



PLANNING COMMISSION MEETING
117 South Main Street, Monticello, Utah 84535. Commission Chambers
September 12, 2024 at 6:00 PM

AGENDA

Google Meeting Link: <https://meet.google.com/ust-hood-zzu>

Or dial: (US) +1 661-552-0879 PIN: 960 575 714#

Welcome / Roll Call

Pledge of Allegiance

Conflict of Interest Disclosure

Approval of Minutes

1. Approval of Planning Commission Meeting Minutes from July 11, 2024

PUBLIC HEARING for the Consideration and Approval of a Conditional Use Permit Allowing for a Private Airstrip, Old La Sal, Steven Redd

PUBLIC COMMENT - *Time reserved for public comments. Open comments are not allowed once into Administrative and Legislative agenda items.*

ADMINISTRATIVE ITEMS

2. Update for La Sal Community Workshop & Comments from Geysers Pass, Kristen Bushnell
3. Importance of Title Report Training, Daniel Anderson
4. Update of Variance Decision for APC Towers at 4110 South HWY 191 from Lyn Creswell, Kristen Bushnell

LEGISLATIVE ITEMS

5. Consideration and Approval of a Conditional Use Application for a HipCamp to be Located near Looking Glass Rock for Where the Wild Things Camp, Steven Alba
6. Consideration and Approval of a Temporary Conditional Use Application for a RV Trailer extension during home build to be Located at 170 South Copper Mill Road in La Sal, John Hinde

7. Consideration and Approval of a Conditional Use Permit for Telecommunication Equipment to be mounted on Swinging Steak Restaurant in Mexican Hat, Daniel Thurgood, Technology Associates
8. Consideration and Approval of a Conditional Use Permit Allowing for a Private Airstrip, Old La Sal, Steven Redd

BUILDING PERMIT(S) REVIEW

9. August & September Building Permits

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
July 11, 2024 at 6:00 PM

MINUTES

GENERAL BUSINESS

Welcome / Roll Call

Planning Commission Chair Trent Schafer called the meeting to order at 6:03 pm.

PRESENT:

Chairman Trent Schafer
Commissioner Cody Nielson
Commissioner Thomas Garcia (online)
Commissioner Shea Walker
Commissioner Melissa Rigg
Commissioner Ann Austin
Planning & Zoning Administrator Kristen Bushnell
County Attorney Jens Nielson
County Attorney Mitch Maughan

Pledge of Allegiance

Conflict of Interest Declaration

No conflicts of interest were disclosed at this time.

Approval of Minutes

1. Approval of Planning Commission Meeting Minutes from June 13th, 2024

Time Stamp 0:01:30 (audio)

Motion made by Commissioner Walker to approve the meeting minutes. Seconded by Commissioner Austin.

Voting Yea: All in favor.

Motion Carries.

2. Approval of Planning Work Session Meeting Minutes from June 24th, 2024

Time Stamp 0:03:30 (audio)

Motion made by Commissioner Rigg to approve the meeting minutes. Seconded by Commissioner Nielson.

Voting Yea: All in favor.

Motion Carries.

Commissioner Rigg suggested that she needed more time to review materials and that staff needed to accommodate the three day prior to the meeting deadline as much as possible.

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

Time Stamp 0:06:00 (audio)

Steven Schultz of the La Sal area gave public comment regarding the lack of enforcement for building permits his neighborhood.

TC Garcia of the La Sal area gave public comment regarding the enthused interest of the La Sal Community towards getting their voice heard and to staff for forwarding this information on to the Planning Commission.

Curtis Wells of the Moab area, regarding the La Sal area, gave public comment regarding the negative impacts that the proposed airstrip would have on his neighboring parcels.

ADMINISTRATIVE ITEMS

3. 2024 Land Use, Development and Management Ordinance Update, Kristen Bushnell, Planning Administrator

Time Stamp 0:12:00 (audio)

Administrator Bushnell gave an update of the 2024 LUDMO and zoning maps. The adoption process has been delayed due to legal review and the public outcry of needing more time to review the documents. The Planning Commission will be informed as we have public hearing dates scheduled and this item is back on the table.

LEGISLATIVE ITEMS

4. Consideration and Approval of a Conditional Use Permit Allowing for a Primitive Camp & RV Park at the intersection of HWY 191 & HWY 262, Laurence Blewett & Monika Csaszari

Time Stamp 0:16:0 (audio)

Administrator Bushnell gave an overview of the project. The Planning Commissioners discussed the Conditional Uses provided by staff. Commissioner Rigg pointed out that there needed to be a change in the language to include “and implement” for each of the conditions

listed. Commissioner Austin clarified that tent spots would not count toward the density standards.

Motion made by Commissioner Austin to approve the Conditional Use of this permit including:

- The density may not exceed the limit of nine (9) units per acre, except RV's may be clustered, provided that the total number of units does not exceed the number permitted on one (1) acre multiplied by the number of acres in the development.
- Must coordinate with the Division of Drinking Water for water system or for any water storage tanks on site and have an engineer design the appropriate wastewater system for such uses including toilet facilities (composting toilets are not allowed). Must include a plan to protect any existing well water sources from contamination by campers or hikers within the area.
- Must comply with San Juan County Health Department requirements.
- Must comply with all building code and permit requirements.
- Must comply with any state or federal fire restrictions and include a fire suppression plan for campsites.
- Must comply with all UDOT requirements and permits. Loop drive will consist of road base & gravel to accommodate emergency service vehicles and maintain egress during adverse weather conditions.
- Must provide a camp host during operational times for security and promote safety guidelines for dangers present in the surrounding areas.
- Must provide a plan and implementation of adequate trash removal (dumpsters, etc.).
- Must provide a plan and implementation of drainage during major flood events.
- Must comply with San Juan County business license requirements. Prior to construction, the applicant shall apply for and receive a San Juan County building permit.

Seconded by Commissioner Rigg.

All in favor.

Motion carries.

5. Consideration and Approval of a Conditional Use Permit Allowing for an Airstrip for Pine Lodge, Old La Sal, Steven Redd

Time Stamp 0:35:00 (audio)

Administrator Bushnell began to give an overview of the project. There were two individuals wanting to give public comment at this point in time. Administrator Bushnell stopped their comments to clarify that the appropriate time for comment would have been at the beginning of the meeting but that to allow open discussion at this point would be considered a Public Hearing and not allowed without proper advertisement. The Planning Commission made an exception to hear the individual due to unclarity of the process.

The Planning Commissioners wanted to gather more information on this application before making a decision.

Commissioner Nielson motioned to table the item and have a public hearing at the next regular meeting. Seconded by Commissioner Rigg.

All in favor.

Motion carries.

6. Consideration and Approval of a Conditional Use Permit Allowing for a Heliport for Desert Rose Tours, Chimney Park Road and Highway 191, Amer Tumeh

Time Stamp 1:35:00 (audio)

Administrator Bushnell gave an overview of the project. This applicant is working with SITLA to lease land for commercial use. The Planning Commissioners discussed safety mitigations, and the need for our airport engineer to give specific recommendations. The applicant was very agreeable to these conditions and maintaining positive relations with the Town of Bluff nearby.

Motion made by Commissioner Nielson to approve the Conditional Use of this permit including:

- Administrative Staff will coordinate with the County airport engineering firm on safety & hazards mitigation recommendations. This review will be approved by staff prior to issuance of building permit and/or business license. Engineering consultant expenses will be covered by the applicant at actual cost.
- Flight patterns must avoid current residential areas to the furthest extent possible to protect the public health, safety, and welfare of residents in this area.
- The extent of buffer and safety zones must be within owner's property boundary.
- Employee Housing units shall not be used as an over-night or short-term rental.
- Must comply with all building code and permit requirements.
- Must comply with any state or federal fire restrictions.
- Must comply with San Juan County business license requirements.

Seconded by Commissioner Rigg.

All in favor.

Motion carries.

7. Consideration and Approval of a Sign Permit for Desert Rose Tours, Chimney Park Road and Highway 191, Amer Tumeh

Time Stamp 1:46:00 (audio)

In association with the project above, the applicant would also like to get a sign permit approved for the Desert Rose Tours along HWY 191.

Motion made by Commissioner Nielson to approve the sign permit. Seconded by Commissioner Walker.

All in favor.

Motion carries.

BUILDING PERMIT(S) REVIEW

Time Stamp 1:48:00 (audio)

9. July Building Permits

ADJOURNMENT

Time Stamp 1:56:00 (audio)

Motion made by Commissioner Nielson to adjourn. Seconded by Commissioner Rigg.

Voting Yea: All in favor.

Motion Carries.



STAFF REPORT

MEETING DATE: September 12, 2024

ITEM TITLE, PRESENTER: Update for La Sal Community Workshop & Comments from Geysers Pass, Kristen Bushnell

RECOMMENDATION: Informational & Discussion Item Only

SUMMARY

There will be a community workshop for the proposed new County Zoning Maps on Monday, September 23rd, 2024 at 6:00pm in the La Sal Community Center (gym). Discussions will be focused around the La Sal area. Please send comments to KBushnell@sanjuancounty.org to be forwarded to our Planning Commissioners.

We have also received comments from the Geysers Pass community and will take those into consideration as we move forward. At the moment this area is being considered under Agriculture or Recreational Support.

At the regular Planning Commission meeting for October 10th, 2024, the information gathered will be discussed and adjustments will be made at that time to our currently published, but not yet legally adopted, proposed Zoning Maps.



STAFF REPORT

MEETING DATE: September 12, 2024

ITEM TITLE, PRESENTER: Importance of Title Report Training, Daniel Anderson

RECOMMENDATION: Informational Item Only

SUMMARY

Daniel Anderson, of Anderson-Oliver Title Insurance, has a brief training for the Planning Commissioners on the importance of obtaining Title Reports and how this impacts the legal approvals of property and subdivisions.

A title report is a crucial document in land planning because it provides information about a property's legal history and helps ensure a smooth transfer of ownership:

1. Identifies potential issues - a title report can help identify issues with the property's title, such as liens, easements, encroachments, water rights and restricted development options.
2. Protects against legal complications - a title report can help avoid legal complications or financial losses that could arise from hidden issues.
3. Ensures a legally valid transfer - a title report helps ensure that the transfer of ownership is legally valid.
4. Informs buyers and sellers - a title report fully informs the buyer and seller about the property.
5. Required by lending institutions - most lending institutions require a title report before lending for a mortgage.
6. Part of the due diligence process - a title review is a key part of the due diligence process and should be conducted before signing any documents that would transfer ownership.

A title report is the result of an extensive title search in public records. Title companies, attorneys, escrow companies, and sometimes other companies can be paid to conduct a title search.



STAFF REPORT

MEETING DATE: September 12, 2024

ITEM TITLE, PRESENTER: Update of Variance Decision for APC Towers at 4110 South Highway 191 from Lyn Creswell, Kristen Bushnell

RECOMMENDATION: Informational & Discussion Item Only

SUMMARY

The Planning Commission approved a Conditional Use Permit to APC Towers IV, LLC on parcel #37S22E155401 at the address of 4110 South Highway 191 for the Kuykendall Telecommunication Tower on February 8, 2024. Due to the nature of telecommunication towers needing additional height, a variance request was submitted to the San Juan County Administrative Law Judge, acting as the County's land use appeal authority. Please reference the attached decision that this project has been granted the variance request.

Administrative Law Judge

San Juan County, Utah

Request for Land Use Variance by	:	Decision of Administrative Law Judge
APC Towers IV, LLC for a 158-foot	:	Lyn Loyd Creswell
Telecommunications Tower at	:	30 July 2024
4110 South Highway 191	:	
Blanding, Utah	:	

On 25 January 2024 Russell Curry, representing APC Towers IV, LLC,¹ requested a variance to a 75-foot height restriction and a set-back requirement for “utility buildings” in the San Juan County land use code. The proposed APC Towers IV, LLC project involves the construction and operation of a 158-foot² telecommunication tower. The planned tower is 540 feet from a residential structure, 272 feet from a shed, and 363 feet from buildings used by a construction company.

The San Juan County Administrative Law Judge – as the County’s land use appeal authority – may grant a variance to the requirements of the land use code. San Juan County Code § 153.042 (B).

Administrative Law Judge (ALJ) Lyn Creswell requested the project applicant provide information relevant in determining whether a variance is appropriate for the proposed tower. The applicant has the burden of proving that all the conditions justifying a variance have been met. San Juan County Code § 153.042 (F).

¹ On 15 April 2024 APC Towers IV, LLC registered as a business with the Utah Division of Corporations and Commercial Code. The registered agent is identified as Incorp Services, Inc, 285 S. Tabernacle, Suite 201, St. George, Utah 84770.

² There will be a 155’ guyed tower with a 3’ lighting rod on top.

Proposed Telecommunications Tower

The planned telecommunications tower will be developed, owned and operated by APC Towers IV, LLC. The tower will be a 158-foot telecommunication facility.

The proposed tower at 4110 South Highway 191³ is intended to fill a “gap” in wireless services in the vicinity. A coverage analysis was prepared by RF Engineer Don Vigil with T-Mobile West, LLC. The “Significant Gap Statement” was prepared by Mr. Vigil on 22 May 2024.

- The 22 May 2024 Significant Gap Statement explained that T-Mobile has a significant gap in service and the need for the proposed site at 4110 South Highway 191 to provide in-building and in-vehicle coverage that support reliable T-Mobile voice and data services south of Blanding, Utah.
- As of 22 May 2024, T-Mobile had a significant gap in reliable 2G/3G/4G/5G in-building service along US. Highway 191 between Browns Canyon Road to the north and Ruin Springs Road to the south, a stretch of 5.9 miles, and extending 3 miles from east to west on both sides of the highway. The gap area was approximately 13.9 square miles.
- The result of the significant gap is that T-Mobile customers experience blocked calls, dropped calls, and slow data speed in the affected area.
- The proposed telecommunications tower is designed to eliminate the significant gap in wireless service with a single facility rather than multiple facilities.
- Mr. Vigil determined that the optimal location for a single facility was at or near the intersection of US Highway 191 and Utah Road 95, south of the Blanding Municipal Airport.
- Mr. Vigil determined that a tower design height of 150 feet antenna centerline (158 feet overall tower height) allows the proposed site to provide adequate in-building coverage in the gap area.

³ The property is located within Section 15, Township 37 South, Range 18 East, Salt Lake Base and Meridian, San Juan County State of Utah.

- The result would be robust in-vehicle and in-building wireless coverage uniformly throughout the area.

APC Towers IV, LLC has designed the proposed tower to limit a potential hazard associated with telecommunication facility hazards.

- To limit access to the tower for trespassers – who might climb and fall from the tower – APC Towers IV, LLC will install a security fence with locked gates around the tower site and remove any pegs or other devices which would allow an unauthorized person to climb the tower. The fence⁴ will be a 6-foot chain-link fence with barbed wire.

The proposed tower location at 4110 South Highway 191 includes the following characteristics.

- The proposed tower is located in an area which is sparsely developed.
- The tower will be located on property leased by APC Towers IV, LLC from Morgan and Vicky Kuykendall – who own Tax Parcel 37S22E155401 (10.03 acres) in San Juan County, Utah. The tower lease area is approximately 10,000 square feet.
- Ground elevation of the parcel is 5950 feet above mean sea level (A.M.S.L.).
- Existing structures on the parcel owned by Morgan and Vicky Kuykendall are a residential structure (with related accessory buildings) and an animal shed.
- There are no structures within 158 feet of the tower.
- The Kuykendall residence is approximately 540 feet from the proposed tower.

⁴ A compound of 50' by 50' will include the tower and equipment. The compound will be surrounded by a six feet chain-link fence.

- South of the Kuykendall property is a 16.62-acre parcel⁵ owned and operated by Sonderegger Yard & Gravel, Inc, a concrete, material, excavation, and site grading company. The structures on the Sonderegger property are approximately 363 feet from the proposed tower.
- Rocky Mountain Power will provide power to the tower.
- There is a residence on the property (parcel 37S22E155401) to the west of the tower and the residence is approximately 540 feet from the future tower location.

APC Towers IV, LLC intends to construct the tower in compliance with the International Building Code, the National Electrical Code, and ANSI/TIA/EIA 222.

⁵ Parcel Number 37S22E166003.

APC Towers IV, LLC will comply with all local, state, and federal laws and regulations governing wireless communication facilities. An airspace analysis⁶ was conducted and indicated that no additional consultation was necessary with the FAA or FCC for the proposed tower. In addition, all new wireless communication facilities are required to go through the National Environmental Policy Act (NEPA) screening, prior to construction, to determine whether the proposed action (construction) will have a significant environmental effect. The screening reviews impacts to wilderness areas, wildlife preserves, endangered species or designated critical habitats, historic places, Indian religious sites, floodplains, and wetlands. APC Towers IV, LLC will not start construction of the proposed tower without a completed NEPA report indicating the facility will not result in significant environmental effect.⁷

⁶ On 7 November 2023 Specialist Brian Oliver with the Federal Aviation Administration issued a decision (“preliminary findings”) for Aeronautical Study No. 2023-ANM-6556-OE relating to a proposed 158 feet telecommunications tower at Latitude 37-34-01.05N NAD 83 and Longitude 109-29-29.84W.

The proposed tower would be located 3,909 feet southwest of the Runway 35 approach to the Blanding Municipal Airport.

The decision found that if the proposed tower did not exceed 158 feet above ground level (5909 feet above mean sea level), the monopole tower would not create a substantial adverse effect on navigable airspace.

⁷ On 22 April 2024 Environmental Assessment Specialists, Inc, (EAS) Ventura, California submitted an “environmental screening” report of the proposed APC Tower IV, LLC proposed telecommunications tower. The 22 April 2024 screening report included the following information.

- There are no U.S. National Wilderness areas in the vicinity of the proposed site. There are no wildlife preserves in the vicinity of the proposed site.
- The project site contains no sensitive biological resources, including suitable habitat for any listed threatened or endangered plant and wildlife species.
- No wetlands or riparian areas occur on or within the immediate vicinity of the project site. The project will not result in any impacts to wetlands or other jurisdictional waters.
- Installation of the proposed facility will not result in any impacts to native vegetation communities or suitable habitat for any sensitive plant or wildlife species.
- Trees and shrubs located within the immediate vicinity of the proposed site provide suitable nesting habitat for several avian species, including the Northern Long-Eared Bat. EAS recommends that construction activity avoid the avian nesting season (1 February to 30 September). If construction activity must occur during the nesting season, a qualified biologist should perform a pre-construction clearance survey to determine the presence/absence of nesting activity near the project site. If no nesting activity is observed, no further action is required. If nesting activity is observed on or in the immediate vicinity of the proposed

site, construction activity can proceed after the nestlings have fledged. If the facility must be installed near the active nest, a biological monitor will be present during the construction activity.

- No previous archaeological sites or newly identified sites are present within the project footprint. The proposed facility will be over ¼ mile from any known eligible archaeological sites and thus will not physically impact the sites. The sites are in locations that have already been significantly impacted by road construction, maintenance, water and fiber lines, and utility poles. EAS advises APC Tower IV, LLC to have an “inadvertent discovery plan” for the site during construction. Should ground disturbing activities reveal any cultural materials, activity will cease, and the Utah State Historic Preservation Officer will be notified immediately. If human remains, suspected human remains, or any items suspected to be related to human burial are encountered during any aspect of the project, operations must cease within 200 feet of the find. The area around the discovery will be secured and the San Juan County Sheriff and the State Historic Preservation Officer will be contacted at once.
- Federally Recognized Tribal Groups were notified of the proposed project on 22 December 2023. Clearance was reported on 11 April 2024.
- The site is not located within a 100-year flood plain.
- No high intensity white lights will be used for tower illumination.

Once constructed, maintenance of the tower will include the following. Once a month wireless technician maintenance personnel will visit the site for routine maintenance. A standard work truck will be used for these visits. Roughly every three years APC Towers IV, LLC will upgrade their equipment and antennas on the tower. This work will likely require a manlift or crane. The maintenance and upgrades the site will produce little noise and will create little traffic or safety concerns.

The tower will only have the identification signage required by federal regulation. No commercial or other advertising will be on the tower or facilities.

The proposed tower will not encroach or block vehicular traffic. There is a path leading to the proposed site location and the path will continue around the facility. No portion of the path will be obstructed.

The proposed tower will have no accessory buildings. However, APC Tower IV, LLC will install two (2) equipment cabinets and a diesel generator on a 6" thick concrete slab.

San Juan County Plans, Land Use Code, Other San Juan County Ordinances

San Juan County General Plan. In 2018 San Juan County updated and adopted the *San Juan County General Plan*. Of interest here is an objective repeated in the *San Juan County General Plan* – to increase *broadband* infrastructure in San Juan County. Included in the chapter titled “Economic Development” (pages 21 – 30) of the *General Plan* is the following.

“The County’s economic strategy plan has been broken into five key areas of focus, with a vision and planned development of these areas over one, five, and ten years. The five key areas of focus are: *Broadband*, Transportation, Business Expansion and Retention, Diversification, Celebration of Culture and History.

One Year Vision

BROADBAND – In partnership with the Seven County Infrastructure Coalition, the county has identified *Broadband* as one of the primary infrastructure goals. Year one includes the development of a county-wide *Broadband* plan that includes connectivity in the communities fanning the Utah Education Network projects to have Broadband in all the public schools. Planning also includes establishing right of way agreements and initiating collaboration during roadwork discussions. Healthcare, a primary industry of the County, is one example of the necessity of *broadband* expansion with the development of telemedicine programs.

...

Five Year Vision

BROADBAND – A key infrastructure hurdle for business is the cost of *Broadband* in rural Utah. A key goal would be identifying a way to reduce cost of service and creating competitive prices compatible to the Wasatch Front.

...

Ten Year Vision

BROADBAND – *Broadband* will allow for expansion of remote and telecommuting opportunities. Creation of redundancy allowing for reliability in the system.”

San Juan County Zoning Code. On 5 June 1978 San Juan County adopted its first zoning ordinance.

On 12 September 2011 San Juan County adopted an amended Zoning ordinance. The APC Towers IV, LLC telecommunications project property is in the 2011 Zoning Code's Controlled District⁸ (which identified permitted, conditional, and prohibited uses within that district).

The 2011 Zoning Code states its "purpose" as follows. "This Ordinance is designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of San Juan County."

The 2011 Zoning Code included several sections (or provisions) which apply to all zoning districts in San Juan County. Among these general sections are yard space requirements, relationship of dwellings and lots, private garages with side yard requirements, prohibitions against selling or leasing "required space," restrictions on sale of lots below minimum size, exceptions to unobstructed side yards, area restrictions of accessory buildings, heights for main and accessory buildings, clear view of intersecting streets, and height restrictions for public, semi-public utility buildings.

Relevant here is the following general provision of the 2011 San Juan County Zoning Code. San Juan County Code § 153.135 (Height of Buildings) (A) "Public, semi-public utility buildings, when authorized in a zone may be erected to a height not exceeding 75 feet if the building is set back from each otherwise established building line at least one foot for each additional foot of building height above the normal height limit required for the zone in which the building is erected."

The 2011 Zoning Code does not define "utility buildings." In some local government zoning codes "utility buildings" are often defined as structures for the "storage" of materials. However, with a height standard of 75 feet (or seven stories) it was the likely intent of the San Juan County Commission to include any structure which served a "utility" function within the

⁸ The 2011 Zoning Code identified five "zoning districts": Multiple Use District (MU-1), Agricultural District (A-1), Rural Residential ((RR-1), Controlled District (CD), and Indian Reservation District (IR).

definition of “utility building.” It is difficult to image a “storage” building seven stories tall. Consequently, it is assumed that the height restrictions here applies to the proposed tower.⁹

The “Height of Buildings” provision includes a “set back” requirement. That requirement can reasonably be interpreted as requiring a set back at a distance equivalent to the height of the “utility building.”¹⁰ Here the “set back” distance would be 158 feet.

CD-c Community Commercial District.

The proposed tower is in the Community Commercial (CD-c) zoning district (or sub-zone) of San Juan County. The San Juan County land use ordinance authorizes the Planning Commission to review and approve a conditional use permit for any conditional use – identified either in the zoning district where the use is proposed or “elsewhere” in the County zoning code. “Radio and television transmitting stations or towers” are listed as conditional uses in the A-1 Agricultural District. Under the San Juan County land use ordinance, the Planning Commission may approve a conditional use permit for the proposed tower. If approved, the Planning Commission shall make findings supporting the recommendation for the Conditional Use Permit and adopt appropriate findings.

⁹ A New York State appellate decision involved a 400-foot cellular telephone tower which the location government and the appellate court found was properly included in the definition of “public utility building.” *Payne v. Taylor*, 178 A.D.2d 979, 578 N.Y.S.2d 327 (1991)

¹⁰ The Controlled District (CD) provisions of the 2011 Zoning Code also include a setback requirement for commercial and industrial buildings. No commercial or industrial building shall be erected within twenty-five (25) feet of a residential building or residential district boundary. §12-4 (3) of the 2011 Zoning Code. The proposed project does not require a variance for this requirement.

San Juan County Conditional Use Permit Decision. On 8 February 2024 the San Juan County Planning Commission considered and approved the APC Towers IV, LLC facility at 4110 South Highway 191, Blanding, Utah as a “conditional use”¹¹ in the CD-c Community Commercial District.¹² Supporting its decision, the Planning Commission made the following findings¹³.

1. The proposed tower will have a positive, beneficial impact on the economy, security, safety, and welfare of San Juan County residents and businesses. Specifically, the proposed project will support and enhance emergency services, schooling, health care services, and remote employment.
2. The proposed tower has unique characteristics which are appropriately addressed with conditions as part of a conditional use permit.

¹¹ On 13 December 2023 Russell Curry (with Romano & Associates), representing APC Towers IV, LLC at 8601 Six Forks Road, Suite 250, Raleigh, North Carolina, signed a San Juan County Conditional Use Application. The Application identified Morgan and Vicky Kuykendall as owners of the property.

