



November 10, 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

5:15 PM Work Meeting
Board Member training led by Shannon McBride, Land Use Administrator

6:00 PM Call to Order
Invocation
Pledge of Allegiance

1. Approval of minutes

October 13, 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.

3. Swearing in of New P&Z Commission Member

Swearing in of new board member by Karla Johnson, Kane County Clerk.

4. Approval of 2022 Meeting Schedule

Approval of the 2022 P&Z meeting schedule – 2nd Wednesday of each month.

Administrative
Public Hearing

5. Lot Joinder: Russo

An application for a lot joinder; joining lots 152 & 154 Swains Creek Pines, Unit No.1, becoming new lot 152. Submitted by Tom Avant, Iron Rock Group, holding power of attorney.

Administrative
Public Meeting

6. Subdivision: Lost Springs Ranch

An application for a subdivision, parcel 4-6-1-1, creating 15 lots, located off of Lost Springs Road. Submitted by Tom Avant, Iron Rock Group, holding power of attorney.

Administrative

7. Conditional Use Permit: Zion Spirit

Public Meeting An application for a Conditional Use Permit for a glamping resort containing 7 villas on parcel 1-9-4-6 located in East Zion. Submitted by Kevin McLaws

**Legislative
Public Hearing** **8. Ordinance 2021-21: Chapter 5 Agricultural and Rural Zones**
An ordinance revising KCLUO Chapter 5: Agricultural and Rural Zones, regarding large concentrated animal feed operations in compliance with S.B. 130.

**Administrative
Public Meeting** **9. Board Member Training**
Training led by Commissioner Wade Heaton

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

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 Wendy Allan at (435)644-4364.



OFFICE OF
Kane County
Land Use Authority
(435) 644-4966

2022 Meeting Schedule

2nd Wednesday of every month

6:00 pm

Commission Chambers
76 North Main Street, Kanab

January 12

July 13

February 9

August 10

March 9

September 14

April 13

October 13

May 11

November 9

June 8

December 14

*Planning Commission Meetings Statutory Authority, Rules & Procedures can be found online at:
[kane.utah.gov>Government>Ordinances>Title 9>Chapter 2](http://kane.utah.gov/Government/Ordinances/Title%209/Chapter%202)



STAFF REPORT

DATE: 10/21/2021

PROJECT: A complete application for Amending a Subdivision Plat for a Lot Joinder, on behalf of Ava Francesca Russo as trustee of the Ava Francesca Russo Revocable Trust dated May 26, 2020 in the Swains Creek Pines Subdivision, Unit 1, Amended Plat, consisting of lots 152 & 154, becoming new lot 152, containing .89 acres within the NW ¼, NW ¼, Section 26, T38S, R7W SLB & M. The project was submitted by Tom Avant, Iron Rock Engineering Group (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 for building purposes.

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

STAFF DETERMINATIONS: Kane County Engineer, Kelvin Smith, 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 Ava Francesca Russo, in the Swain Creek Pines Subdivision, Unit 1, Amended Plat, consisting of lots 152 & 154, becoming new lot 152 based on the findings documented in the staff report.

THANK YOU.



76 North Main Street, Kanab, Utah 84741

AMENDED PLAT
LOTS 152 & 154 OF SWAIN'S
CREEK PINES UNIT NO. 1,
AMENDED

LOCATED IN NW¼ NW¼ OF SECTION 26
TOWNSHIP 38 SOUTH, RANGE 7 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 hereon 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 hereon owners, I have made a survey of the tract of land as shown on this Plat and have joined the same tract into 1 lot as well as Public Utility and Ingress & Egress Easements, as shown, which are herein after known as

"AMENDED PLAT LOTS 152 & 154 OF SWAIN'S CREEK PINES UNIT NO. 1, AMENDED"

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

Thomas W. Avant, PLS # 5561917

Date:

Legal Description:

All of Lots 152 and 154 of Swain's Creek Pines Unit No. 1, as recorded in the Office of the Kane County Recorder, Utah more particularly described as follows:

BEGINNING, at the West corner of said Lot 152; thence, along the southeasterly right-of-way of Pine Tree Trail, North 45° 17' 36" East 150.01 feet, to the North corner of said lot; thence, along the northeast boundary of said lot, South 44° 42' 24" East 122.01 feet, to the east corner said lot; thence, along the northeast boundary of said Lot 154, South 57° 45' 51" East 121.81 feet, to the northwesterly right-of-way of Apache Trail; thence, along said right-of-way, South 32° 20' 25" West 150.22 feet, to the south corner of said lot; thence, along the southwest boundary of said lot, North 57° 39' 04" West 139.02 feet, to the west corner of said Lot 154; thence, along the southwest boundary of said Lot 152, North 44° 42' 24" West 138.86 feet, to the POINT OF BEGINNING, containing 0.90 acres (more or less).

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 for Lot 152 & 154 of Swain's Creek Pines Unit Number 1. 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 Southeast Corner of old Lot 152 and the Northeast Corner of old Lot 152 with a bearing of N38°53'03"E and a distance of 150.96', as shown on this plat.

Client Information:

AVA FRANCESCA RUSSO
245 W SUNSET AVE
TOQUERVILLE, UT 84774

REFERENCED DOCUMENTS

- FINAL PLAT OF SWAIN'S CREEK PINES UNIT NO. 1

LEGEND

- SET 5/8" x 36" REBAR WITH PLASTIC CAP MARKED IR ENG. PLS 5561917
- FOUND MONUMENT AS NOTED
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- PROPERTY LINE TO BE REMOVED
- EXISTING STREET CENTER LINE
- EXISTING FENCE LINE
- SURVEY BOUNDARY
- RECORD BEARING AND DISTANCE

OWNER'S DEDICATION

The Owner(s) of the real property described in the Boundary Description, does consent to the preparation and recording of this Amended Plat and Subject to any conditions and restrictions stated hereon, have caused the same to be combined into one Lot.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 20____.

AVA FRANCESCA RUSSO, TRUSTEE OF
THE AVE FRANCESCA RUSSO REVOCABLE
TRUST, DATED MAY 26, 2020
245 W SUNSET AVE
TOQUERVILLE, UT 84774

CERTIFICATE OF RECORDING

I, _____, Recorder of Kane County, do hereby certify that above Plat was filed for recording in my office this _____ day of _____, 20____.

KANE COUNTY RECORDER

ENTRY NO.

RECORDED AND FILED AT THE
REQUEST OF:

DATE

TIME

BOOK

PAGE

FEE

COUNTY SURVEYOR CERTIFICATE

I, _____, Kane County Surveyor, do hereby certify that this office has examined the above Amended Plat and has 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

APPROVAL AND ACCEPTANCE
by the Kane County Land Use Authority

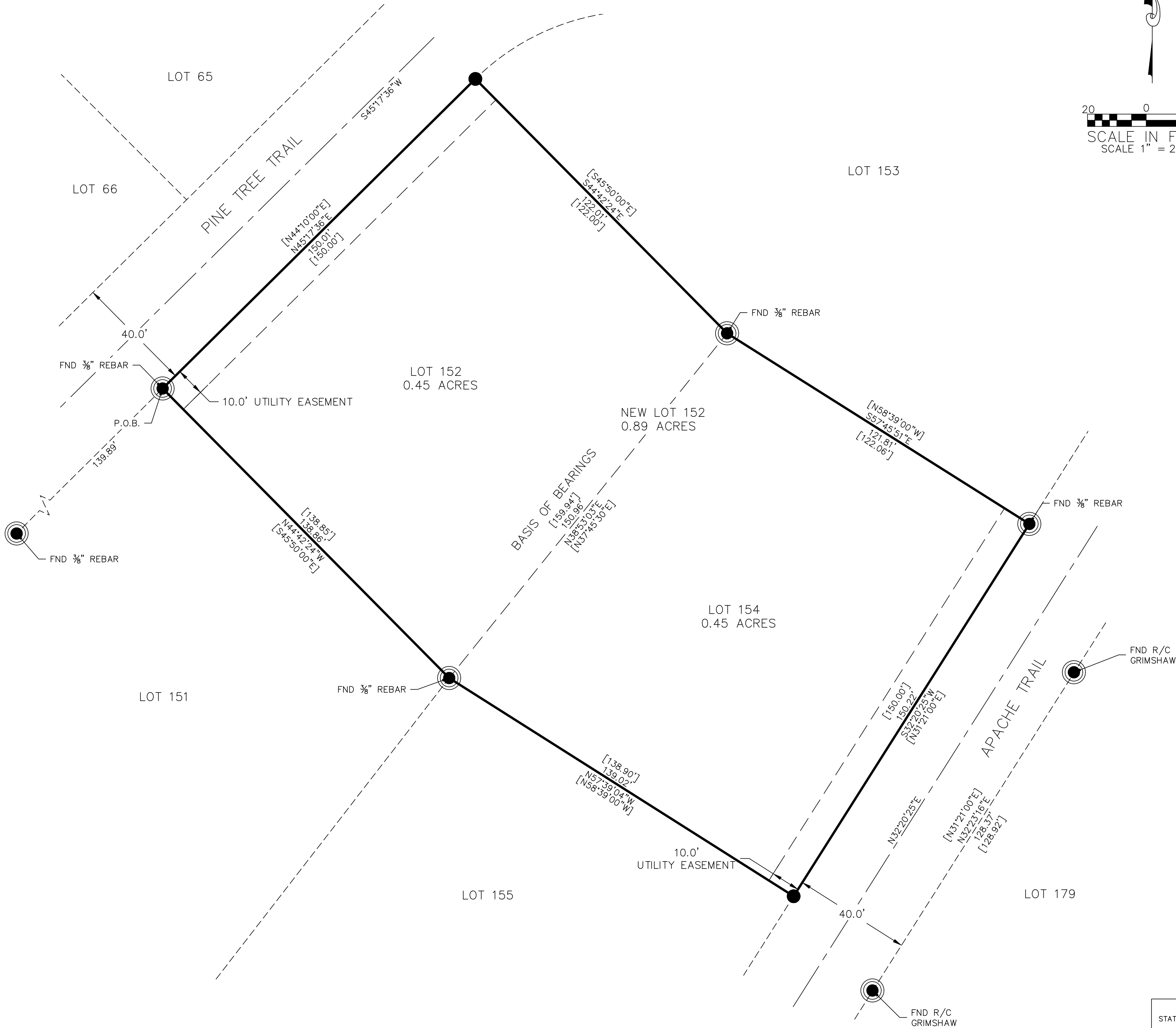
We the Kane County Land Use Authority have reviewed the hereon Amended Plat and by authorization of said Kane County recorded in the minutes of it's meeting of the _____ day of _____, 20____, hereby accept the said Amended Plat with all commitments and all obligations pertaining thereto and is hereby ordered filed for record in the Office of the Kane County Recorder.

