



PLANNING COMMISSION MEETING
117 South Main Street, Monticello, Utah 84535. Commission Chambers
March 10, 2022 at 6:00 PM

AGENDA

Google Meet joining info

Video call link: <https://meet.google.com/wma-afjh-gbg>

Or dial: (US) +1 727-877-8458 PIN: 489 854 957#

More phone numbers: <https://tel.meet/wma-afjh-gbg?pin=5790317904712>

GENERAL BUSINESS

Welcome / Roll Call

Approval of Minutes

1. Approval of minutes for February 10, 2022 PC Meeting

PUBLIC COMMENT - *Time reserved for public comment on items or issues not listed on the agenda.*

ADMINISTRATIVE ITEMS

2. Consideration and Approval of a Conditional Use Permit Application, Joe Metzger
3. Consideration and Approval of the Lonesome Left Estates Subdivision Amendment No 5, Brad Bunker, Bunker Engineering
4. Consideration and Approval of the Plutus Subdivision Amendment No 2, Brad Bunker, Bunker Engineering

LEGISLATIVE ITEMS

5. Consideration and Approval of an Application to Attach Spanish Valley Overnight Accommodations Overlay, Curtis Wells

BUILDING PERMIT(S) REVIEW

6. Building Permit List Review

ADJOURNMENT

****In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the San Juan County Clerk's Office: 117 South Main, Monticello or telephone 435-587-3223, giving reasonable notice****



PLANNING COMMISSION MEETING
 117 South Main Street, Monticello, Utah 84535. Commission Chambers
 February 10, 2022 at 6:00 PM

MINUTES

Welcome / Roll Call

PC Chair Trent Schafer called the meeting to order

PRESENT

Chairman Trent Schafer
 Commissioner Cole Cloward
 Commissioner William Johnston
 Commissioner Melvin Nelson
 Commissioner Cody Nielson
 Commissioner Leah Shrenk

Approval of Minutes

1. Approval of Minutes for January 13, 2022 PC Meeting

Time Stamp 0:37 (audio)

Motion to approve the minutes was made by Commissioner Nelson, Seconded by Commissioner Johnston.

Voting Yea: Chairman Schafer, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson

PUBLIC COMMENT - *Time reserved for public comment on items or issues not listed on the agenda.*

Time Stamp 1.24 (audio)

Ann Austin: a resident of Spanish Valley made a comment about the previous Tuesday county commission meeting, and the planning and zoning board member recommendations, and her experience as an applicant. She expressed red flags about the bylaws about notice and time constraints. She also asked that the by laws be reviewed so that the process is fair.

Monet Clark: commented about item number 3, and expressed confusion about the difference between the legislative process of the rezone, and the administrative process of the subdivision that is still in process.

PUBLIC HEARING

Time Stamp 9:11 (audio)

Motion to enter the public hearing was made by Commissioner Cloward, Seconded by Commissioner Nelson.

Voting Yea: Chairman Schafer, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson, Commissioner Shrenk

2. Request for Rezone, Katherine Lemus, San Juan Estates Phase 3 lot 25

Katherine Lemus presented her request to rezone in the Public Hearing. She expressed frustration over the existing overnight accommodations and her opinion that that the area is no longer residential.

Ann Austin: commented about phasing out non-conforming uses with an amortization schedule. She expressed support for not approving the rezone because it sets a bad precedent.

Katherine Lemus also commented that the existing overnight accommodations will not go quietly, they have a lot of money invested into their businesses.

Rick Lemus: Katherine Lemus' husband expressed additional frustration about the existing overnight rentals in their neighborhood, and the numbers of vehicles parking on the street and causing excessive noise. He recommended banning on street parking.

Caroline Dailey: commented against the rezone request stating that it sets a bad precedent and a misuse of the ordinance to approve a spot zone to allow overnight accommodations. She expressed support for phasing out all overnight accommodations, and banning any new ones from starting.

Monet Clark: a resident of Spanish Valley, commented against the rezone request stating that spot zoning would override the purpose of the underlying zone. She expressed a desire for all overnight rentals be outlawed.

Motion to exit the public hearing was made by Commissioner Cloward, Seconded by Commissioner Shrenk.

Voting Yea: Chairman Schafer, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson, Commissioner Shrenk

ADMINISTRATIVE ITEMS

3. Consideration and Approval of The Ranches at Elk Meadows, Amendment no. 2, Bryant Black, Monticello Development Company LLC

Time Stamp 24:03 (audio)

Bryant Black presented the amendment of the Ranches at Elk Meadows Subdivision and the process that he has followed to get the subdivision approved over the course of the last year and a half.

Commissioner Nielson expressed his thought process that the lots smaller than one acre didn't fit in the Agriculture Zone. He also stated that we haven't approved subdivisions with this small of lots in the Agriculture Zone.

PC Chair Trent Schafer asked to see a plat with half acre lots for the PC to review.

Joe Mellen: a resident of San Juan County expressed his opinion of not wanting higher density development at the Ranches at Elk Meadows.

Monet Clark asked how this amendment related to the General Plan.

Motion to table the subdivision amendment and request the lot sizes be at least a half acre in size was made by Commissioner Shrenk, Seconded by Commissioner Cloward.

Voting Yea: Chairman Schafer, Commissioner Cloward, Commissioner Shrenk

Voting Nay: Commissioner Johnston, Commissioner Nielson, Commissioner Nielson

Voting tied, motion failed.

After further discussion about the lot sizes , a motion to table and require the applicant to come back with one acre lots was made by Commissioner Nielson, Seconded by Commissioner Johnston.

Voting Yea: Commissioner Cloward, Commissioner Johnston, Commissioner Nielson, Commissioner Nielson

Voting Nay: Chairman Schafer, Commissioner Shrenk

Motion carried.

4. Consideration and Approval of Conditional Use Permit Application, Thomas Zimmer, Old Town LLC

Time Stamp 58:30 (audio)

Thomas Zimmer joined the meeting via Google Meet and discussed his conditional use permit. Planning Commission Chair Trent Schafer thanked Mr. Zimmer for his detailed written report answering the questions from the January 13, 2022 PC Meeting.

There was some discussion about the conditions in Mr Zimmer's lease agreement with Wyoming Catholic College.

Time Stamp 1:03:45 (audio)

PC Chair Trent Schafer asked for public comment on this CUP.

Ann Austin: Commented that the surrounding public land could be effected with the use of the private land.

Commissioner Nelson asked about a maintenance structure on the property. Mr. Zimmer stated that the possibility for a structure has been removed.

Commissioner Shrenk asked about the scheduled use for March April May, and whether they were coming back in the fall. Mr. Zimmer explained that the lease falls in line with the College's Fiscal Year.

Jill Card: a public land user in the Flat Pass area, and expressed her position that this is a commercial campground.

John Weisenhart: with Living Rivers expressed concern about fire, and who would respond. He also expressed concern about the use of wag bags and groovers.

Andrew Austin: Stated that the applicant is a good person, and will be good stewards of the land, but expressed concern about the precedent approval of the CUP would set for other land users, and what it may mean for downstream properties.

Monet Clark: asked a question about the approval the San Juan County Public Health director gave, and doing random inspections.

Tye Shumway: made comment that this is a good plan for a land user to use his property in a responsible way, and the desire for others to enjoy the property.

Kenny North: A resident of Spanish Valley expressed support for a private land user to use his property in a responsible way.

PC Commissioner Nelson asked how we incorporate a lease agreement with an expiration date into the conditional use permit.

Scott Burton, San Juan County Planning Director explained that the conditions outlined in the lease agreement could be included as conditions in the approval of the application, but the lease agreement itself should not be part of the conditions because the Conditional Use Permit (CUP) has it's own set of terms.

Deputy County Attorney Alex Goble further explained that the CUP runs with the land, and we would only want to incorporate the land use conditions in the approval, not the lease agreement itself. He also further explained that an application for a land use that is listed as conditional in the land use ordinance must be approved unless you are not able to mitigate the impact of the use with conditions if you are able to mitigate the impact with conditions, then it must be approved.

County Administrator, Mack McDonald and Deputy County Attorney Alex Goble had a discussion about whether the fire jurisdiction was San Juan County or Grand County. It was determined that because this falls outside of the boundary of the agreement for Grand County Fire to cover and there are not structures on the land, it is San Juan County that would be respond to a fire.