The Application included the following project description: “New wireless telecommunications facility consisting of 155’ guyed tower with antennas and radio transmitting equipment as well as associated ground equipment shelters and emergency generator.”

On 19 January 2024 Morgan and Vicky Kuykendall executed a “Property Owner’s Affidavit” which accompanied the Conditional Use Application.

Previously, on 3 August 2023 Morgan Shane Kuykendall and Vicky L. Kuykendall (Grantors) executed an “Option for Lease Agreement” with APC Towers IV, LLC with a mailing address of 8601 Six Forks Road, Suite 250, Raleigh, North Carolina 27615. On 14 August 2023 Daniel C. Agresta III (president and CEO of APC Towers IV, LLC) signed the “Option for Lease Agreement” as Grantee. The “Option for Lease Agreement” identified four leases: a communication easement, an access easement, a utility easement, and a guy wire easement. Photographs and descriptions included with the “Option for Lease Agreement” identify the following: 100’ x 100’ lease area, new access gate installation, nearest power pole, and 16’ new access road and underground utility.

Design drawings state the leased access road will be 20’ wide with a 12’ gravel access road.

¹² During the Planning Commission discussion regarding the proposed tower, Planning Commission Nielson expressed concerns about the tower’s location near the Blanding airport. Russell Curry, representing APC Towers IV, LLC, stated the FAA had given a height restriction waiver for the tower. When a vote on a motion was called, Commissioner Neilson supported the project.

¹³ The findings are found in a nine-page document titled “Conditional Use Permit for Telecommunications Tower at 4110 South Highway 191” signed by Planning Commission Chair Schafer on 4 April 2024.

3. The proposed tower furthers a priority objective of the 2018 *San Juan County General Plan* to increase *Broadband* capacity to promote economic development and enhance public health and education.
4. The construction and operation of the tower will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
5. The construction and operation of the tower will comply with the intent, spirit, regulations and conditions specified in the County land use code for such use and the zoning district where the use is to be located, as well be harmonious with the neighboring uses in the zoning district. Additionally, the project will comply with all federal regulations which protect and conserve San Juan County resources.
6. The Federal Aviation Administration Southwest Regional Office conducted an aeronautical study which revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation.
7. The proposed height of the tower will require a variance from the height standards in the San Juan County land use code.

On 8 February 2024 the Planning Commission approved a Conditional Use Permit¹⁴ with the following conditions.

- a. Prior to construction, the applicant shall apply for and receive a San Juan County building permit.
- b. The applicant shall apply for, receive, and maintain a San Juan County business license¹⁵ *and* be subject to regular inspections associated with the business license – to include a review of compliance with the CUP conditions.
- c. The construction and operation of the tower shall comply with the International Fire Code and the San Juan County Fire Policy – and be subject to inspection by fire authorities.
- d. The tower shall be operated in compliance with federal regulations.
- e. The tower shall not be used for outdoor advertising, signage, or similar uses without first obtaining permission from San Juan County.
- f. This permit shall be null and void if the tower is abandoned as a telecommunication facility or the tower is not maintained for 90 days. After abandonment or non-maintenance, the tower shall be removed at owner’s expense.
- g. Any neighbor or adjacent property owner or person reasonably expected to be at or near the facility during construction, maintenance, or other activity which has the potential to harm an individual shall be informed of the activity and provided with safety information, as appropriate.

¹⁴ Planning & Zoning Department Conditional Use Permit #24014 was issued on 13 February 2024 to APC Towers IV, LLC for the “Kuykendall Telecommunication Tower” at 4110 South Highway 191 at Parcel Identification #37S22E155401.

¹⁵ On 8 May 2024 APC Towers IV, LLC of 57 East Washington St. Chagrin Falls, Ohio received a San Juan County Business License issued by County Clerk Lyman Duncan.

- h. The facility shall be kept clean and free from rubbish, flammable waste material or other noxious or nuisance substances.

San Juan County Variance Provisions

San Juan County land use code § 153.042 (Variances) authorizes the Appeal Authority to grant a variance of the requirements of the land use ordinance as applied to a parcel of property.

The Appeal Authority may grant a variance only if the following requirements are met.

1. The literal enforcement of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinance. In determining whether enforcement of the ordinance would cause an undue hardship the Appeal Authority must find a) that the undue hardship is located or associated with the property where the variance is sought and b) that the hardship comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood. Also, the Appeal Authority may not find an unreasonable hardship if the hardship is self-imposed or economic.
2. There are special circumstances attached to the property that do not generally apply to other properties in the same zone. In determining special circumstances, the Appeal Authority may find special circumstances only if the special circumstances a) relate to the hardship complained of and b) deprive the property of privileges granted to other properties in the same zone.
3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone.
4. The variance will not substantially affect the general plan and will not be contrary to the public interest.
5. The spirit of the land use ordinance is observed, and substantial justice done.

Relevant to the findings of “unreasonable hardship” and “special circumstances” in cases of wireless communication facilities are the requirements of the federal law. Where the hardship and special circumstances claimed by a land use applicant includes a gap in wireless services, the authority considering a variance must consider the federal Telecommunications Act (TCA). The TCA “imposes specific limitations on the traditional authority of state and local governments to regulate the location, construction, and modification” of telecommunication facilities. *City of Rancho Palos Verdes v. Abrams*, 544 U.S. 113, 115 – 16 (2005).

TCA 47 U.S.C. § 332 (c) (7) (B) (i) provides, among other things, as follows:

- (i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof –
 - (I) Shall not unreasonably discriminate among providers of functionally equivalent services; and
 - (II) *Shall not prohibit or have the effect of prohibiting the provision of personal wireless services.*

Regarding the matter of “hardship” and “special circumstances” in variance decisions, the applicant of a proposed wireless cell tower may satisfy these requirements by showing a gap in service without necessarily demonstrating a hardship associated with the unique shape, topography, or other physical feature of the property. See *Nextel Communications of Mid-Atlantic v. Town of Wayland*¹⁶, 231 F. Supp. 2d 396 (D. Mass. 2002) (“Under the Telecommunications Act, the [local government] cannot deny the variance if in doing so it would have the effect of prohibiting wireless services. 47 U.S.C. § 332 (c) (7) (i) (II). In other words, the need for closing a significant gap in coverage, in order to avoid an effective prohibition of wireless service, constitutes another unique circumstance when a zoning ordinance is required.”)

¹⁶ *Wayland* involved an application for a variance from a zoning law’s height restriction to build a wireless communications facility.

A decision of the United States Court of Appeals for the Third District affirmed the federal Telecommunications Act affect on local government approvals of telecommunication towers. “Congress passed the TCA in 1996. ‘Its primary purpose was to reduce regulation and encourage the rapid deployment of new telecommunication technologies.’ *Reno v. ACLU*, 521 U.S. 844, 857 (1997). Congress preserved local zoning authority over the ‘placement, construction, and modification of personal wireless service facilities,’ like cell towers. 47 U.S.C. § 332 (c) (7) (A). But it specified that such regulation “shall not prohibit or have the effect of prohibiting the provision of personal wireless services.’ Id. § 332 (c) (7) (B) (i) (II).” *Cellico Partnership v. The White Deer Township Zoning Hearing Board*, Third Circuit Court of Appeals, decided 14 July 2023.

The Third District Court found that the following facts supported a conclusion that the denial of variance to Verizon Wireless triggered the preemptive authority of the TCA.

- The wireless company provided evidence that there was a “significant gap” in its wireless coverage in the White Deer Township and that the proposed monopole cell tower would fill that gap.

Findings

Administrative Law Judge Lyn Loyd Creswell makes the following findings relevant to a determination of whether the APC Towers IV, LLC telecommunications tower at 4110 South Highway 191 qualifies for a variance from the height and set back¹⁷ restrictions in the San Juan County land use code.

1. The literal application of the San Juan County height requirement for “utility buildings” would cause an undue and unreasonable hardship on applicant APC Towers IV, LLC by preventing the applicant from erecting the planned telecommunication tower designed to cover an identified gap in wireless services in San Juan County, Utah.
2. A qualified engineer, using industry standard evaluation methodologies, has identified a wireless communication gap (5.9 miles x 3 miles or 13.9 square miles) along Highway 191 in San Juan County.
3. The APC Towers IV, LLC-proposed tower at 4110 South Highway 191 was designed for and supports the objective of eliminating or reducing the identified gap in services.
4. The proposed height (158 feet) of the tower was certified by a professional communications engineer to achieve the necessary elimination or reduction of the identified gap by multiple wireless service providers.
5. The construction and operation of the APC Towers IV, LLC tower at 4110 South Highway 191 carries out the general purposes of the *San Juan County General Plan* and the San Juan County Zoning Code by benefitting economic development, health care, emergency response services, remote work, and education in San Juan County.
6. The proposed tower supports an important objective of the 2018 *San Juan County General Plan* by adding critical Broadband infrastructure in San Juan County.

¹⁷ Here the proposed tower does not require a set back variance. The closest structure is beyond 158 feet (the set back distance) from the tower.

7. The proposed APC Towers IV, LLC tower at 4110 South Highway 191 supports the following purposes stated in the 2011 San Juan County Zoning Ordinance: “[P]romoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of San Juan County.”
8. The undue hardship is specifically associated with the APC Towers IV, LLC tower structure proposed and located at 4110 South Highway 191.
9. The undue hardship relates to and comes specifically from the peculiar technical requirements supporting the APC Towers IV, LLC tower designed to provide gap coverage in an area with low or no coverage.
10. The special circumstances associated with the planned telecommunications tower apply to that structure as it is designed to transmit wireless communications signals and do not apply to other “utility buildings” in the CD-c District which are not designed and intended to support wireless communications.
11. In this case, both the undue/unreasonable hardship and the special circumstances relate to the peculiar technical requirements of the planned tower designed to provide gap coverage in an area with marginal or incomplete wireless communication services.
12. The wireless communication services created by the operation of the APC Towers IV, LLC tower will provide a much-needed service to residents and business owners in San Juan County.
13. The provided benefit is essential to the enjoyment of a substantial property right – to effectively communicate and receive government-provided emergency services, accessible health care, enhanced education opportunities, and economic security – possessed by other property owners in the CD-c Community Commercial District.

14. The operation of the planned telecommunications tower is fully consistent with and does not deviate from the San Juan County General Plan.
15. The risk of physical harm to the public or adjacent property caused by the construction, operation, and maintenance of the tower is minimal.
16. APC Towers IV, LLC has anticipated and designed the tower to limit access to unauthorized persons who might seek to climb the tower (who might fall from the tower).
17. Assuming that APC Towers IV, LLC complies the conditions of the 13 February 2024 Conditional Use Permit (#24014) approved by the Planning Commission - the proposed tower will not be contrary to the public interest.
18. The construction and operation of the APC Towers IV, LLC at 4110 South Highway 191 meets the spirit of the San Juan County land use ordinance and is substantially just.
19. Based on the established wireless gap analysis and other factors, a denial of the APC Towers IV, LLC tower variance application would violate the federal Telecommunications Act (as interpreted by federal courts) by prohibiting or having the effect of prohibiting the provision of personal wireless services to wireless service users in San Juan County, Utah.

Mitigation

To safeguard the public interest associated with the proposed APC Towers IV, LLC telecommunications tower at 4110 South Highway 191, the following mitigation measures are required as part of the approval of a variance.

- APC Towers IV, LLC will comply with the “conditions” of the 13 February 2024 Conditional Use Permit issued by San Juan County.

- APC Towers IV, LLC will provide San Juan County (through the County’s Chief Administrative Officer) a copy of a completed National Environmental Policy Act (NEPA) screening report¹⁸, indicating the tower and facility will not result in a significant environmental effect, prior to applying for a building permit.

- Prior to construction, APC Towers IV, LLC shall apply for and receive a San Juan County building permit. If requested by San Juan County, APC Towers IV, LLC will contract and pay for the services of an independent and qualified engineer to inspect and certify to San Juan County that the tower and associated equipment were constructed in compliance with the International Building Code, the National Electrical Code, and any other governing engineering or related codes or standards.

¹⁸ The 22 April 2024 Environmental Assessment Specialists, Inc environmental screening report was provided to ALJ Creswell as part of the review and consideration of the subject variance application. That report should be separately submitted to the San Juan County Chief Administrative Officer.

Decision

Administrative Law Judge Lyn Loyd Creswell, acting as the San Juan County land use appeal authority, grants APC Towers IV, LLC a variance to the “utility building” height requirement of the 2011 San Juan County Zoning Code for a proposed telecommunication tower and associated equipment located at 4110 South Highway 191, subject to the mitigation requirements contained herein.

Administrative Law Judge Lyn Loyd Creswell shall continue jurisdiction over the subject variance for twelve months after the date the tower begins operating. Continuing jurisdiction includes assuring compliance with the mitigation requirements or modifying the mitigation measures of this decision.

A handwritten signature in black ink that reads "Lyn L. Creswell". The signature is written in a cursive style and is positioned above a horizontal line that extends to the right.

30 July 2024

Lyn Loyd Creswell
San Juan County Administrative Law Judge

APC Towers IV, LLC Record Set

(24 August 2023) Option for Easement Agreement

(7 November 2023) FAA Notice of Preliminary Findings

(13 December 2023) Conditional Use Permit Application submitted by Russell Curry for APC Towers IV, LLC

(14 December 2023) APC Towers Overall Site Plan, Enlarged Site Plan, Equipment Layout, New Tower Elevations, Title Sheet,

(25 January 2024) Variance Application submitted by Russell Curry for APC Towers IV, LLC

(1 February 2024) San Juan County Business License for APC Towers IV, LLC

(13 February 2024) San Juan County Conditional Use Permit #24014

(8 February 2024) Minutes of San Juan County Planning Commission

(3 April 2024) ALJ Creswell email

(4 April 2024) Background, Project Summary, Findings signed by Planning Commission Chair Schafer

(15 April 2024) Utah business registration for APC Towers IV LLC

(22 April 2024) Environmental screening report prepared by Environmental Assessment Specialists, Inc.

(22 May 2024) Don Vigil Significant Gap Analysis

(19 June 2024) Russell Curry email

(23 June 2024) ALJ Creswell email with draft decision document

(29 July 2024) Emails from ALJ Creswell, Nicholas Romano, and Mack McDonald

(30 July 2024) ALJ Creswell decision



Planning & Zoning Department
Conditional Use
Permit #24014

Grantor:

San Juan County
PO Box 9
117 South Main Street
Monticello, Utah 84535

Grantee:

APC Towers IV, LLC
8100 Wyoming Blvd. NE #M4-167
Albuquerque, New Mexico 87113
505-710-6263
RCurry@romanoassociatesllc.com

This Permit Applies to the Property Address of:

4110 South Highway 191

Parcel Identification Number(s) and Legal Description at:

#37S22E155401

For the descriptive use of: Kuykendall Telecommunication Tower

Conditions of this Approval are:

- Prior to construction, the applicant shall apply for and receive a San Juan County building permit.
- The applicant shall apply for, receive, and maintain a San Juan County business license and be subject to regular inspections associated with the business license – to include a review of compliance with the CUP conditions.
- The construction and operation of the tower shall comply with the International Fire Code and the San Juan County Fire Policy – and be subject to inspection by fire authorities.
- The tower shall be operated in compliance with federal regulations.
- The tower shall not be used for outdoor advertising, signage, or similar uses without first obtaining permission from San Juan County.
- This permit shall be null and void if the tower is abandoned as a telecommunication facility or the tower is not maintained for 90 days. After abandonment or non-maintenance, the tower shall be removed at owner’s expense.
- Any neighbor or adjacent property owner or person reasonably expected to be at or near the facility during construction, maintenance, or other activity which has the potential to harm an individual shall be informed of the activity and provided with safety information, as appropriate.
- The facility shall be kept clean and free from rubbish, flammable waste material or other noxious or nuisance substances.
- The tower will require a variance from the San Juan County land use code which establishes a maximum height for structures at 35’.

Approved by the San Juan County Planning Commission:

Just Schif
Planning Commission Chair

2/13/24
Date

EXPIRATION OF CONDITIONAL USE PERMIT: Unless otherwise specified in the motion granting a conditional use permit, if the approved use has not started within twelve (12) months from the approval date, the permit shall become null and void by operation of law. Once any portion of the conditional use begins, the conditions related thereto become immediately operative and must be strictly obeyed. [Use shall be construed to mean pouring of concrete or commencement of framing on construction, or operation of the use or uses for which the permit was granted.] For good cause and with a showing of substantial performance to meet the required conditions granting the permit, an applicant may apply to the Planning Commission for an extension. Such a request shall be made before twelve (12) months has passed since the approval date. A request for an extension shall follow the same public hearing procedure for the original permit.

TRANSFER OF OWNERSHIP AND ACKNOWLEDGEMENT OF CONDITIONS:

I, the purchaser, hereby acknowledge the conditions associated with this permit and my requirements to abide thereby.

Signed: _____ Print Name: _____ Date: _____

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 purpose stated herein.

Public Notary

Date of Commission Expiration



STAFF REPORT

MEETING DATE: September 12, 2024

ITEM TITLE, PRESENTER: Consideration and Approval of a Conditional Use Application for a HipCamp to be Located near Looking Glass Rock for Where the Wild Things Camp, Steven Alba

RECOMMENDATION: Make a motion approving the Conditional Use using the Findings and Conditions after finding substantial evidence described in the Conditional Use Permit Document created by Staff

Make a motion denying the Conditional Use based on findings of fact described Make a motion denying the Conditional Use Permit due to the following reasons: (Statement of Findings for Substantial Evidence)

SUMMARY

The County has received a Conditional Use Application from Steven Alba for a HipCamp to be located on the property owned and endorsed by J.Lowry Redd of La Sal Livestock Ltd near Looking Glass Rock, Parcel Number 29S23E213000. The primitive camping resort includes sixteen (16) campsites, four (4) parking areas, and two (2) bathrooms. Existing roads will be used and each campsite will be cleared of surrounding brush and provided a fire ring, creating little to no impact to the surrounding environment. Guests will be informed prior to arrival of importance of protecting and preserving the surrounding crypto soil, and other natural features including wildlife, trees, vegetation, habitat areas, and cultural resources.

This property is located within the Agriculture (A-1) zone with access from Highway 191 and Looking Glass Road. Under the Agriculture Use District, Private park or recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial services uses which are owned by or managed by the recreational facility to which it is accessory are permitted as a Conditional Use.

By definition, a Conditional Use is: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

In authorizing any conditional use, the Planning Commission shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The Planning Commission shall not authorize a conditional use permit unless the evidence presented is such to establish:

- (1) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
- (2) That the proposed use will comply with intent, spirit, regulations, and conditions specified in this Ordinance for such use and the zoning district where the use is to be located, as well as make the use harmonious with the neighboring uses in the zoning district.
- (3) The Planning Commission shall itemize, describe, or justify the conditions imposed on the use.

Possible Conditions to Consider:

- Must protect any existing well water sources from contamination by campers or hikers within the area.
- Must comply with the Utah Division of Drinking Water requirements for any water storage tanks on the site.
- Must comply with all building code and permit requirements including a fire suppression plan for campsites.
- Must maintain a 15' wide roadway to property for emergency services access.
- Must provide campers with safety guidelines for dangers present in surrounding areas to include falling, hiking, climbing, off-roading, location of first-aid, heat stroke, dangers of severe weather conditions and flooding.
- Must comply with San Juan County Health Department requirements.
- Must comply with San Juan County business license requirements.

HISTORY / PAST ACTION

The application was proposed at the March 14, 2024, Planning Commission meeting. This proposal was tabled to allow the applicant to gather more information regarding the Greenbelt Designation and process of establishing a portion of the property into commercial use.

Re: License letter

2 messages

Steven Alba <salbamx506@gmail.com>

Tue, Feb 6, 2024 at 9:59 AM

To: "lkemner@sanjuancounty.org" <lkemner@sanjuancounty.org>

On Mon, Feb 5, 2024 at 9:27 AM yviemarie@aol.com <yviemarie@aol.com> wrote:

ATTACHMENT A

The Proposed use of the property would be to provide primitive camping as a Hipcamp host, keeping in accordance with the requirements and conditions necessary for the protection of adjacent properties and public welfare. Existing roads will be used and each campsite will be cleared of surrounding brush and provided a fire ring, creating little to no impact to the surrounding environment.

Further efforts to minimize environmental impact include informing guests prior to their arrival of the importance of protecting and preserving the surrounding crypto soil, as well as all other natural features including wildlife, trees, vegetation, habitat areas, cultural resources, and wildlife.

Steven Alba <salbamx506@gmail.com>

Tue, Feb 6, 2024 at 10:01 AM

To: lkemner@sanjuancounty.org

[Quoted text hidden]

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: New looking glass rock

Parcel Identification Number: 29523E213000

Parcel Area: _____ Current Use: _____

Floor Area: _____ Zoning Classification: _____

Applicant Name: Steven Alba

Mailing Address: 1520 murphy ln. Trlr. #7

City, State, ZIP: moab UT. 84532

Daytime Phone #: 435-459-2414 Fax#: _____

Email Address: salbamx506@gmail.com

Business Name (If applicable): Where the Wild Things Camp

Property Owner's Name (If different): La Sal Livestock Ltd. by J. Lowry Redd

Property Owner's Mailing Address: P.O. Box 368

City, State, ZIP: La Sal, UT. 84530

Daytime Phone #: (435) 459-4466 Fax#: _____

Describe your request in detail (use additional page(s) if necessary): providing primitive camping, SEE Attachment

Authorized Signature: [Signature] Date: 2/24

Property Owner's Affidavit

I (we) J. Lowry Redd owner of La Sol Livestock Ltd. 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.

J. Lowry Redd
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah)
 Grand :
County of ~~San Juan~~)

Subscribed and sworn to before me this 15 day of December, 2023.

Alicia Phipps
Notary Public

Residing in Moab, Utah
My Commission expires: 08/19/2026





Item 5.
X = Campsites
= roads
= Parking
= Bathrooms

- - - = Property line



STAFF REPORT

MEETING DATE: September 12, 2024

ITEM TITLE, PRESENTER: Consideration and Approval of a Temporary Conditional Use Application for a RV Trailer extension during home build to be Located at 170 South Copper Mill Road in La Sal, John Hinde

RECOMMENDATION: Make a motion approving the Conditional Use using the Findings and Conditions after finding substantial evidence described in the Conditional Use Permit Document created by Staff

Make a motion denying the Conditional Use based on findings of fact described Make a motion denying the Conditional Use Permit due to the following reasons: (Statement of Findings for Substantial Evidence)

SUMMARY

The County has received a Temporary Conditional Use Application from John Hinde to be located on his property at 170 South Copper Mill Road in La Sal. The RV trailer will be temporarily used as a living quarter while building house. Hook ups to electric, water and septic are anticipated within two months of starting construction. They will be dumping responsibly off site until utilities are installed. Once the home is constructed the RV trailer temporary set up will be disassembled.

This property is located within the Rural Residential Zone (RR-1) from Highway 46. Under the Rural Residential Use District, temporary buildings for uses incidental to construction work, including living quarters for a guard or night watchman – such buildings must be removed upon completion or abandonment of the construction work are permitted as a Conditional Use.

By definition, a Temporary Permit may be issued for any use listed as conditional use for that zone for no longer than six (6) months and may be extended for an equivalent period with a maximum of three (3) extensions. Construction on the house is anticipated to take 12-18 months.

In authorizing any temporary conditional use, the Planning Commission shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The Planning Commission shall not authorize a conditional use permit unless the evidence presented is such to establish:

- (1) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
- (2) That the proposed use will comply with intent, spirit, regulations, and conditions specified in this Ordinance for such use and the zoning district where the use is to be located, as well as make the use harmonious with the neighboring uses in the zoning district.
- (3) The Planning Commission shall itemize, describe, or justify the conditions imposed on the use.

Possible Conditions to Consider:

- *Must protect any existing well water sources from contamination.*
- *Must comply with the Utah Division of Drinking Water requirements for any water storage tanks on the site.*
- *Must comply with all building code and permit requirements.*
- *Must comply with San Juan County Health Department requirements.*
- *Must comply with San Juan County business license requirements.*



Imagery ©2024 Airbus, Map data ©2024 Google 20 ft

Measure distance
Total distance: 217.35 ft (66.25 m)

RV will be parked on the Northeast corner of the lot, approximately fifty feet from Copper Mill Rd. The RV is 32 feet in length.



STAFF REPORT

MEETING DATE: September 12, 2024

ITEM TITLE, PRESENTER: Consideration and Approval of a Conditional Use Permit for Telecommunication Equipment to be mounted on Swinging Steak Restaurant in Mexican Hat, Daniel Thurgood, Technology Associates

RECOMMENDATION: Make a motion approving the Conditional Use using the Findings and Conditions after finding substantial evidence described in the Conditional Use Permit Document created by Staff.

Make a motion denying the Conditional Use based on findings of fact described / Make a motion denying the Conditional Use Permit due to the following reasons: (statement of findings for substantial evidence)

SUMMARY

The county has received a request from Technology Associates EC Inc. for the installation of a two foot (2') diameter Microwave Dish for a 2-point fiber connection on the roof of the Swinging Steaks Restaurant or to install a thirty foot (30') pole next to the side of the building for this equipment. This site is currently in a Community Control District (C-Cd) zone.

The Zoning Ordinance allows for a Conditional Use for "all other uses than those listed". Towers are not defined in the ordinance for a specific purpose.

Possible Conditions to Consider:

- Prior to construction, the applicant shall apply for and receive a San Juan County building permit.
- The applicant shall apply for, receive, and maintain a San Juan County business license if used commercially and be subject to regular inspections associated with the business license – to include a review of compliance with the CUP conditions.
- The construction and operation of the tower shall comply with the International Fire Code and the San Juan County Fire Policy – and be subject to inspection by fire authorities.
- The telecommunication tower shall be operated in compliance with federal regulations.
- The telecommunication tower shall not be used for outdoor advertising, signage, or similar uses without first obtaining permission from San Juan County.
- This permit shall be null and void if the tower is abandoned as a telecommunication facility or the tower is not maintained for 90 days. After abandonment or non-maintenance, the tower shall be removed at owner's expense.