Chairman—
Kane County Land Use Authority

COUNTY ATTORNEY CERTIFICATE

I, _____, Attorney for Kane County, do hereby certify that I have examined the above Amended Plat and said plat meets the requirements of Kane County and is hereby recommended for approval this _____ day of _____, 20____.

KANE COUNTY ATTORNEY



20 0 20
SCALE IN FEET
SCALE 1" = 20'



Building on Solid
Foundations

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

AVA FRANCESCA RUSSO
AMENDED PLAT
LOTS 152 & 153 SWAIN'S CREEK PINES NO. 1, AMENDED
KANE COUNTY, UTAH

DATE:	09/28/2021
DESCRIPTION:	
INITIAL	
SUBMITTAL	
REV#	
DATE:	

DRAWN BY: CM

SCALE: 1" = 20'

SHEET:

1 OF 1



STAFF REPORT

DATE: 10/25/2021

PROJECT: A complete application for the Final Plat for Lost Springs Ranch Estates Subdivision, Phase 1, lots 1-15, for parcel 4-6-1-1; Legal Description: BEGINNING at the East Corner Common to Section 1, Township 44 and Section 36, Township 43 South, Range 5 West, Salt Lake Base and Meridian, and running; thence, along the east line of said Section 36, North 01° 01' 12" East 294.75 feet, to the southernly right-of-way of Old US Highway 89; thence, along said right-of-way, North 75° 43' 16" West 415.38 feet; thence South 01° 21' 03" West 344.39 feet; thence South 13° 38' 03" East 100.45 feet; thence South 00° 10' 20" West 357.12 feet, to the beginning of a curve; thence, along the curve to the left, 36.14 feet, having a radius 50.00 feet, a central angle of 41° 24' 35" and whose long chord bears South 20° 31' 57" East 35.36 feet, to a reverse-tangent curve; thence, along the curve to the right, 95.09 feet, having a radius of 50.00 feet, a central angle of 108° 57' 37" and whose long chord bears South 13° 14' 34" West 81.39 feet; thence South 22° 16' 38" East 183.99 feet; thence South 32° 13' 51" East 87.40 feet; thence South 23° 18' 46" West 117.21 feet; thence South 50° 41' 25" West 83.34 feet; thence South 24° 04' 25" West 133.30 feet; thence South 57° 38' 00" West 87.84 feet; thence South 26° 15' 20" East 88.02 feet; thence South 31° 59' 40" West 184.79 feet; thence South 04° 41' 55" West 122.67 feet; thence South 19° 07' 55" East 110.03 feet; thence South 05° 46' 58" East 145.35 feet; thence South 17° 06' 22" West 82.06 feet; thence South 35° 25' 47" West 122.92 feet; thence South 21° 33' 25" East 73.23 feet; thence South 02° 10' 29" West 140.03 feet; thence North 90° 00' 00" East 244.03 feet; thence South 12° 04' 45" East 364.11 feet, to the beginning of a non-tangential curve; thence, along the curve to the left, 134.87 feet, having a radius of 50.00 feet, a central angle of 154° 32' 54" and whose long chord bears South 00° 38' 48" West 97.54 feet; thence South 13° 22' 21" West 363.93 feet; thence North 89° 27' 28" West 48.36 feet; thence South 16° 03' 02" West 65.43 feet; thence South 52° 53' 07" West 59.66 feet; thence South 40° 21' 15" East 178.35 feet; thence South 10° 56' 07" West 64.16 feet; thence South 64° 00' 29" West 131.24 feet; thence South 30° 09' 38" West 90.18 feet; thence South 13° 23' 05" West 92.29 feet; thence South 31° 42' 13" West 139.30 feet; thence South 43° 16' 32" West 52.35 feet; thence South 20° 24' 51" West 38.59 feet; thence North 90° 00' 00" East 355.96 feet; thence South 00° 00' 00" East 380.00 feet; thence South 06° 10' 23" West 50.29 feet; thence South 00° 00' 00" West 376.03 feet; thence South 88° 57' 55" East 205.00 feet, to the beginning of a curve; thence, along the curve to the left, 39.00 feet, having a radius of 24.55 feet, a central angle of 91° 00' 26" and whose long chord bears North 45° 31' 51" East 35.03 feet; thence South 89° 31' 10" East 65.22 feet, to the east line of said Section 1; thence, along said line, North 00° 28' 50" East 1746.66 feet, to the East ¼ Corner of said section; thence, continuing along said line, North 00° 34' 53" East 2643.02 feet, to the POINT OF BEGINNING; containing 43.38 acres (more or less) on behalf of Benjamin K. Clarkson, manager of Lost Springs Ranch LLC, This project is right outside of the Kanab City limits in the vicinity of the Lost Springs Subdivision. Lost Springs Drive is a Class D road, NOT maintained by the county.

FINDINGS: The Lost Springs Ranch Estates Subdivision, phase 1 final plat application complies with Utah State Code unannotated §17-27a-601, 603, 604, 604.5, 606, 607 and with Kane County Land Use Ordinance, Title 9, Chapter 21E-I Subdivision Regulations. All requirements for right-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” which requires 66 foot right-of-ways. All notices are in conformance to the standards and notice requirements of USC §17-27a-201 & 202. A notice for the public meeting was posted in two public places and on the Utah State and Kane County websites as a public meeting.

Lost Springs Drive is a Class D road, NOT maintained by the county.

All lots are zoned R-2.

STAFF RECOMMENDATION: Kane County alternate engineer, Kelvin Smith, Civil Science Engineering, recommends Conditional approval of this project. Kane County Land Use Administrator, Shannon McBride recommends Conditional approval.

Motion: I move to recommend **approval/denial** to the Kane County Commissioners for the Final Plat, Lost Springs Ranch Estates Subdivision, Phase 1, lots 1-15, on behalf of Ben Clarkson.

THANK YOU

LOCATED IN THE E $\frac{1}{2}$ OF SECTION 1,
TOWNSHIP 44 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND
MERIDIAN AND THE SE $\frac{1}{4}$ OF SECTION 36, TOWNSHIP 43
SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN

Building on Solid Foundations

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

LOST SPRINGS RANCH
FINAL PLAT PARCEL 4-6-1-1
LOST SPRINGS ROAD
KANE COUNTY, UTAH

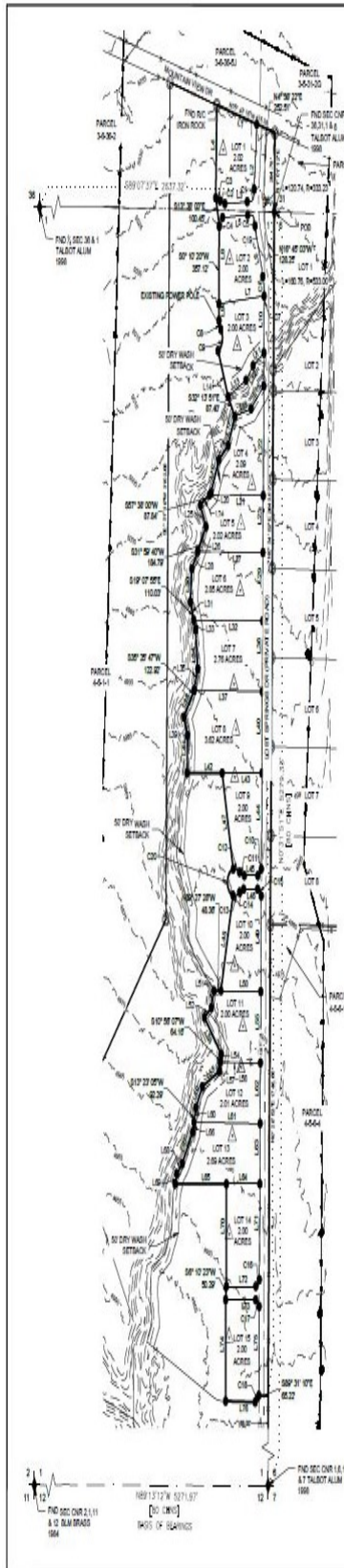
[illegible]

