

GARFIELD COUNTY ORDINANCE No. 2019-1

Under authority of UCA§ 17-27a-504(1) and (2), Garfield County adopts this Temporary Land Use Regulation, to be in effect for a period of six months; and for the specifically identified land; and supported by the legislative findings of the Garfield County Commission as set for herein.

1. **THE REGULATED LAND.** The regulated land is the land subject to County jurisdiction and located two miles both northerly and southerly from the center line of State Highway 12, with the west border aligned with Forest Service Road 87 (also known as the Tropic Reservoir Road) and the four-mile wide strip running easterly one mile beyond the intersection of Highways 12 and 63 (John’s Valley Road).
2. **EFFECTIVE DATES:** The regulation shall become effective on the date of its adoption, and shall remain in force for a period of six months.
3. **THE REGULATION.** A new subdivision, amendment of an old subdivision, new construction of buildings or structures, or significant alteration of existing buildings or structures is prohibited while this ordinance is in effect.
4. **THE COMPELLING PUBLIC INTEREST — COUNTY COMMISSION FINDINGS**
 - a) There are multiple parties proposing new major developments on the regulated land, which if allowed, would require the drilling of new wells, and/or placing greater demand upon existing wells.
 - b) The capacity of the underground aquifer to meet the increased demand is seriously in question; and the risk that users will begin to “mine” water is very real.
 - c) The regulated land is located near the upper end of the watershed feeding the East Fork of the Sevier River; and there is no known way to expand the watershed or significantly enhance return flow.
 - d) Dating to pioneer times, the East Fork water was captured in the Tropic Reservoir, and for the most part diverted from the Great Basin into the Colorado River drainage, thus largely precluding return flow.
 - e) The Utah State Division of Water Resources has commissioned a “HYDROLOGIC STUDY OF THE BRYCE CANYON CITY AREA” which is now underway. The scope of the study appears in both a map and an accompanying discussion — copies of which are attached.
 - f) If the County were to allow additional development without a thorough analysis of the capacity of the resource to serve the increased demand, there could be great injury not only to new developers, but to long established businesses.
 - g) The Hydrologic study is scheduled for completion in 2020, but the completion date is yet unknown. Accordingly, the County will continue to monitor the progress of the study and will continue to react as required to protect all interested parties.

THE WITHIN ORDINANCE IS HEREBY ADOPTED BY THE GARFIELD COUNTY COMMISSION this day of A.D., 2019, and will expire six months thereafter at midnight August 10, 2019.

Leland Pollock

David Tebbs

Jerry Taylor

ATTEST

Garfield County Clerk