- Any neighbor or adjacent property owner or person reasonably expected to be at or near the facility during construction, maintenance, or other activity which has the potential to harm an individual shall be informed of the activity and provided with safety information, as appropriate.
- The facility shall be kept clean and free from rubbish, flammable waste material or other noxious or nuisance substances.



Planning and Zoning Permit Application

Date: 07/23/2024

Applicant / Agent

Applicant Name: DW Tower LLC
 Address: 1603 Gold Course Road SE, Suite 4
 City, State, Zip: Rio Rancho, New Mexico 87124
 Phone: 13039013092
 Email: stacey.bellbrower@taec.net

Agent Name: Stacey Bell Brower
 Address: 136 South Main Street, Suite 400
 City, State, Zip: Salt Lake City, Utah 84101
 Phone: 3039013092
 Email: stacey.bellbrower@taec.net

Project

Permit Type: Conditional Use Permit
 Site Address:
 City, State, Zip: ,

Current Zone: HC
 # of Lots: 1
 Other Parcels: No

Description:

I do hereby certify that the information contained herein is true and correct.

Stacey Bell Brower

Name

07/23/2024

Date

DW TOWER, LLC

DW TOWER, LLC

1603 GOLF COURSE ROAD SE, SUITE 4
RIO RANCHO, NM 87124



UTAH MARKET OFFICE
136 SOUTH MAIN STREET, SUITE 400
SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE
3129 TIGER RUN COURT, SUITE #206
CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: DAN T

REV	DATE	DESCRIPTION
0	07.03.2024	CONSTRUCTION DWGS

19669 - BOAT LAUNCH MW
SE SEC 7, T42S, R19E
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531
- RAWLAND SITE --

SHEET TITLE
TITLE SHEET
VICINITY MAP
GENERAL INFORMATION

SHEET NUMBER
T100

SITE NAME: 19669 - BOAT LAUNCH MW

SITE INFORMATION

APPLICANT:
DW TOWER, LLC
1603 GOLF COURSE ROAD SE, SUITE 4
RIO RANCHO, NM 87124

SITE ADDRESS:
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531

LATITUDE AND LONGITUDE:
N 37°08'56.81", W 109°51'31.45"

ZONING JURISDICTION:
MEXICAN HAT CITY

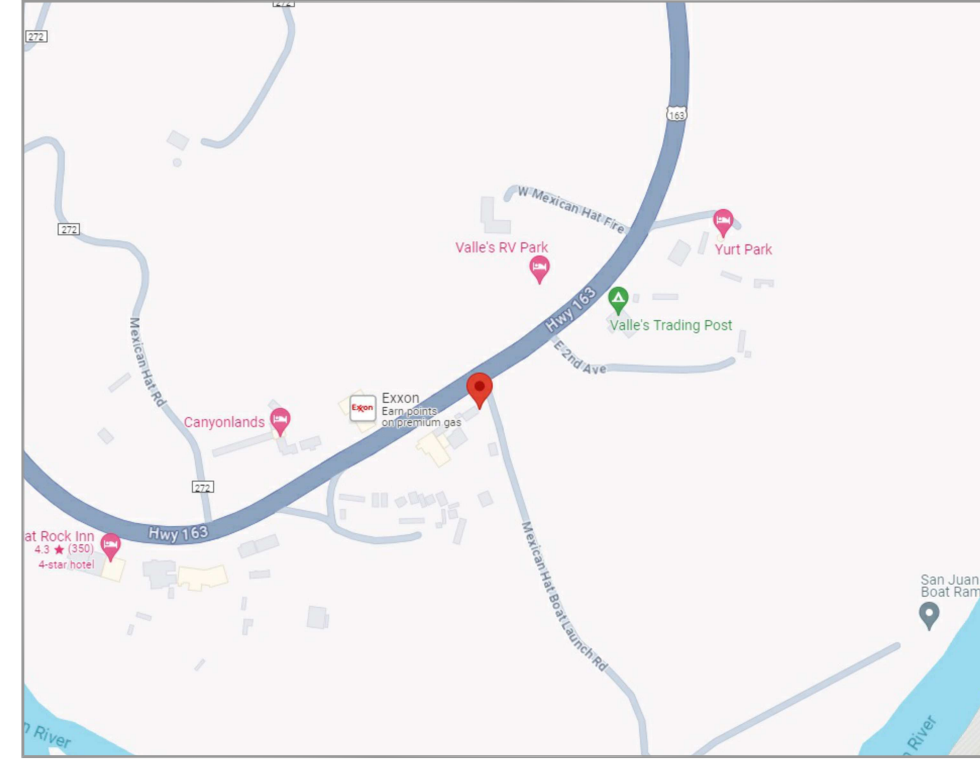
PROJECT DESCRIPTION:
DWT IS PROPOSING TO INSTALL A MICROWAVE DISH UPON A 25' TALL POLE WITH AN EQUIPMENT CABINET LOCATED UPON A CONCRETE PAD

TYPE OF CONSTRUCTION:
MICROWAVE DISH ON POLE, EQUIPMENT CABINET ON CONCRETE PAD

HANDICAP REQUIREMENTS:
FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION, HANDICAP ACCESS REQUIREMENTS DO NOT APPLY

POWER COMPANY:
ROCKY MOUNTAIN POWER, 1-888-221-7070

LOCATION MAP



DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS, AND EXISTING DIMENSIONS, AND CONDITIONS ON THE JOB SITE, AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME

DRIVING DIRECTIONS

FROM THE DWT OFFICES IN NEW MEXICO, TAKE I-40 WEST FOR 134 MILES TO EXIT #20 IN GALLUP NM FOR MUNOZ BLVD. TURN RIGHT AND GO NORTH FOR 7.2 MILES TO NM 264 W AND CONTINUE WEST FOR 16.7 MILES TO INDIAN ROUTE 12 JUST AFTER YOU CROSS THE BORDER INTO ARIZONA. TURN RIGHT AND CONTINUE NORTH ON I.R. 12 FOR 72 MILES AT WHICH POINT IT TURNS INTO U.S. 191 IN ROUND ROCK, CONTINUE ANOTHER 26.4 MILES UNTIL YOU REACH U.S. 163 IN UTAH. TURN LEFT AND GO WEST FOR 19.9 MILES UNTIL YOU REACH THE SITE LOCATION ON THE LEFT (SOUTH) SIDE OF THE ROAD AT THE COORDINATES LISTED ON THIS PAGE.

UTAH CODE COMPLIANCE

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST VERSION OF INTERNATIONAL BUILDING CODE (2021 IBC) AND NATIONAL ELECTRIC CODE (2020 NEC), ALONG WITH ALL APPLICABLE FEDERAL, STATE, COUNTY, AND MUNICIPAL BUILDING CODES, ORDINANCES, RULES AND REGULATIONS OF AUTHORITIES HAVING JURISDICTION OVER THE CONSTRUCTION OF THIS PROJECT, SHALL APPLY THROUGHOUT. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

DRAWING INDEX

SHEET NO.	SHEET TITLE	REV	REV DATE
SURV	SITE SURVEY	0	
C100	OVERALL SITE PLAN	0	
C101	ENLARGED SITE PLAN	0	
C200	SITE ELEVATIONS	0	
C300	SITE GRADING, UTILITY RACK, FENCING	0	
C301	GENERAL AND SITE WORK NOTES	0	
S100	EQUIPMENT CABINET SLAB	0	
S102	STRUCTURAL NOTES	0	
E100	GROUNDING SITE PLAN	0	
E200	GROUND BAR, TEST WELL, GROUND ROD	0	
E201	ONE-LINE DIAGRAM, TRENCHING	0	

CONTACT INFORMATION

SITE ACQUISITION AND CONSTRUCTION MANAGEMENT:
DW TOWER, LLC
1603 GOLF COURSE ROAD SE, SUITE A4
RIO RANCHO, NM 87124
CONTACT: MIKE FRAZIER
PHONE: 602-859-9306

UNDERGROUND SERVICE ALERT, CALL 'BLUE STAKES OF UTAH' @ 811 OR 1-800-662-4111

THREE WORKING DAYS BEFORE YOU DIG

DW TOWER, LLC

1603 GOLF COURSE ROAD SE, SUITE 4
RIO RANCHO, NM 87124



UTAH MARKET OFFICE
136 SOUTH MAIN STREET, SUITE 400
SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE
3129 TIGER RUN COURT, SUITE #206
CARLSBAD, CALIFORNIA 92010

SURVEY PREPARED BY:
SUPERIOR SURVEYING, LLC
PHONE: 801-230-8968
EMAIL: JERRY@SUPERIOR-SURVEYING.COM

DRAWN BY: JERRY F
CHECKED BY: JERRY F

REV	DATE	DESCRIPTION
0	06.28.2024	SITE SURVEY

REV	DATE	DESCRIPTION
0	06.28.2024	SITE SURVEY



19669 - BOAT LAUNCH MW
SE SEC 7, T42S, R19E
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531
-- RAWLAND SITE --

SHEET TITLE
SITE SURVEY

SHEET NUMBER
SURV

CERTIFICATE OF SURVEY:
I, JERRY FLETCHER, PROFESSIONAL LAND SURVEYOR, STATE OF UTAH, LICENSE NUMBER 6436064, CERTIFY THAT I HAVE SUPERVISED A SURVEY ON THE GROUND AS SHOWN HEREON:

DWT LEASE SITE DESCRIPTION:
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 42 SOUTH, RANGE 19 EAST, SALT LAKE BASE AND MERIDIAN, SAN JUAN COUNTY, STATE OF UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED NORTH 89°46'48" WEST 1127.05 FEET ALONG SECTION LINE AND SOUTH 344.33 FEET FROM THE EAST QUARTER CORNER OF SECTION 7, TOWNSHIP 42 SOUTH, RANGE 19 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING BEING BETWEEN THE EAST QUARTER CORNER AND THE CENTER QUARTER CORNER OF SAID SECTION 7) AND RUNNING THENCE SOUTH 35.27 FEET; THENCE SOUTH 58°09'00" WEST 3.30 FEET; THENCE NORTH 34°44'58" WEST 30.00 FEET, MORE OR LESS, TO THE SOUTH RIGHT-OF-WAY LINE OF HIGHWAY 163; THENCE ALONG SAID RIGHT-OF-WAY LINE, NORTH 58°09'00" EAST 23.43 FEET TO THE POINT OF BEGINNING.

CONTAINS: 400 SQ. FT. OR 0.009 ACRES, MORE OR LESS, (AS DESCRIBED).

DWT UTILITY EASEMENT DESCRIPTION:
A 6 FOOT WIDE UTILITY EASEMENT FOR THE PURPOSE OF INSTALLING UNDERGROUND UTILITIES, BEING 3 FEET ON EACH SIDE OF THE FOLLOWING CENTERLINE:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF THE DWT LEASE AREA, SAID POINT BEING NORTH 89°46'48" WEST 1130.05 FEET ALONG SECTION LINE AND SOUTH 381.07 FEET FROM THE EAST QUARTER CORNER OF SECTION 7, TOWNSHIP 42 SOUTH, RANGE 19 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARING BEING BETWEEN THE EAST QUARTER CORNER AND THE CENTER QUARTER CORNER OF SAID SECTION 7) AND RUNNING THENCE SOUTH 31.87 FEET; THENCE SOUTH 43°09'00" WEST 29.14 FEET, MORE OR LESS, TO AN EXISTING POWER POLE AND TERMINATING.

CONTAINS: 0.009 ACRES, MORE OR LESS, (AS DESCRIBED).

NARRATIVE:
(1) THE PURPOSE OF THIS SURVEY IS TO LOCATE AND SURVEY A PROPOSED COMMUNICATIONS TOWER SITE.

(2) THE BASIS OF BEARING USED FOR THIS SURVEY IS AS SHOWN ON THIS PLAT, FROM FOUND MONUMENTS AS LOCATED IN THE FIELD.

(M) = MEASURED BEARING OR DISTANCE.
(R) = RECORDED BEARING OR DISTANCE.
(CALC) = CALCULATED BEARING OR DISTANCE.

(3) PARCEL LINES ARE SHOWN AS REFERENCE PER RECORD INFORMATION AND DOES NOT CONSTITUTE OR PURPORT TO BE A BOUNDARY SURVEY.

(4) REFERENCE PLATS:
(A) BUREAU OF LAND MANAGEMENT, TOWNSHIP 42 SOUTH, RANGE 19 EAST, OF THE SALT LAKE MERIDIAN, UTAH. DEPENDENT RESURVEY AND SUBDIVISION OF SECTION PLAT, DATED MAY 13, 2003.
(B) U.D.O.T. PROJECT 0402(SP1686) RIGHT-OF-WAY PLAN SHEETS AND 4 FOR HIGHWAY 163, DATED 1960.

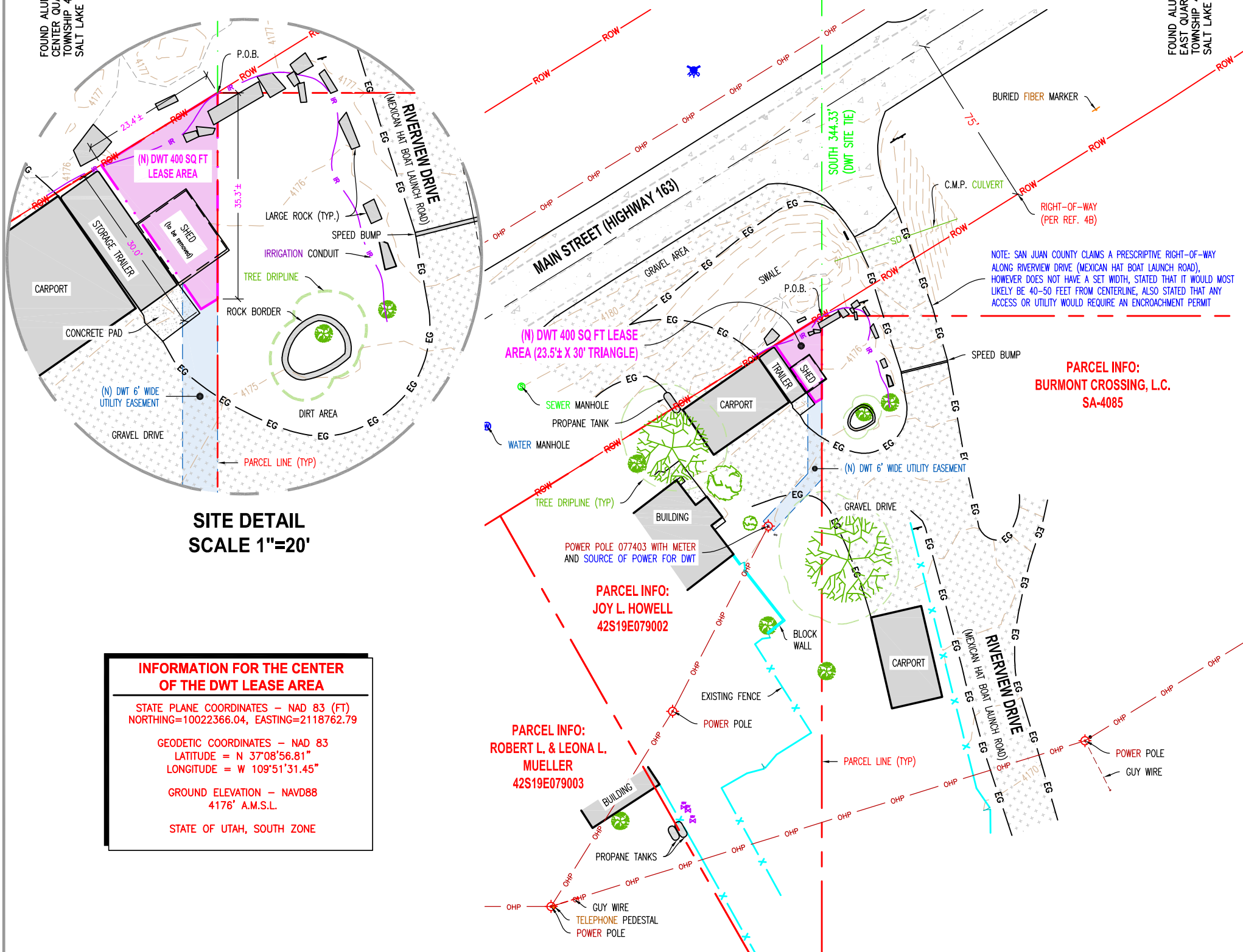
(5) SCHEDULE B NOTES PER TOWER TITLE, FILE NO. MTA-174938-PR, DATED 04/17/1989-04/15/2024:
(A) LIENS AND REQUIREMENTS LISTED AS NONE OF RECORD. (NOT SHOWN ON PLAT)
(B) EASEMENTS AND RESTRICTIONS LISTED AS NONE OF RECORD. (NOT SHOWN ON PLAT)

SURVEY MATTERS FROM ABOVE REFERENCED TITLE REPORT HAVE BEEN REVIEWED AND SHOWN OR LISTED AS PROVIDED ON PLAT.

BASIS OF BEARING
N89°46'48"W 2641.93' (M)
1127.05' - (DWT SITE TIE)

FOUND ALUMINUM CAP MONUMENT
CENTER QUARTER CORNER SECTION 7,
TOWNSHIP 42 SOUTH, RANGE 19 EAST,
SALT LAKE BASE AND MERIDIAN

FOUND ALUMINUM CAP MONUMENT
EAST QUARTER CORNER SECTION 7,
TOWNSHIP 42 SOUTH, RANGE 19 EAST,
SALT LAKE BASE AND MERIDIAN



SITE DETAIL
SCALE 1"=20'

INFORMATION FOR THE CENTER OF THE DWT LEASE AREA

STATE PLANE COORDINATES - NAD 83 (FT)
NORTHING=10022366.04, EASTING=2118762.79

GEODETIC COORDINATES - NAD 83
LATITUDE = N 37°08'56.81"
LONGITUDE = W 109°51'31.45"

GROUND ELEVATION - NAVD88
4176' A.M.S.L.

STATE OF UTAH, SOUTH ZONE

PARCEL INFO:
JOY L. HOWELL
42S19E079002

PARCEL INFO:
ROBERT L. & LEONA L. MUELLER
42S19E079003

PARCEL INFO:
BURMONT CROSSING, L.C.
SA-4085

ASAC INFORMATION SHEET 91:003

INFORMATION REGARDING SURVEY DATA SUBMITTED TO THE FAA

FAA Order 8260.19c requires proponents of certain proposed construction (located beneath instrument procedures) provide the FAA with a site survey and/or letter, from a licensed land surveyor, which certifies the site coordinates and the surface elevation at the site. On October 15, 1992, the FAA started using the North American Datum of 1983 (NAD-83), and therefore all site coordinates should be based on NAD-83. The FAA requires that the survey letter contain an accuracy statement that meets accuracy tolerances required by the FAA. The most requested tolerances are +/- 50 feet in the horizontal and +/- 20 feet in the vertical (2-C). When the site coordinates and/or site elevation can be certified to a greater accuracy than requested by the FAA, please do so.

In order to avoid FAA processing delays, the original site survey or certifying letter should be attached to the 7460 when it is filed at the FAA's regional office. It must be signed and sealed by the licensed land surveyor having performed or supervised the survey.

The FAA accuracy codes and a sample accuracy statement are listed below.

ACCURACY CODES:

<u>HORIZONTAL</u>		<u>VERTICAL</u>	
<u>Code</u>	<u>Tolerance</u>	<u>Code</u>	<u>Tolerance</u>
1	+/- 15 ft	A	+/- 3 ft
2	+/- 50 ft	B	+/- 10 ft
3	+/- 100 ft	C	+/- 20 ft
4	+/- 250 ft	D	+/- 50 ft
5	+/- 500 ft	E	+/- 125 ft
6	+/- 1000 ft	F	+/- 250 ft
7	+/- 1/2 NM	G	+/- 500 ft
8	+/- 1 NM	H	+/- 1000 ft
9	Unknown	I	Unknown

Date: JULY 2, 2024

Re: 19669 - BOAT LAUNCH MW
SE 1/4 OF SECTION 7, TOWNSHIP 42 SOUTH, RANGE 19 EAST, SALT LAKE MERIDIAN

I certify that the latitude of N 37°08'56.81", and the longitude of W 109°51'31.45", are accurate to within 15 feet horizontally and the site elevation of 4176 feet, AMSL (American Mean Sea Level), is accurate to within +/- 3 feet vertically. The horizontal datum (coordinates) are in terms of the North American Datum of 1983 (NAD-83) and are expressed as degrees, minutes and seconds, to the nearest (tenth/hundredth) of a second. The vertical datum (heights) are in terms of the (NAVD88) and are determined to the nearest foot.



Professional Licensed Land Surveyor: _____
1-A FAA Letter Jerry Fletcher, Utah LS no. 6436064

DW TOWER, LLC

1603 GOLF COURSE ROAD SE, SUITE 4
RIO RANCHO, NM 87124



UTAH MARKET OFFICE
136 SOUTH MAIN STREET, SUITE 400
SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE
3129 TIGER RUN COURT, SUITE #206
CARLSBAD, CALIFORNIA 92010

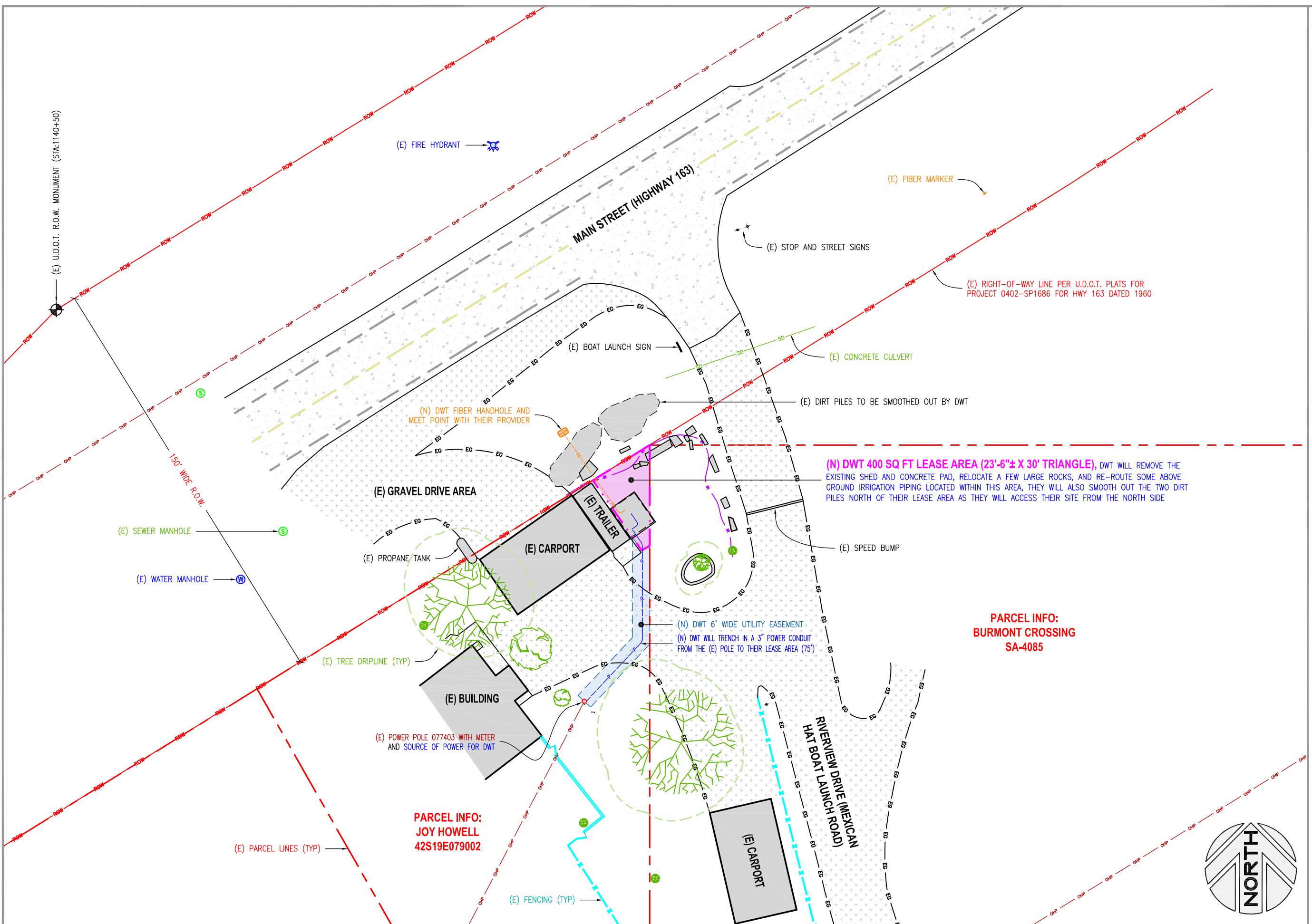
DRAWN BY: JAY C
CHECKED BY: DAN T

REV	DATE	DESCRIPTION
0	07.03.2024	CONSTRUCTION DWGS

19669 - BOAT LAUNCH MW
SE SEC 7, T42S, R19E
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531
-- RAWLAND SITE --

SHEET TITLE
OVERALL SITE PLAN

SHEET NUMBER
C100



OVERALL SITE PLAN

SCALE: 1/4" = 8'-0"

1

DW TOWER, LLC

1603 GOLF COURSE ROAD SE, SUITE 4
RIO RANCHO, NM 87124

Technology Associates

UTAH MARKET OFFICE
136 SOUTH MAIN STREET, SUITE 400
SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE
3129 TIGER RUN COURT, SUITE #206
CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C