Time Stamp 1:31:55 (audio)

Motion to approve the conditional use permit was made by Commissioner Nielson with the conditions listed in Exhibit A (camping rules and regulations) including all 12 Items of the

lease agreement provided by the applicant

the motion was Seconded by Commissioner Cloward.

Voting Yea: Chairman Schafer, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson, Commissioner Shrenk

5. Consideration and Approval of Pine View Subdivision, Gary Torres

Time Stamp 1:39:54 (Audio)

Gary Torres presented his proposed subdivision plat for the Pine View Subdivision. The PC discussed access to each lot, and the existing d roads on the property. Torres explained that the existing county D roads will remain in place for public access.

Motion to approve the subdivision was made by Commissioner Johnston, Seconded by Commissioner Cloward.

Voting Yea: Chairman Schafer, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson, Commissioner Shrenk

6. Consideration and Approval of Mersereau Subdivision, Amendment 3, lots 1 and 2a, Daniel Wright

Time Stamp 1:45:16 (audio)

Daniel Wright presented his subdivision amendment for a lot line adjustment between lots 1 and 2A.

Motion made by Commissioner Nelson, Seconded by Commissioner Cloward.

Voting Yea: Chairman Schafer, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson, Commissioner Shrenk

LEGISLATIVE ITEMS

7. Consideration of Request for Rezone, Katherine Lemus, San Juan Estates Phase 3 lot 25

Time Stamp 1:49:33 (audio)

PC Chair Trent Schafer expressed his opposition to the spot zone, but expressed support for enforcement of the on street parking that is taking place in the subdivision. Katherine Lemus asked what would not be considered spot zoning.

Deputy Attorney Alex Goble stated that the on street parking is in violation of the county ordinances, but we do not have any code enforcement officer in the county so enforcement is an issue. Alex also explained that many of the operating nightly rentals are possibly operating without a business license and may not be paying the appropriate taxes.

PC Commissioner Nielson asked if businesses operating a nightly rental have been notified that they need to have a license. Alex Goble explained that the economic development office handles the application and issuing business licenses. They then had a discussion about legal non conforming uses and the need for enforcement.

Commissioner Cloward expressed that rezoning this property would just make the problem worse, rather than solving the problem by adding to the on street parking.

Alex Goble explained that in order to avoid a spot zone in a subdivision, the entire subdivision would need to change, and every owner would need sign off on it.

Time Stamp 2:05:57

Motion to deny the rezone request was made by Commissioner Nelson, Seconded by Commissioner Johnston.

Voting Yea: Chairman Schafer, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Shrenk

Voting Nay: Commissioner Nielson

BUILDING PERMIT(S) REVIEW

8. Building Permit List

Time Stamp 2:05:28 (audio)

PC Reviewed the current building permit list. PC Chair Trent Schafer asked about a cell tower permit, which led to a discussion about cell tower permits and solar permits.

ADJOURNMENT

Time Stamp 2:08:36 (audio)

Motion to adjourn was made by Commissioner Nielson, Seconded by Commissioner Nelson.

Voting Yea: Chairman Schafer, Commissioner Cloward, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson, Commissioner Shrenk



STAFF REPORT

MEETING DATE: March 10, 2022

ITEM TITLE, PRESENTER: Consideration and Approval of a Conditional Use Permit Application, Joe Metzger

RECOMMENDATION: Consideration and Approval

SUMMARY

Joe Metzger and Spenser Orgel have applied for a conditional use permit for 320 acres of private property along SR 211. The property is surrounded by BLM property on the north, west and east. There is adjacent private property to the south.

The property has 4 “D” roads that enter the property. These roads are claimed as public access roads by San Juan County and will need to be left open for public access. The developer is planning to use road D0476 to access the property. If any improvements are needed a permit from the BLM will need to be acquired for improvements on the portion of road that crosses the BLM property.

The San Juan County Fire department has reviewed the plan and recommended that they developer will need to follow the San Juan County Fire Policy and water storage requirements if applicable.

The proposal is for 8 overnight rental units, two homes, ranch hand housing, and a hanger with an attached helipad.

The zoning ordinance lists a: “Private park or recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial service uses with are owned or managed by the recreation facility to which it is accessory,” as a conditional use in the A-1 zone.

HISTORY/PAST ACTION

This application was received on February 18 and has been reviewed by county staff in our monthly Development Review Meeting.

SAN JUAN COUNTY CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

- New Construction
- Land Use Change
- Addition
- Appeal

Subject Property Location or Address: Section 7, Township 32 S, Range 23 E, SLB&M: SE1/4NE1/4, NE1/4SE1/4; S1/2SE1/4; SE1/4SW1/4 (200 acres) & Section 8, T32 S, R23 E, SLB&M: SW1/4NW1/4; W1/2SW1/4 (120 acres)

Parcel Identification

Number: 32S23E071800 (200 acres) & 32S23E083600 (120 acres)

Parcel Area: 320 Acres Current Use: Agriculture

Floor Area: _____ Zoning Classification: A-1

Applicant

Name: Jospeh D. Metzger III, Spencer R. Orgel

Mailing

Address: 1308 Pinewood W

City, State,

ZIP: Cedar City, Utah 84720

Daytime Phone #: 856-981-1524 Fax#: _____

Email Address: Joe.d.metzger@gmail.com

Business Name (If applicable): Sky Pirate Ranch LLC


Property Owner's Name (If different): Christian Redd

Property Owner's Mailing Address: 1126 N 1600 E

City, State, ZIP: Logan, UT 84341

Daytime Phone #: 435-770-6884 Fax#: n/a

Describe your request in detail (use additional page(s) if necessary): Construction of up to 8 Tiny home conex structures, as well as one additional house, and construction And use of one hangar and attached helipad. Also some conex structures for Storage.

Authorized Signature:  Date: 02/18/2022

Property Owner's Affidavit

I (we) Christian Redd, being first duly sworn, depose and that I (we) am (are) the current owner(s) of the property involved in this application; that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

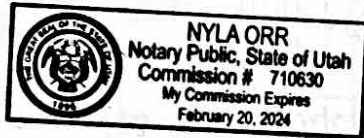
[Signature]
Owner's Signature

2/17/2022

Owner's Signature (co-owner if any)

State of Utah)
County of Cache)
San Juan)

Subscribed and sworn to before me this 17 day of February, 2022.



[Signature]
Notary Public
Residing in Logan, Utah
My Commission expires: 2-20-24

Agent Authorization

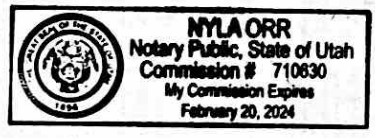
I (we) Christian Redd, the owner(s) of the real property located at Section 7, Township 32 S, Range 23 E, SLB&M: SE1/4NE1/4, NE1/4SE1/4; S1/2SE1/4; SE1/4SW1/4 (200 acres) & Section 8, T32 S, R23 E, SLB&M: SW1/4NW1/4; W1/2SW1/4 (120 acres) in San Juan County, Utah, do hereby appoint Joseph D. Metzger III, Spencer R. Orgel, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize Joseph D. Metzger III, Spencer R. Orgel, to appear before any County board or commission considering this application.

[Signature]
Owner's Signature 2/17/2022

Owner's Signature (co-owner if any)

State of Utah)
County of Cache)
~~San Juan~~

On the 17 day of February, 2022, personally appeared before me Christian Redd the signer(s) of the above *Agent Authorization* who duly acknowledge to me that they executed the same.



[Signature]
Notary Public
Residing in Logan, Utah
My Commission expires: 2-20-24

We would first like to give a brief description of who we are. Both of us are retired Army Veterans, Joseph is a former Army Ranger with two purple hearts and Spencer is a former Combat Medic. We are also now both helicopter pilots as well. Our desire is to integrate ourselves into the local community as much as possible and have a self-sufficient lifestyle on the property. The property on Highway 211 could not be more perfect for what we have in mind. It gives plenty of space for us to live and have livestock while being able to bring in some extra money for us to maintain the property and our livelihoods. We are also aware that the neighboring property owner has a current lease with the current owner for grazing rights to the property. We don't intend to change that or the overall use of the property, only add a few structures for living space and income.