DRAWN BY: CJM

SCALE: 1" = 250'

SHEET: _____

1 OF 1



Parcel Line Table		
Line #	Length	Direction
L1	280.79	N75° 42' 18"W
L2	385.08	S41° 30' 32"E
L3	177.52	S68° 18' 15"W
L4	364.36	N11° 21' 02"E
L5	198.02	S67° 18' 15"W
L6	120.59	N10° 45' 03"W
L7	314.28	N64° 30' 34"E
L8	395.08	N67° 12' 28"E
L9	61.47	S52° 10' 38"W
L10	103.46	N67° 31' 01"E
L11	87.87	S59° 02' 22"W
L12	73.96	S42° 30' 34"E
L13	137.69	S63° 48' 58"W
L14	103.06	S22° 18' 38"E
L15	122.94	S22° 01' 03"W
L16	115.44	S75° 30' 55"W
L17	117.21	S23° 18' 48"W
L18	83.34	S59° 41' 25"W
L19	133.30	S24° 54' 25"W
L20	15.18	S67° 38' 03"W

Line #	Length	Direction
1.21	275.51	N65P 20 50W
1.22	407.46	N67 31 51E
1.23	210.51	N67 31 51E
1.24	715.86	S67P 30 50W
1.25	88.12	S20P 15 30E
1.26	138.59	S21P 5H 40W
1.27	482.85	N65P 20 50W
1.28	76.43	S21P 5H 40W
1.29	254.05	N67 31 51E
1.30	132.87	S4P 41 00W
1.31	70.56	N16P 17 00W
1.32	477.96	N65P 20 50W
1.33	366.89	N16P 17 00E
1.34	145.35	S67 46 50E
1.35	82.38	S17P 08 32W
1.36	261.05	N65P 20 50W
1.37	473.09	N65P 20 50W
1.38	121.27	S50P 25 47W
1.39	75.23	S21P 13 20E
1.40	302.46	N67 31 51E

Panel Line Table		
Line #	Length	Direction
1.41	140.03	62° 12' 30"W
1.42	244.03	N60° 01' 30"E
1.43	274.03	N60° 01' 30"E
1.44	305.18	N67° 31' 57"E
1.45	31.54	N60° 01' 30"W
1.46	32.82	N60° 01' 30"E
1.47	364.11	S12° 04' 42"E
1.48	363.83	N13° 22' 21"E
1.49	355.34	N67° 31' 57"E
1.50	270.03	S60° 01' 30"E
1.51	35.43	S10° 01' 30"W
1.52	55.86	S62° 01' 30"W
1.53	170.35	S42° 01' 30"E
1.54	35.34	N10° 00' 07"E
1.55	254.10	N67° 31' 57"E
1.56	270.37	N60° 01' 30"W
1.57	31.81	S12° 04' 42"W
1.58	131.24	S64° 01' 30"W
1.59	40.10	S32° 00' 30"W
1.60	35.24	N13° 22' 08"E

Line #	Length	Direction
L01	459.36	N62° 30' 30"W
L02	223.05	N67° 31' 30"E
L03	223.05	N67° 31' 30"E
L04	231.80	N62° 07' 30"E
L05	205.56	N62° 07' 30"W
L06	36.25	N12° 23' 30"E
L07	156.30	S21° 42' 13"W
L08	51.35	S43° 10' 32"W
L09	38.55	S22° 34' 17"E
L10	300.00	N67° 00' 00"E
L11	355.35	N67° 31' 30"E
L12	201.54	N62° 07' 30"E
L13	201.54	N62° 07' 30"E
L14	378.00	S67° 00' 00"E
L15	229.74	N67° 31' 30"E
L16	205.00	N62° 30' 30"W

Curve#	Length	Radius	Delta	Chord Distance	Chord Length
C1	30.0	25.0	90°25'00"	54.0°50'00"	33.0
C2	30.0	50.0	45°00'00"	45°00'00"	30.0
C3	30.0	50.0	27°15'00"	27°15'00"	30.0
C4	30.0	25.0	90°25'00"	54°05'00"	34.6
C5	30.0	25.0	90°25'00"	56°50'00"	36.3
C6	112.7	407.0	1°20'00"	48°50'00"	112.6
C7	30.0	40.0	72°00'00"	51°11'30"	30.0
C8	30.0	50.0	45°00'00"	45°00'00"	30.0
C9	30.0	50.0	108°30'00"	61°5'30"	31.3
C10	30.0	25.0	90°25'00"	56°50'00"	36.3
C11	30.0	50.0	45°00'00"	45°00'00"	30.0
C12	40.0	50.0	57°30'00"	49°2'30"	40.0
C13	47.0	50.0	54°00'00"	46°50'00"	46.3
C14	30.0	50.0	45°00'00"	45°00'00"	30.0
C15	30.0	25.0	90°25'00"	56°50'00"	36.3
C16	30.0	25.0	90°25'00"	56°50'00"	36.3
C17	30.0	25.0	90°25'00"	56°50'00"	36.3
C18	30.0	25.0	90°25'00"	56°50'00"	36.3
C19	40.7	388.2	1°24'00"	49°12'00"	40.7
C20	104.7	50.0	1°24'00"	50°30'00"	104.7

NARRATIVE
The purpose of this survey was to retrace and subdivide on the ground the line as shown on this Subdivision Plat at the request of the client. The purpose of the survey is to delineate the boundaries and to divide the parcels into 15 lots and remaining Parcels A, C and D as 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 Southwest Corner of Section 1 and Southwest Corner of Section 1 with a basis of N89°13'12" W and a distance of 5271.97', as shown on this Plat.

-15 FOOT PUBLIC UTILITY EASEMENT ALONG ROAD FRONTAGE

SURVEYED AT THE REQUEST OF

LOST SPRINGS RANCH LLC
PO BOX 536
Kaneb, UT 84741

REFERENCED DOCUMENTS

BLM PLAT, PAGE 1819-D 2003.
WARRANTY DEED ENTRY NO. 00194165
BOOK 0580 PAGE 0774

LEGEND

 SET 5/8" x 3/8" PEGBAR WITH PLASTIC CAP MARKED IN ENG. PLS 5561017
 FOUND IRON RICE ROCK
 FOUND SECTION CORNER AS NOTED
 PROPERTY LINE
 ADJACENT PROPERTY LINE
 EASEMENT
 SECTION LINE
 1/2 SECTION LINE
 ROAD CENTER LINE
 FENCE
 RECORD BEARING AND DISTANCE PERC TEST LOCATION

AFFIDAVIT

STATE OF IOWA)
COUNTY OF _____)

On this _____ day of _____, 20____, personally
before me, Benjamin E. Carlson, who being by the duly sworn, old
the Manager of East Springs Manor LLC, a Utah Limited Liability Com-
pany, that said instrument was signed by them in behalf of said limited liabil-
ity company, its authorized officers or its operating agent,
for the uses and purposes herein mentioned, and said person E. Carl-
son acknowledged to me that said limited liability company executed the same.

AUTHORITY _____

OWNERS' DECLARATION

I/we declare by these presents that the undersigned (hereinafter "I/Us"), Manager of Laid Spangh Inc., a U.S. Limited Liability Company, am/are one of the share holder/s (and of record), and hereby cause the same to be submitted into US info and retaining parcel and Public Utility Services to the immediate owner as "Laid Spangh Inc.". The undersigned herein also hereby convey to any and all public utility companies a perpetual, non-exclusive easement over the public utility easement area on this plot. The same to be used for the installation, maintenance and operation of utility lines and facilities.

IN WITNESS WHEREOF, I/we and my/ourself on this _____ day of _____ 20____

1st Spring Branch, L.L.C.,
a 100% United Liability Company
By: Benjamin F. Carlson, Managing Member

RECORD of Kane County. As people write that above that was that by accident is no office

ENTRY NO.