CHECKED BY: DAN T

REV	DATE	DESCRIPTION
0	07.03.2024	CONSTRUCTION DWGS

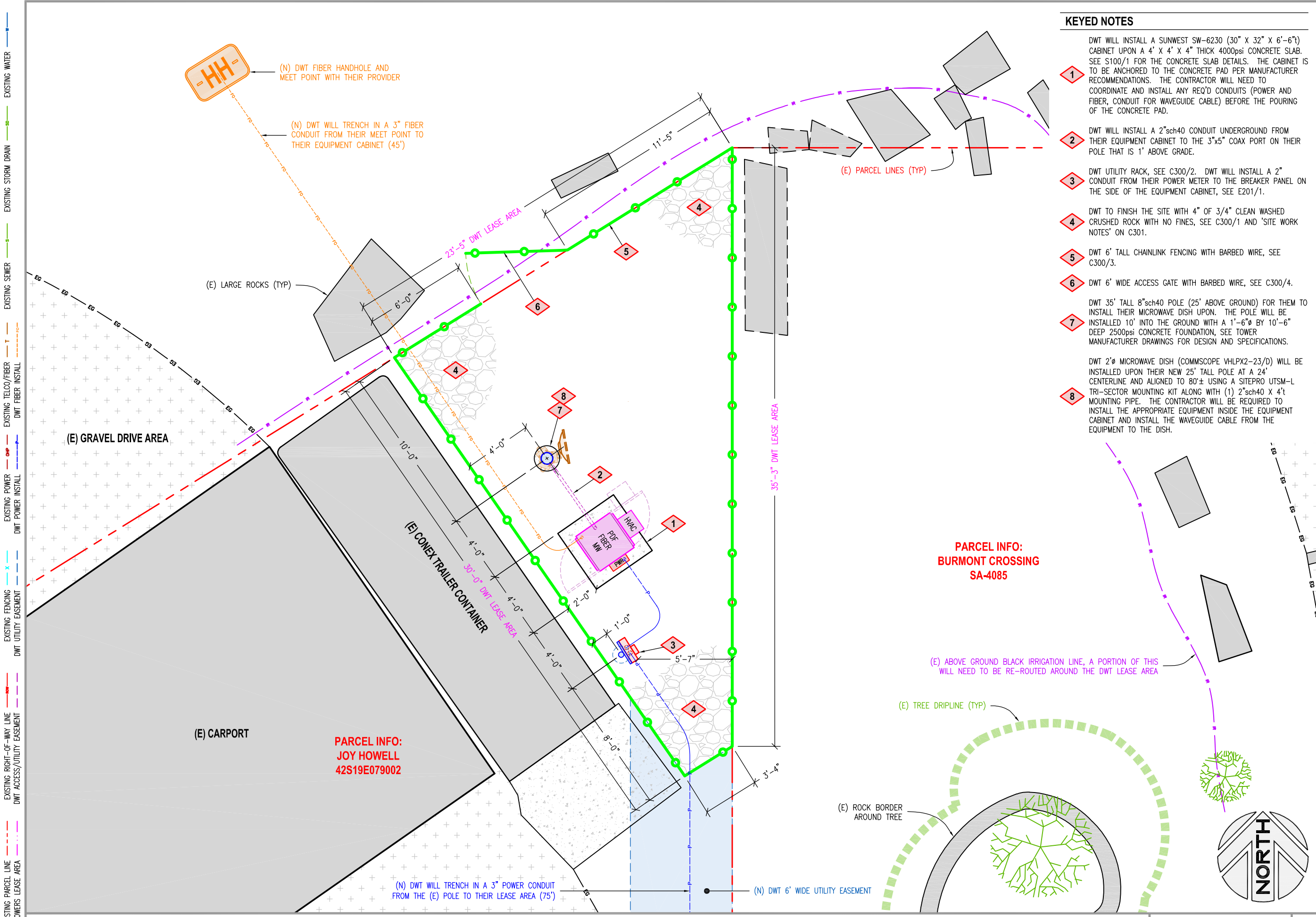
19669 - BOAT LAUNCH MW
SE SEC 7, T42S, R19E
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531
- RAWLAND SITE -

SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER
C101

KEYED NOTES

- 1 DWT WILL INSTALL A SUNWEST SW-6230 (30" X 32" X 6'-6") CABINET UPON A 4' X 4' X 4" THICK 4000psi CONCRETE SLAB. SEE S100/1 FOR THE CONCRETE SLAB DETAILS. THE CABINET IS TO BE ANCHORED TO THE CONCRETE PAD PER MANUFACTURER RECOMMENDATIONS. THE CONTRACTOR WILL NEED TO COORDINATE AND INSTALL ANY REQ'D CONDUITS (POWER AND FIBER, CONDUIT FOR WAVEGUIDE CABLE) BEFORE THE POURING OF THE CONCRETE PAD.
- 2 DWT WILL INSTALL A 2"sch40 CONDUIT UNDERGROUND FROM THEIR EQUIPMENT CABINET TO THE 3"x5" COAX PORT ON THEIR POLE THAT IS 1' ABOVE GRADE.
- 3 DWT UTILITY RACK, SEE C300/2. DWT WILL INSTALL A 2" CONDUIT FROM THEIR POWER METER TO THE BREAKER PANEL ON THE SIDE OF THE EQUIPMENT CABINET, SEE E201/1.
- 4 DWT TO FINISH THE SITE WITH 4" OF 3/4" CLEAN WASHED CRUSHED ROCK WITH NO FINES, SEE C300/1 AND 'SITE WORK NOTES' ON C301.
- 5 DWT 6' TALL CHAINLINK FENCING WITH BARBED WIRE, SEE C300/3.
- 6 DWT 6' WIDE ACCESS GATE WITH BARBED WIRE, SEE C300/4.
- 7 DWT 35' TALL 8"sch40 POLE (25' ABOVE GROUND) FOR THEM TO INSTALL THEIR MICROWAVE DISH UPON. THE POLE WILL BE INSTALLED 10' INTO THE GROUND WITH A 1'-6"Ø BY 10'-6" DEEP 2500psi CONCRETE FOUNDATION, SEE TOWER MANUFACTURER DRAWINGS FOR DESIGN AND SPECIFICATIONS.
- 8 DWT 2'Ø MICROWAVE DISH (COMMSCOPE VHLPX2-23/D) WILL BE INSTALLED UPON THEIR NEW 25' TALL POLE AT A 24' CENTERLINE AND ALIGNED TO 80± USING A SITEPRO UTSM-L TRI-SECTOR MOUNTING KIT ALONG WITH (1) 2"sch40 X 4' MOUNTING PIPE. THE CONTRACTOR WILL BE REQUIRED TO INSTALL THE APPROPRIATE EQUIPMENT INSIDE THE EQUIPMENT CABINET AND INSTALL THE WAVEGUIDE CABLE FROM THE EQUIPMENT TO THE DISH.



EXISTING WATER
 EXISTING STORM DRAIN
 EXISTING SEMI
 EXISTING TELCO/FIBER
 EXISTING POWER
 EXISTING FENCING
 EXISTING RIGHT-OF-WAY LINE
 EXISTING PARCEL LINE
 DWT FIBER INSTALL
 DWT FIBER
 DWT POWER INSTALL
 DWT POWER
 DWT UTILITY EASEMENT
 DWT UTILITY
 DWT ACCESS/UTILITY EASEMENT
 DWT TOWERS LEASE AREA

DW TOWER, LLC

1603 GOLF COURSE ROAD SE, SUITE 4
RIO RANCHO, NM 87124



UTAH MARKET OFFICE
136 SOUTH MAIN STREET, SUITE 400
SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE
3129 TIGER RUN COURT, SUITE #206
CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: DAN T

REV	DATE	DESCRIPTION
0	07.03.2024	CONSTRUCTION DWGS

19669 - BOAT LAUNCH MW
SE SEC 7, T42S, R19E
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531
-- RAWLAND SITE --

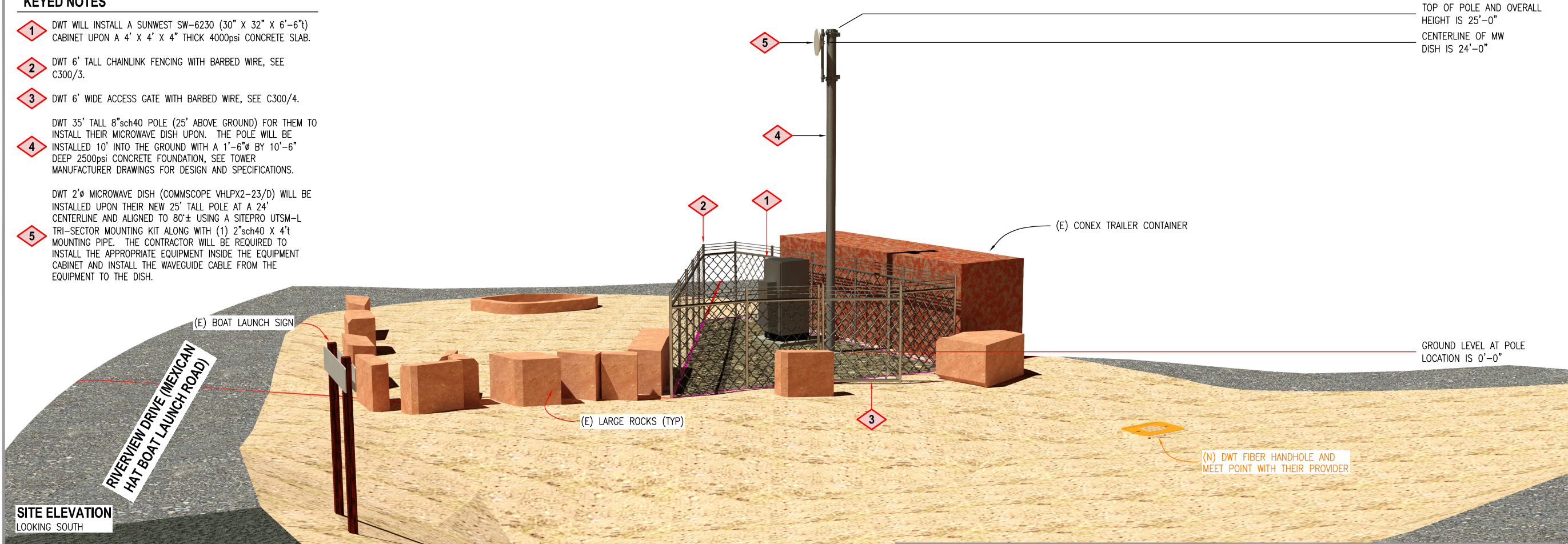
SHEET TITLE
SITE ELEVATIONS

SHEET NUMBER
C200

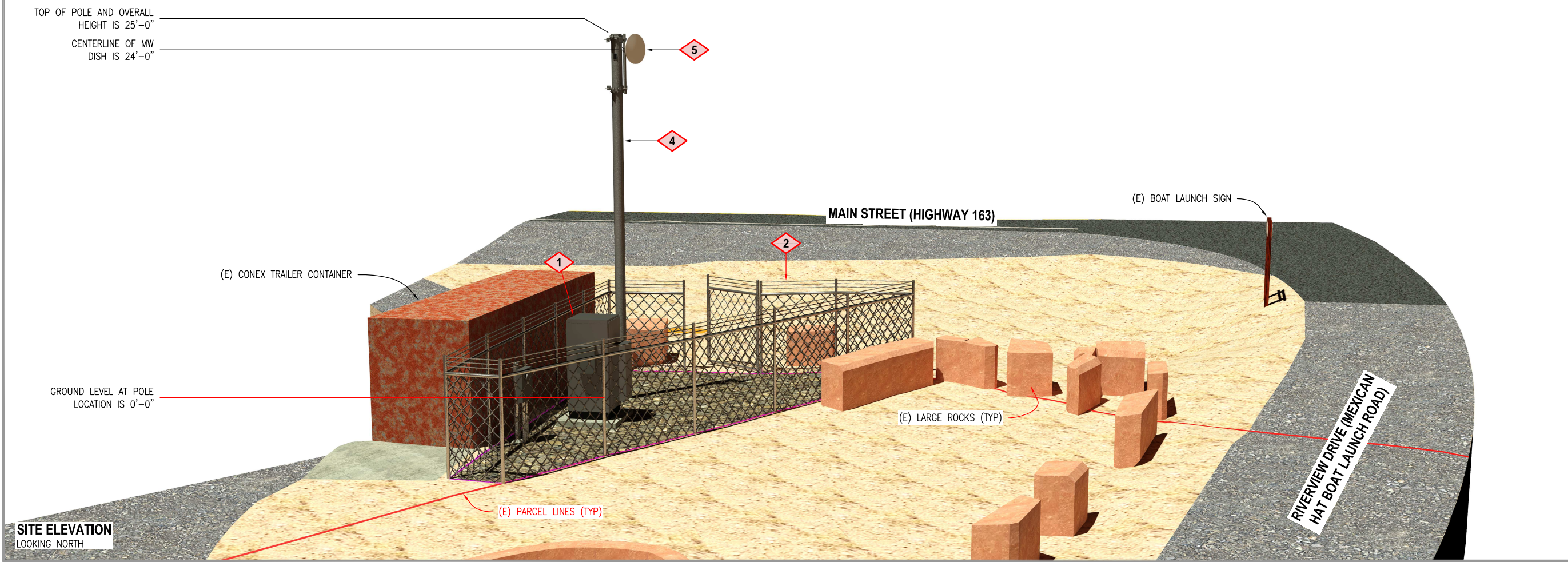
KEYED NOTES

- 1 DWT WILL INSTALL A SUNWEST SW-6230 (30" X 32" X 6'-6") CABINET UPON A 4' X 4' X 4" THICK 4000psi CONCRETE SLAB.
- 2 DWT 6' TALL CHAINLINK FENCING WITH BARBED WIRE, SEE C300/3.
- 3 DWT 6' WIDE ACCESS GATE WITH BARBED WIRE, SEE C300/4.
- 4 DWT 35' TALL 8"sch40 POLE (25' ABOVE GROUND) FOR THEM TO INSTALL THEIR MICROWAVE DISH UPON. THE POLE WILL BE INSTALLED 10' INTO THE GROUND WITH A 1'-6"Ø BY 10'-6" DEEP 2500psi CONCRETE FOUNDATION, SEE TOWER MANUFACTURER DRAWINGS FOR DESIGN AND SPECIFICATIONS.
- 5 DWT 2'Ø MICROWAVE DISH (COMMSCOPE VHLPX2-23/D) WILL BE INSTALLED UPON THEIR NEW 25' TALL POLE AT A 24' CENTERLINE AND ALIGNED TO 80± USING A SITEPRO UTM-S-L TRI-SECTOR MOUNTING KIT ALONG WITH (1) 2"sch40 X 4' MOUNTING PIPE. THE CONTRACTOR WILL BE REQUIRED TO INSTALL THE APPROPRIATE EQUIPMENT INSIDE THE EQUIPMENT CABINET AND INSTALL THE WAVEGUIDE CABLE FROM THE EQUIPMENT TO THE DISH.

EXISTING WATER
 EXISTING STORM DRAIN
 EXISTING SEWER
 EXISTING TELCO/FIBER
 EXISTING POWER
 EXISTING FENCING
 EXISTING UTILITY EASEMENT
 EXISTING RIGHT-OF-WAY LINE
 EXISTING ACCESS/UTILITY EASEMENT
 EXISTING PARCEL LINE
 DWT TOWERS LEASE AREA



SITE ELEVATION
LOOKING SOUTH



SITE ELEVATION
LOOKING NORTH

TOP OF POLE AND OVERALL HEIGHT IS 25'-0"
CENTERLINE OF MW DISH IS 24'-0"

GROUND LEVEL AT POLE LOCATION IS 0'-0"

(N) DWT FIBER HANDHOLE AND MEET POINT WITH THEIR PROVIDER

MAIN STREET (HIGHWAY 163)

RIVERVIEW DRIVE (MEXICAN HAT BOAT LAUNCH ROAD)

DW TOWER, LLC

1603 GOLF COURSE ROAD SE, SUITE 4
RIO RANCHO, NM 87124



UTAH MARKET OFFICE
136 SOUTH MAIN STREET, SUITE 400
SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE
3129 TIGER RUN COURT, SUITE #206
CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: DAN T

REV	DATE	DESCRIPTION
0	07.03.2024	CONSTRUCTION DWGS

19669 - BOAT LAUNCH MW
SE SEC 7, T42S, R19E
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531
- RAWLAND SITE -

SHEET TITLE
**SITE FINISH, UTILITY
RACM FENCING**

SHEET NUMBER
C300

NOTE:

- ALL SERVICE EQUIPMENT SHALL MEET POWER COMPANY REQUIREMENTS AND BE REVIEWED AND APPROVED BY POWER COMPANY PRIOR TO BEGINNING WORK.
- ALL CONDUIT GOING TO UTILITY RACK TO BE GALVANIZED RIGID CONDUIT, AND ALL CONDUIT SIZES ARE TO BE FIELD VERIFIED.

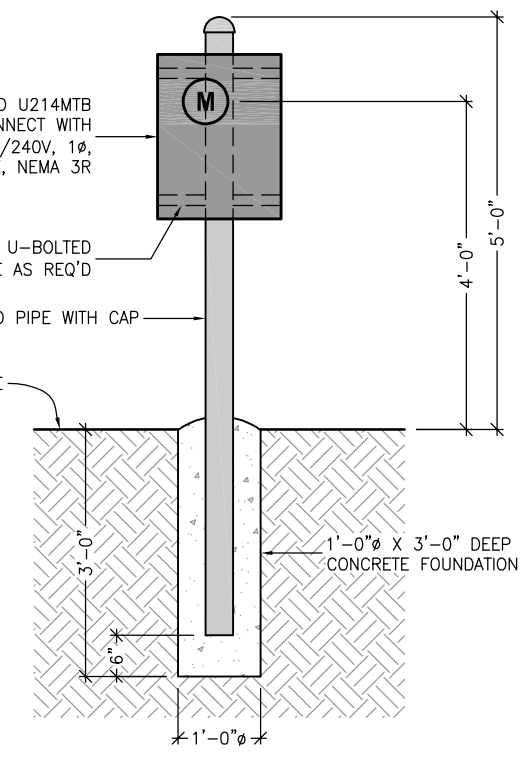
COOPER B-LINE COMMERCIAL RATED U214MTB COMBINATION METER AND MAIN DISCONNECT WITH UNDERGROUND FEED, 100A 120/240V, 1Ø, 3W, RING-TYPE, NEMA 3R

P1000T UNISTRUT U-BOLTED TO SUPPORT PIPE AS REQ'D

3-1/2" SCH 40 GALVANIZED PIPE WITH CAP

FINISHED GRADE

1'-0"Ø X 3'-0" DEEP CONCRETE FOUNDATION

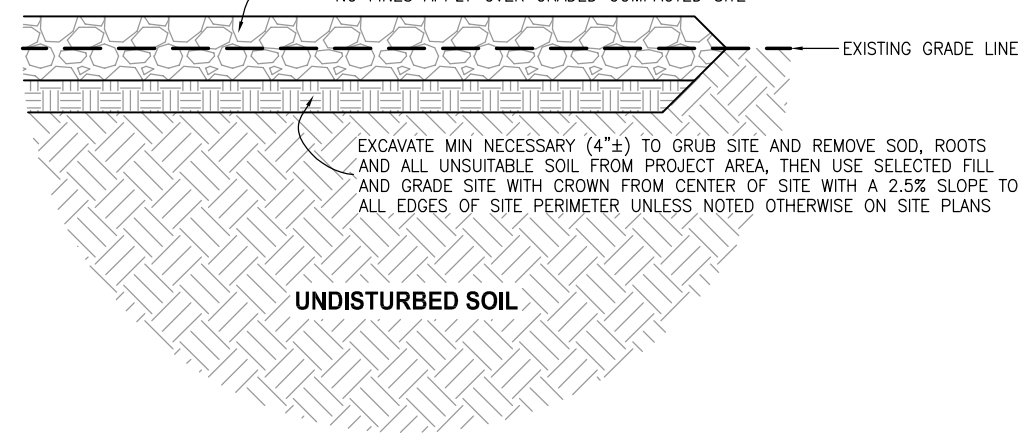


TREAT GRADED SITE WITH COMMERCIAL GRADE 20 MIL FILTER FABRIC PRIOR TO GRAVEL FINISH, THEN FINISH SITE WITH 4" OF 3/4" CLEAN WASHED CRUSHED ROCK WITH NO FINES APPLY OVER GRADED COMPACTED SITE

EXISTING GRADE LINE

EXCAVATE MIN NECESSARY (4"±) TO GRUB SITE AND REMOVE SOD, ROOTS AND ALL UNSUITABLE SOIL FROM PROJECT AREA, THEN USE SELECTED FILL AND GRADE SITE WITH CROWN FROM CENTER OF SITE WITH A 2.5% SLOPE TO ALL EDGES OF SITE PERIMETER UNLESS NOTED OTHERWISE ON SITE PLANS

UNDISTURBED SOIL



SITE GRADING AND FINISHING

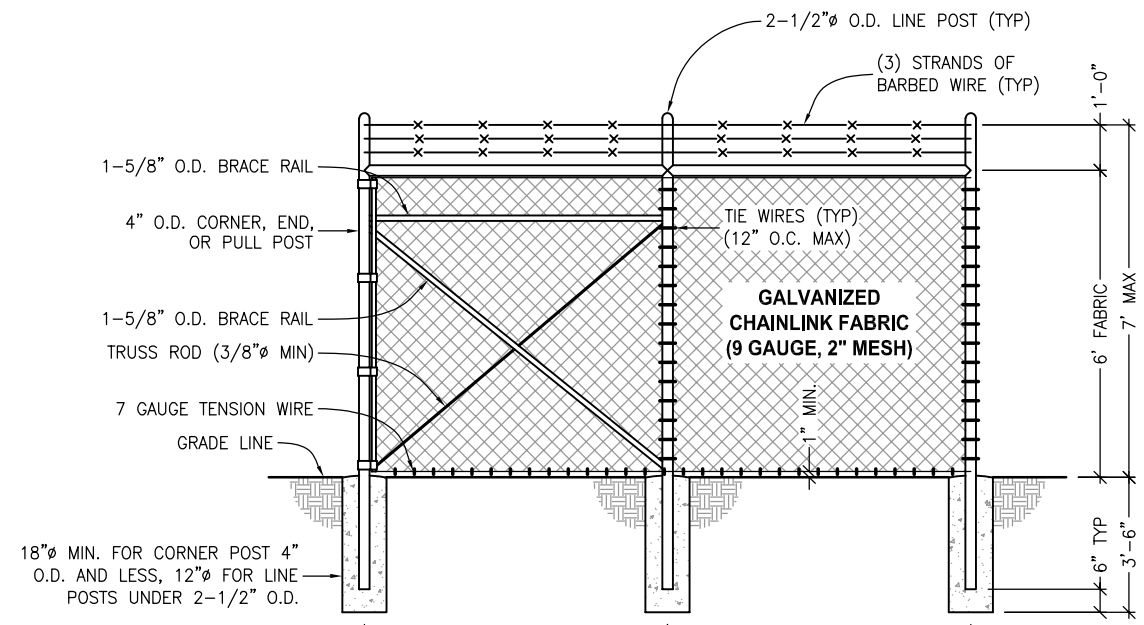
SCALE: NOT TO SCALE 1

UTILITY RACK

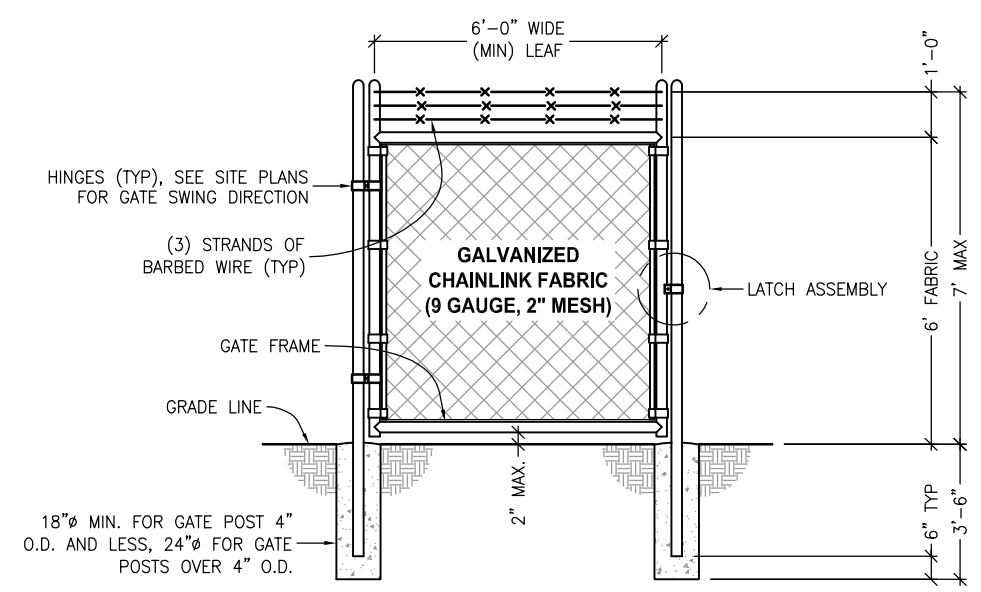
SCALE: NOT TO SCALE 2

NOTE: ALL FENCE POSTS TO BE SCHEDULE 40

NOTE: ALL FENCE POSTS TO BE SCHEDULE 40



ELEVATION VIEW



ELEVATION VIEW

CHAINLINK FENCING

SCALE: NOT TO SCALE 3

SINGLE SWING GATE

SCALE: NOT TO SCALE 4

DW TOWER, LLC

1603 GOLF COURSE
ROAD SE, SUITE 4
RIO RANCHO, NM 87124



UTAH MARKET OFFICE
136 SOUTH MAIN STREET, SUITE 400
SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE
3129 TIGER RUN COURT, SUITE #206
CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: DAN T

