



PLANNING COMMISSION MEETING

**117 South Main Street, Monticello, Utah 84535. Commission Chambers
June 08, 2023 at 6:00 PM**

AGENDA

Google Meet joining info

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

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

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

YouTube Link

<https://youtube.com/live/vErirZGI6Uk?feature=share>

GENERAL BUSINESS

Welcome / Roll Call

Pledge of Allegiance

Approval of Minutes

1. Approval of May 11, 2023 Planning Commission Meeting Minutes
2. Approval of May 11, 2023 Planning Commission Work Meeting Minutes

PUBLIC COMMENT

ADMINISTRATIVE ITEMS

3. Consideration and Approval Conditional Use Permit, Corbin Lyman Bayles, Dark Canyon Land Company LLC
4. Consideration and Approval of Snow Minor Subdivision Amendment 1, Lloyd Wilson

LEGISLATIVE ITEMS

5. Spanish Valley Storm Water Master Plan, Greg Poole, Hansen Allen and Luce Engineers
6. Spanish Valley Overnight Accommodations Overlay Application, Jim Schnepel, Gardner Plumb LLC

BUILDING PERMIT(S) REVIEW

7. Building Permit List

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
May 11, 2023 at 6:00 PM

MINUTES

GENERAL BUSINESS

Welcome / Roll Call

Planning Commission Chair Trent Schafer called the meeting to order at 6:07 pm

PRESENT

Chairman Trent Schafer
Commissioner Cody Nielson
Commissioner Ed Dobson (joined remotely)
Commissioner Ann Austin (joined remotely)

STAFF

Ben Tomco, Building Inspector
Scott Burton, Planning and Zoning Administrator
Mitchell Maughan, Deputy County Attorney
Mack McDonald, County Administrator

County Commissioner Silvia Stubbs was also in attendance

Pledge of Allegiance

The Planning Commission conducted the Pledge of Allegiance

Approval of Minutes

1. Approval of April 13, 2023 Planning Commission Meeting Minutes

Motion to approve the minutes with a minor spelling correction was made by Commissioner Dobson, Seconded by Commissioner Nielson.
Voting Yea: Chairman Schafer, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

PUBLIC COMMENT

No public comments were made.

PUBLIC HEARING

Time stamp 6:05 (audio)

Motion to enter the public meeting was made by Commissioner Dobson, Seconded by Commissioner Austin.

Voting Yea: Chairman Schafer, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

2. Public Hearing: San Juan Estates Lot 2 Amendment

No comments were made for this item.

3. Public Hearing: San Juan Estates Phase 3 Lot 29 Amendment 2

The following comments were made regarding this subdivision amendment:

James Tibbets a neighboring property owner to the proposed amendment expressed concerns that the new lots will be in the wash. He further explained that any efforts they did to build up the wash, would alter the wash and push water into the neighboring properties.

Ed McElhaney a neighboring property owner explained that there is a big elevation difference in the proposed lots, and asked for someone from the county to come take a look at the area.

Ed Lansing a neighboring property owner expressed a concern about additional sand getting washed down into the wash. He also expressed concern about lights and parking.

Grant Lund who works with the owner commented about their plan to build single family homes, and expressed a desire to work with the county to address the drainage concerns. He also expressed his desire that this development not negatively impact the neighboring properties.

PC Commission Chair Trent Schafer expressed the need for someone from the county to take a close look at the property.

PC Commissioner Cody Nielson mentioned that the storm water master plan that the PC is currently reviewing should give us some guidance for these situations.

PC Commissioner Ann Austin mentioned that the storm water master plan can be found in the last Planning Commission meeting packet.

4. Public Hearing: San Juan Estates Phase 3 Lot 24 Amendment 4

No comments were made for this item.

Motion to close the public hearing was made by Commissioner Dobson, Seconded by Commissioner Nielson.

Voting Yea: Chairman Schafer, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

ADMINISTRATIVE ITEMS

5. Consideration and Approval, Old Airport Subdivision, Tom Keogh

Time stamp 24:52 (audio)

Tom Keogh presented this subdivision amendment. PC Commissioner asked about a discrepancy in the notes regarding the zoning of the property. The PC asked that the note be clarified to state that the zoning is Control District Highway (CD-HWY) and Agriculture (A-1).

Motion to recommend approval of the subdivision with the correction to the note was made by Commissioner Nielson, Seconded by Commissioner Dobson.

Voting Yea: Chairman Schafer, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

6. Consideration of Conditional Use Permit, Shane and Karry Deeter, Deeter Accounting

Time stamp 29:26 (audio)

Shane and Karry Deeter presented this application and explained their plan to build an office building in La Sal, which doesn't fit in the current Rural Residential District (RR-1) zoning.

The Deeters held a community meeting in La Sal and presented the Planning Commission with signatures of several of the residents in La Sal in support of commercial zoning along Markle street.

The PC discussed the possibility of a conditional use for this use, and asked the San Juan County Attorney's office to give a legal opinion regarding whether this could be approved with a conditional use permit.

