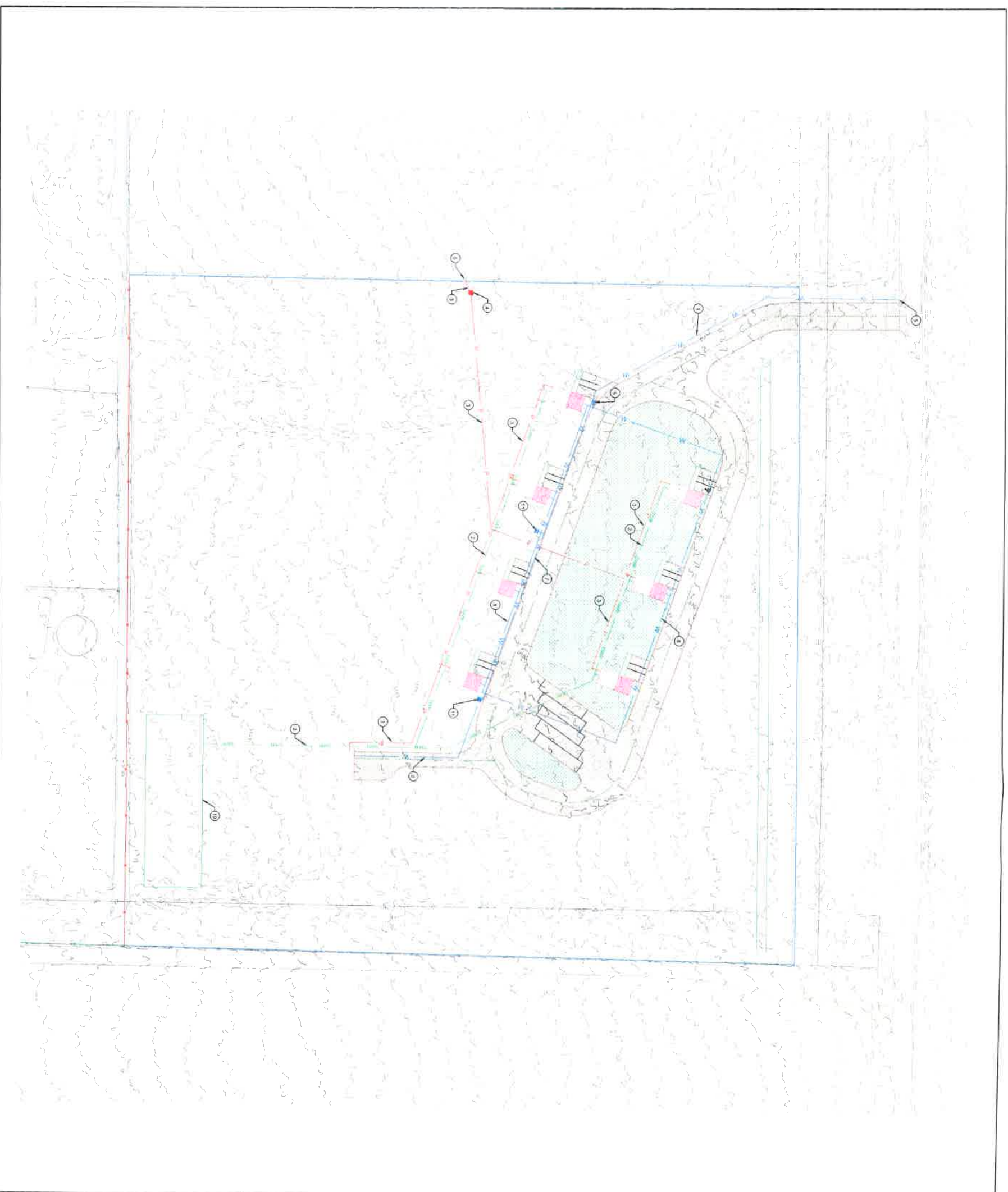
BOAVIDA
PROPOSED SITE PLAN
 480 E 300 S #1
 KANAB, UT 84741

INITIAL SUBMITTAL: 9/19/2017

| REV#: | DATE: | DESCRIPTION: |
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NOT FOR CONSTRUCTION

DRAWN BY: **RLB**
 SCALE: 1" = 50'
 SHEET: **C200**



SCALE IN FEET
SCALE 1" = 50'



- SCOPE OF WORK: TO VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND TO LOCATE AND MARK ALL UTILITIES TO BE INSTALLED AS SHOWN ON THE CONSTRUCTION DRAWINGS.
- 1 PROPOSED WATER LINE
 - 2 PROPOSED SEWER LINE
 - 3 PROPOSED UNDER GROUND POWER LINE
 - 4 PROPOSED TRANSFORMER
 - 5 CONNECT TO EXISTING WATER LINE
 - 6 CONNECT TO EXISTING POWER LINE
 - 7 PROPOSED WATER SERVICE LINE
 - 8 PROPOSED WATER SERVICE LINE
 - 9 PROPOSED WATER METER
 - 10 PROPOSED SEPTIC SYSTEM
 - 11 PROPOSED FRIE PRODMANT



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480 E. 300 SOUTH
KANAB, UTAH 84741
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BOAVIDA
UTILITY PLAN

460 E 300 S #1
KANAB, UT 84741

INITIAL SUBMITTAL: 9/19/2017

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| | | |

NOT FOR CONSTRUCTION

DRAWN BY: RLB
SCALE: 1" = 50'
SHEET:

C400