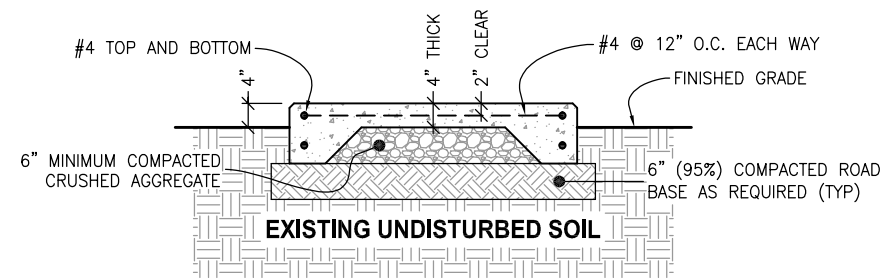
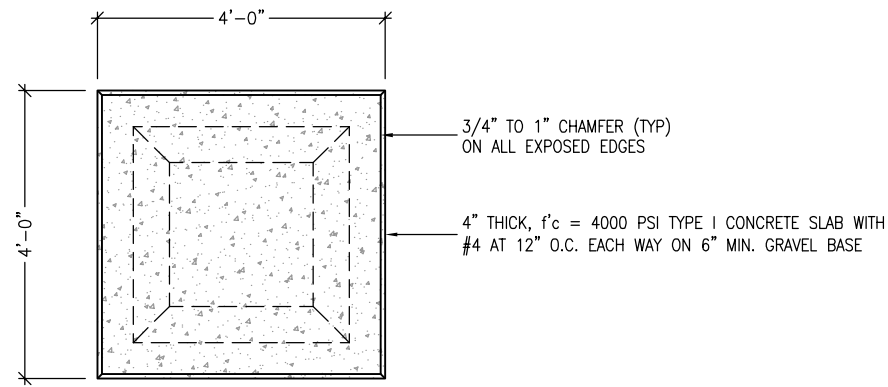
REV	DATE	DESCRIPTION
0	07.03.2024	CONSTRUCTION DWGS

19669 - BOAT LAUNCH MW
SE SEC 7, T42S, R19E
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531
- RAWLAND SITE -

SHEET TITLE
CABINET SLAB,

SHEET NUMBER

S100



NOT USED

EQUIPMENT CABINET CONCRETE SLAB

SCALE: NOT TO SCALE

1

NOT USED

SCALE: NOT TO SCALE

2

NOT USED

NOT USED

NOT USED

SCALE: NOT TO SCALE

3

NOT USED

SCALE: NOT TO SCALE

4

DW TOWER, LLC

1603 GOLF COURSE ROAD SE, SUITE 4 RIO RANCHO, NM 87124



UTAH MARKET OFFICE
136 SOUTH MAIN STREET, SUITE 400
SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE
3129 TIGER RUN COURT, SUITE #206
CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: DAN T

REV	DATE	DESCRIPTION
0	07.03.2024	CONSTRUCTION DWGS

19669 - BOAT LAUNCH MW
SE SEC 7, T42S, R19E
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531
- RAWLAND SITE -

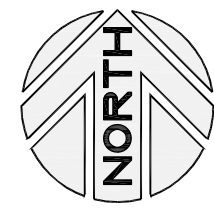
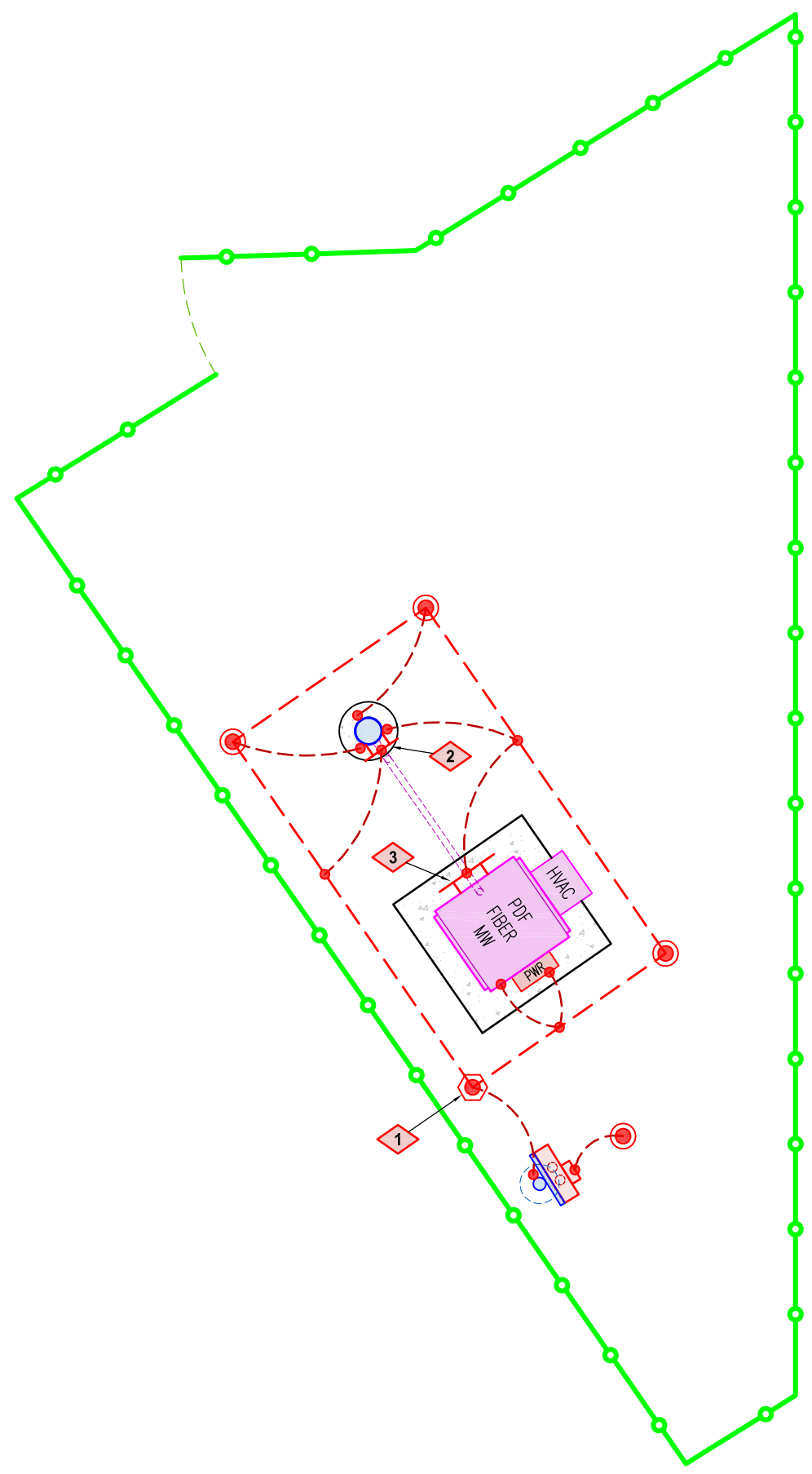
SHEET TITLE
GROUNDING SITE PLAN

SHEET NUMBER
E100

KEYED NOTES

- EXTERNAL GROUND RING, #2 AWG SBTCW, 30" MINIMUM BELOW GRADE OR 6" BELOW FROST LINE.
- 5/8" X 8' COPPER GROUND ROD, SEE E201/3.
- CONNECTION TO GROUND RING.
- 1 GROUND TEST WELL, SEE E201/2.
- 2 GROUND BUS BAR ON TOWER, SEE E201/1.
- 3 GROUND BUS BAR MOUNTED ON SIDE OF EQUIPMENT CABINET, SUPPLIED BY MANUFACTURER, SEE E200/1.

- GROUNDING NOTES:** SEE E200 FOR MORE INFO
- (1) ALL GROUNDING IS TO BE IN ACCORDANCE WITH TIA/EIA 222, THE LATEST EDITION OF NFPA 780 FOR LIGHTNING PROTECTION.
 - (2) ALL TOWER GROUNDS ARE TO BE EXTERNAL. NO CONDUITS WILL BE ALLOWED IN THE TOWER FOUNDATION.
 - (3) A THIRD-PARTY CONTRACTOR SHALL PROVIDE THE TESTING OF THE GROUNDING SYSTEM BY CERTIFIED TESTING AGENT. THEY ARE TO PROVIDE INDEPENDENT TEST RESULTS TO THE PROJECT MANAGER FOR REVIEW. THE GROUNDING SYSTEM RESISTANCE TO THE GROUND SHALL NOT EXCEED 5 OHMS.
 - (4) ALL ABOVE GRADE INTERIOR GROUNDING CONNECTORS SHALL BE DOUBLE-LUG COMPRESSION TYPE. ALL BELOW GRADE AND EXPOSED EXTERIOR GROUNDING CONNECTIONS TO PERMANENT EQUIPMENT AND FIXED BUILDING ELEMENTS SHALL BE CADWELDED TYPE. CARE SHALL BE TAKEN TO REVIEW CONNECTION LOCATIONS AND MATERIAL TYPES TO AVOID POSSIBLE GALVANIC CORROSION. ALL EXPOSED GROUNDING CONNECTIONS ARE TO BE COATED WITH ANTI-CORROSIVE AGENT SUCH AS "NO-OXY" "NOAOLX" "PENETROX" OR "DEOX" (VERIFY PRODUCT WITH PROJECT MANAGER). ALL OUTDOOR HARDWARE (BOLTS, WASHERS AND NUTS) USED ON GROUNDING CONNECTIONS SHALL BE 18-8 STAINLESS STEEL. ALL INDOOR HARDWARE USED ON GROUNDING CONNECTIONS SHALL BE GRADE 5 STEEL.
 - (5) ALL GROUND LUGS ARE TO BE A 'COMPRESSION' CONNECTION, NO MECHANICAL CONNECTIONS ARE ALLOWED.
 - (6) RF CABLE IS TO BE GROUNDED WITH ANGLE ADAPTERS AT THE TOP OF THE TOWER, AT THE GROUND BAR AT THE TOWER BASE, AND AT THE EQUIPMENT PLATFORM.
 - (7) CONTRACTOR IS TO INSTALL HOIST GRIPS BELOW GROUNDING KIT AT THE TOP OF THE TOWER.



DW TOWER, LLC

1603 GOLF COURSE
ROAD SE, SUITE 4
RIO RANCHO, NM 87124



UTAH MARKET OFFICE
136 SOUTH MAIN STREET, SUITE 400
SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE
3129 TIGER RUN COURT, SUITE #206
CARLSBAD, CALIFORNIA 92010

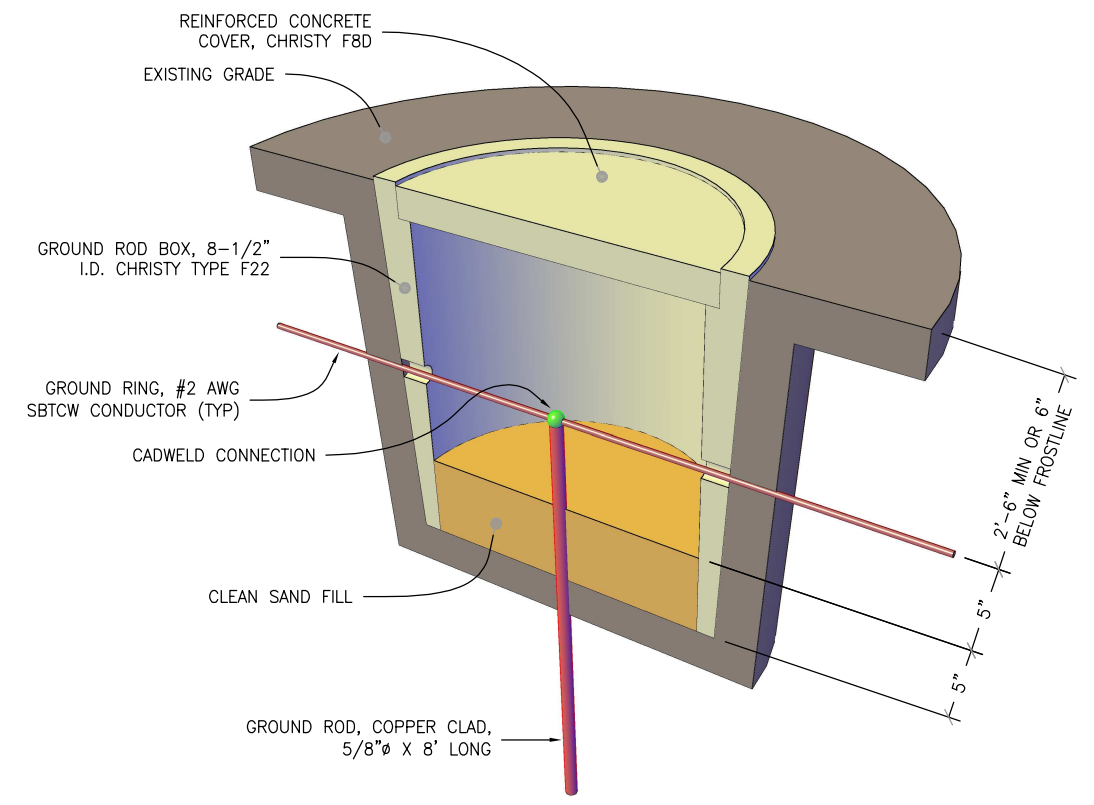
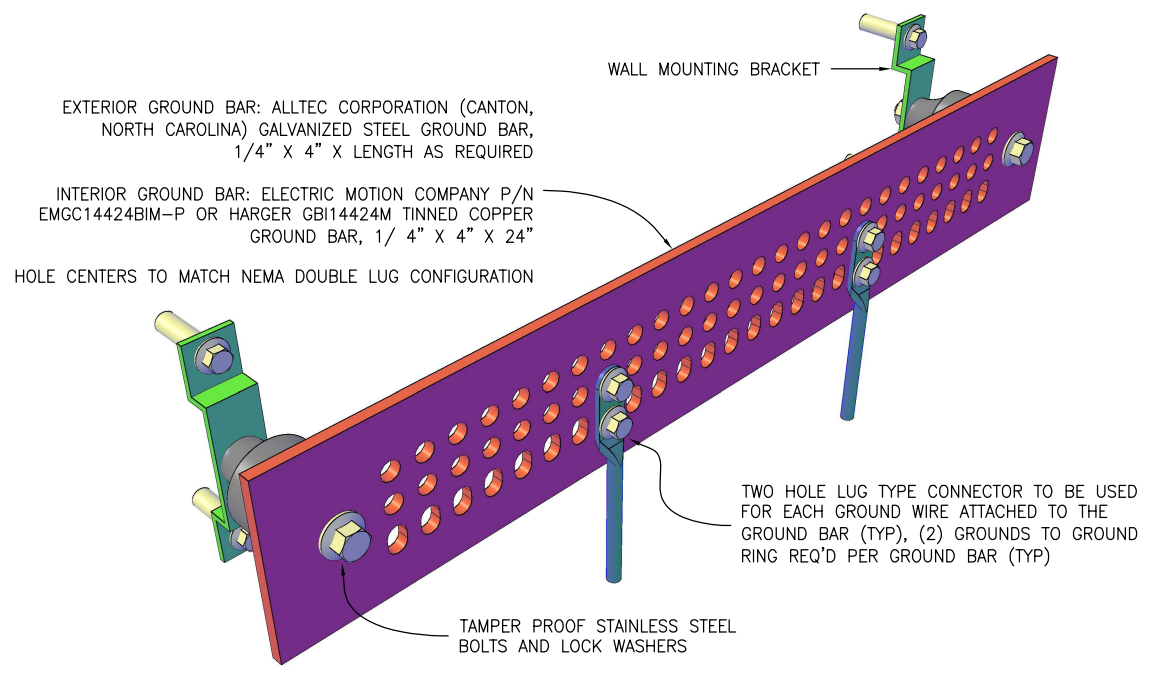
DRAWN BY: JAY C
CHECKED BY: DAN T

REV	DATE	DESCRIPTION
0	07.03.2024	CONSTRUCTION DWGS

19669 - BOAT LAUNCH MW
SE SEC 7, T42S, R19E
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531
- RAWLAND SITE -

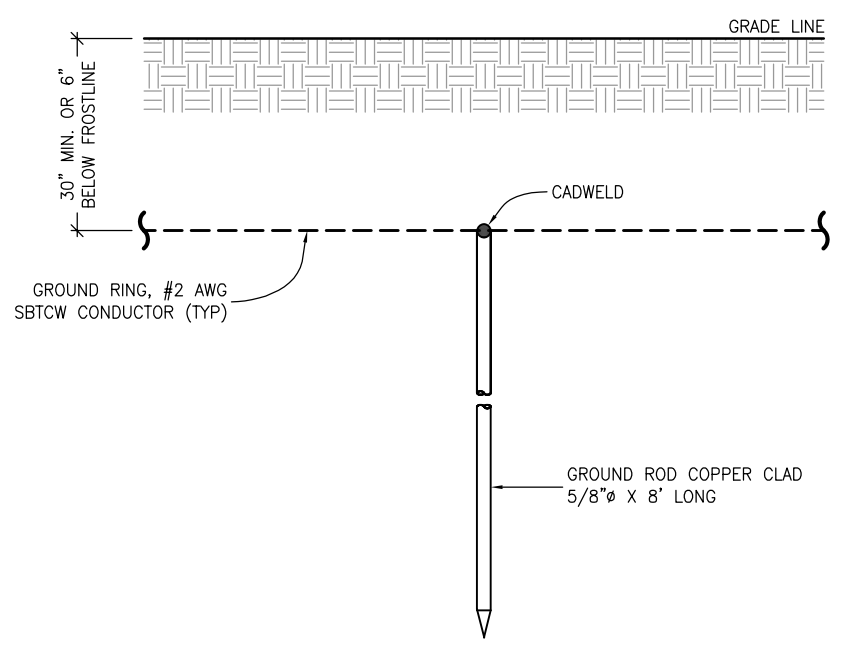
SHEET TITLE
**GROUND BAR,
TEST WELL,
GROUND ROD**

SHEET NUMBER
E200

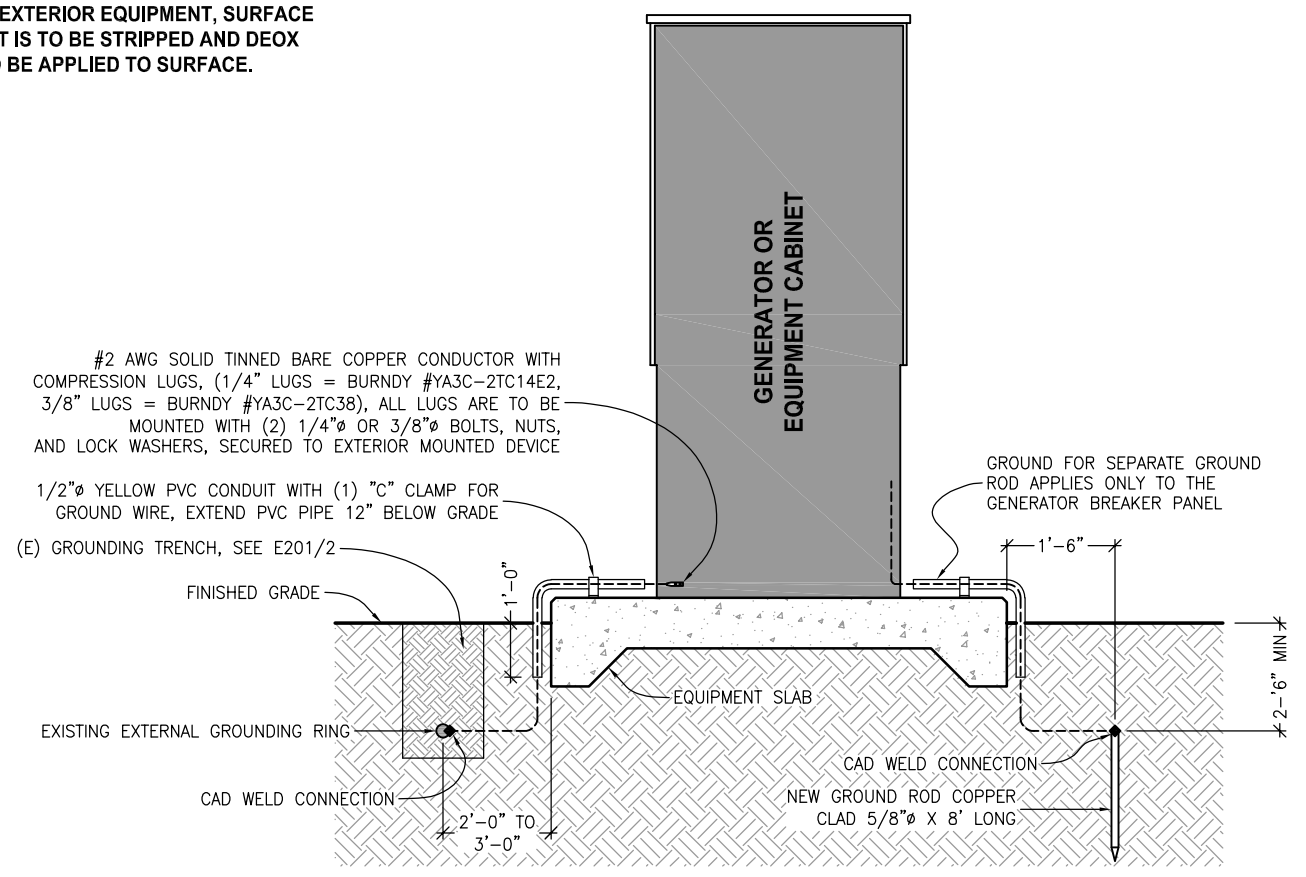


GROUND BAR SCALE: NOT TO SCALE 1

GROUND TEST WELL SCALE: NOT TO SCALE 2



NOTE: BEFORE MOUNTING LUGS TO ANY EXTERIOR EQUIPMENT, SURFACE PAINT IS TO BE STRIPPED AND DEOX IS TO BE APPLIED TO SURFACE.



GROUND ROD SCALE: NOT TO SCALE 3

EXTERIOR MOUNTED DEVICES SCALE: NOT TO SCALE 4

POWER NOTES:

(1) ALL SERVICE EQUIPMENT SHALL MEET EUSERC / POWER COMPANY REQUIREMENTS AND BE REVIEWED AND APPROVED BY POWER COMPANY PRIOR TO BEGINNING WORK.

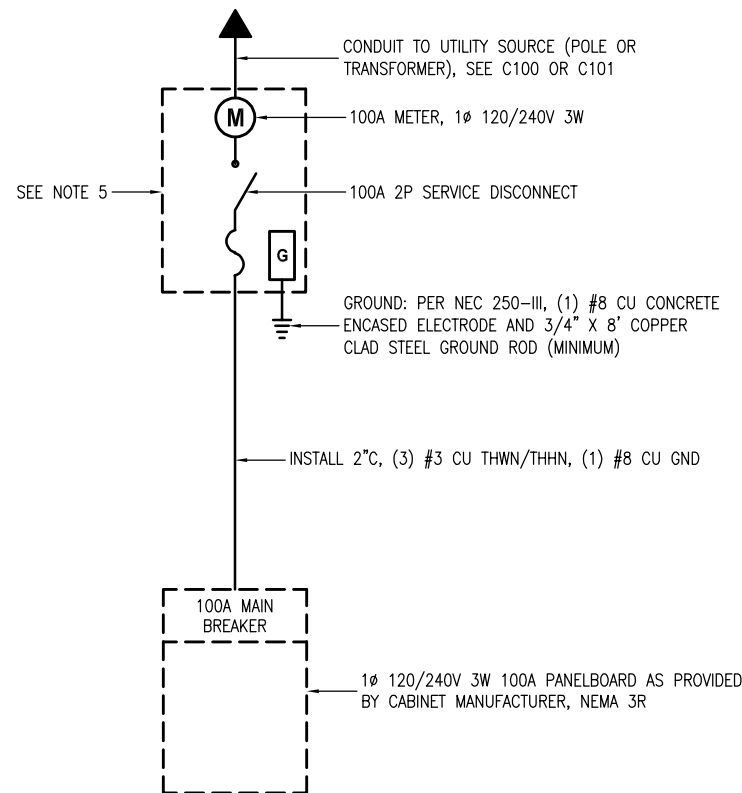
(2) ALL CONDUCTOR MUST BE COPPER UNLESS OTHERWISE SPECIFIED.

(3) CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANY FOR FINAL AND EXACT WORK/MATERIALS REQUIREMENTS AND CONSTRUCT TO UTILITY ENGINEERING PLANS AND SPECIFICATIONS ONLY.

(4) CONTRACTOR SHALL FURNISH AND INSTALL CONDUIT, PULL WIRES, CABLE PULL BOXES, CONCRETE ENCASEMENT OF CONDUIT, TRANSFORMER PAD, BARRIERS, POLE RISER TRENCHING, BACK FILL, PAY ALL UTILITY FEES AND INCLUDE REQUIREMENTS IN SCOPE.

(5) COOPER B-LINE COMMERCIAL ELECTRICAL SERVICE COMBINATION METER AND MAIN DISCONNECT, 100A 120/240V, 1-PHASE, 3-WIRE, RING-TYPE, NEMA 3R ENCLOSURE.

(6) THE DESIGN CRITERIA USED FOR THIS PROJECT WAS THE 2020 NEC.