Motion to table the item until they get legal advice was made by Commissioner Nielson, Seconded by Commissioner Austin.

Voting Yea: Chairman Schafer, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

7. Consideration and Approval Conditional Use Permit, High Sage Hogans, Danny McGee

Time stamp 52:20 (audio)

Danny McGee presented his conditional use permit application.

The PC discussed 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 San Juan County Fire Policy*

- *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*
- *Must meet the Health Department, Fire Department, and Building Department requirements within one month of approval.*

Motion to approve the Conditional Use Permit with the above conditions was made by Commissioner Austin, Seconded by Commissioner Nielson.

Voting Yea: Chairman Schafer, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

BUILDING PERMIT(S) REVIEW

8. Building Permit List

Time stamp 1:14:56 (audio)

The PC reviewed the building permit list

ADJOURNMENT

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

Voting Yea: Chairman Schafer, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

WORK MEETING

9. LUDMO Zoning Map update DISCUSSION

The PC discussed a draft zoning map. No action was taken.

ADJOURNMENT

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

Voting Yea: Chairman Schafer, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

Meeting was adjourned at 8:20 pm



PLANNING COMMISSION MEETING
117 South Main Street, Monticello, Utah 84535. Commission Chambers
May 11, 2023 at 6:00 PM

MINUTES

WORK MEETING

9. LUDMO Zoning Map update DISCUSSION

The PC discussed a draft zoning map. No action was taken.

ADJOURNMENT

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

Voting Yea: Chairman Schafer, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

Meeting was adjourned at 8:20 pm



STAFF REPORT

MEETING DATE: June 8, 2023

ITEM TITLE, PRESENTER: Consideration and Approval Conditional Use Permit, Corbin Lyman Bayles, Dark Canyon Land Company LLC

RECOMMENDATION: Consideration and Approval

SUMMARY

Corbin Lyman Bayles is applying for a conditional use permit for off grid overnight accommodations on 640 acres of private land on the Snow Flat Road in the Cedar Mesa area.

The application is for a “small number” however the Planning Commission may want to impose a restriction on the number of overnight accommodations on the property.

The following conditions are consistent with conditions placed on similar conditional use permit applications recently:

- *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 San Juan County Fire Policy*
- *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*

HISTORY/PAST ACTION

N/A

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: Section 2, T39S, R18E, San Juan County, Utah 84511

Parcel Identification

Number: Section 2, T39S, R18E

Parcel Area: 638.5 Acres Current Use: Farming/Agriculture

Floor Area: 638.5 Acres Zoning Classification: A-1

Applicant

Name: Corbin Lyman Bayles

Mailing

Address: PO Box 728

City, State,

ZIP: Blanding, Utah 84511

Daytime Phone #: 216-712-1899 Fax#: _____

Email Address: corbinbayles@me.com

Business Name (If applicable): Dark Canyon Land Company LLC

Property Owner's Name (If different): See Attachment

Property Owner's Mailing Address: _____

City, State, ZIP: _____

Daytime Phone #: _____ Fax#: _____

Describe your request in detail (use additional page(s) if necessary): See Attachment

Authorized Signature:  Date: 5/15/23

Property Owner's Affidavit

I (we) CARIN LYMAN THYLES, 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 15th day of May, 2023.

Denise Johnson
Notary Public

Residing in Utah

My Commission expires: Oct. 30, 2024



COURTESY RECORDING

No assurances are given by the company either
Express or implied for accuracy or content.

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Melanie R Clark, Esq.
Foley & Lardner LLP
95 S. State St., Suite 2500
Salt Lake City, UT 84111

APN: 39S18E020000

MEMORANDUM OF OPTION

This Memorandum of Option (this "**Memorandum**"), is entered into by and between Casey Black, an individual, and Duane E. Black, an individual (together, "**Seller**") and Dark Canyon Land Company, LLC, a Utah limited liability company ("**Buyer**"), effective as of March 29, 2023.

RECITALS

A. Seller and Buyer entered into that certain Option and Real Estate Purchase and Sale Agreement dated as of March 29, 2023 (the "**Option Agreement**") with respect to property described in Exhibit A attached hereto, together with all improvements (the "**Property**").

B. Seller and Buyer desire to give third parties notice of the Option Agreement and Buyer's interest in the Property.

NOW, THEREFORE, Seller and Buyer do hereby enter into this Memorandum for the purposes described below, and, in consideration of the mutual covenants contained in the Option:

1. Incorporation and Defined Terms. The Recitals set forth above and Exhibits attached hereto are hereby incorporated into this Memorandum by reference. Capitalized terms used but not defined in this Memorandum shall have the meaning set forth in the Option Agreement.