In order to bring in some extra money we would like to build and maintain not only our own private living spaces but also a small hangar to house a helicopter and some of our personal equipment as well as several small tiny home living spaces. The Hangar would have a small helipad in front of it in order to facilitate safe take offs and landings when occasionally in use. The dimensions of the hangar are 60ft by 70ft and 25ft tall and the Helipad would extend just beyond the main door. The tiny home living spaces would be made from shipping containers and would have a footprint of no more than 40ft by 8ft and approximately 10ft tall. Our goal is to have as small of a footprint as possible on the property because we have no desire to spoil the natural beauty of the area as it is one of the aspects of the property that attracts us the most. We would generate power via solar panels but do not want to have a large array and would only have between 2, 3 panels on the rooftops of each housing structure. The Hangar would be similarly powered and configured with the addition of a small generator to aid in powering the building in time of less sunlight being available.

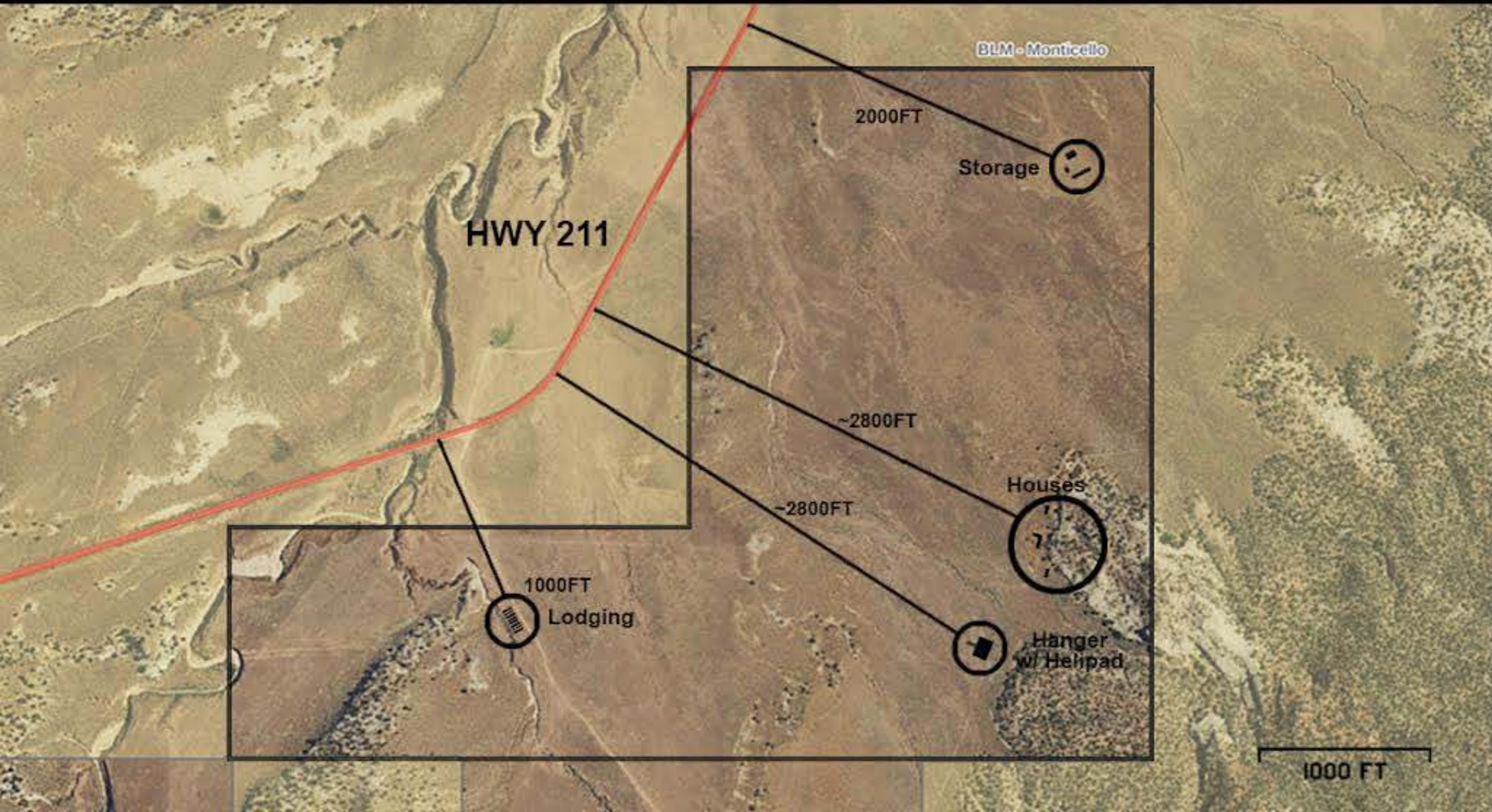
We want to ensure that we are not disturbing the environment or the community and would be flying the Helicopter as needed and for private use. Spencer is married and he and his wife plan to have children and with Joseph plan to own several animals, so ensuring that the property is safe and as peaceful as possible is a priority for us. We also wish to be as neighborly as possible. The location of the property lends itself to this because it is reasonably distanced from the town of Monticello and it's resources while remaining remote enough to not disturb anyone else living in the area.

As Pilots we are aware of the need for an aviation asset to the community and would love to offer our services for operations such as search and rescue and aid in any law enforcement activities. Both of our backgrounds are well suited to these services that can be provided. We also would be happy to provide services in the future to members of the community in any way possible whether it is emergency related or even agricultural. Southeast Utah is well known for being rugged and a Helicopter is well suited to this type of terrain.