NOX P_{NOX} P_{NOX}

.gov

0-

76 North Main Street Kanab, Utah 84741 435-644-4966 www.kane.utah.gov

LOST SPRINGS RANCH

PARCEL 4-6-1-1

KANE COUNTY, UTAH

LOCATED IN THE E ½ OF SECTION 1,
TOWNSHIP 44 SOUTH, RANGE 5 WEST, SALT LAKE BASE AND
MERIDIAN AND THE SE ¼ OF SECTION 36, TOWNSHIP 43
SOUTH, RANGE 5 WEST, SALT LAKE BASE AND MERIDIAN



Building on Solid Foundations

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

LOST SPRINGS RANCH
FINAL PLAT PARCEL 4-6-1-1
LOST SPRINGS ROAD
KANE COUNTY, UTAH

DATE: 10/06/2021

DESCRIPTION:

INITIAL SUBMITTAL

REV# DATE:

DRAWN BY: CJM

SCALE: 1" = 250'

SHEET:

1 OF 1

250 0 250
SCALE IN FEET
SCALE 1" = 250

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 hereon 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 hereon owners, I have made a survey of the tract of land as shown on this Plat and have subdivided the a portion of the same tract into 15 lots as well as Public Utility and Ingress & Egress Easements, as shown, which are herein after known as

"LOST SPRINGS RANCH"

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

Thomas W. Avant, PLS # 5561917

Date:

Phase 1 - Legal Description:

BEGINNING at the East Corner Common to Section 1, Township 44 South and Section 36, Township 43 South, Range 5 West, Salt Lake Base and Meridian, and running; thence, along the east line of said Section 36, North 01° 01' 12" East 294.75 feet, to the southerly right-of-way of Old US Highway 89; thence, along said right-of-way, North 75° 43' 16" West 415.38 feet; thence South 01° 21' 03" West 344.39 feet; thence South 13° 38' 03" East 100.45 feet; thence South 00° 10' 20" West 357.12 feet, to the beginning of a curve; thence, along the curve to the left, 36.14 feet, having a radius of 50.00 feet, a central angle of 41° 24' 35" and whose long chord bears South 20° 31' 57" East 35.36 feet, to a reverse-tangent curve; thence, along the curve to the right, 95.09 feet, having a radius of 50.00 feet, a central angle of 108° 57' 37" and whose long chord bears South 13° 14' 34" West 81.39 feet; thence South 22° 16' 38" East 183.99 feet; thence South 32° 13' 51" East 87.40 feet; thence South 23° 18' 46" West 117.21 feet; thence South 50° 41' 25" West 83.34 feet; thence South 24° 04' 25" West 133.30 feet; thence South 57° 38' 00" West 87.84 feet; thence South 26° 15' 20" East 88.02 feet; thence South 31° 59' 40" West 184.79 feet; thence South 04° 41' 55" West 122.67 feet; thence South 19° 07' 55" East 110.03 feet; thence South 05° 46' 58" East 145.35 feet; thence South 17° 06' 22" West 82.06 feet; thence South 35° 25' 47" West 122.92 feet; thence South 21° 33' 25" East 73.23 feet; thence South 02° 10' 29" West 140.03 feet; thence North 90° 00' 00" East 244.03 feet; thence South 12° 04' 45" East 364.11 feet, to the beginning of a non-tangential curve; thence, along the curve to the left, 134.87 feet, having a radius of 50.00 feet, a central angle of 154° 32' 54" and whose long chord bears South 00° 38' 48" West 97.54 feet; thence South 13° 22' 21" West 363.93 feet; thence North 89° 27' 28" West 48.36 feet; thence South 16° 03' 02" West 65.43 feet; thence South 52° 53' 07" West 59.66 feet; thence South 40° 21' 15" East 178.35 feet; thence South 10° 56' 07" West 64.16 feet; thence South 64° 00' 29" West 131.24 feet; thence South 30° 09' 38" West 90.18 feet; thence South 13° 23' 05" West 92.29 feet; thence South 31° 42' 13" West 139.30 feet; thence South 43° 16' 32" West 52.35 feet; thence South 20° 24' 51" West 38.59 feet; thence North 90° 00' 00" East 355.96 feet; thence South 00° 00' 00" East 380.00 feet; thence South 06° 10' 23" West 50.29 feet; thence South 00° 00' 00" West 376.03 feet; thence South 88° 57' 55" East 205.00 feet, to the beginning of a curve; thence, along the curve to the left, 38.81 feet, having a radius of 25.00 feet, a central angle of 88° 55' 53" and whose long chord bears North 45° 31' 51" East 35.03 feet; thence South 89° 31' 10" East 65.22 feet, to the east line of said Section 1; thence, along said line, North 00° 28' 50" East 1746.66 feet, to the East ¼ Corner of said section; thence, continuing along said line, North 00° 34' 53" East 2643.02 feet, to the POINT OF BEGINNING; containing 43.38 acres (more or less).

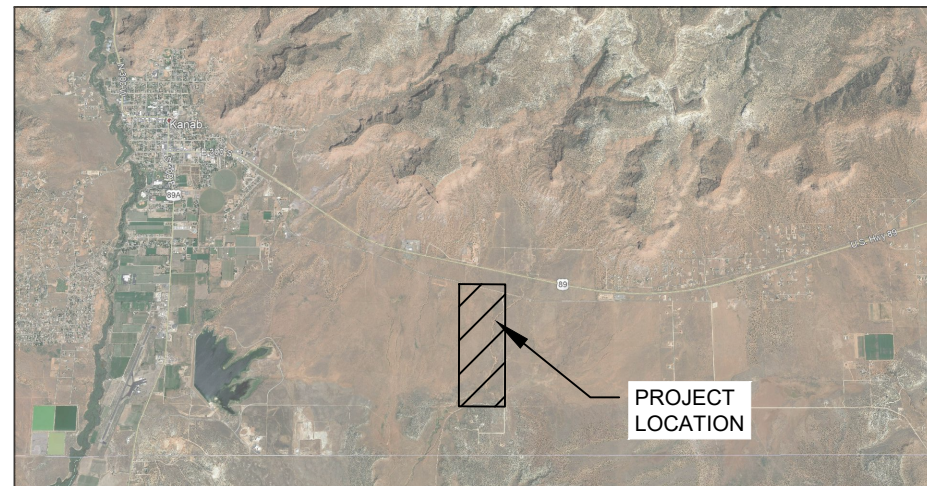
Remaining Parcel 4-6-1-1 - Legal Description:

Commencing at the East Corner Common to Section 1, Township 44 and Section 36, Township 43 South, Range 5 West, Salt Lake Base and Meridian, ; thence, along the east line of said Section 36, North 01° 01' 12" East 294.75 feet, to the southerly right-of-way of Old US Highway 89; thence, along said right-of-way, North 75° 43' 16" West 415.38 feet, to the POINT OF BEGINNING, and running; thence, continuing along said right-of-way, North 75° 43' 16" West 344.39 feet, to the southerly line of said Section 1; thence, along said line, South 89° 13' 12" East 3182.50 feet, to the Southeast Corner of said Section 1; thence, along the east line of said Section 1, North 00° 28' 50" East 889.65 feet; thence North 89° 31' 10" West 65.22 feet, to the beginning of a non-tangential curve; thence, along the curve to the right, 39.00 feet, having a radius of 24.55 feet, a central angle of 91° 00' 26" and whose long chord bears South 45° 31' 51" West 35.03 feet; thence North 88° 57' 55" West 205.00 feet; thence North 00° 00' 00" East 376.03 feet; thence North 06° 10' 23" East 50.29 feet; thence North 00° 00' 00" West 380.00 feet; thence North 90° 00' 00" East 355.96 feet; thence North 20° 24' 51" East 38.59 feet; thence North 43° 16' 32" East 52.35 feet; thence North 31° 42' 13" East 139.30 feet; thence North 13° 23' 05" East 92.29 feet; thence North 30° 09' 38" East 90.18 feet; thence North 64° 00' 29" East 131.24 feet; thence North 10° 56' 07" East 64.16 feet; thence North 40° 21' 15" West 178.35 feet; thence North 52° 53' 07" East 59.66 feet; thence North 16° 03' 02" East 65.43 feet; thence South 89° 27' 28" East 48.36 feet; thence North 13° 22' 21" East 363.93 feet, to the beginning of a non-tangential curve; thence, along the curve to the right, 134.87 feet, having a radius of 50.00 feet, a central angle of 154° 32' 54" and whose long chord bears North 00° 38' 48" East 97.54 feet; thence North 12° 04' 45" West 364.11 feet; thence North 90° 00' 00" West 244.03 feet; thence North 02° 10' 29" East 140.03 feet; thence North 21° 33' 25" West 73.23 feet; thence North 35° 25' 47" East 122.92 feet; thence North 17° 06' 22" East 82.06 feet; thence North 05° 46' 58" West 145.35 feet; thence North 19° 07' 55" West 110.03 feet; thence North 04° 41' 55" East 122.67 feet; thence North 31° 59' 40" East 184.79 feet; thence North 26° 15' 20" West 88.02 feet; thence North 57° 38' 00" East 87.84 feet; thence North 24° 04' 25" East 133.30 feet; thence North 50° 41' 25" East 83.34 feet; thence North 23° 18' 46" East 117.21 feet; thence North 32° 13' 51" West 87.40 feet; thence North 22° 16' 38" West 183.99 feet, to the beginning of a non-tangential curve; thence, along the curve to the left, 95.09 feet, having a radius of 50.00 feet, a central angle of 108° 57' 37" and whose long chord bears North 13° 14' 34" East 81.39 feet, to a non-reverse curve; thence, along the curve to the right, 36.14 feet, having a radius of 50.00 feet, a central angle of 41° 24' 35" and whose long chord bears North 20° 31' 57" West 35.36 feet; thence North 00° 10' 20" East 357.12 feet; thence North 13° 38' 03" West 100.45 feet; thence North 01° 21' 03" East 344.39 feet, to the POINT OF BEGINNING; containing 129.81 acres (more or less).