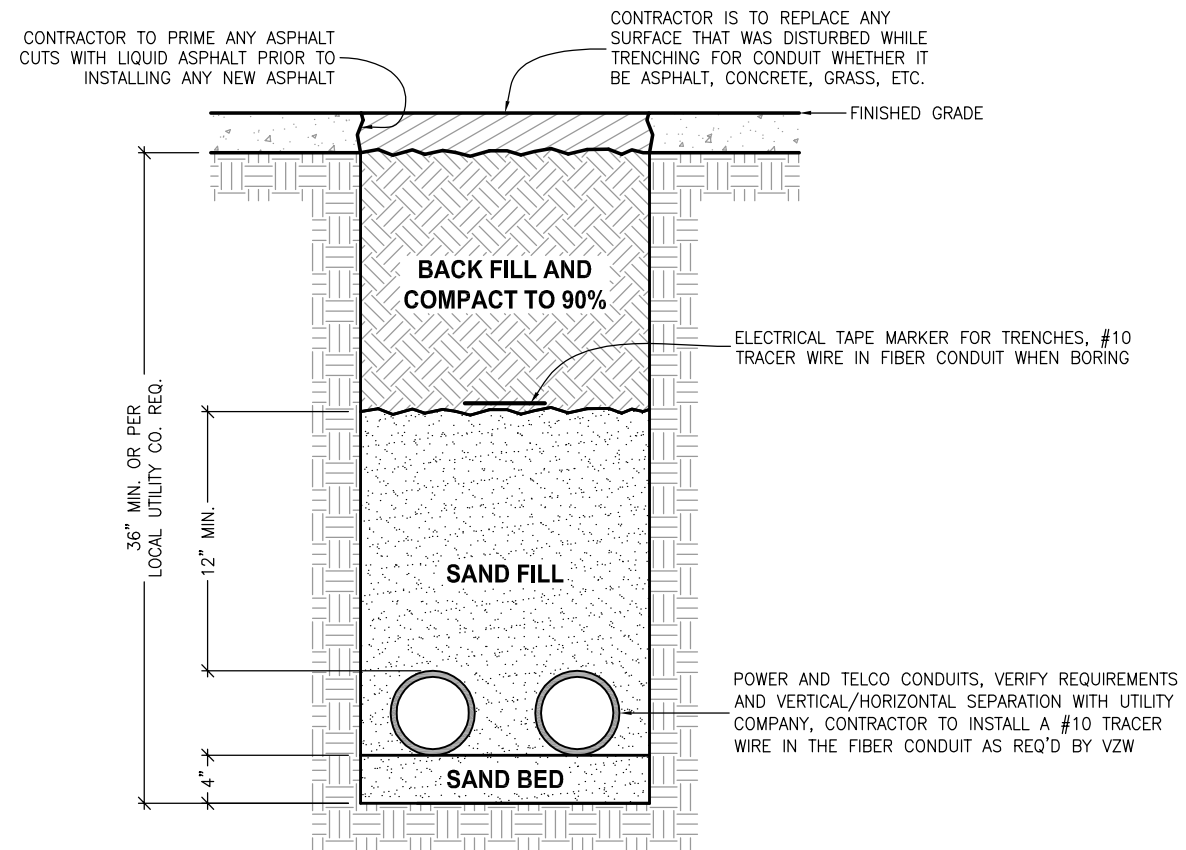
ELECTRICAL ONE-LINE DIAGRAM

SCALE: NOT TO SCALE 1

NOT USED

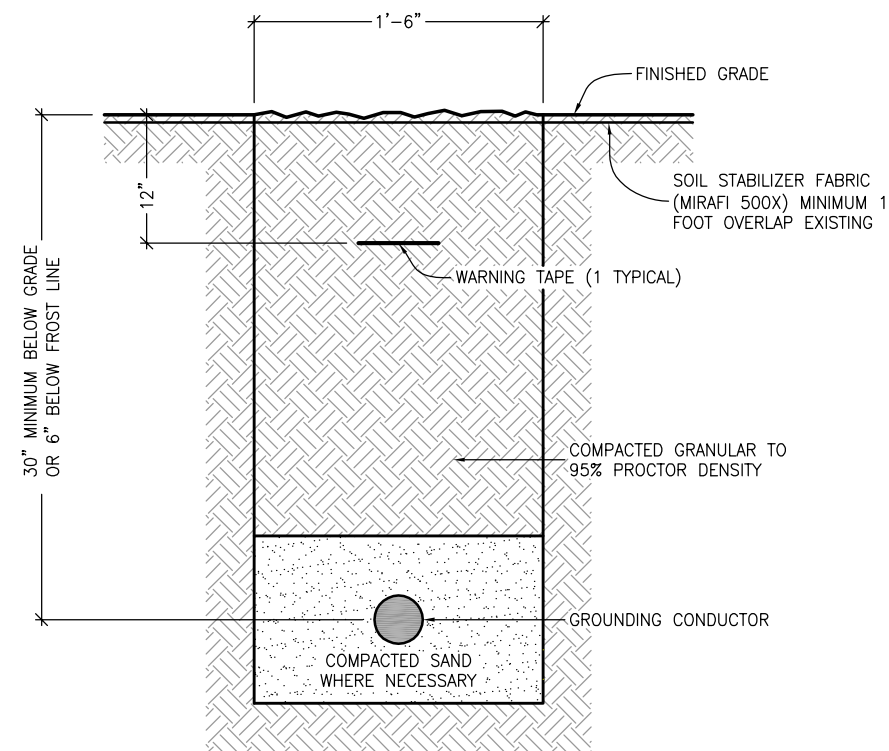
NOT USED

SCALE: NOT TO SCALE 3



POWER / FIBER CONDUIT TRENCHING

SCALE: NOT TO SCALE 2



GROUNDING TRENCHING

SCALE: NOT TO SCALE 4

Item 7.

DW TOWER, LLC

1603 GOLF COURSE ROAD SE, SUITE 4 RIO RANCHO, NM 87124



UTAH MARKET OFFICE
136 SOUTH MAIN STREET, SUITE 400
SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE
3129 TIGER RUN COURT, SUITE #206
CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: DAN T

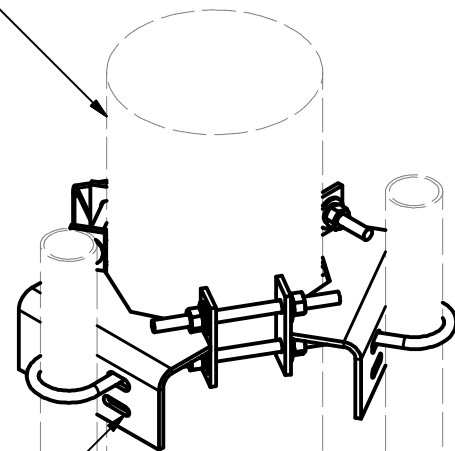
REV	DATE	DESCRIPTION
0	07.03.2024	CONSTRUCTION DWGS

19669 - BOAT LAUNCH MW
SE SEC 7, T42S, R19E
100 HIGHWAY 163
MEXICAN HAT, UTAH 84531
- RAWLAND SITE -

SHEET TITLE
**ONE-LINE DIAGRAM,
TRENCHING,**

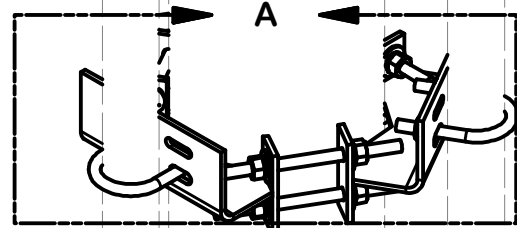
SHEET NUMBER
E201

CONNECTS TO EXISTING TOWER LEG:
6" TO 10"



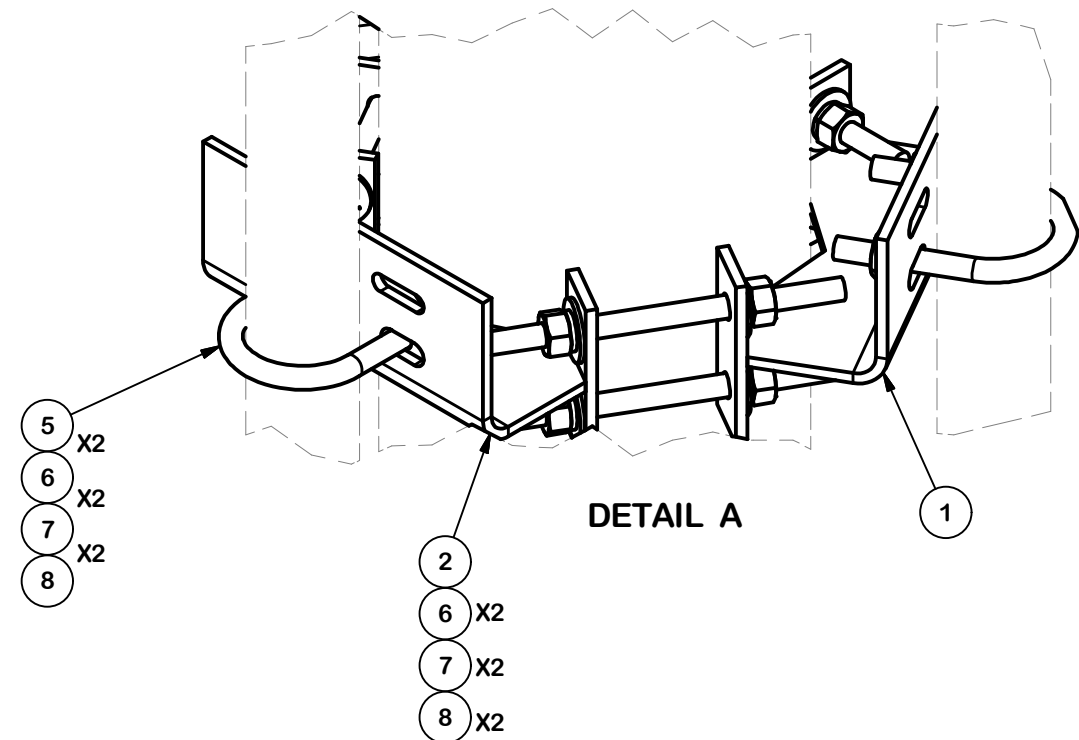
ATTACHMENT HARDWARE SOLD SEPARATELY
7/16" SLOTS CONNECT TO: 1.9"Ø, 2.375"Ø, 2.875"Ø, & 3.5"Ø MOUNT PIPES

MOUNT PIPES SOLD SEPARATELY
9/16" SLOTS CONNECT TO: 2.375"Ø, 2.875"Ø, & 3.5"Ø MOUNT PIPES



PARTS LIST

ITEM	QTY	PART NO.	PART DESCRIPTION	LENGTH	UNIT WT.	NET WT.
1	6	X-UTSML	UNIVERSAL TRI-SECTOR MOUNT WEDLEMNT FOR LARGER LEGS		4.65	Item 7. 8
2	12	G12R-8	1/2" x 8" THREADED ROD (HDG.)		0.45	5
3	6	X-UB1358	1/2" X 3-5/8" X 5-1/2" X 3" U-BOLT (HDG.)		0.77	4.63
4	6	X-UB1300	1/2" X 3" X 5" X 2" U-BOLT (HDG.)		0.67	4.01
5	6	X-UB1212	1/2" X 2-1/2" X 4-1/2" X 2" U-BOLT (HDG.)		0.60	3.58
6	36	G12FW	1/2" HDG USS FLATWASHER	3/32 in	0.03	1.23
7	36	G12LW	1/2" HDG LOCKWASHER	1/8 in	0.01	0.50
8	36	G12NUT	1/2" HDG HEAVY 2H HEX NUT		0.07	2.58
TOTAL WT. #						49.87



TOLERANCE NOTES

TOLERANCES ON DIMENSIONS, UNLESS OTHERWISE NOTED ARE:
 SAWED, SHEARED AND GAS CUT EDGES ($\pm 0.030"$)
 DRILLED AND GAS CUT HOLES ($\pm 0.030"$) - NO CONING OF HOLES
 LASER CUT EDGES AND HOLES ($\pm 0.010"$) - NO CONING OF HOLES
 BENDS ARE $\pm 1/2$ DEGREE
 ALL OTHER MACHINING ($\pm 0.030"$)
 ALL OTHER ASSEMBLY ($\pm 0.060"$)

PROPRIETARY NOTE:
 THE DATA AND TECHNIQUES CONTAINED IN THIS DRAWING ARE PROPRIETARY INFORMATION OF VALMONT INDUSTRIES AND CONSIDERED A TRADE SECRET. ANY USE OR DISCLOSURE WITHOUT THE CONSENT OF VALMONT INDUSTRIES IS STRICTLY PROHIBITED.

DESCRIPTION
**UNIVERSAL TRI-SECTOR MOUNT KIT
 FOR LARGER LEGS**

CPD NO.	DRAWN BY CEK	3/7/2019	ENG. APPROVAL 2/25/2020
CLASS 81	SUB 02	DRAWING USAGE CUSTOMER	CHECKED BY BMC 2/25/2020

SITE PRO 1
 A valmont COMPANY

Engineering Support Team:
 1-888-753-7446

Locations:
 New York, NY
 Atlanta, GA
 Los Angeles, CA
 Plymouth, IN
 Salem, OR
 Dallas, TX
 Tampa, FL

PART NO. UTSM-L	59
DWG. NO. UTSM-L	

VHLPX2-23/D

Base Product



0.6m | 2 ft ValuLine® High Performance Antenna, dual polarized, 21.200 – 23.600 GHz

Product Classification

Product Type	Microwave antenna
Product Brand	ValuLine®

General Specifications

Antenna Type	VHLPX - ValuLine® High Performance Low Profile Antenna, dual-polarized
Polarization	Dual
Side Struts, Included	0
Side Struts, Optional	0

Dimensions

Diameter, nominal	0.6 m 2 ft
--------------------------	--------------

Electrical Specifications

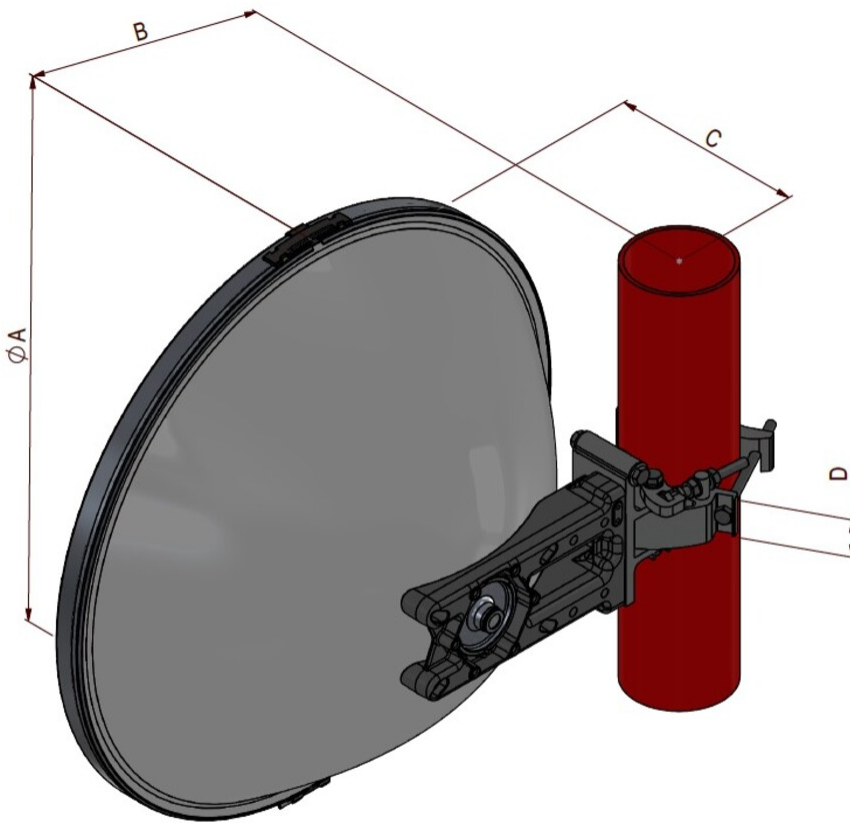
Operating Frequency Band	21.200 – 23.600 GHz
Gain, Low Band	40.2 dBi
Gain, Mid Band	40.7 dBi
Gain, Top Band	41.2 dBi
Boresite Cross Polarization Discrimination (XPD)	30 dB
Front-to-Back Ratio	66 dB
Beamwidth, Horizontal	1.7 °
Beamwidth, Vertical	1.7 °
Return Loss	17.7 dB
VSWR	1.3
Radiation Pattern Envelope Reference (RPE)	7217D
Electrical Compliance	ACMA FX03_22a Brazil Anatel Class 3 Canada SRSP 321.8 Part A ETSI 302 217 Class 3 US FCC Part 101A

VHLPX2-23/D

Mechanical Specifications

Compatible Mounting Pipe Diameter	48 mm–120 mm 1.9 in–4.7 in
Fine Azimuth Adjustment Range	±15°
Fine Elevation Adjustment Range	±15°
Wind Speed, operational	201 km/h 124.896 mph
Wind Speed, survival	252 km/h 156.585 mph

Antenna Dimensions and Mounting Information



Dimensions in Inches (mm)				
Antenna Size, ft (m)	A	B	C	D
2 (0.6)	25.9 (660)	12.2 (310)	8.9 (228)	1.8 (45)

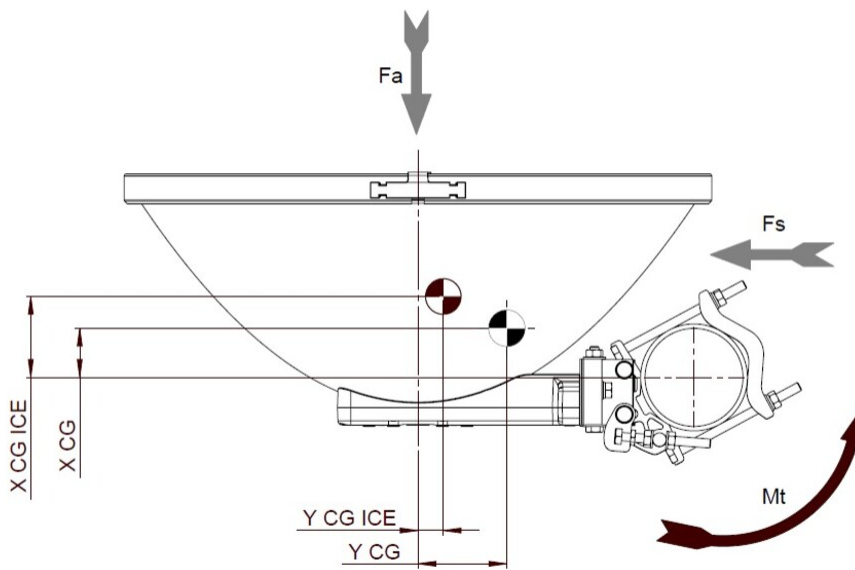
Wind Forces at Wind Velocity Survival Rating

Axial Force (FA)	1400 N 314.733 lbf
-------------------------	----------------------

VHLPX2-23/D

Angle α for MT Max	-50 °
Side Force (FS)	-350 N -78.683 lbf
Twisting Moment (MT)	500 N-m 4,425.373 in lb
Zcg without Ice	55 mm 2.165 in
Zcg with 1 in (25 mm) Radial Ice	91 mm 3.583 in
Weight with 1 in (25 mm) Radial Ice	20 kg 44.092 lb

Wind Forces at Wind Velocity Survival Rating Image



Packaging and Weights

Weight, net 6.7 kg | 14.771 lb

Regulatory Compliance/Certifications

Agency	Classification
ISO 9001:2015	Designed, manufactured and/or distributed under this quality management system

* Footnotes

Operating Frequency Band

Bands correspond with CCIR recommendations or common allocations used throughout the world. Other ranges can be accommodated on special order.

Gain, Mid Band

For a given frequency band, gain is primarily a function of antenna size.

VHLPX2-23/D

The gain of Andrew antennas is determined by either gain by comparison or by computer integration of the measured antenna patterns.

Boresite Cross Polarization Discrimination (XPD)	The difference between the peak of the co-polarized main beam and the maximum cross-polarized signal over an angle twice the 3 dB beamwidth of the co-polarized main beam.
Front-to-Back Ratio	Denotes highest radiation relative to the main beam, at $180^\circ \pm 40^\circ$, across the band. Production antennas do not exceed rated values by more than 2 dB unless stated otherwise.
Return Loss	The figure that indicates the proportion of radio waves incident upon the antenna that are rejected as a ratio of those that are accepted.
VSWR	Maximum; is the guaranteed Peak Voltage-Standing-Wave-Ratio within the operating band.
Radiation Pattern Envelope Reference (RPE)	Radiation patterns define an antenna's ability to discriminate against unwanted signals. Under still dry conditions, production antennas will not have any peak exceeding the current RPE by more than 3dB, maintaining an angular accuracy of $\pm 1^\circ$ throughout
Wind Speed, operational	For VHLP(X), SHP(X), HX and USX antennas, the wind speed where the maximum antenna deflection is 0.3 x the 3 dB beam width of the antenna. For other antennas, it is defined as a deflection is equal to or less than 0.1 degrees.
Wind Speed, survival	The maximum wind speed the antenna, including mounts and radomes, where applicable, will withstand without permanent deformation. Realignment may be required. This wind speed is applicable to antenna with the specified amount of radial ice.
Axial Force (FA)	Maximum forces exerted on a supporting structure as a result of wind from the most critical direction for this parameter. The individual maximums specified may not occur simultaneously. All forces are referenced to the mounting pipe.
Side Force (FS)	Maximum side force exerted on the mounting pipe as a result of wind from the most critical direction for this parameter. The individual maximums specified may not occur simultaneously. All forces are referenced to the mounting pipe.
Twisting Moment (MT)	Maximum forces exerted on a supporting structure as a result of wind from the most critical direction for this parameter. The individual maximums specified may not occur simultaneously. All forces are referenced to the mounting pipe.

San Juan County Building Department

Item 7.

Building Location/Address	100 Highway 163, Mexican Hat, Utah 84531
Permit Fee	\$500.00
<hr/>	
SUBTOTAL	\$500.00
Processing Fee	\$12.50
<hr/>	
TOTAL	\$512.50

07/23/2024 11:07 am

V*6575
AuthCode: 083602-038904
Ref: 669fe816-SIP-27708
Transaction ID: Event-5070
Permit Number: 24077
Name: Stacey Bell-Brower

Customer Copy

San Juan County Building Department
117 South Main
P.O. Box 9
Monticello, UT 84535
435-587-3829

Thank-you.

Your statement will describe your payment as 'CBT*San Juan Building' and the service fee transaction as 'CBT*SVC FEE SAN JUAN'.



LEGISLATIVE STAFF REPORT

MEETING DATE: September 12, 2024

ITEM TITLE, PRESENTER: Consideration and Approval of a Conditional Use Permit Allowing for a Private Airstrip, Old La Sal, Steven Redd

RECOMMENDATION: Make a motion approving the Conditional Use using the findings and conditions as provided by staff (state each condition as part of the motion).

Make a motion denying the Conditional Use based on findings of fact due to the following reasons: (statements of findings for substantial evidence).

SUMMARY

On April 14, 2024, the County received a Conditional Use Permit Application for an Airstrip to be located on the north side of Hwy 46 in Old La Sal to for private use by Steven Redd.

Property:

Parcel: #28S25E265401 & 28S25E350001, collectively 222.21 acres

Current Zoning:

This parcel is currently zoned as Agricultural as per 2013 Zoning Map

The applicant is planning on improving access to the site by constructing a small, personal use dirt airstrip for occasional use. The airstrip will be 80 feet wide and 5,200 feet long and will consist of compacted dirt.

ORDINANCE SECTIONS

The Agricultural Zone is designated to promote and preserve, in appropriate areas, conditions favorable to agriculture and to maintain greenbelt open spaces. Such districts are intended to include activities normally and necessarily related to the conduct of agricultural production and to provide protection from the intrusion of uses adverse to the continuance of agricultural activity.

Airport/Airstrip is considered a Conditional Use in the Agricultural (A-1) Zone as per the 2011 Zoning Ordinance (Section 11-2). By definition, a **CONDITIONAL USE** is a land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

In authorizing any Conditional Use, the Planning Commission shall impose such requirements and conditions as are necessary for the protection of adjacent properties and public welfare. The Planning Commission shall not authorize a Conditional Use Permit unless the evidence presented is such to establish:

- (1) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
- (2) That the proposed use will comply with the intent, spirit, regulations, and conditions specified in the Ordinance for such use and the Zoning District where the use is to be located, as well as make the use harmonious with the neighboring uses in the Zoning District; and
- (3) The Planning Commission shall itemize, describe, or justify the conditions imposed on the use.

Possible Conditions May Include:

- *Administrative Staff will coordinate with the County airport engineering firm on safety & hazards mitigation recommendations. This review will be approved by staff prior to issuance of building permit and/or business license. Engineering consultant expenses will be covered by the applicant at actual cost.*
- *Flight patterns must avoid current residential areas to the furthest extent possible to protect the public health, safety, and welfare of residents in this area.*
- *The extent of buffer and safety zones must be within the owner's property boundary.*
- *Must comply with all building code and permit requirements.*
- *Must comply with any state or federal fire restrictions.*
- *Must comply with San Juan County business license requirements.*

HISTORY/PAST ACTION

The original application was received on April 14, 2024. Administrator Bushnell advised the applicant that a new ordinance document and associated maps were set to be adopted by the beginning of July and that could change the process. With the on-going delays of the new ordinance adoption the application was considered at the July 11th, 2024, Planning Commission under the county's current 2011 ordinance.

Under the 2011 Ordinance, property is within AG and airstrips are Conditional Use. With the speculation of the new ordinance adoption this property would continue to be under AG and would continue to require a Conditional Use Permit. While this document is not yet legally adopted, and we must uphold the 2011 allowable uses, it is noted that this applicant's project continues to be in line with the speculative future uses.