Thank you,

Joseph Metzger and Spencer Orgel

320 Acres on HWY 211





Houses

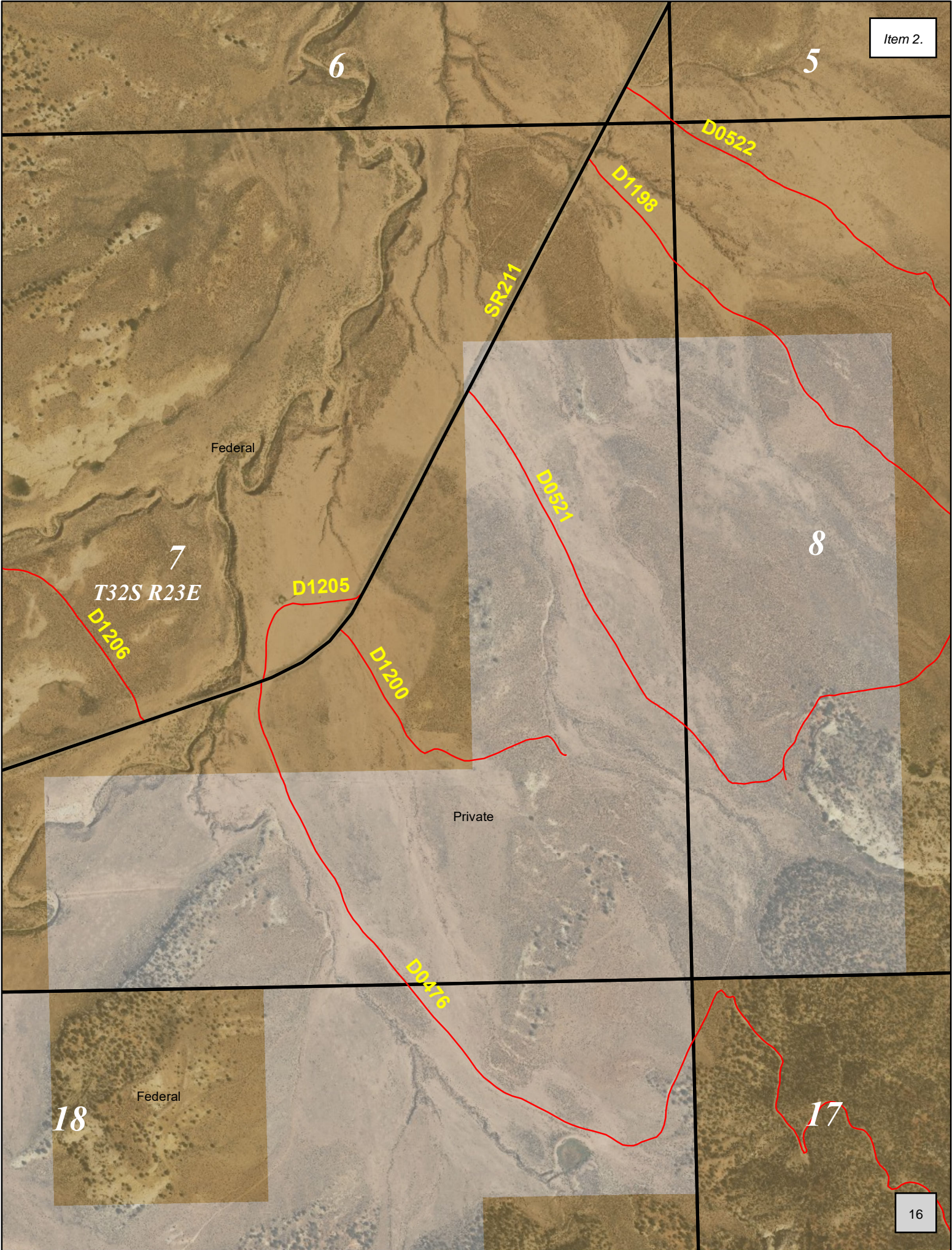


Hangar/Helipad



Lodging







STAFF REPORT

MEETING DATE: March 10, 2022

ITEM TITLE, PRESENTER: Lonesome Left Estates Subdivision Amendment No. 5, Lloyd Wilson

RECOMMENDATION: Consideration and Approval

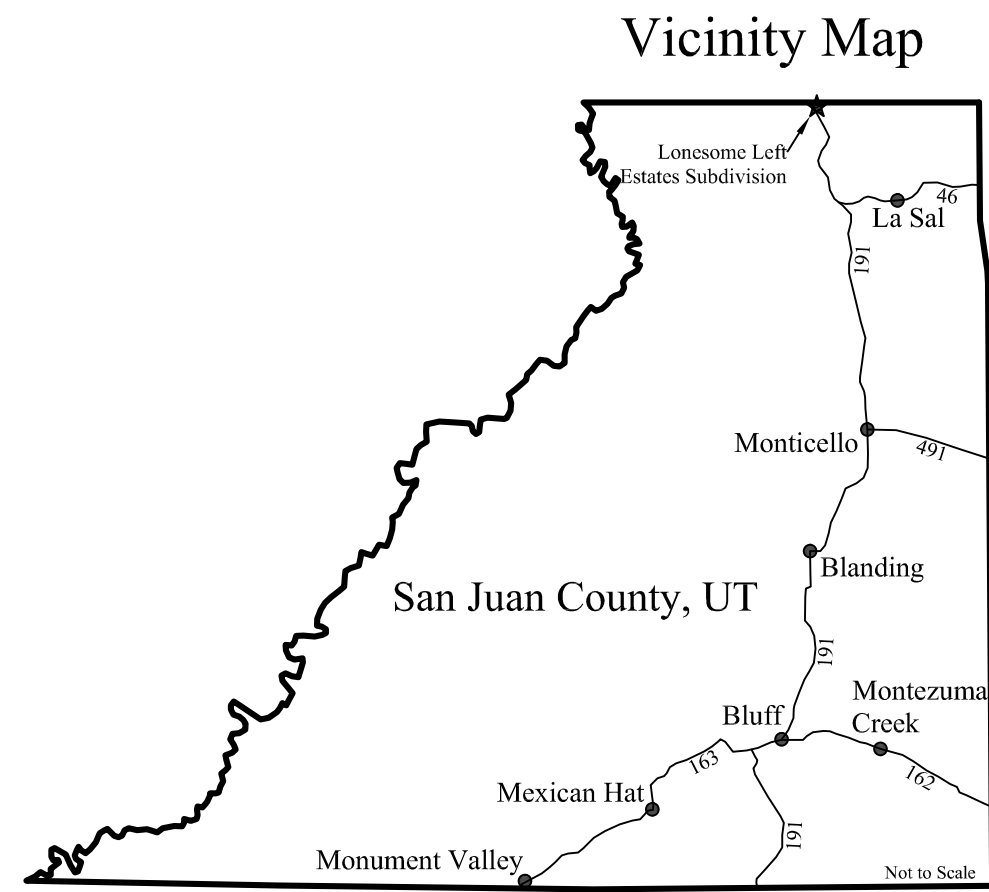
SUMMARY

The Lonesome Left Estates Subdivision was created in 2004. The subdivision was amended in 2015, 2018, and January 2021, and again in November 2021.

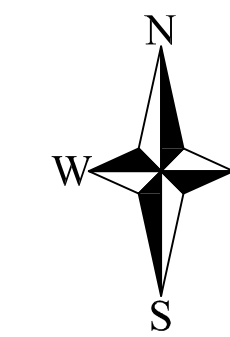
Amendment #4 splits lot 10C into two lots as shown on the plat. There is an existing home on Lot 10C, which will become lot 10C-II with this amendment.

HISTORY/PAST ACTION

This subdivision has been reviewed by San Juan County Staff, and has met the requirements of the Subdivision and Zoning Ordinances.



Final Plat Lonesome Left Estates Subdivision Amendment No. 5 Within Section 1, T27S, R22E, SLB&M



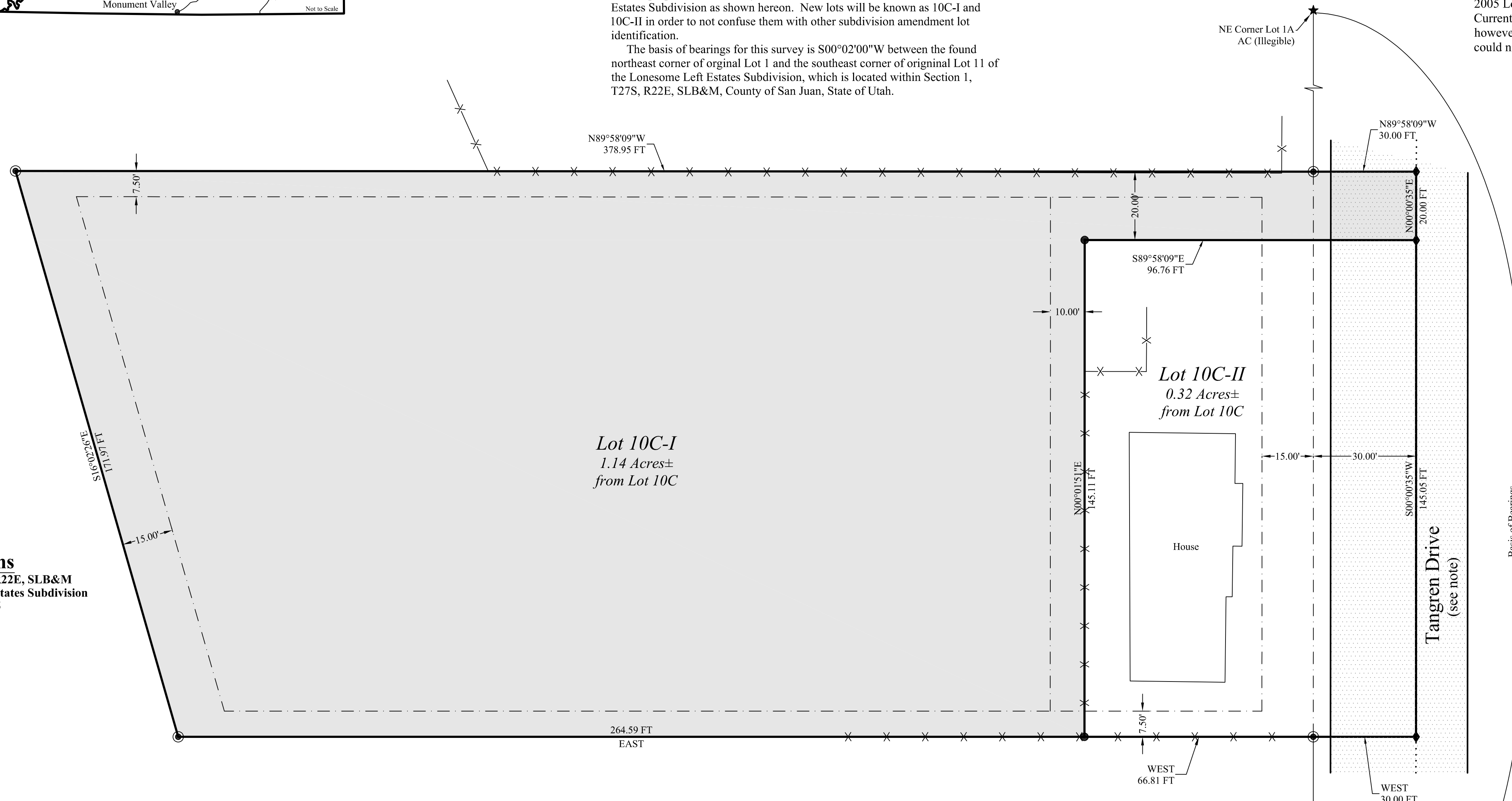
Narrative

The purpose of this survey was to amend Lot 10C of the Lonesome Left Estates Subdivision as shown hereon. New lots will be known as 10C-I and 10C-II in order to not confuse them with other subdivision amendment lot identification.