LEGEND

- SET 5/8" x 36" REBAR WITH PLASTIC CAP MARKED IR ENG. PLS 5561917
- FOUND R/C IRON ROCK
- ◆ FOUND SECTION CORNER AS NOTED
- PROPERTY LINE
- - - ADJACENT PROPERTY LINE
- - - EASEMENT
- - - SECTION LINE
- - - ¼ SECTION LINE
- - - ROAD CENTER LINE
- - - FENCE
- - - RECORD BEARING AND DISTANCE
- - - PERC TEST LOCATION

VICINITY MAP



Parcel Line Table		
Line #	Length	Direction
L1	286.76	N75° 43' 16"W
L2	265.05	S4° 38' 22"W
L3	177.32	S87° 18' 19"W
L4	344.39	N1° 21' 03"E
L5	195.93	S87° 18' 19"W
L6	128.59	N16° 45' 03"W
L7	314.28	N84° 38' 34"E
L8	295.65	N0° 10' 20"E
L9	61.47	S0° 10' 36"W
L10	183.46	N0° 31' 51"E
L11	87.97	S58° 02' 23"W
L12	73.99	S42° 36' 38"W
L13	137.89	S63° 48' 55"W
L14	183.99	S22° 16' 38"E
L15	122.94	S46° 21' 03"W
L16	115.44	S75° 30' 59"W
L17	117.21	S23° 18' 46"W
L18	83.34	S50° 41' 25"W
L19	133.30	S24° 04' 25"W
L20	15.16	S57° 38' 00"W

Parcel Line Table		
Line #	Length	Direction
L21	375.01	N89° 28' 09"W
L22	407.48	N0° 31' 51"E
L23	210.51	N0° 31' 51"E
L24	72.68	S57° 38' 00"W
L25	88.02	S26° 15' 20"E
L26	108.39	S31° 59' 40"W
L27	452.95	N89° 28' 09"W
L28	76.40	S31° 59' 40"W
L29	254.05	N0° 31' 51"E
L30	122.67	S4° 41' 55"W
L31	70.66	N19° 07' 55"W
L32	477.96	N89° 28' 09"W
L33	39.38	S19° 07' 55"E
L34	145.35	S5° 46' 58"E
L35	82.06	S17° 06' 22"W
L36	261.56	N0° 31' 51"E
L37	473.09	N89° 28' 09"W
L38	121.27	S35° 25' 47"W
L39	73.23	S21° 33' 25"E
L40	302.49	N0° 31' 51"E

Parcel Line Table		
Line #	Length	Direction
L41	140.03	S2° 10' 29"W
L42	244.03	N90° 00' 00"W
L43	274.94	N90° 00' 00"W
L44	355.18	N0° 31' 51"E
L45	93.84	N90° 00' 00"W
L46	92.92	N90° 00' 00"E
L47	364.11	S12° 04' 45"E
L48	363.93	N13° 22' 21"E
L49	355.34	N0° 31' 51"E
L50	276.52	S89° 27' 28"E
L51	65.43	S16° 03' 02"W
L52	59.66	S52° 53' 07"W
L53	178.35	S40° 21' 15"E
L54	30.34	N10° 56' 07"E
L55	264.10	N0° 31' 51"E
L56	278.37	N89° 28' 09"W
L57	33.81	S10° 56' 07"W
L58	131.24	S64° 00' 29"W
L59	90.18	S30° 09' 38"W
L60	56.24	N13° 23' 05"E

Parcel Line Table		
Line #	Length	Direction
L61	458.99	N89° 28' 09"W
L62	225.08	N0° 31' 51"E
L63	223.63	N0° 31' 51"E
L64	231.83	N90° 00' 00"E
L65	355.96	N90° 00' 00"W
L66	36.05	N13° 23' 05"E
L67	139.30	S31° 42' 13"W
L68	52.35	S43° 16' 32"W
L69	38.59	N20° 24' 51"E
L70	380.00	N0° 00' 00"E
L71	355.25	N0° 31' 51"E
L72	203.54	N90° 00' 00"E
L73	208.03	N90° 00' 00"E
L74	376.03	S0° 00' 00"E
L75	329.74	N0° 31' 51"E
L76	205.00	N88° 57' 55"W

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	36.07	25.00	82°39'57"	S45° 58' 21"W	33.02
C2	36.14	50.00	41°24'35"	N71° 59' 23"W	35.36
C3	32.61	50.00	37°21'51"	N69° 58' 01"W	32.03
C4	38.02	25.00	87°07'59"	N43° 44' 20"E	34.46
C5	36.32	25.00	83°13'53"	N51° 04' 44"W	33.21
C6	112.77	467.00	13°50'07"	N9° 49' 59"W	112.49
C7	28.09	467.00	3°26'47"	S1° 11' 32"E	28.09
C8	36.14	50.00	41°24'35"	N20° 31' 57"W	35.36
C9	95.09	50.00	108°57'37"	N13° 14' 34"E	81.39
C10	39.04	25.00	89°28'09"	N45° 15' 56"E	35.19
C11	36.14	50.00	41°24'35"	N69° 17' 43"W	35.36
C12	46.68	50.00	53°29'20"	N75° 20' 05"W	45.00
C13	47.81	50.00	54°46'56"	N75° 58' 53"E	46.01
C14	36.14	50.00	41°24'35"	N69° 17' 43"E	35.36
C15	39.27	25.00	90°00'00"	N45° 00' 04"W	35.36
C16	39.04	25.00	89°27'49"	S45° 16' 03"W	35.19
C17	39.27	25.00	89°59'39"	N45° 00' 04"W	35.36
C18	38.81	25.00	88°55'53"	N45° 31' 51"E	35.03
C19	46.77	399.23	6°42'43"	N12° 49' 10"W	46.74
C20	134.87	50.00	154°32'54"	S0° 38' 48"W	97.54

NARRATIVE

The purpose of this survey was to retrace and subdivide on the ground the lines as shown on this Subdivision Plat at the request of the client. The purpose of the survey is to delineate the boundaries and to divide the parcels into 15 lots and remaining Parcels. 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 Southwest Corner of Section 1 and Southeast Corners of Section 1 with a basis of N89°13'12" W and a distance of 5271.97', as shown on this Plat.

-CURRENT ZONING: R-2

-15 FOOT PUBLIC UTILITY EASEMENT ALONG ROAD FRONTAGES.

SURVEYED AT THE REQUEST OF:

LOST SPRINGS RANCH LLC
PO BOX 535
Kanab, UT 84741

REFERENCED DOCUMENTS

- BLM PLAT, PAGE 1819-B 2003.
- WARRANTY DEED ENTRY NO. 00194165 BOOK 0560 PAGE 0774

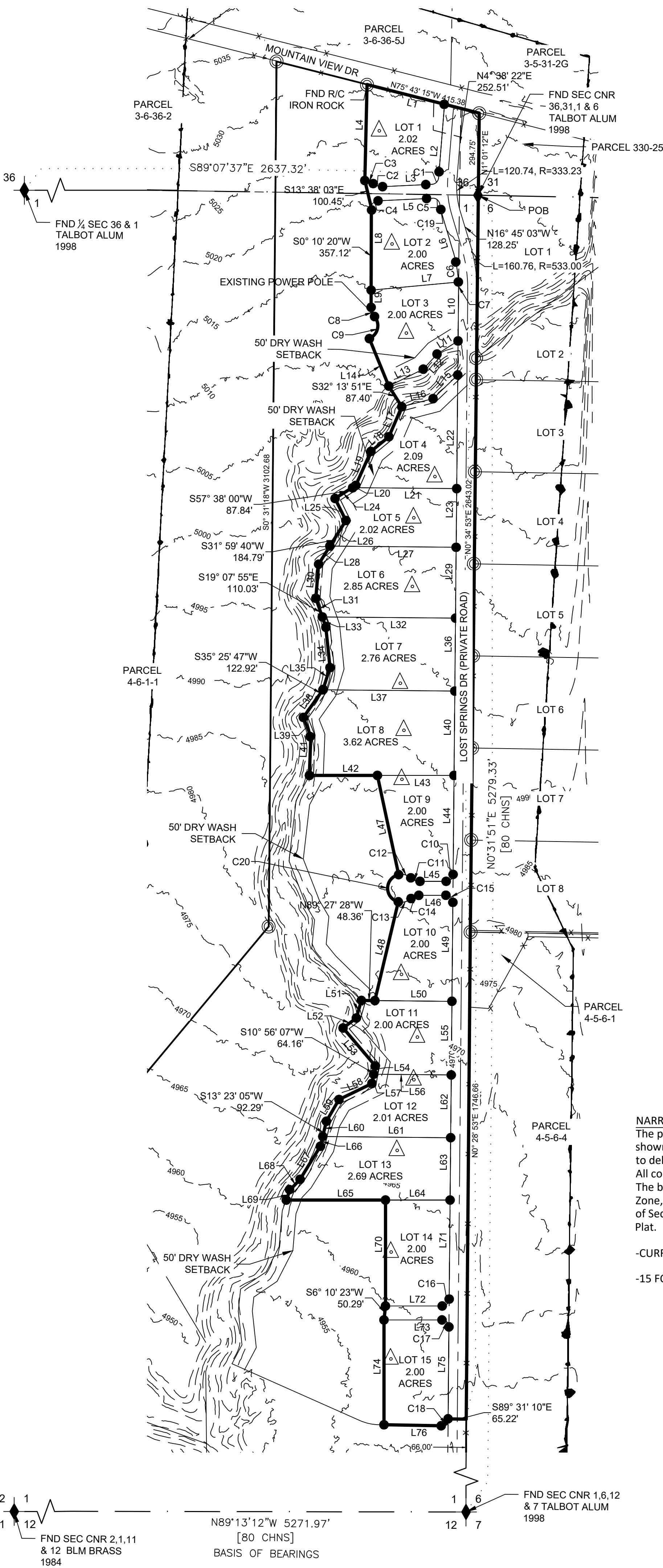
COUNTY SURVEYOR CERTIFICATE I, _____, Kane County Surveyor, do hereby certify that this office has examined the above Plat and have determined that it is correct and in accordance with information on file in this office and recommend it for approval this _____ day of _____, 20____.	COUNTY APPROVALS _____ KANE COUNTY GIS ADMINISTRATOR _____ KANE COUNTY FIRE OFFICIAL _____ KANE COUNTY ADDRESSING ADMINISTRATOR _____ KANE COUNTY HEALTH DEPARTMENT
COUNTY ENGINEER I, _____, Kane County Engineer, do hereby certify that this office has examined the above Plat and have determined that it is correct and in accordance with information on file in this office and recommend it for approval this _____ day of _____, 20____.	APPROVAL AND ACCEPTANCE by the Kane County Commission We the Kane County Commission have reviewed the hereon Plat and by authorization of said Commission recorded in the minutes of its meeting of the _____ day of _____, 20____, hereby accept the said plat with all commitments and all obligations pertaining thereto and is hereby ordered filed for record in the Office of the Kane County Recorder. Attest: _____ Kane County Clerk
_____ KANE COUNTY SURVEYOR	_____ Chairman - Kane County Commission