The proposal was heard at the July 11, 2024, Planning Commission Meeting. However, due to a discrepancy of the formalities of a public hearing vs. public comments, and the lack of allowing for a full staff report and presentation from the applicant, this proposal was tabled until the next meeting and a Public Hearing was requested for that time. The Planning Commissioners also requested more clarification regarding the site topography, adjacent landowners' information, and county airport engineering requirements prior to voting on this proposal.

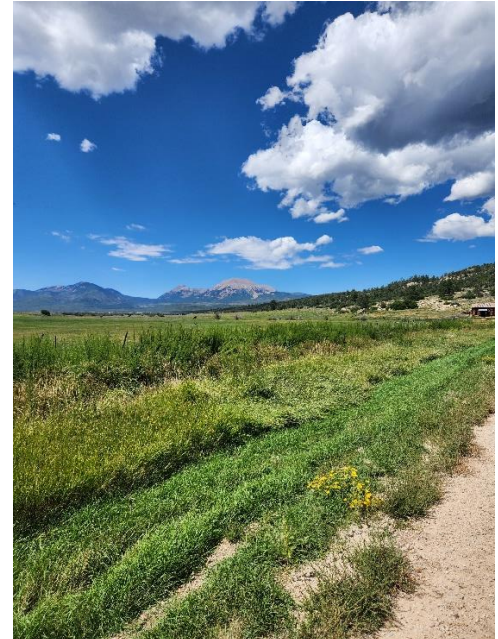
Steven Redd and SAR Ranch Legacy LLC, own 960 acres in the area. He is currently finishing a house within the next few months on the property. The current use of land is in association with agriculture through ranching, pasture/feed fields, and open space.



West End of Proposed Airstrip



East End of Proposed Airstrip



Topography

The Notice of a Public Hearing was posted physically and electronically on Thursday, August 29, 2024, and affected property owners were mailed a notice via hard copy through USPS.

There are four (4) affected property owners within a one (1) mile radius of the proposed airstrip. All affected property owners are to the north/north-west of the proposed site.

James Blankenagel owns parcels #28S25E261800 & #28S25E252400, collectively 160 acres. Both parcels were acquired in April 2012. James resides in La Sal, Utah. The parcels are currently under Greenbelt tax designations and contain several stock ponds.

Curtis Wells owns parcels #28S25E263600 / #28S25E263601 / #28S25E270001 / #28S25E270002, collectively 146.6 acres. The first of parcels was acquired in November 2021. Curtis resides in Moab, Utah. The parcels are currently under Greenbelt and Secondary Cabin tax designations. He submitted and was approved for a Conditional Use Permit on August 11, 2022, for 61 glamping/cabin units with a 50 room hotel/lodge (please see the attached resources as submitted July 18, 2022). See attached materials.



Kelly & Rochell Denney own parcel #28S25E270000, 10.7 acres. This parcel was obtained in April 2020. They reside in Moab, Utah. The parcel is currently under a Secondary Residential tax designation and looks like it serves as a vacation cabin.



Nicole Talley owns parcel #28S25E271800, 2.0 acres. This parcel was obtained in April 2018. She resides in Yreka, California. The parcel is currently under a Secondary Cabin tax designation and looks like it is uninhabitable.



----- Forwarded message -----

From: **McDaniel, Kirt** <Kirt.McDaniel@woolpert.com>

Date: Fri, Aug 9, 2024 at 12:52 PM

Subject: RE: San Juan County Project Review

To: McDonald, Mack <mmcdonald@sanjuancounty.org>

Cc: Nielsen, Kirk <Kirk.Nielsen@woolpert.com>, Holder, Trent <Trent.Holder@woolpert.com>

Mack,

We have reviewed the documents and FAA and state regulations and standards. As far as we can tell, there are no state or federal regulations governing such landing strips or helipads; however, it is our recommendation that FAA guidelines and standards are considered.

Here are our comments on the Airstrip and Heliport:

Pine Lodge Airstrip:

- The owner of the house north of the end of the airstrip may not like aircraft operating in close proximity (500')
- The house could present a hazard to departing/arriving aircraft due to its location to the end of the runway
- We looked at existing FAA obstacles (usually these are antennas) in the area and there are none within close proximity
- The airstrip is near Lasal Creek and there may be environmental considerations, i.e., USACE 404 permit, that would be required before construction

From a desk top review, neither proposal raised red flags for safety. Both proposals will require FAA Form 5010-5, Airport Master Record, to be filed with the FAA. This form is used when establishing a new private-use landing area to notify the FAA that the landing area is now operational. A link to the form is: <https://www.faa.gov/documentLibrary/media/Form/5010-5-airport-master-record.pdf>,

There will not be any additional expenses charged to the County for our review and recommendations.

Call if you have questions.

Thanks, and have a great weekend!

Kirt

Kirt McDaniel, P.E.

Project Manager

D: 435.574.5308 C: 435.632.9980

Kirt.McDaniel@Woolpert.com

Woolpert

35 South 400 West, Suite 200, St. George, UT 84770

woolpert.com

Emailed letter from August 14, 2024

San Juan County Planning and Zoning Committee,

I am submitting these comments for the consideration of the committee with respect to the project of a private airstrip on Redd Summit Ranches in Old La Sal.

La Sal, and this subject land in particular, has been the heart of ranching in northern San Juan County since the late 1800's, and has been owned by the family of Steve Redd since the 1920's. Ranching is his heritage and his business – one that has contributed substantially to the community and local economy for the past 100 years. The land in Old La Sal is where the cattle pass through between the summer and winter grazing areas and is used as the primary pasture to transition the cattle each spring and fall. Steve has made considerable investments here in recent years, including adding pivot irrigation systems, building works shops, and relocating new corrals to improve the functionality and upgrade the capacity of the facilities. This land has been, is, and will continue to be the most clear definition of agriculture use for many, many years to come.

The issue before the committee is simply whether the proposal to add an air strip to the property meets the zoning regulations applicable to the agriculture zoning where the ranch is located. The concern expressed by the committee members at the July 11, 2024, meeting was in regards to the 'harmonious' application to existing use. Since the existing use is agriculture, specifically ranching, I would like to suggest several ways in which the airstrip will enhance the agricultural use of the property upon which it will be constructed.

- a) Provide increased access to the ranch for the owner and other professional services such as veterinary and breeding personnel that are contracted at various times to provide services in this remote area.
- b) Allow maintenance and operational supplies to be delivered in a timely manner including equipment repair parts and other supplies such as breeding materials that must remain frozen until time of use.
- c) Enable more efficient location and oversight of the livestock on the ranch by facilitating aerial observation and head counts in remote areas inaccessible by other means.
- d) Staging of aircraft used in aerial range seeding and fertilization applications.
- e) Facilitate aerial timber and range inventory estimates for planning and implementation of best use practices.

In recognition of the concerns of the neighbor to the north, the airstrip will be modified to have a displaced threshold 1000 ft from the northern end of the airstrip. This will allow a reasonable space from the property line without compromising the safety of the landing aircraft. It would also be acceptable to limit the type of aircraft to small, normal or utility airplanes and light sport aircraft if deemed necessary by the committee.

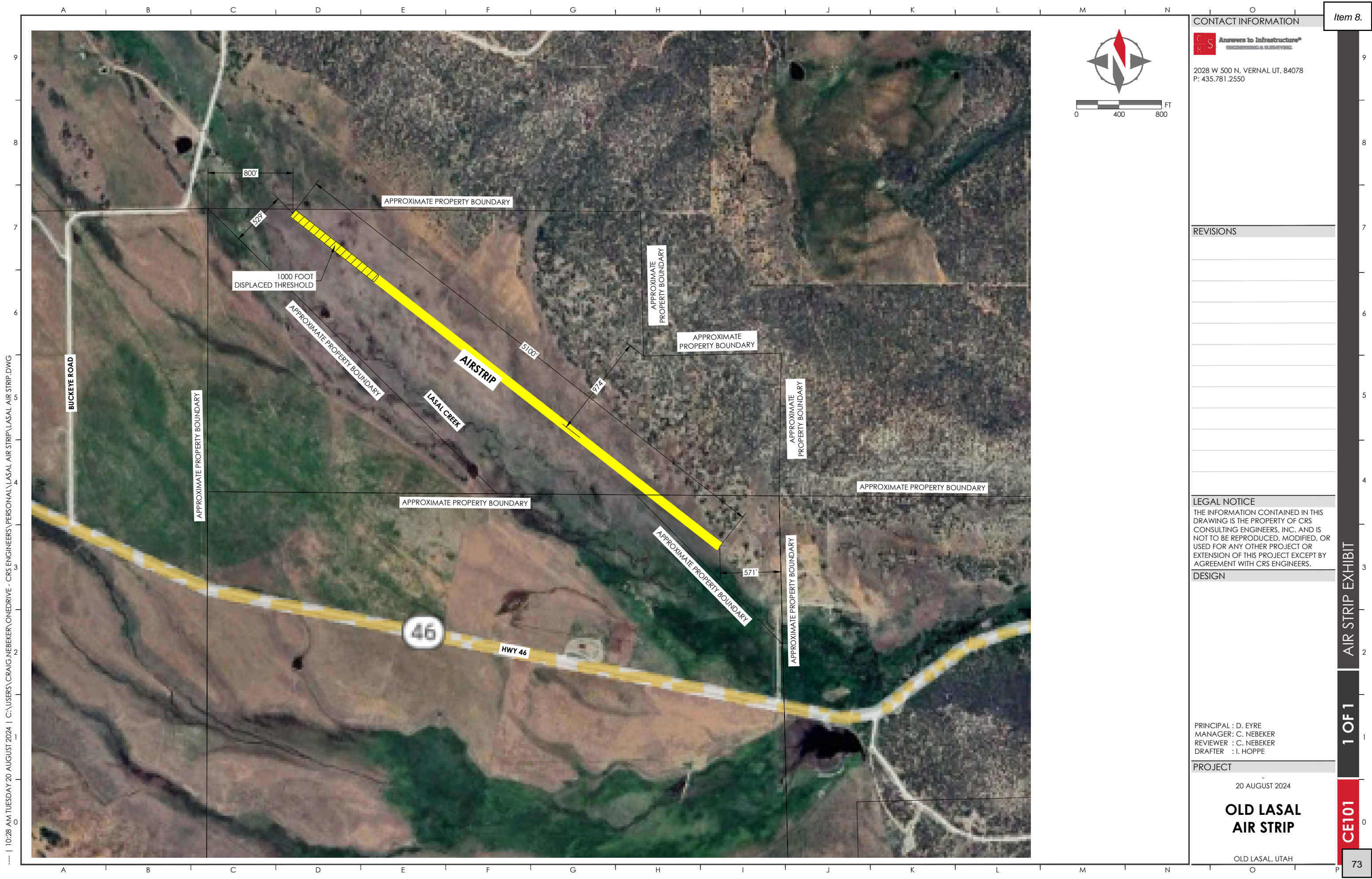
On average, it is anticipated that about one flight per week will be normal operation frequency. In the busy times this could be a little more frequent, while there may also be weeks and even months when no flights will occur.

The houses off the southeast end of the airstrip are owned by Redd Summit Ranches and are part of the ranch operation, and therefore not a factor with respect to possible complaints. The house most

directly aligned with the centerline of the airstrip is approximately 1200 ft away and 40 ft lower than the SE end of the airstrip, so approaching aircraft will be higher and descending when passing over the house, while departing aircraft will be climbing, therefore it will not be a factor for approaching or departing aircraft.

Thank you for your consideration,

Bruce Nebeker, Redd Summit Ranches



10:28 AM TUESDAY 20 AUGUST 2024 | C:\USERS\CRAIG.NEBEKER\ONEDRIVE - CRS ENGINEERS\PERSONAL\LASAL AIR STRIP\LASAL AIR STRIP.DWG

Item 8.

CONTACT INFORMATION

CRS Answers to Infrastructure®
ENGINEERING & SURVEYING
2028 W 500 N, VERNAL UT, 84078
P: 435.781.2550

REVISIONS

LEGAL NOTICE

THE INFORMATION CONTAINED IN THIS DRAWING IS THE PROPERTY OF CRS CONSULTING ENGINEERS, INC. AND IS NOT TO BE REPRODUCED, MODIFIED, OR USED FOR ANY OTHER PROJECT OR EXTENSION OF THIS PROJECT EXCEPT BY AGREEMENT WITH CRS ENGINEERS.

DESIGN

PRINCIPAL : D. EYRE
MANAGER : C. NEBEKER
REVIEWER : C. NEBEKER
DRAFTER : I. HOPPE

PROJECT

20 AUGUST 2024
OLD LASAL AIR STRIP

OLD LASAL, UTAH

1 OF 1 AIR STRIP EXHIBIT

CE101

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: The north west end will be at 38 deg, 20 min, 21.66 sec N X-109 deg, 08 min, 32.57 sec W (38.339349 X -109.142380) and the south east end will be at 38-deg, 19 min, 50.46 sec N X 109 deg, 07 min, 40.71 sec W (38.330685 X -109.127972)

Parcel Identification

Number: 28S25E265401and 28S25E350001

Parcel Area: _____ Current Use: Agriculture

Floor Area: _____ Zoning Classification: _____

Applicant Name: Steven Redd

Mailing Address: PO Box 130, UT 84660



City, State, ZIP: SPANISH FORK, UT, 84660

Daytime Phone #: 435-459-9444 Fax#: _____

Email Address: redd.steve@gmail.com

Business Name (If applicable): Redd Aviation

Property Owner's Name (If different): Redd Diversified (same owner)

Property Owner's Mailing Address: PO Box 130,

City, State, ZIP: Spanish Fork UT 84660

Daytime Phone #: _____ Fax#: _____

Describe your request in detail (use additional page(s) if necessary): Propose construction of a small, personal use dirt airstrip for occasional use. The strip will consist of compacted dirt. 80 feet wide and 5,200 feet long

Authorized Signature: *Steve Redd* Date: 4/19/24

Property Owner's Affidavit

I (we) Steven 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

Owner's Signature (co-owner if any)

State of Utah)
 :
County of San Juan)

Subscribed and sworn to before me this 19 day of April, 2024.



[Signature]
Notary Public
Residing in Utah County
My Commission expires: 7/29/2024

[Faint Signature]

Applying for a Conditional Use Permit in San Juan County

The term "conditional use permit" refers to a land use which would not be permitted under normal regulations of a zoning district, however, the proposed use may be acceptable within the zoning district if development of the use complies with special conditions provided by the Planning Commission. Specified conditions associated with a conditional use permit (CUP) may only be amended by the Planning Commission. The conditional use permit is revocable by the County if any of the conditions are violated or not met with certain time frames.

Overview:

Conditional use permit applications are reviewed by the Planning Commission and San Juan County staff to determine compliance with the following county code:

Chapter 6, 6-4. Determination

The Planning Commission, or upon authorization, the Zoning Administrator, shall approve a conditional use to be located within any district in which the particular conditional use is permitted by the use regulations of this Ordinance. In authorizing any conditional use the Planning Commission shall impose such requirements and conditions as are necessary for the protection of adjacent properties and the public welfare. The Planning Commission shall not authorize a conditional use permit unless the evidence presented is such to establish:

- (1) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
- (2) That the proposed use will comply with intent, spirit, regulations and conditions specified in this Ordinance for such use and the zoning district where the use is to be located, as well as make the use harmonious with the neighboring uses in the zoning district.
- (3) The Planning Commission shall itemize, describe, or justify the conditions imposed on the use.

Submittal Deadline:

Application for a conditional use permit must be submitted to the San Juan County Planning and Zoning Department, 117 S. Main Street, Monticello by 10:00 a.m. at least three (3) weeks prior to the intended date the application is to be considered

by the Planning Commission. Incomplete applications may delay processing of the application and subsequent scheduling of public hearings.

Meeting Dates:

Who? San Juan Planning and Zoning Commission
 When? 2nd Thursday of each month at 7:00 p.m.
 Where? San Juan County Administration Building, Room 200 - Old
 Commission Chambers, 117 South Main Street, Monticello, Utah.

Application Fee (non-refundable)

- Conditional Use Permit: See Fee Schedule

Application Process:

Step 1. Contact the Planning and Zoning Department Staff. Meet informally with a member of the Planning and Zoning Department staff to discuss your proposal and review the issues, procedures and fees associated with the application.

Step 2. Submit Application: For all conditional use permit applications please submit the following:

- Completed Conditional Use application form.
- Property Owner's Affidavit (i.e. a written statement made before a notary). For your convenience, an affidavit has been provided on the back of the application form.
- If the property owner is to be represented by an "agent" during meetings with the County, please complete and submit the Agent Authorization form (also provided on the back of the application form). *May send in later*
- Payment of application fee. *\$500*
- Three (3) copies of a legible site plan proposal. The site plan should include the following information:
 - Include the project name and exact street address, if possible.
 - Accurate dimensions of the subject property, drawn to scale (i.e. 1"=10', 1"=30', etc.) with north arrow and date of drawing. Sheet size should be a minimum of 18"x24".
 - Property lines, adjoining streets or roads, right-of-ways, waterways, easements, etc. with dimensions.

- Location and dimension of existing and proposed buildings, entries and exits, driveways, parking areas, landscape areas, sidewalks, retaining walls, fences, exterior lighting, etc.
- Location of existing property features such as streets and roads, canals, ditches waterways, hillsides, wetlands, flood plain, etc.
- Three (3) copies of floor plans. Include both existing and proposed floor plans. Indicate the scale (i.e. 1/8"=1', 1/4"=1', etc.) used on the plans.
- Three (3) copies of building elevations. These must be dimensioned to show an accurate representation of the proposed building. Provide a summary of the type of building materials which will be used for all structures. Indicate the scale (i.e. 1/8"=1', 1/4"=1', etc.) used on the elevation.
- Submit (1) copy of reduced 8 1/2 x 11 inch copy of all development plans.

***All plans submitted with the application will not be returned to the applicant and are the property of San Juan County**

Step 3. Attend the Planning Commission Meeting. The applicant will be sent a copy of the Planning Commission agenda and staff recommendation in advance of the meeting date. Information on the agenda will give the date, time and place of the meeting. The applicant or an authorized representative must be in attendance at the meeting. If no applicant is present, the Planning Commission will move on to the next agenda item. It will be up to the applicant to reschedule another hearing date. The applicant should be prepared to present the proposal in detail and answer questions from the Planning Commission members and other interested parties. An application may be "tabled" or "continued" if the Planning Commission needs additional information or time to consider the application. Otherwise, the Planning Commission will make a motion to approve or deny the request.

Appeal of Planning Commission Decision:

Anyone aggrieved with a decision of the Planning Commission may appeal the decision to the Board of County Commissioners. The appellant may be applicant, neighboring property owner, an effected resident, or even the County itself. Appeals must be in writing and received by the County Administrator within thirty (30) days of the

Planning Commission decision. Appeal requests must contain all documents and must state the reason(s) for the appeal. Payment of a fee is required at the time of filing.

Conditional Use Permit Issuance:

Following the approval of the conditional use permit by the Planning Commission, the permit will be issued in a letter to the applicant. The letter will state with specificity the conditions of the permit approval. This document should be retained in the records of the property owner or applicant. All conditions outlined in the permit must be maintained in order for the permit to remain valid and in effect.

Expiration of Conditional Use Permit:

Approval of the conditional use permit application by the Planning Commission will expire one (1) year after the date of approval unless there has been substantial action on the CUP (i.e. obtained a building permit) by the applicant. The Planning Commission may grant one extension up to six (6) months, when it is deemed in the public interest.

Pine Lodge Runway

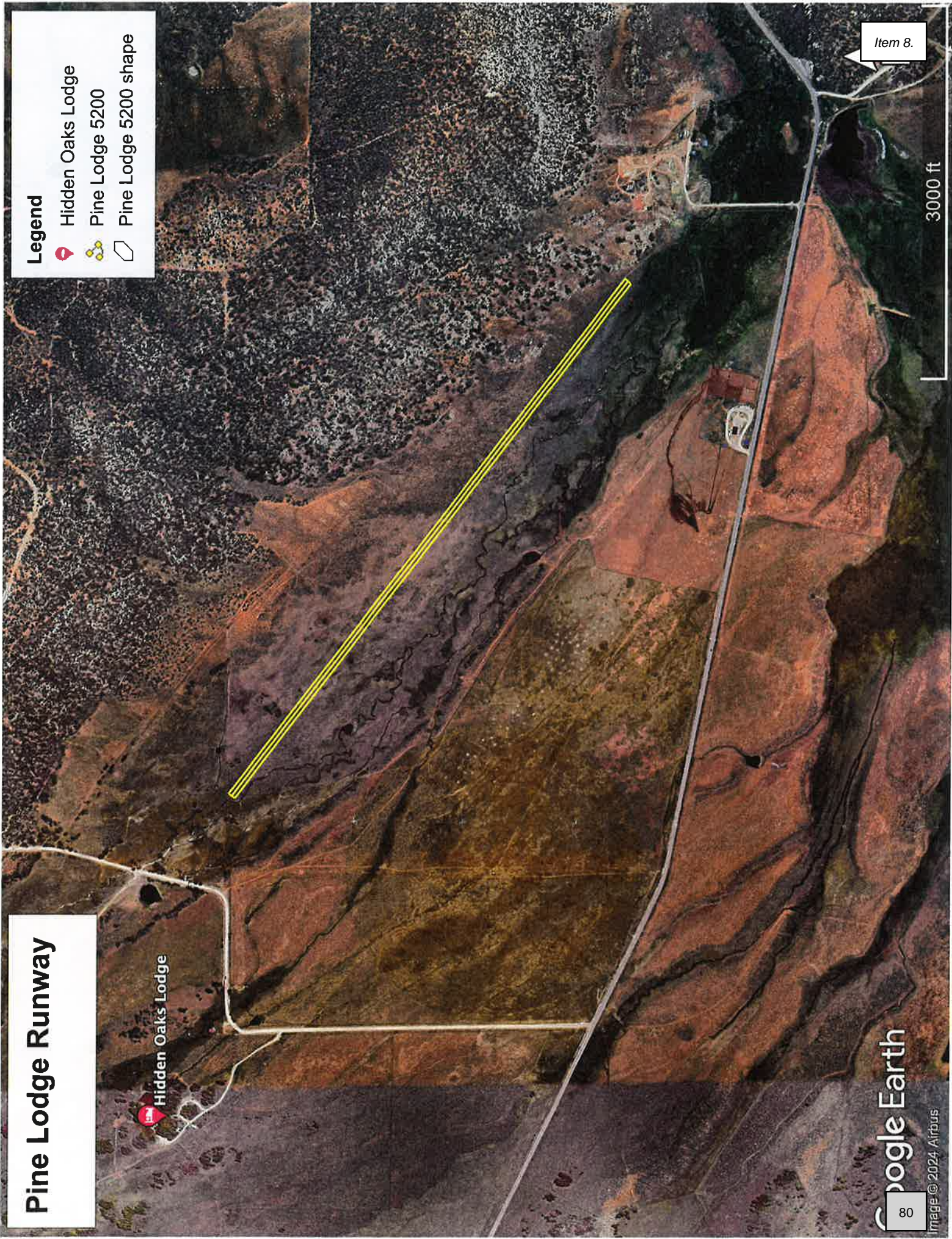
Hidden Oaks Lodge

Legend

- Hidden Oaks Lodge
- Pine Lodge 5200
- Pine Lodge 5200 shape

Item 8.

3000 ft

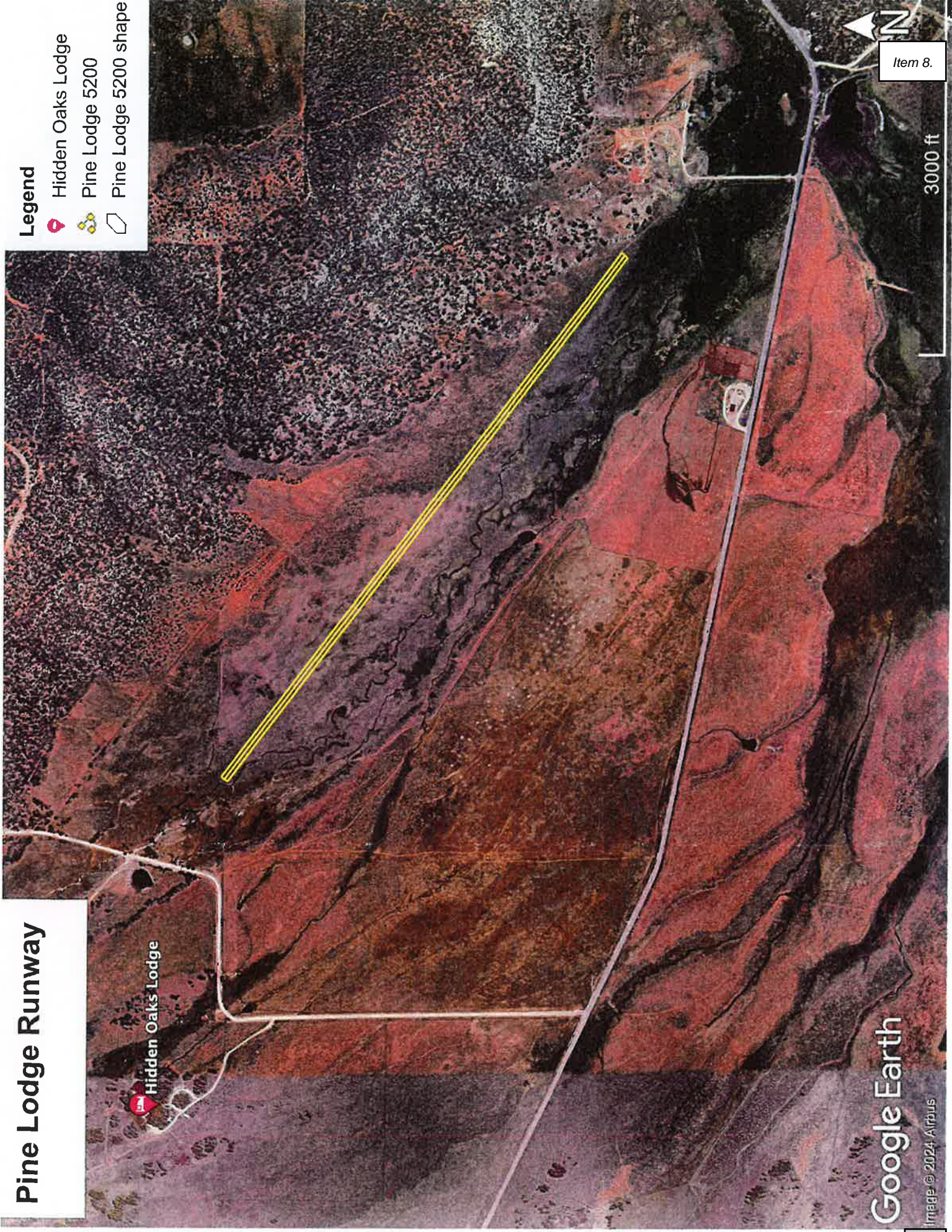


Pine Lodge Runway

Hidden Oaks Lodge

Legend

- Hidden Oaks Lodge
- Pine Lodge 5200
- Pine Lodge 5200 shape



Item 8.