The basis of bearings for this survey is S00°02'00"W between the found northeast corner of original Lot 1 and the southeast corner of original Lot 11 of the Lonesome Left Estates Subdivision, which is located within Section 1, T27S, R22E, SLB&M, County of San Juan, State of Utah.

Note

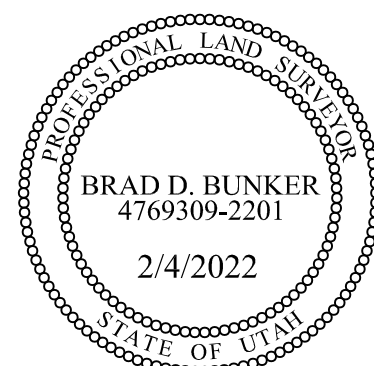
1. Tangren Drive is labeled private per the original 2005 Lonesome Left Estates Subdivision Plat. Currently San Juan County maintains this road, however, an official agreement document reference could not be provided per this Amendment No. 5.



Descriptions
Section 1, T27S, R22E, SLB&M
Lonesome Left Estates Subdivision
Amendment No. 5
Lot 10C-I
Lot 10C-II

Surveyor's Certificate

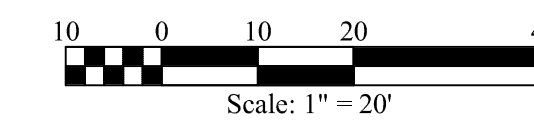
I Brad D. Bunker, Professional Utah Land Surveyor, Number 4769309, hold a license in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act. This survey has been completed under my direction for the property described hereon in accordance with section 17-23-17. I hereby certify all prepared descriptions and measurements are correct. Monuments will be set as noted hereon. I also certify that this record of survey has been prepared under my direction at the request of Lloyd Wilson.



Brad D. Bunker Utah P.L.S. #4769309
Date 2/4/2022

Legend

- ⊕ Found section monument as labeled
- Set rebar/cap (LS 4769309) this survey
- ⊙ Set rebar/cap monument (LS 4769309) previous survey
- ★ Found monument as labeled
- ◆ Calculated location (not set)
- Fence
- ⋯ Road centerline per original subdivision
- - - Existing and amended utility easement
- BC Brass cap
- AC Aluminum cap



San Juan County Surveyor

Approval in accordance with information and records on file in this office.

SJC Surveyor _____ Date _____

Final Plat
Lonesome Left Estates Subdivision
Amendment No. 5

Within Section 1, Township 27 South, Range 22 East, SLB&M

County Recorder
State of Utah, County of San Juan, Recorded at the request of _____
Filed: Date: _____ Time: _____
Book: _____ Page: _____ Fee: _____

County Recorder

Form Approval
Approved this _____ Day of _____, 20____
_____ Attorney _____

Owners Dedication
Know all men by these presents that we, the undersigned owners of the above described lots of land, having caused the same to be divided and amended hereafter to be known as the Lonesome Left Estates Subdivision Amendment No. 5.
In witness whereof I have hereunto set my hand this _____ Day of _____, 20____.

Health Department
Approved this _____ Day of _____, 20____
_____ Health Official _____

San Juan County Commission
The amendment hereon was presented to the San Juan County Commission this _____ day of _____, 20____, and was accepted and approved.

Attest _____ Commissioner

San Juan County Planning Commission
Approved by the San Juan County Planning Commission this _____ Day of _____, 20____

Chairman

Bunker Engineering
965 South Creek Road, Monticello, UT 84535
P.O. Box 432, Monticello, UT 84535 (435) 459-9152
Date: 2/4/2022 Drawn By: B.D. Bunker Scale: 1" = 20'
Drawing Name: Survey Reference Number: BE1171 Sheet: 1 of 1



STAFF REPORT

MEETING DATE: March 10, 2022

ITEM TITLE, PRESENTER: Consideration and Approval of the Plutus Subdivision Amendment No 2, Brad Bunker, Bunker Engineering

RECOMMENDATION: Consideration and Approval

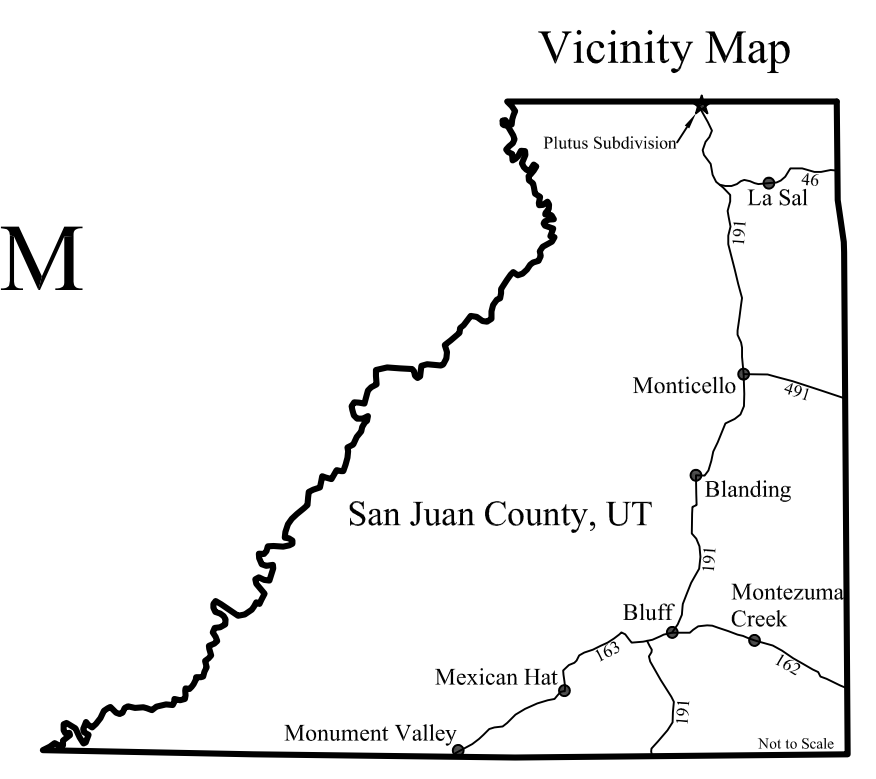
SUMMARY

The Plutus Subdivision was created in 2008. A lot line amendment was done in 2011. The subdivision is along Trangren Drive in Spanish Valley. The subdivision has four lots. This proposed amendment is to divide lot 1 into lots 1A and 1B

HISTORY/PAST ACTION

This proposed subdivision amendment has been reviewed by San Juan County Staff, and has met the requirements of the Subdivision and Zoning Ordinances.

