

Land Use

~~A Kane County's policy on Land Use element showing addresses:~~ 1) the general distribution of land; and 2) standards of population density and building intensity of lands used for: housing, business, industry, agriculture, recreation, public buildings and grounds, open space, and other categories of public and private uses of land, as appropriate.

Introduction:

Kane County, Utah encompasses approximately ~~3~~ 2.6 million acres of some of the most remote and rugged lands in the continental United States. Much of the county was among the last lands systematically explored and surveyed by ~~the~~ federal government ~~authorities~~. The county is a land of extremes in elevation, vegetation, precipitation and landscapes.

~~The area encompassed by the present within Kane County's boundaries originally became part of the United States in 1848 as part of the Treaty of Guadalupe Hidalgo, which ended the Mexican-American War. The In 1850, the area was first designated as Indian "Utah Territory," by an act of Congress and encompassed parts of six neighboring states. remained in that classification until The Utah Territory was considered organized (had a territorial government) and incorporated (part of the United States proper) but its borders didn't stop evolving until 1868.~~

~~Mormon settlers came to Utah prior to the land becoming part of the U.S. (1847), and established many communities without federally recognized legal title to the lands. For the first 22 years, the Territorial Assembly (members of the Mormon Church) issued its own land certificates in an effort to populate the area as quickly as possible. Each settler had land measured off to him via a lottery that cost \$1.50 to participate. If the land allotted was urban, it was 1.25 acres; if it was outside city limits it was what the farmer could till.~~

~~The national land system didn't extend into Utah until 1869 when the first Land Office was established in Salt Lake City. Utah inhabitants were extended the rights of preemption (first option to claim land), homestead (live on land for five years), and/or purchase, in order to integrate into the system. Many of the settlers made claims and divided the land amongst other settlers because they already worked allotments that were much smaller than the 160-acre portion the federal government allowed. The lands then became subject to the mid-19th century land tenure laws, including the Homestead Act. Mormon settlers came to Utah prior to the land becoming part of the U.S., and established many communities without legal title to the lands. Legal As a result, legal title to land in most Kane County settlements was granted through filings with county and federal lands offices sometimes years after occupation.~~

Climate, elevation, and the presence of adequate water have determined the present-day land ownership and use patterns of Kane County. ~~Almost Over~~ 90 percent of ~~the~~ county land ~~base~~ remains in federal ~~or state~~ ownership, including the Grand Staircase-Escalante National Monument, Zion National Park, Dixie National Monument, Coral Pink Sand Dunes, Glen Canyon National Recreation Area, ~~BLM~~ Kanab Resource Area, Bryce Canyon National Park and

other ~~various~~ Bureau of Land Management ~~designated~~ areas. The land base ~~which that~~ is privately owned is located along perennial water courses and at the base of high elevation forests where precipitation allows enough vegetation growth to support stock-raising, ~~but is yet~~ not isolated by heavy snowpack ~~found at higher elevations~~.

An additional 3.8 percent of the land base is controlled by the (Utah) State Institutional and Trust Lands Administration. These lands were granted to Utah at the time of statehood (1894) for the purpose of generating revenue for schools and other public institutions. The state received four sections in each township, which ~~has~~ created a checkerboard of state lands scattered throughout the county. These lands are reserved for ~~the purpose of providing generating~~ the maximum amount of revenue possible for the purposes of the trust. They are not a public lands base reserved for general public interests such as recreation or wildlife habitat. They must be considered ~~as~~ part of the developable land base of the county, with more similarity to private lands than ~~other~~ public lands.

Comment [mr1]: Update this percentage

Agricultural Land Use:

While agriculture has been an important base of economic activity in Kane County, the total amount of land devoted to agricultural pursuits is relatively minor. Use of ~~f~~Federal and ~~S~~State lands in Kane County is essential ~~in to~~ protecting and preserving the economic and cultural aspects of the ~~Agricultural agricultural Industry industry~~. According to the 2007 Census of Agriculture, Kane County contained 145 farms encompassing a total of 113,417 acres. This acreage represents a 46% reduction in total farmland ~~in Kane County since the 1992 Census of Agriculture~~. Of the 113,417 acres, 8,691 acres was cropland, and approximately 4,300 acres was irrigated. Most of the irrigated cropland was devoted to hay production (1,658 acres). The 1992 to 2007 Census of Agriculture illustrates that land in orchards has decreased by 80% to a current level of 12 acres ~~in orchards~~.

Comment [mr2]: Update info with 2012 census

Comment [mr3]: Update amount

Comment [mr4]: Update amount

Comment [mr5]: Update percentage

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Comment [mr8]: use 2007 to 2012 census

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Comment [mr10]: use 2012 Census

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~~However, t~~The majority of BLM and National Forest public lands have been included in livestock grazing allotments. According to the 2007 Census of Agriculture, Kane County contained 91 cattle/calf operations running over 6,786 head of cattle. This represents a 28.6% reduction in total head of cattle and a 14.2% reduction in cattle/calf operations ~~in Kane County since the 1992 Census of Agriculture previous census was taken~~. There were also 9 ~~nine~~ sheep operations running about 451 head ~~of sheep. In similar fashion as the reduction in cattle operations, s~~Sheep operations saw a dramatic reduction (50%) in total farms and a 92.5% reduction in ~~sheep inventory in Kane County since the 1992 Census of Agriculture~~. While many of these operations are not the sole source of income for the operators, they are a vital tie to the traditional lifestyles valued by county residents and visitors. Furthermore, the dramatic decreases in agricultural activity are unsustainable in terms of economic and environmental factors. The 2014 Utah Agricultural Statistics and Utah Department of Agriculture and Food 2012 Annual Report (prepared by Utah....) ~~---complete this sentence with correct statistics---Agricultural Statistics stated that in 2010 Farm Income and Expenses for livestock and Products estimated to be over 8.1 million and farming crops is over 322,000 with a total combined of over 8.5 million also in the same estimate for the total number of cattle in Kane County there are over 6 million.~~

Historically, agricultural pursuits have been a vital base of economic activity in Kane County.