APPROVAL of the LAND USE AUTHORITY On this the _____ day of _____, 20____, the Land Use Authority of Kane County, Utah, having reviewed the above Plat and having found that it complies with the requirements of the Kane County's Land Use Ordinance, and by authorization of said commission hereby recommend approval of said plat for acceptance by Kane County, Utah. _____ CHAIRMAN Land Use Authority	COUNTY ATTORNEY CERTIFICATE I, _____, Attorney for Kane County, do hereby certify that I have examined the above Plat and said plat meets the requirements of Kane County and is hereby recommended for approval this _____ day of _____, 20____.
_____ KANE COUNTY ATTORNEY	_____ KANE COUNTY ATTORNEY

CERTIFICATE OF RECORDING I, _____, Recorder of Kane County, do hereby certify that above Plat was filed for recording in my office this _____ day of _____, 20____.	NOTARY PUBLIC _____ Notary Public
_____ KANE COUNTY RECORDER	_____ ENTRY NO.
DATE TIME BOOK PAGE FEE	

ACKNOWLEDGMENT STATE OF UTAH,) COUNTY OF _____, ss. On this _____ day of _____, 20____, personally appeared before me Benjamin K Clarkson, who being by me duly sworn, did say that he is the Manager of Lost Springs Ranch LLC, a Utah Limited Liability Company, and that said instrument was signed by them in behalf of said limited liability company by authority of statute, its articles of organization or its operating agreement, for the uses and purposes herein mentioned, and said Benjamin K Clarkson, acknowledged to me that said limited liability company executed the same.	OWNER'S DEDICATION Know all men by these presents that the undersigned Benjamin K Clarkson, Manager of Lost Springs Ranch LLC, a Utah Limited Liability Company, as the owner of the above described tract of land, and hereby cause the same to be subdivided into 15 lots and remaining parcel and Public Utility Easements to be hereafter known as "Lost Springs Ranch", the undersigned owners also hereby convey to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat. The same to be used for the installation maintenance and operation of utility lines and facilities. IN WITNESS WHEREOF, I have set my hand this the _____ day of _____, 20____.
_____ Lost Springs Ranch LLC, a Utah Limited Liability Company By: Benjamin K Clarkson, Managing Member	

INITIAL SUBMITTAL	DATE: 10/06/2021
REV#	DATE:
DESCRIPTION:	
DRAWN BY: CJM	
SCALE: 1" = 250'	
SHEET:	





DRAFT STAFF REPORT

DATE: 11/1/2021

PROJECT: The property owner, Zion Spirit LLC, Kevin Mclaws, (with an Affidavit of Authority allowing him to act in behalf of Zion Spirit), submitted a Conditional Use Permit application, for 7 villas. This glamping resort will be built on approximately 5 acres of the 173.16 acre parcel, 9-5A-5 Modifying Regulations: each site being less than 500 sq. ft., located on parcel 1-9-4-6, zoned RU-40. They are requesting larger sites than the 500 sq. ft. allowance.

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 Zones (Uses Table) which allows for 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 glamping ground is accessed off North Fork Road.

Kane County Land Use Ordinance, (KCLUO)

9-B-6: 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	C
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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 two 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;

Rural Zone: 9-5B-1: PURPOSE:

Kane County continues to grow and increase in economic development. In areas of the county where there is a large amount of land that is zoned agricultural there is very low density and many lands that retain a rural feel along with many traditional agricultural uses. These lands are not suitable to be zoned commercial with the possibility of many varied commercial uses that are much higher in density and come with a much larger impact to the surrounding areas. However, to promote appropriate growth and economic development in these low density rural areas there is a need to allow additional uses beyond what is allowed in the Agricultural Zone. The purpose of the Rural Zone is to allow uses that are similar to the Agricultural Zone but also allow some additional uses for growth and economic development, such as recreation and tourism related uses that are better suited for these rural areas. (Ord. O-2020-14, 6-23-2020)

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 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;

9-5B-5 B. All uses listed in the Agricultural Zone and Residential Zones shall be allowed in the Rural Zones with the appropriate designated use of permitted, conditional or not allowed. If there is a conflict between the designated uses in the Agricultural Zone the most restrictive use shall apply. Exceptions include rural unimproved subdivisions that can only be used for agricultural purposes as defined in Utah State Code 59-2-502.

9-5A-5 MODIFYING REGULATIONS:

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.

I. Conditions for all campgrounds/glamp-grounds can be found in Chapter 15, "Conditional And Temporary Uses", of this title.

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 East Zion Water Company, WKCSSD and Garkane, were submitted the SWPHD letter still needs to be submitted.

Power is available to the site and will be provided by Garkane Energy.

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;

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

9-5B-2: AREA AND SETBACK REGULATIONS:

District	Min. Area	Front	Side	Rear
RURAL 10	10 acres	30 feet	30 feet	30 feet
RURAL 40	40 acres	30 feet	30 feet	30 feet

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

KCLUO 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. 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:

Exterior lighting will be minimized to maintain the dark sky atmosphere.

The property is being designed with the environment at the forefront, including efforts to minimize impact on the environment and blend in aesthetically with the environment. Future phases are anticipated that will build on the same concept.

The use is consistent with the environmental, commercial, and economical land use purposes. All requirements of the State of Utah regarding health safety, and sanitation regulations shall be met.

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. Sign permit required through the building department. The building department inspects electrical on signs.

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 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 fire protection will need to be complied with through the building department.

The majority of the land will remain as is. 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. Noise is not as much of a concern because no neighboring residence are in the vicinity.

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. Existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, and slopes will be preserved as much as possible.

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;

21. Providing for emergency access;

The existing current road that leads from North Fork to the resort within the development will need to have an emergency ingress and egress that 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 resort 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 and submitted by building permit stage. The building department will sign off on septic's at the building permit stage.

All requirements of the State of Utah regarding health, safety, and sanitation regulations shall be met. A septic design has been completed to treat wastewater from the project. The design has been submitted to the health department and is pending approval. Water supply will be accomplished by tying into an existing public water system and boosting to a storage tank to maintain service pressures and provide for fire suppression.

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 units and foundations.