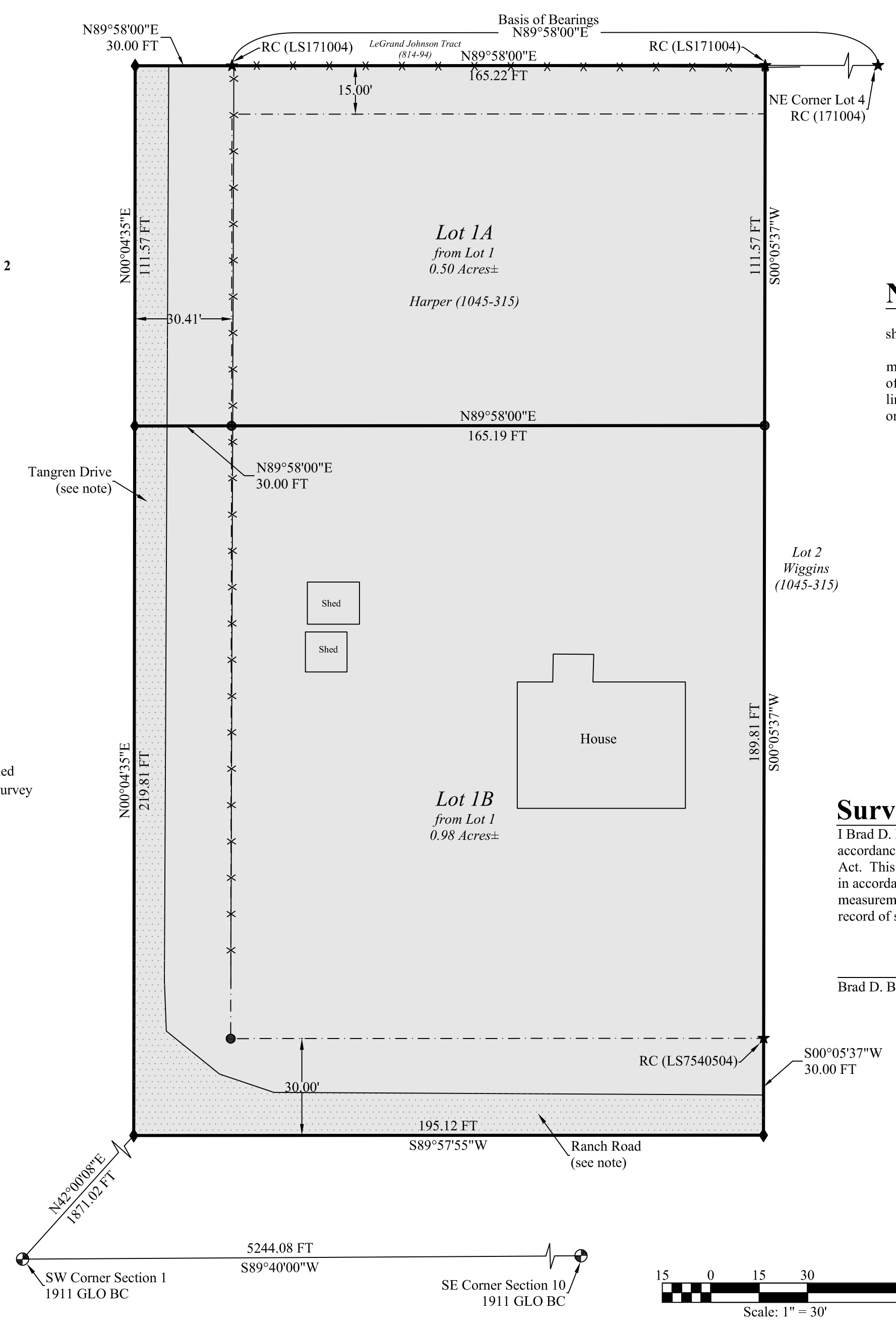
Final Plat Plutus Subdivision Amendment No. 2 Within Section 1, T27S, R22E, SLB&M



Descriptions
Section 1, T27S, R22E, SLB&M
Plutus Subdivision Amendment No. 2
Lot 1A
Lot 1B

Note
Tangren Drive and Ranch Road are labeled private per the original 2009 Plutus Subdivision Plat. Currently San Juan County maintains this road, however, an official agreement document reference could not be provided per this Amendment No. 2.

- Legend**
- Found section monument as labeled
 - Set rebar/cap (LS 4769309) this survey
 - ★ Found monument as labeled
 - ◆ Calculated location (not set)
 - x-x- Fence
 - - - Existing utility easement
 - BC Brass cap
 - AC Aluminum cap
 - RC Rebar/Cap
 - Asphalt Surface
 - GLO General Land Office



Narrative

The purpose of this survey was to amend Lot 1 of the Plutus Subdivision as shown hereon. New lots will be known as Lot 1A and Lot 1B.

The basis of bearings for this survey is N89°58'00"E between the found monument on the north line of Lot 1 and the monument at the northeast corner of Lot 4 as shown hereon. This is in accordance with the bearing for the same line per the original Plutus Subdivision. Existing found monuments set per the original Plutus Subdivision controlled this survey.



Surveyor's Certificate

I Brad D. Bunker, Professional Utah Land Surveyor, Number 4769309, hold a license in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act. This survey has been completed under my direction for the property described hereon in accordance with section 17-23-17. I hereby certify all prepared descriptions and measurements are correct. Monuments will be set as noted hereon. I also certify that this record of survey has been prepared under my direction at the request of Gwen Harper.

2/10/2022
Brad D. Bunker Utah P.L.S. #4769309 Date

San Juan County Surveyor

Approval in accordance with information and records on file in this office.

SJC Surveyor _____ Date _____

<p>Final Plat Plutus Subdivision Amendment No. 2</p> <p>Within the SW 1/4 of Section 1, Township 27 South, Range 22 East, SLB&M</p>	<p>Bunker Engineering, LLC 965 South Creek Road, Monticello, UT 84535 P.O. Box 432, Monticello, UT 84535 (435) 459-9152 Date: 2/10/2022 Drawn By: B.D. Bunker Scale: 1" = 30' Drawing Name: Survey Reference Number: BE1177</p>	<p>County Recorder</p> <p>State of Utah, County of San Juan, Recorded at the request of _____ Filed: Date: _____ Time: _____ Book: _____ Page: _____ Fee: _____</p>	<p>San Juan County Planning Commission Approved by the San Juan County Planning Commission this _____ day of _____, 20____.</p> <p>Chairman _____</p>	<p>San Juan County Commission The amendment hereon was presented to the San Juan County Commission this _____ day of _____, 20____, and was accepted and approved.</p> <p>Commissioner _____ Attest _____</p>
<p>County Recorder</p> <p>State of Utah, County of San Juan, Recorded at the request of _____ Filed: Date: _____ Time: _____ Book: _____ Page: _____ Fee: _____</p>	<p>Owners Dedication</p> <p>Know all men by these presents that we, the undersigned owners of the above described lots of land, having caused the same to be divided and amended hereafter to be known as the Plutus Subdivision Amendment No. 2.</p> <p>In witness whereof I have hereunto set my hand this _____ Day of _____, 20____.</p> <p>County Recorder</p>	<p>Form Approval</p> <p>Approved this _____ Day of _____, 20____.</p> <p>Health Official _____ Notary Public _____ Attorney _____</p>	<p>Acknowledgement</p> <p>State of Utah, County of San Juan, on the _____ Day of _____, 20____, personally appeared before me _____ and proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she/they) executed the same freely and voluntarily for the purposes stated herein.</p> <p>My commission expires _____ 20____.</p>	<p>San Juan County Commission</p> <p>The amendment hereon was presented to the San Juan County Commission this _____ day of _____, 20____, and was accepted and approved.</p> <p>Commissioner _____ Attest _____</p>



STAFF REPORT

MEETING DATE: March 10, 2022

ITEM TITLE, PRESENTER: Consideration and Approval of an Application to Attach Spanish Valley Overnight Accommodations Overlay, Curtis Wells

RECOMMENDATION: Consideration and Approval

SUMMARY

Curtis Wells is seeking to attach the Spanish Valley Overnight Accommodations Overlay to his project as outlined in the attached documents.

This is the second step in a three step approval process. The developer has provided specific information regarding the general layout of the structures, number of units, and proposed primary uses.

The site plan has been reviewed by staff, and concerns have been met by the developer. Mr. Wells has also provided a summary outlining how this development helps accomplish the objects set forth in the Spanish Valley General Plan. See attached documents for further information.

The Planning Commission will make a recommendation to the Board of County Commissioners for this legislative action.

HISTORY/PAST ACTION

Curtis Wells' application for the Spanish Valley Overnight Accommodations Overlay was recommended for approval at the August 12, 2021 PC Meeting. The application was then approved by the Board of County Commissioners at their August 17, 2021 meeting.

Spanish Valley OAO Residential Community San Juan County, Utah

Curtis Wells-Applicant
Moab, UT

To whom this may concern:

This document is intended to address the Spanish Valley Overnight Accommodations Overlay District Requirements and as specifically requested by SJC Staff, "Section 5) Site Master Plan Required." In addition to the Site Plan, the following comments shall serve as rationale and justification for final OAO approval and vesting the project with overnight accommodations as a permitted use.