3000 ft

Google Earth

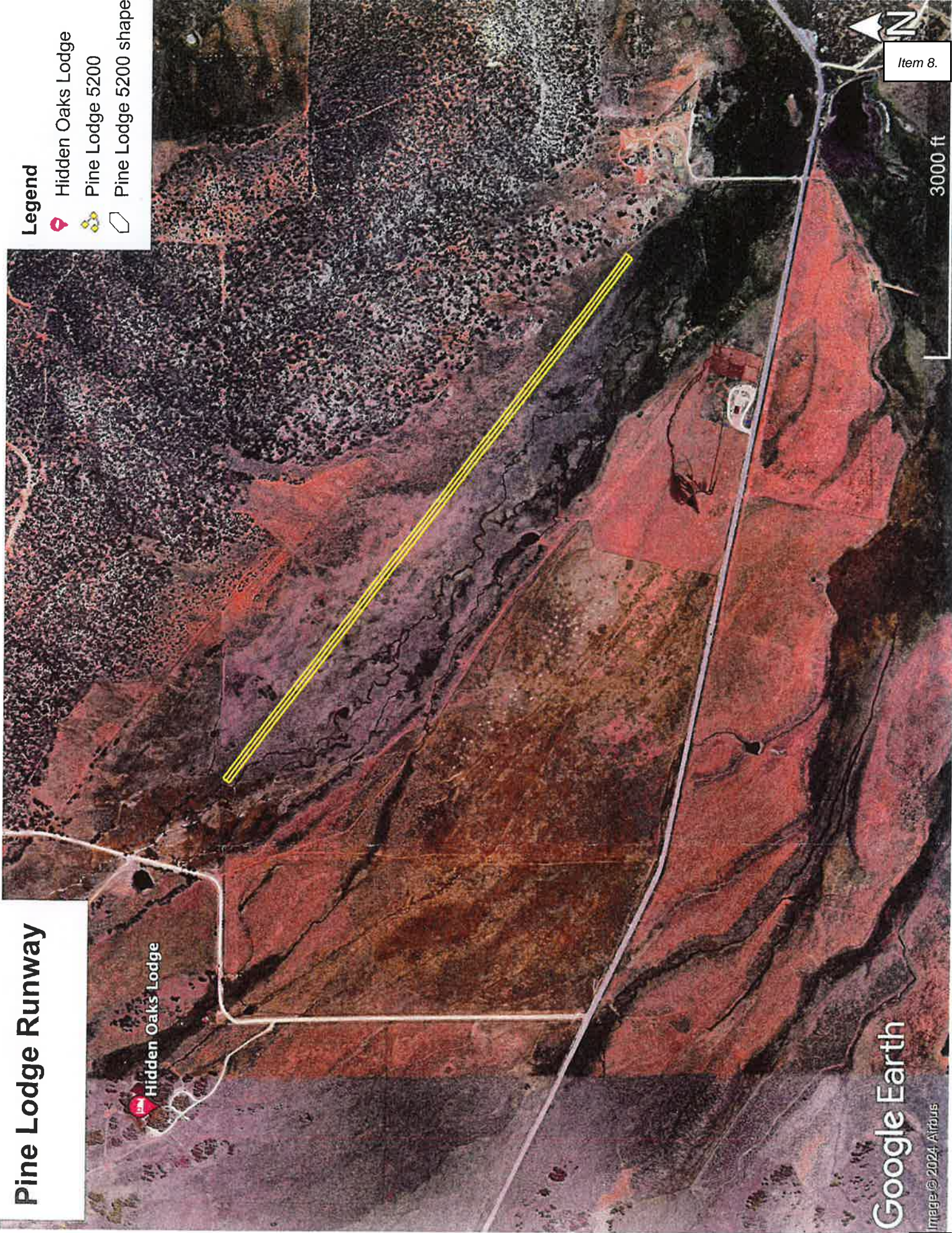
Image © 2024 Airbus

Pine Lodge Runway

Hidden Oaks Lodge

Legend

- Hidden Oaks Lodge
- Pine Lodge 5200
- Pine Lodge 5200 shape



Item 8.

Google Earth

Image © 2024 Airbus

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

Redd Aviation LLC
PO Box 130
Spanish Fork, UT 84660

Hillcrest Bank, A Division of NBH Bank
1111 Main Street Ste 2800
Kansas City, MO 64105
83-271/1010

1100

4/23/24

\$ 500⁰⁰

DOLLARS

PAY TO THE ORDER OF Sam Juan County Planning & zoning Dept.
Five hundred and no/100

PROTECTED AGAINST FRAUD



Spencer Redd

MEMO Spencer Redd Unconditional Use Appl.

⑆001100⑆ ⑆101002716⑆ 9005008131⑆

© 2021 INTUIT INC. • 1728 1-800-431-8810

Intuit® CheckLock™ Secure Check Details on Back

Item 8.



STAFF REPORT

MEETING DATE: August 11, 2022

ITEM TITLE, PRESENTER: Consideration and Approval of Conditional Use Permit Application, Curtis Wells, Old La Sal.

RECOMMENDATION: Consideration and Approval

SUMMARY

Curtis Wells has applied for a Conditional Use Permit for 147 acres of private land in La Sal. The application is for 61 glamping/cabin units with a 50 room hotel/lodge, and a wedding amenity as outlined in the attached plan.

Access is from the lower two mile road of SR 46 in Old La Sal.

Possible conditions from similar developments:

- *Must comply with the public water system requirements for water storage and pressure for fire suppression standards*
- *Must comply with any state or federal fire restrictions*
- *Must comply with all building permit requirements*
- *Must comply with San Juan County Health Department requirements and Utah State water system requirements.*
- *Must comply with San Juan County business license requirements*

Staff recommendation is to apply these or similar conditions as well as any others the Planning Commissions feel are necessary to mitigate the impact of this development.

RECEIVED
7/18/2022
[Signature]
Item 8.

SAN JUAN COUNTY CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

- New Construction
- Addition
- Land Use Change
- Appeal

Subject Property Location or Address: 28S25E270001 (101.90 Acres)

Parcel Identification

Number: 28S25E270001

Parcel Area: _____

Current Use: AG/Grazing

Floor Area: _____

Zoning Classification: _____

Applicant

Name: Curtis Wells

Mailing

Address: 59 E Center Street Moab ,UT 84532

City, State,

ZIP: Moab ,UT 84532

Daytime Phone #: (435) 210 4366 Fax#: _____

Email Address: curtis@luxurymoab.com

Business Name (If applicable): _____

Property Owner's Name (If different): _____

Property Owner's Mailing Address: _____

City, State, ZIP: _____

Daytime Phone #: _____ Fax#: _____

Describe your request in detail (use additional page(s) if necessary: Applicant is requesting Lodging/Overnight Accomodations as a permitted use for glamping and/or single family units. Unit total shall be 40 or less units. Remaining acreage on this parcel to be utilized as wedding/event space and agricultural amenities.

Authorized Signature: [Signature]

Date: 7-18-22

Received
7/18/2022
83
Item 8.

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: 28S25E263600 (40 acres)
Acres) _____

Parcel Identification

Number: 28S25E263600

Parcel Area: _____

Current Use: AG/Grazing

Floor Area: _____

Zoning Classification: _____

Applicant

Name: Curtis Wells

Mailing

Address: 59 E Center Street Moab ,UT 84532

City, State,

ZIP: Moab ,UT 84532

Daytime Phone #: (435) 210 4366 Fax#: _____

Email Address: curtis@luxurymoab.com

Business Name (If applicable): _____

Property Owner's Name (If different): _____

Property Owner's Mailing Address: _____

City, State, ZIP: _____

Daytime Phone #: _____ Fax#: _____

Describe your request in detail (use additional page(s) if necessary: Applicant is requesting Lodging/Overnight Accomodations as a permitted use for glamping and/or single family structures. Unit total shall be 20 or less units.

Authorized Signature: 

Date: 7-18-22

Received
7/18/2022

Item 8.

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: 28S25E263601 (.50 acres)
Acres) _____

Parcel Identification

Number: 28S25E263601

Parcel Area: _____ Current Use: AG/Grazing

Floor Area: _____ Zoning Classification: _____

Applicant

Name: Curtis Wells

Mailing

Address: 59 E Center Street Moab ,UT 84532

City, State,

ZIP: Moab ,UT 84532

Daytime Phone #: (435) 210 4366 Fax#: _____

Email Address: curtis@luxurymoab.com

Business Name (If applicable): _____

Property Owner's Name (If different): _____

Property Owner's Mailing Address: _____

City, State, ZIP: _____

Daytime Phone #: _____ Fax#: _____

Describe your request in detail (use additional page(s) if necessary: Applicant is requesting Lodging/Overnight Accomodations as a permitted use for glamping and/or single family structures. Unit total shall be 1 or less units.

Authorized Signature: 

Date: 7-18-22

Received
7/18/20
83

Item 8.

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: 28S25E270002 (5 acres)
Acres) _____

Parcel Identification

Number: 28S25E252400

Parcel Area: _____

Current Use: AG/Grazing

Floor Area: _____

Zoning Classification: _____

Applicant

Name: Curtis Wells

Mailing

Address: 59 E Center Street Moab ,UT 84532

City, State,

ZIP: Moab ,UT 84532

Daytime Phone #: (435) 210 4366 Fax#: _____

Email Address: curtis@luxurymoab.com

Business Name (If applicable): _____

Property Owner's Name (If different): _____

Property Owner's Mailing Address: _____

City, State, ZIP: _____

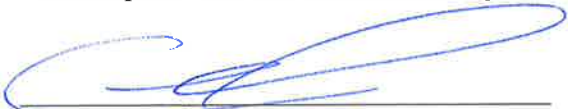
Daytime Phone #: _____ Fax#: _____

Describe your request in detail (use additional page(s) if necessary: Applicant is requesting
Lodging/Overnight Accomodations as a permitted use for a 50-room lodge and
swimming/water/wellness amenities.

Authorized Signature:  Date: 7-18-22

Property Owner's Affidavit

I (we) Curtis Wells, 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.



Owner's Signature

Owner's Signature (co-owner if any)

State of Utah)

:

County of San Juan)

Subscribed and sworn to before me this 18 day of July, 2022.





Notary Public
Residing in Monticello
My Commission expires: 4/01/24

Property Owner's Affidavit

I (we) Curtis Wells, 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.



Owner's Signature

Owner's Signature (co-owner if any)


State of Utah)

:

County of San Juan)

Subscribed and sworn to before me this 18 day of July, 2022.




Notary Public
Residing in Monticello
My Commission expires: 4/01/24

Property Owner's Affidavit

I (we) Curtis Wells, 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

Owner's Signature (co-owner if any)

State of Utah)

County of San Juan)

Subscribed and sworn to before me this 18 day of July, 2022.



[Signature]
Notary Public
Residing in Monticello
My Commission expires: 4/01/24

Property Owner's Affidavit

I (we) Curtis Wells, 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.



Owner's Signature

Owner's Signature (co-owner if any)


State of Utah)

:

County of San Juan)

Subscribed and sworn to before me this 18 day of July, 2022




Notary Public
Residing in Monticello
My Commission expires: 4/01/24

USFS LAND

1780'-9"

Wedding Amenity Area

NORTH AGRICULTURAL AMENITY

Sal Creek, La

3

1374'-8"

1340'

1

6

5

USFS LAND

1333'-11"

1340'

4



Existing Vacation Rental Lodge

2

1

SOUTH AGRICULTURAL AMENITY

1295'-11"

896'

209'

391'-7"

2407'-4"

- LEGEND**
- ① SW Glamping/ Cabin Units
 - ② SE Glamping/ Cabin Units
 - ③ NE Glamping/ Cabin Units
 - ④ East Glamping/ Cabin Units
 - ⑤ Hotel/ Lodge
 - ⑥ Cabin



Glamping/Lodging CUP Summary/Overview

1 message

Curtis Wells <curtis@luxurymoab.com>

Fri, Aug 5, 2022 at 4:55 PM

To: "Burton, Scott" <sburton@sanjuancounty.org>

Requested Unit/Use Summary:

Approx. 61 Glamping/Cabin Units at Max Build-out. (Approximately 2 units/acre on 140 Acres total) **Very Low-Density per industry standards.**

50-unit Hotel at Max Build-out. (Approximately 10 units/acre on 5 acres) **Extremely Low-Density per industry standards.**

Project Summary:

Eco Sensitive resort that provides immersive, authentic experiences, in a natural environment. Guests will enjoy farm-to-table food and beverages, sourced from the property. Resort will include a natural swimming amenity and wellness center using natural springs located on the property. Resort will be Dark Skies-Compliant and is designed to be a private, eco-sensitive experience.

Applicant will follow all building and infrastructure requirements per San Juan County Guidelines.

Phase 1 will include Approximately 20 units, with anticipation for Max buildout in 5-10 years.

Property is directly adjacent to an existing vacation rental lodge, and borders grazing land and the USFS. The USFS is the largest landowner with adjacent property. The concept plan as presented creates minimal-to-no disturbance to neighboring landowners and is in an appropriate location for the proposed development.



PLANNING COMMISSION MEETING
117 South Main Street, Monticello, Utah 84535. Commission Chambers
August 11, 2022 at 6:00 PM

MINUTES

Welcome / Roll Call

PC Commission Chair Trent Schafer called the meeting to order at 6:01 pm.

PRESENT

Chairman Trent Schafer
 Commissioner Lloyd Wilson
 Commissioner William Johnston
 Commissioner Melvin Nelson
 Commissioner Cody Nielson
 Commissioner Ed Dobson

STAFF:

Scott Burton, Planning and Zoning Director
 Ben Tomco, Building Inspector
 Mack McDonald, County Administrator
 Alex Goble, Deputy County Attorney

Approval of Minutes

1. Approval of July 14, 2022 PC Meeting Minutes

Time Stamp 1:16 (audio)

Motion to approve the minutes with a minor correction was made by Commissioner Dobson, Seconded by Commissioner Nielson.

Voting Yea: Chairman Schafer, Commissioner Wilson, Commissioner Johnston, Commissioner Nielson, Commissioner Nielson, Commissioner Dobson

PUBLIC COMMENT

Time Stamp 2:42 (audio)

PC Commission Chair Trent Schafer explained that we would only take public comment at the beginning of the meeting, not on each item, he then opened the meeting for public comment.

PC Commissioner Lloyd Wilson asked about electronic attendance, which was discussed.

No other public comment was made.

ADMINISTRATIVE ITEMS

2. **Consideration and Approval of Spanish Trail Estates, Phase 1, Tract A, Amended, Ann Austin**

Time Stamp 5:29 (audio)

The PC discussed the subdivision amendment. Commissioner Dobson asked about the utility easements, which were discussed.

Motion to approve the subdivision amendment was made by Commissioner Dobson, Seconded by Commissioner Nielson.

Voting Yea: Chairman Schafer, Commissioner Wilson, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson, Commissioner Dobson

3. **Preliminary Plat Review Spanish Trail Estates, Phase 1, Lot 11 Amended, Matt Camberlango**

Time Stamp 8:46 (audio)

The PC had a discussion about the drainage on the subdivision and a concern about water drainage from Spanish Valley Drive. Staff will work with the owner of the property to determine that extent of the drainage issue.

4. **Preliminary Plat Review Hummingbird Nest Subdivision Amendment 1, Brad Bunker, Bunker Engineering**

Time Stamp 14:25 (audio)

Brad Bunker presented this subdivision amendment to widen the road. No changes were requested.

5. **Preliminary Plat Review Coates II Subdivision Amendment 2, Brad Bunker, Bunker Engineering**

Time Stamp 19:42 (audio)

Brad Bunker presented this subdivision amendment to add utility easements for the subdivision. The PC discussed the easements, and no changes were requested.

6. **Consideration and Approval of Conditional Use Permit Application, Curtis Wells, Old La Sal.**

Time Stamp 23:52 (audio)

Curtis Wells presented his plan for a resort property in Old La Sal.

Commissioner Nielson asked how long he anticipates full build out. Mr. Wells explained that he plans to phase the development beginning at the area around the proposed parking lot, and the phases would be determined by economic conditions.

The commissioners discussed possible conditions, and possibly having the developer provide updates regarding substantial performance.

After the discussion the PC agreed on the conditions proposed by staff as follows.

- *Must comply with the public water system requirements for water storage and pressure for fire suppression standards*
- *Must comply with any state or federal fire restrictions*
- *Must comply with all building permit requirements*
- *Must comply with San Juan County Health Department requirements and Utah State water system requirements.*
- *Must comply with San Juan County business license requirements*

Motion to approve the permit with the above conditions made by Commissioner Dobson, Seconded by Commissioner Wilson with an addition that the applicant provide a one year report of progress.

Voting Yea: Chairman Schafer, Commissioner Wilson, Commissioner Johnston, Commissioner Nielson, Commissioner Dobson

Voting Nay: Commissioner Nelson

7. Consideration and Approval of Conditional Use Permit Application, Stephen R. Schultz, La Sal

Time Stamp 48:11 (audio)

Stephen Schultz presented a campground with six campsites on his property in La Sal.

Commissioner Nielson asked about whether the health department had a requirement for a the number of vault toilets based on the number of campsites, and mentioned that it will be a condition of the approval that he comply with any health department requirements.

After the discussion the PC agreed on the following conditions:

- *Must comply with the public water system requirements for water storage and pressure for fire suppression standards*
- *Must comply with any state or federal fire restrictions*
- *Must comply with all building permit requirements*
- *Must comply with San Juan County Health Department requirements and Utah State water system requirements.*
- *Must comply with San Juan County business license requirements*

Motion to approve the application was made by Commissioner Nielson with the above conditions, Seconded by Commissioner Wilson.

Voting Yea: Chairman Schafer, Commissioner Wilson, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson, Commissioner Dobson

8. Consideration and Approval of Conditional Use Permit Application, Blue Mountain Vacations LLC, Tyler North, Monticello

Time Stamp 57:00 (audio)

Brian Boyd as a representative of the developer presented this plan for three short term rental properties. Two of the properties are yurts and one is a small cabin.

Access parking, and site layout were discussed. After some discussion the PC agreed on the following conditions:

- *Must comply with the public water system requirements for water storage and pressure for fire suppression standards*
- *Must comply with any state or federal fire restrictions*
- *Must comply with all building permit requirements*
- *Must comply with San Juan County Health Department requirements and Utah State water system requirements.*
- *Must comply with San Juan County business license requirements*
- *No open wood burning fires allowed.*

Motion to approve the application with the above mentioned conditions was made by Commissioner Nielson, Seconded by Commissioner Wilson.

Voting Yea: Chairman Schafer, Commissioner Wilson, Commissioner Johnston, Commissioner Nielson, Commissioner Dobson

Voting Nay: Commissioner Nelson

LEGISLATIVE ITEMS

9. Draft Land Use, Development and Management Ordinance (LUDMO) Discussion

Time Stamp 1:08:34 (audio)

The PC discussed the public comments received on the draft LUDMO ordinance, and directed staff on recommended changes based on the comments.

They discussed and gave direction on the following items: Spanish Valley ordinances, the zoning map, nonconforming uses, notices for conditional use permits, a process for large developments, the overnight accommodations overlay, variances, highway commercial zoning, roads, water requirements for subdivisions, RV Parks, and manufactured homes.

The draft ordinance will be revised to reflect the changes based on the direction of the board, and staff will work on getting the zones represented on a map.

BUILDING PERMIT(S) REVIEW

10. Building Permit List

Time Stamp 2:40:48 (audio)

The PC reviewed the building permit list.

ADJOURNMENT

Time Stamp 2:40:53 (audio)

Motion to adjourn was made at 8:43 pm by Commissioner Nielson, Seconded by Commissioner Wilson. Voting Yea: Chairman Schafer, Commissioner Wilson, Commissioner Johnston, Commissioner Nelson, Commissioner Nielson, Commissioner Dobson

*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**

APPROVED: _____
San Juan County Planning Commission

DATE: _____

Permit Report

07/08/2024 - 08/12/2024

Permit #	Permit Date	Residential or Commercial	Building Address	Building CityStateZip	Applicant Name	Description
24085	8/9/2024		134 South W Boulder	Monticello, UT 84535	Luke Lessner	New Solar PV Installation-Roof Mount
24084	8/6/2024	Commercial	MP 123.97 Looking glass Rd	San Juan, Utah 84533	CHP Electrical Services	100A Electrical Service for Cathodic Protection System
24083	8/5/2024	Commercial	495 E Black Locust AVE	Bluff, UT,84512	Brayden Mills (KBD HVAC)	4 System Change Outs
24082	7/31/2024		3978 E Sunny Acres Lane	Moab, UT 84532	U-Haul of Utah	New Service Meter
24081	7/29/2024	Residential	3978 E Sunny Acres Ln	Moab Utah 84532	David Patton IEGEC, LLC	New Service 100a
24080	7/26/2024		701 West Main Street	Bluff, UT 84512	Amer Tumeh	Ground mount solar to support energy usage
24079	7/26/2024	Residential	17 W Hogtied Rd	Moab, Utah, 84532	Sarah Levinson	install rooftop solar PV system
24078	7/24/2024	Residential	17 N Bobbie Lane	LaSal Utah 84531	Affordable Builders LLC	Residential
24077	7/23/2024				DW Tower LLC	
24076	7/23/2024	Residential	112 S Avikan Hills Drive	84511	Derek Francom	Lean-to roof/porch cover on north side.
24075	7/17/2024	Commercial	4926 Old Airport Road. Lawson Construction	Moab, Ut 84532	Royce's Electronics Inc/ dba River Canyon Wireless	Internet provider
24074	7/17/2024	Residential	91 South Tangren Drive	Moab Utah 84532	Dawn Corn	New Meter

Permit #	Permit Date	Residential or Commercial	Building Address	Building CityStateZip	Applicant Name	Description
24073	7/16/2024	Residential	1516 E Clayhill Dr	Monticello UT 84535	Bruce Adams	New meter
24072	7/15/2024	Residential	15000 La Sal Loop Road/ Hoolihan Rd, Moab UT 84532	, Moab UT 84532	Steven Rouzer	Install 54 Bluesun 415 W panels with APsystems DS3S microinverters
24071	7/12/2024	Commercial	150 South 6th West, Bluff	Bluff, UT 84512	Pamela Yearous	Rooftop / Carport solar at RV Park
24070	7/10/2024	Residential	550 E HWY 491	Monticello, UT, 84535	Clay Nesor	16 - 400W roof top solar panels
24069	7/9/2024	Commercial	2406 N Radio Hill Rd.	Blanding, UT 84511	Sonderegger Yard and Gravel	Hook up Electrical meter

Total Records: 17

8/12/2024

Permit Report

08/09/2024 - 09/05/2024

Permit #	Permit Date	Residential or Commercial	Building Address	Building CityStateZip	Applicant Name	Description
24097	8/29/2024		210 E. Deer Park Drive Monticello Utah	Monticello, Utah, 84535	JCM Construction and Concrete	detached shop
24096	8/23/2024		1515 Hwy 46	Old LaSal Utah 84530	Timothy lankford	Studio apartment
24095	8/23/2024		95 Wray Mesa Rd.	La Sal, UT 84530	Dominic Bauer	Residence
24094	8/23/2024		Hwy 46-mile post 6	LA SAL	Michael Harris	24 X 25 Garage/shop
24093	8/20/2024	Residential	140 Tera Dive	Moab, UT 84532	Travis Blake	Turning a Garage into a living Area
24092	8/20/2024	Residential	428 E coranado st	moab , UT 84532	dave evans	change out regulator on gas meter for more pressure
24091	8/19/2024	Residential	11021 S Hwy 191	Moab, UT 84532	Clay Nesor	Asphalt shingle tear and re-shingle with brown asphalt shingle
24090	8/19/2024	Residential	11021 S Hwy 191	Moab, UT 84532	Clay Nesor	15 - 445W roof top solar panels
24089	8/12/2024				John Garrett Hinde	
24088	8/12/2024	Commercial	27 East Wilcox Rd.	LaSal Utah 84530	Energy Fuels	Office power
24087	8/12/2024				Steve & Dawn Corn	
24086	8/12/2024	Residential	170 S Copper Mill Rd	La Sal, Utah, 84530	John Garrett Hinde	intall meter base onto property for Conditional Use Permit

Permit #	Permit Date	Residential or Commercial	Building Address	Building CityStateZip	Applicant Name	Description
24085	8/9/2024	Residential	134 South W Boulder	Monticello, UT 84535	Luke Lessner	New Solar PV Installation-Roof Mount

Total Records: 13

9/5/2024