25. Glamping-ground: 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)

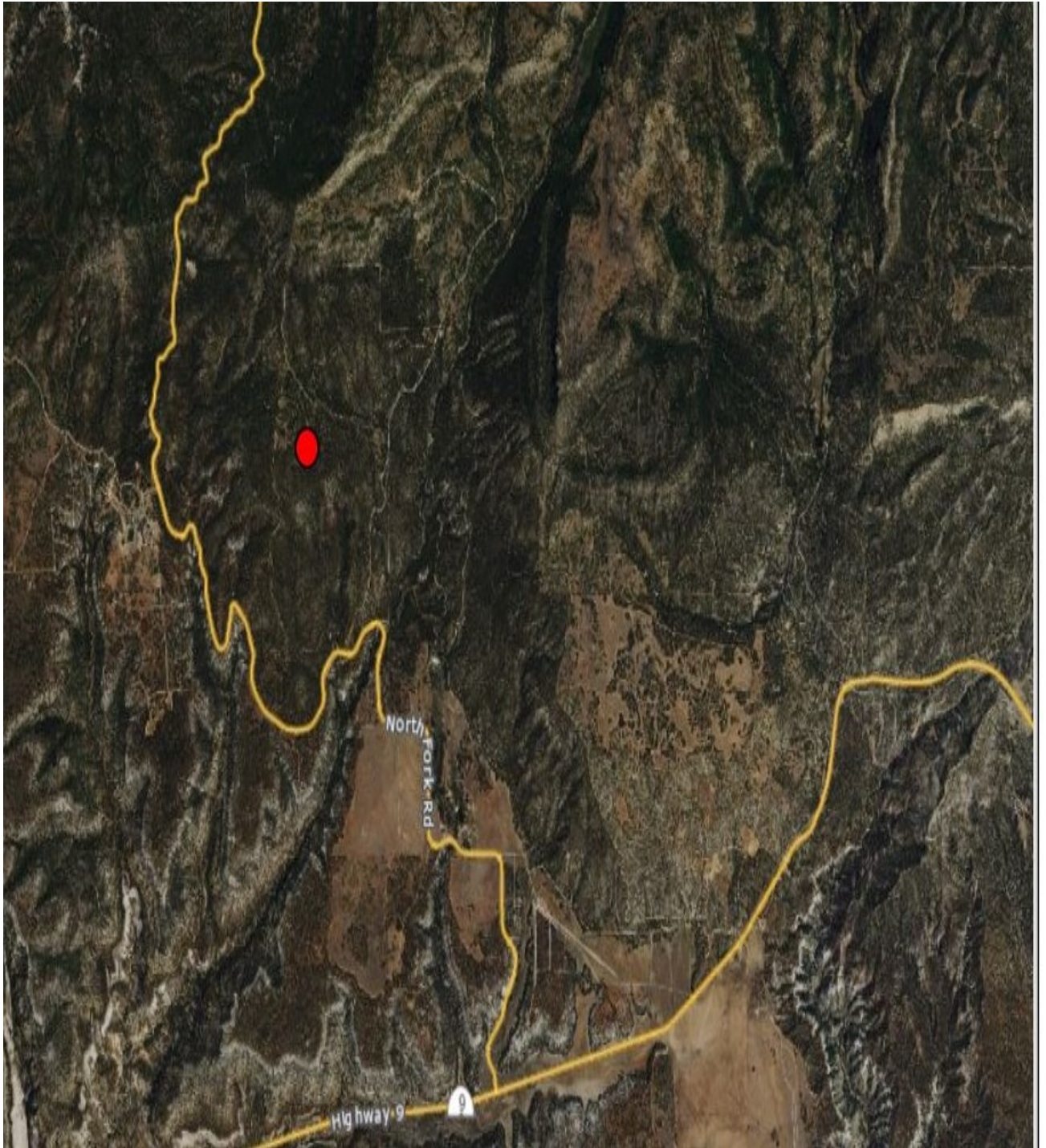
must comply with Building Department and building permit regulations; h) on-site manager for RV parks and campgrounds; unless the campground is considered a primitive campground; i) requirements for the management and maintenance of facilities is adequate; j) the use shall not result in a situation which 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 Southwest Health Department.

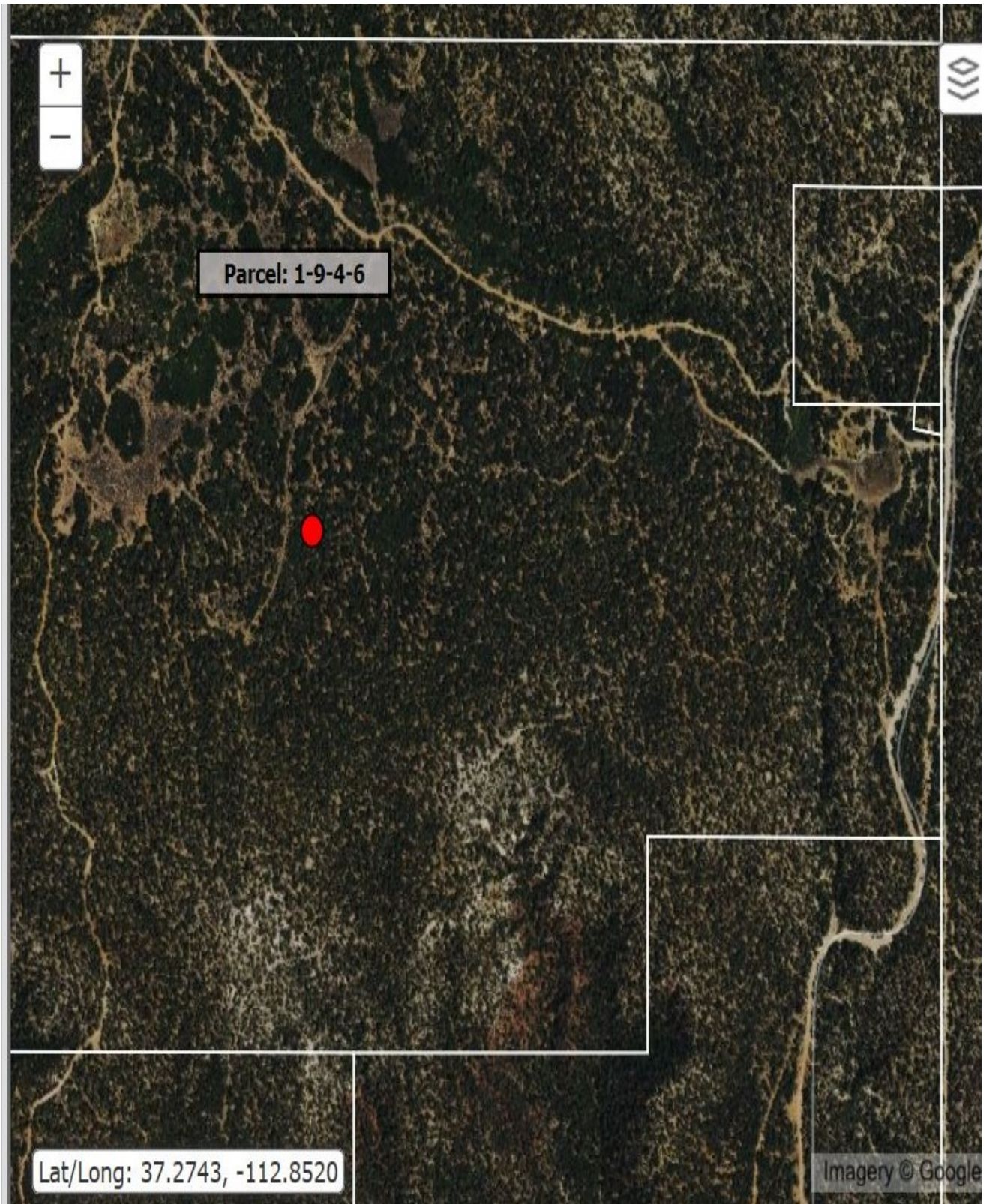
STAFF RECOMMENDATIONS: Kane County Land Use Administrator, Shannon McBride recommends approval of the conditional use permit. Tom Avant, Kane County Engineer, recommends approval at this time.

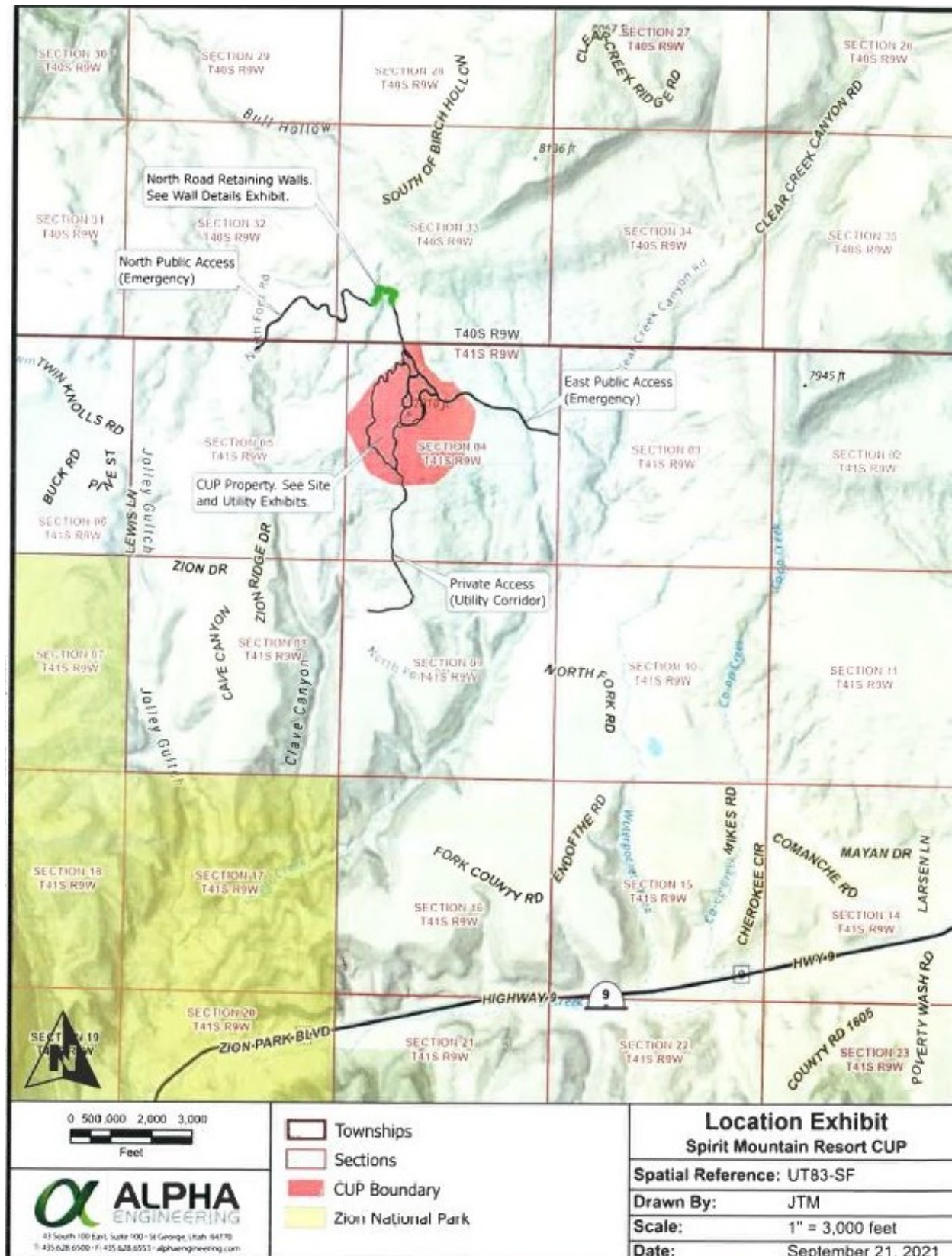
This does NOT need to be recommended to the County Commissioners.