Location & Product:

As referenced in the San Juan County Spanish Valley Area Plan, the subject site serves as the southern gateway to Spanish Valley. A well designed, ecologically conscious, and visually appealing residential community accomplishes the stated goal of protecting the quality and appearance of uses along the highway. (SV Area Plan, 2018, pg. 38) The unit type and height that's incorporated into the Site Plan is an approved residential product as outlined in the Spanish Valley Area Plan (SV Area Plan, 2018, pg. 31) The subject site location is harmonious with existing surrounding businesses and uses. The subject site borders an existing, approved OAO lodging business titled St. Danes Cabins, and single family residential overnight accommodations to the east. As referenced in the San Juan County General Plan, and specifically in this case, permitted overnight accommodations will not disrupt or negatively harm adjacent properties but will rather result in an increase to neighboring property values. (SJC General Plan, 2018, pg. 63) The townhome product utilized in the Site Plan while still relatively low-density (<10 units/acre), can be considered clustered in the overall picture and does not disrupt the rural character of Spanish Valley while allowing the community to harness the economic value of overnight accommodations. (SJC General Plan, pg. 63)

Economics:

"According to 2.0 EXISTING CONDITIONS & ANALYSIS 22 an analysis by Lewis, Young, Robertson & Buningham (LYRB) in October 2017, Spanish Valley's remote location, limited interstate access and rural population will make it challenging to attract larger distribution and business centers." (SV Area Plan, pg. 22) As quoted in the Economic Development Section of the San Juan County General Plan, "The County has many natural assets that can provide a strong economic foundation. There is an unparalleled concentration of national and state parks, monuments, recreation areas and abundant natural resources. The County also provides an attractive quality of life for those looking for open space, low levels of crime, and a strong community atmosphere. The primary competitive advantages are natural beauty that provides tourism, recreation and lifestyle opportunities, a climate that allows for extended outdoor activity during shoulder season..." (SJC General Plan, 2018, pg. 22)

A conservative estimate for annual County Transient Room Tax Revenue (TRT) generated by this project is approximately between \$250,000-\$300,000 annually. This estimate **does not** include property taxes or future sales taxes.

As stated in the Economic Considerations section of the San Juan County General Plan, *“Tourism can become one of the county’s primary industries because it imports dollars, and the County’s natural amenities can be tourism assets if managed properly.”* (SJC General Plan, 2018 pg. 64) Also, the county has recognized that *“recreation and tourism are viable and sustainable components of the county’s economy and lifestyle”* (SJC General Plan, 2018, pg. 139) As cited in the ECONOMIC CONSIDERATIONS section of the General Plan, *“The level of success of a local or regional economy touches every person, family, business, and government organization. Strong economies create jobs and payrolls and generate tax revenues to provide infrastructure and services. All natural resources and public services described in this plan or otherwise are related to the local economy. “Many residents see tourism as the most promising economic resource. Much of the growth in government jobs has been attributed to education and social service programs addressing the poverty and education gap in the region. Economic development is a priority of all county residents.”* (San Juan Conservation District 2011) (SJC General Plan, 2018, pg. 140)

During the OAO Step 1, approval, the San Juan County Commission Chairman stated on the record that they didn’t want to see a “Corporate Hotel or Motel.” The subject site plan was developed within this framework as a project that complies with the ordinances and that fits the desired project description by the San Juan County Commission Chairman. The applicant is a 6th generation southeastern Utah resident, and this project will create economic value and opportunity for the current landowners, adjacent property owners, and for San Juan County. The project will stimulate local economic sectors from construction phase through completion and operation.

Ecological Concerns & Regulations:

The subject site does not host any sensitive lands. For issues related to energy, dark skies, and water conservation, the development shall incorporate the following:

Energy

The project will utilize as much on-site renewable energy sources (such as solar) as is feasible, and the balance of electric use provided via RECs or renewable power purchase agreements. The project will utilize high performance exterior envelope methods. The thermal envelope will meet or exceed federally approved energy modeling software standards. Electric motor vehicle charging stations will be made available. The project will employ daylighting for common areas and public spaces.

Dark Skies

Exterior lighting shall follow the San Juan County Dark Skies requirements. Interior lighting located in rooms with windows visible from any property line boundary shall have their fixtures directed to the interior of the room as to minimize light pollution.

Water Conservation

The project will install a rainwater catchment system and use the water for beneficial on-site uses, such as reducing the use of culinary water for landscaping irrigation. The project will have a maximum of 10% of their landscaped area covered in turf grass. The project will utilize water-wise and xeriscape landscaping design standards. The project will utilize bio-retention and bio-infiltration systems to manage storm water runoff. The project will utilize dual flush toilets to reduce water usage.

Sources

Highlighted Sections in **BOLD**

Spanish Valley Area Plan 2018

PAGE 22

Commercial Market Potential A primary objective of this plan is to determine the appropriate amount of commercial land in the Spanish Valley area necessary to support local and regional needs, as well as to generate jobs and provide a level of economic independence. **According to 2.0 EXISTING CONDITIONS & ANALYSIS 22 an analysis by Lewis, Young, Robertson & Buningham (LYRB) in October 20174, Spanish Valley's remote location, limited interstate access and rural population will make it challenging to attract larger distribution and business centers.**

PAGE 31

Examples of appropriate residential types include the following: • Single Family and two-family homes; • Mother-in-law units and accessory residential units on larger lots; • multi-family limited by height (3 – 4 stories max) and density (15 units/acre); • Townhomes **and row houses (3 stories maximum)**; • Ranchettes and large lot estates (20-acre minimum), carefully-sited on topographically-challenged and sensitive sites; • Residential resorts, sited in topographically-challenged sites. Additional residential uses and types should be considered, depending on specific needs and opportunities that arise.

PAGE 38 & 39

KEY PRINCIPLES TO BE CONSIDERED WHEN DEVELOPING GUIDELINES AND ORDINANCES FOR THE SPANISH VALLEY

6. Guidelines should be developed to improve the appearance of uses along the highway, particularly at major intersections, which will become the main gateways into Spanish Valley.

San Juan County General Plan 2018

Economic Development PAGE 22

The County has many natural assets that can provide a strong economic foundation. There is an unparalleled concentration of national and state parks, monuments, recreation areas and abundant natural resources. The County also provides an attractive quality of life for those looking for open space, low levels of crime, and a strong community atmosphere. The primary competitive advantages are: • natural beauty that provides tourism, recreation, and lifestyle opportunities, • a climate that allows for extended outdoor activity during shoulder season...

Travel & Tourism PAGE 62

Introduction San Juan County has a variety of housing and amenities to offer visitors and tourists. Travel and tourism are constantly changing as an industry, and thus, constantly changing the land use and economic impacts on the County. Recreation is presented in the Resource Management section of the general plan and will not be covered in this element. This section will focus on the regulatory impacts of travel and tourism, as well as how the County plans to handle these impacts. Resident Survey As part of the County survey, respondents were asked which important issues and priorities the County faced. When specifically asked what issues needed attention, 25% of respondents felt that parks the County maintains for residents and recreation were an important issue. These will not be as likely to impact tourism but more the quality of life for residents. ***When asked which industries should be focused on to diversify the economy, 21% of respondents answered travel and tourism, which was the second highest response following manufacturing at 23%. Travel and tourism are more dependent on land which is not under the County's jurisdiction but is under the jurisdiction of other agencies such as, the Bureau of Land Management or National Park Service. Yet, the industry itself is dependent upon local municipalities and the County to provide services to these areas that tourists depend on. Overall, residents understand that travel and tourism are not decreasing and that there is a potential to harness the industry and use it to improve the quality of life for residents. An area of importance to many residents in the free-response section of the survey, is maintaining the beauty of the area and preserving the rural atmosphere. To accomplish this, it would be wise to ensure any efforts used to develop travel and tourism be clustered to maintain open space and agricultural lands.***