National Monument. ~~The p~~Private lands surrounding Kanab have different characteristics than the lands surrounding Big Water or Glendale.

Because of this wide diversity, previous county plans have recommended the division of the county into ~~districts~~ regions which reflect the diversity of land uses and ownership. The creation of the Grand Staircase—Escalante National Monument has also resulted in the division of the Monument into three major landscapes. This plan recognizes the need to continue the development of land use policies based upon such ~~districts~~ regions. These ~~districts~~ regions will allow the county to develop policies which correspond to major public lands management units, as well as reflecting the varied conditions of private lands ~~in the various districts~~. Recommended ~~districts~~ regions include (from east to west, See New Map 4):

- ~~1) The Glen Canyon District Including all lands inside the Glen Canyon National Recreation Area (NRA);~~
- ~~2) The Escalante Canyons District Including those lands which lay between the Straight Cliffs and the Glen Canyon NRA boundary, traversed by the Hole in the Rock Road;~~
- ~~3) The Kaiparowits District Including those lands between the Coaksecomb and Straight Cliffs inside the Grand Staircase Escalante National Monument boundaries.~~
- ~~4) The Grand Staircase District Including those lands between Johnson Canyon and the Coaksecomb inside the Grand Staircase Escalante National Monument boundaries.~~
- ~~5) The Church Wells/Paria District Including those lands between the Paria River and Glen Canyon NRA outside of the Grand Staircase Escalante National Monument boundaries.~~
- ~~6) The Johnson Canyon District Including those lands in the Johnson Canyon drainage outside of the Grand Staircase Escalante National Monument boundaries, as well as the lands around US 89.~~
- ~~7) The Deer Springs District Including those lands between the national forest boundary and the Skutumpah Road outside of the Grand Staircase Escalante National Monument boundaries.~~
- ~~8) The Bryce Canyon District Including those lands inside the national forest or Bryce Canyon National Park east of the private lands surrounding Alton.~~
- 9) The Kanab District Including those lands in the Kanab Creek and tributary drainage.
- 10) The Long Valley District Including the East Fork of the Virgin drainage to Mt. Carmel Junction.
- ~~11) The Alton District Including those private lands surrounding Alton from the county boundary on the north to the public lands on the south.~~
- ~~12) The Moquith Mountain/Parunuweap District Including the lands south of State Highway 9 and west of the Cottonwood Canyon drainage.~~
- ~~13) The North Fork District Including those lands north of State Highway 9 outside of the national forest.~~
- ~~14) The Duck Creek/Navajo Lake District Including those lands inside the national forest boundary west of the private lands surrounding Alton.~~

A. Glen Canyon Region – All land inside the Glen Canyon National Recreation Area.

Comment [mr20]: FLAG THIS!! Add drainage information to Section 2, Regional Resources and possibly add it to one of the new "Regions" listed in General Plan. Then OK to delete from this section.

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- B. Escalante Grazing Zone Region – All land from the boundary of the Glen Canyon Region to the Southwest Region and National Forest Region.
- C. Municipality Region & Unincorporated Municipalities – This region includes all municipalities in the county, which include developments, subdivisions and unincorporated towns under county jurisdiction.
- D. Bryce Canyon Region – All land within the Bryce Canyon National park area.
- E. National Forest Region – All land designated National Forest.
- F. Zion National Park Region – All land within Zion National Park that is within Kane County.
- G. Southwest Corner Region – All land on the west side of the county (excluding Zion National Park Region) to the Escalante Grazing Zone Region (on the east), up to the National Forest Region (to the north).

These ~~districts~~regions will serve as a means to focus more directly on the specific needs and challenges presented ~~in the districts there~~. They can also serve as the focus of any future formal ~~district~~regional organizations which might be pursued under the provisions of state law.

2. Avoiding the Extension of Municipal-Scale Services in the Unincorporated Area

A guiding principle which has been present in every Kane County plan from 1970 onward has been the recognition that the unincorporated areas of the county cannot be expected to accommodate municipal-scale land uses. Residential or commercial land uses which require large investments in infrastructure such as roads, water, waste disposal, schools, and so on, cannot occur on a land base where such services are not available. Past limitations ~~on proposed land uses~~ due to the lack of services have sometimes disqualified private land for development. Kane County will allow development within the perimeters of county land use and zoning ordinances with the understanding that infrastructure improvement, development and maintenance will be at the expense of the subdivider and/or land owners who enjoy the benefits of such improvements. Kane County will not allow development that requires county-financed or maintained services. Landowners who require such services will be required to finance, install and maintain services without expecting or receiving county-provided services. The installation of water systems and fire hydrants does not imply or require county provided road maintenance or snow removal.

The Kane County Commission has supported efforts of the Southwest Utah Public Health Department to tighten the regulations allowing the installation of septic tank systems. The Commission has also implemented or supported the establishment of wellhead protection zones. The presence of the vast Navajo Sandstone aquifer is also recognized as an important resource.

3. Recognize the Difference between Agricultural Uses and Low Density Residential Uses

Past land use designations and zoning districts have equated the term *agriculture* with almost all unincorporated private lands. A major controversy which has arisen in recent applications of Kane County's zoning regulations is the division of land designated as *agricultural* for primarily low density residential uses.