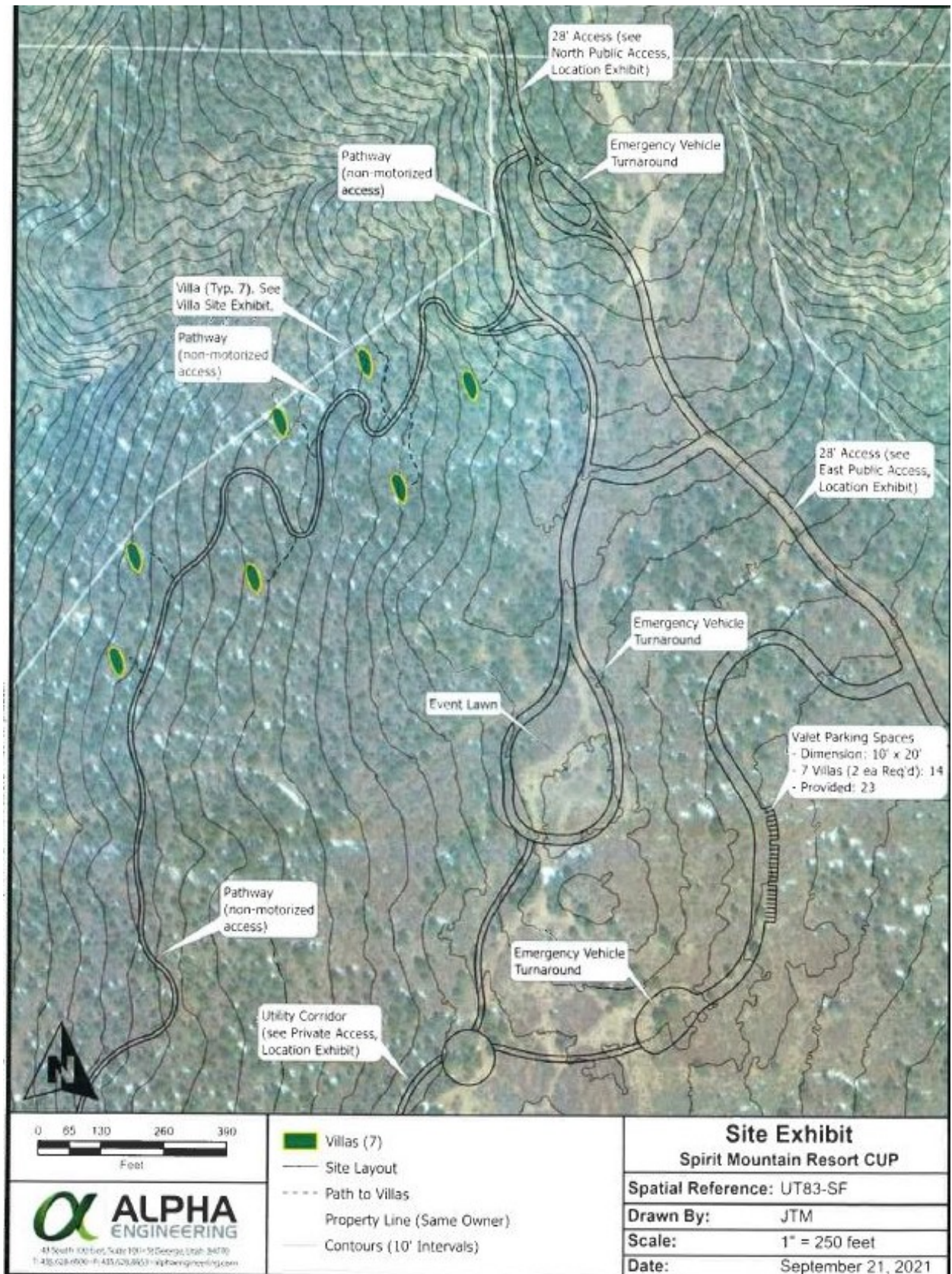
I move to approve/deny the Conditional Use Permit application, submitted by Kevin McLaws, Spirit Mountain LLC, located on parcel 1-9-4-6, (<i>if denied, the reasons for denial would need to be health, safety and welfare; in other words, what conditions could not be mitigated</i>).
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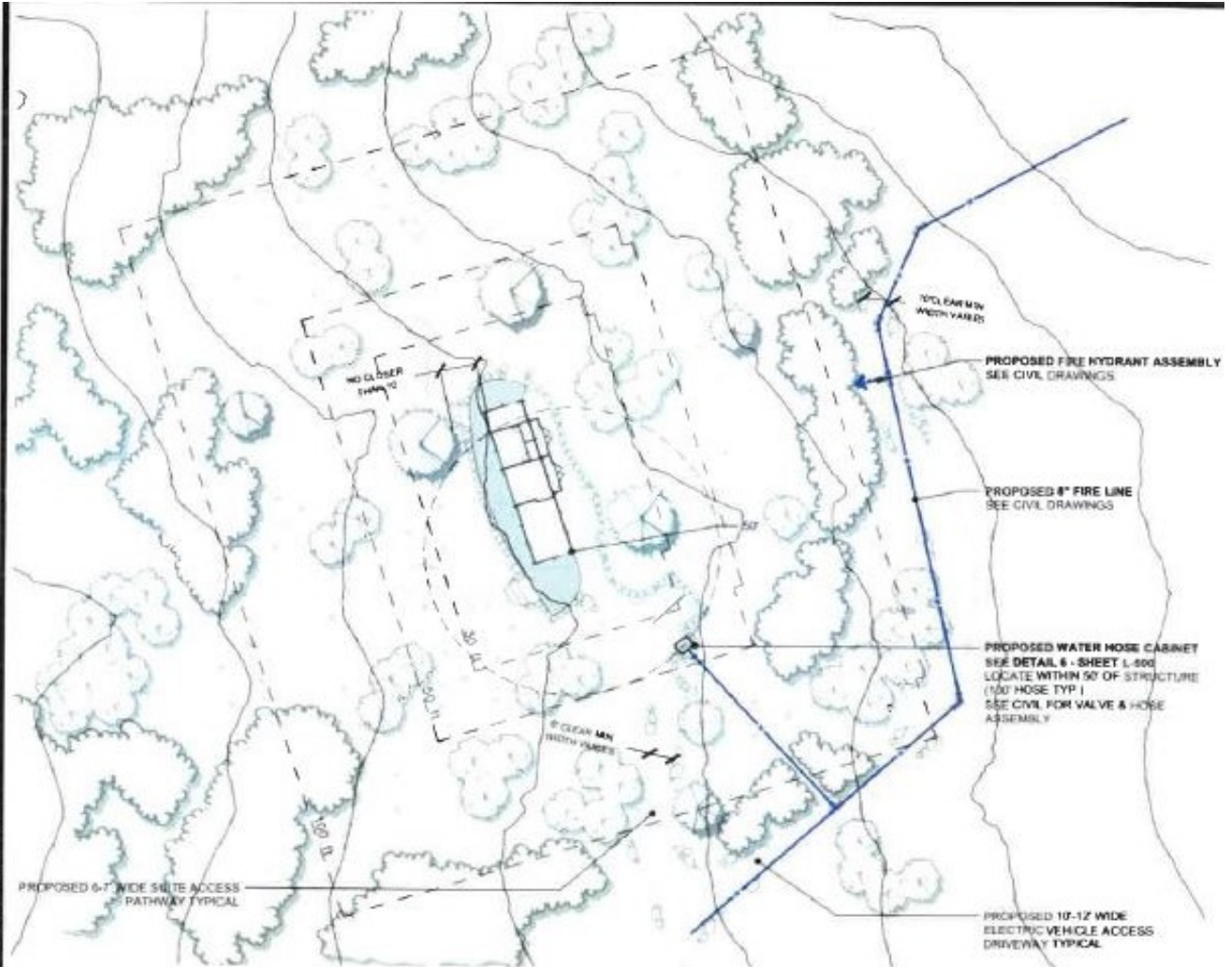












MODIFIED FUEL
EXISTING DEADWOOD AND SMALL TREES TO
BE REMOVED

MODIFIED FUEL
EXISTING VEGETATION STANDS & THICKETS
TO REMAIN FOR SCREENING
REMOVE DEADWOOD

MODIFIED FUEL
MEDIUM TO LARGE NATIVE SHRUBS (OAK & MANZANITA)
MANICURE AND REMOVE DEADWOOD

MODIFIED FUEL
SPECIMEN CEDAR AND PINYON PINE TO BE PRESERVED
MANICURE AND REMOVE DEADWOOD



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Villas Site Exhibit Spirit Mountain Resort CUP

Spatial Reference: UT83-SF

Drawn By: JTM

Scale: NTS

Date: September 21, 2021