PAGE 63 Vacation Rentals

Vacation Rentals One of the main issues that was brought up in stakeholder interviews regarding tourism was the issue of nightly rentals and vacation rentals. There are various ways to list and operate a vacation home for rent to tourists. A common way in today's climate is an online service. Any residential home can be listed on these sites. This causes fear in residents because they believe it will be a nuisance and cause problems for them like parking and noise complaints. This is not necessarily true and is more likely perceived danger than actual danger. ***If regulated correctly nightly/vacation rentals can improve property values and revenue for the county.*** The State has made efforts to clarify what authority counties and local municipalities must regulate these rentals in UCA (17-50-338). It states that a county or municipality cannot stop someone from posting their residence on a rental website and may not make them illegal or pose a fine for using a residence as a rental. This may seem to limit the County's ability to regulate nightly/vacation rentals but is more like guidance on what the county should do. If nightly/vacation rentals are going to locate in the county and it is illegal for the county to outlaw them, the county should try to harness and regulate them. Following is an example: The County would permit nightly/vacation rentals and require a business license for operation as well as an inspection for which the County would not charge. Having this requirement would allow the County to fine any rental properties not in compliance. This would also discourage any new rentals from being opened due to a higher startup cost. The County could require permitted rentals to pay a transient room tax to help alleviate their impact. Thus, further discouraging rentals while helping the County gain funds to regulate them. This way any rental that is not permitted can be fined and stopped and any permitted rental will be up to the county's standards because people with less money to invest in the process will have been weeded out. Overall, any leftover rental will generate funds and be nice enough to raise property taxes. For example, Airbnb, a website for short-term rentals, listed approximately 253 rentals on unincorporated County land. If a business license was charged at a similar rate to other counties, approximately \$100 dollars per year, it would amount to \$25,000. If a transient room tax of 10.77% was added and the average nightly room cost is assumed at \$100, with an average 100 stays annually, the gross revenue could be \$297,481 a year.

Economic Considerations PAGE 64

***Economic Considerations • Tourism can become one of the county’s primary industries because it imports dollars.
• The County’s natural amenities can be tourism assets if managed properly.***

Tourism Policies & Goals PAGE 64

Tourism Goals + Policies San Juan County will seek to encourage the growth of the travel and tourism industry by: • Developing licensing regulations for vacation rentals, specific call for those listed online, as explained in this element. • Reviewing the current marketing efforts and allocating funds, in addition to what is already being used, to market lesser-known destinations within the county. • Protect as much multiple use designated land as possible. • Identifying current access roads to popular tourist destinations and setting aside money in future budgets for improvements and maintenance. • Identify and construct new roads that improve access to popular tourist destinations in accordance with the policies and goals in the Transportation Element. • Work with the National Park Service, the Bureau of Land Management, and other applicable agencies to jointly fund access maintenance and improvement projects. • Research incentives for tourism-related uses along with uses that will encourage a nightlife in the county. • ***Review current ordinances and seek to permit more tourism-related uses.***

Recreation & Tourism PAGE 139

Objectives

a. ***Recreation and tourism are viable and sustainable components of the county’s economy and lifestyle.***

Economic Considerations PAGE 140

The level of success of a local or regional economy touches every person, family, business, and government organization. Strong economies create jobs and payrolls, and generate tax revenues to provide infrastructure and services. All natural resources and public services described in this plan or otherwise, are related to the local economy.

***“Many residents see tourism as the most promising economic resource. Much of the growth in government jobs has been attributed to education and social service programs addressing the poverty and education gap in the region. Economic development is a priority of all county residents.”
(San Juan Conservation District 2011)***







Permit Report

02/05/2022 - 03/08/2022

Permit #	Permit Date	City or County	Residential or Commercial	Type of Permit	Building CityStateZip	Owner Name	Applicant Name	Parcel #	Parcel Address
22,043	3/8/2022	Town of Bluff	Residential	New Construction	Bluff UT 84512	Linda Lennon	Linda Lennon	C40210252402	
22,042	3/8/2022	San Juan County	Residential	Modular Home	MONTICELLO UTAH 84535	Karren Brooks	AFFORDABLE BUILDERS	32S23E254801	751 W BLUE MOUNTAIN RIDGE
22,041	3/8/2022	San Juan County	Mixed Use	New Construction	Monticello, UT 84535	Mark Anderson	Mark Anderson	33S23E341202	
22,039	3/7/2022	San Juan County	Residential	New Construction	Moab UT 84532	Andrew Kubik	andrew kubik	00075000008C	
22,038	3/7/2022	Town of Bluff	Residential	New Construction	Bluff UT 84512	Ann Brown and Rusty Munn	Milan Munson	C00720020110	68 SOUTH 10TH WEST
22,037	3/4/2022	San Juan County	Commercial	New Construction	La Sal, UT 84530	SITLA	Under Canvas Inc.		
22,036	3/3/2022	San Juan County	Residential	Manufactured Home-Private Property	LASAL, UT 84530	Gina Nelson	GINA NELSON	001530000360	352 BOBBIE LANE
22,035	3/3/2022	San Juan County	Residential	New Construction	Moab, Utah, 84532	Sara Kimmerle	Simpatuca Properties LLC	001490000100	
22,034	3/2/2022	San Juan County	Residential	Roofing	Moab, UT 84532	Wilma Garcia	JVC Construction LLC	000780000210	197 W RIO GRANDE DR
22,033	3/2/2022	San Juan County	Residential	Miscellaneous	Moab UT 84532		Tye Shumway	000620000380	16 N MCELHANEY LN
22,032	3/1/2022	San Juan County	Residential	New Construction	La Sal UT 84530	James Whitmore	James Whitmore	001160000040	
22,031	2/24/2022	San Juan County	Residential	New Construction	La Sal UT 84530	Wade Parkinson	Wade Parkinson	000510000140	
22,030	2/24/2022	San Juan County	Residential	New Construction	Moab UT 84532	Kerry Behunin	Kerry Behunin	000760000140	4771 LUNA CIRCLE

22,029	2/22/2022	San Juan County	Residential	New Construction	LaSal, UT 84530	Steven Brian Best	Triple J Construction, Inc	700000310	49 E MESA VIEW DR
22,028	2/22/2022	San Juan County	Residential	New Construction	Blanding UT 84511	Garold Burke	Garold Burke	36S22E149008	2017 N RADIO HILL RD
22,027	2/22/2022	San Juan County	Residential	Electrical	Blanding		Joe B Lyman	B000006004B	130 W 100 N
22,026	2/16/2022	San Juan County	Residential	New Construction	Moab, UT 84532	Sara Kimmerle	Aaron Thompson	001490000130	129 CRIMSON CLIFFS DR
22,025	2/16/2022	San Juan County	Residential	New Construction	Moab, UT 84532	Kimmerle	Aaron Thompson	001490000210	112 CRIMSON CLIFFS DR
22,024	2/16/2022	San Juan County	Residential	New Construction	Moab, UT 84532	Sara Kimmerle	Aaron Thompson	001490000120	113 CRIMSON CLIFFS DR
22,023	2/16/2022	San Juan County	Residential	New Construction	Blanding, UT 84511	Steph and Ellen Williams	Steph and Ellen Williams	001060000010	
22,022	2/16/2022	Town of Bluff	Residential	New Construction	Bluff, UT 84512	James Nowak	James Nowak	C0000010001C	
22,021	2/14/2022	San Juan County	Residential	New Construction	Blanding, UT 84511	Mitch H. Bailey	Mitchell H. Bailey	37S22E161200	
22,020	2/10/2022	San Juan County	Residential	Manufactured Home-Private Property	Moab, UT 84532	Lloyd Wilson	Lloyd Wilson		
22,019	2/9/2022	San Juan County	Residential	Manufactured Home-Private Property	LaSal Utah 84530	Jon Blanc	Affordable Builders	001530000030	33 DEAN COURT
22,018	2/9/2022	Town of Bluff	Residential	New Construction	Bluff	Will Walker and Christine schillig	Milan Munson	C00720020120	52 SOUTH 10TH WEST
22,017	2/7/2022	San Juan County	Commercial	Electrical	Moab, UT 84532	RREM Holdings LLC	Steve Howard	26S22E357840	11910S HWY 191
22,016	2/6/2022	San Juan County	Residential	New Construction	Blanding Utah 84511	KELLY, JESSILEE	Arthur William Sullivan	B36220274860	497 W CENTER STREET
22,007	3/2/2022	San Juan County	Residential	New Construction	Moab, UT 84532	Sharell Carlson	Sharell Carlson	26S22E357800	170 S TERA DR.