2. Option and Term. Pursuant to the Option Agreement, and as more fully set forth therein, Seller granted to Buyer, and Buyer acquired from Seller, an exclusive option to purchase (the "**Option**") the Property, upon the terms and conditions contained in the Option Agreement. The Option may be exercised beginning on the Effective Date and ending December 32, 2023, provided Buyer may extend the Option for four (4) additional one (1) year periods (as may be extended, the "**Option Term**"). No grant, sale, lease, mortgage, encumbrance, lien, transfer or other conveyance affecting the Property which is created or entered into after the Effective Date shall be valid or effective without obtaining Buyer's prior written consent. The covenants and agreements of Seller under the Option Agreement are covenants running with the land and shall be binding upon Seller and Seller's heirs, representatives, successors and assigns.

3. Purpose of Memorandum. This Memorandum is executed for the purpose of giving notice of the existence of the Option to third parties. All of the terms, conditions, provisions, and

covenants of the Option Agreement are incorporated into this Memorandum by reference as though fully set forth herein. Nothing contained in this Memorandum shall be deemed or construed to amend, modify, change, alter, amplify, interrupt or supersede any of the terms or provisions of the Option Agreement. In the event of a conflict between the terms of the Option Agreement and the terms of this Memorandum, the terms of the Option Agreement shall prevail and be controlling.

4. Notices. Notices under the Option Agreement shall be provided to:

To Seller: Casey Black
565 N. 100 W.
Blanding, Utah 84511

To Buyer: Dark Canyon Land Company, LLC
493 S. 650 E. #1801
American Fork, UT 84003
Attn: Corbin Bayles
Email: corbinbayles@me.com

With a copy to: Foley & Lardner LLP
95 S. State St., Suite 2500
Salt Lake City, UT 84111
Attn: Melanie Clark
Email: mclark@foley.com

[signatures on following pages]

IN WITNESS WHEREOF, Seller has executed this Memorandum of Option effective as of the date first set forth above.


SELLER:

By: Casey Black
 Casey Black

STATE OF Utah)
) ss.
 COUNTY OF San Juan)

April, The foregoing instrument was acknowledged before me this 3rd day of April, 2023 by Casey Black, an individual.

WITNESS my official hand and seal.



KELSEY M. SAUNDERS
 Notary Public
 State of Utah
 My Commission Expires Feb. 24, 2024
 #710765

Kelsey Saunders
 Notary Public

IN WITNESS WHEREOF, Seller has executed this Memorandum of Option effective as of the date first set forth above.

SELLER:

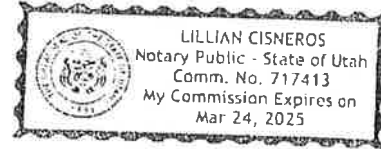
By: *[Signature]*
Duane E. Black

STATE OF Utah)
) ss.
COUNTY OF Cache)

The foregoing instrument was acknowledged before me this 30th day of March, 2023 by Duane E. Black, an individual.

WITNESS my official hand and seal.


[Signature]
Notary Public



IN WITNESS WHEREOF, Buyer has executed this Memorandum of Option effective as of the date first set forth above.

BUYER:

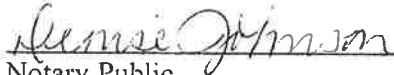
Dark Canyon Land Company, LLC,
a Utah limited liability company

By: 
Corbin Bayles, Manager

STATE OF Utah)
) ss.
COUNTY OF San Juan)

The foregoing instrument was acknowledged before me this 5th day of April, 2023 by Corbin Bayles, as the Manager of Dark Canyon Land Company, LLC, a Utah limited liability company.

WITNESS my official hand and seal.


Notary Public

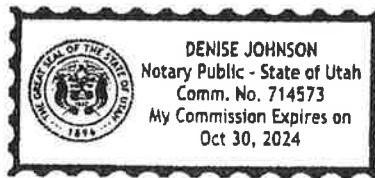


EXHIBIT A
To Memorandum of Option
PROPERTY DESCRIPTION

All of Section 2, Township 39 South, Range 18 East, Salt Lake Base and Meridian, located in San Juan County, State of Utah.

LESS AND EXCEPT THEREFROM all coal and other minerals that have been reserved, conveyed or transferred in prior documents.

(Known as Parcel No. 39S18E020000)

Dark Canyon Land Company LLC

Cedar Mesa Project

Section 2 Township 39 South Range 18 East

San Juan County, Utah 84511

*Conditional Use Permit - Application
San Juan County, Utah*

Company Information

Contact

Mail

PO Box 728

Blanding, Utah 84511

Email

dclc@darkcanyon.org

DCLC Principles

Owners

Corbin Bayles

14620 Shaker Blvd

Shaker Heights, OH 44120

corbinbayles@me.com

216-712-1899

Jeff Johnson

218 West 709 North

Blanding ut 84511

jeff@lnelectric.net

435-979-3332

Jeff Moore

4184 Lake Shore Dr.

Mckinney, TX 75071

gator@jeffandpaula.com

214-799-9398

I. Keep The Wilderness Wild

II. Provide Experiences in the Wild

III. Preserve & Document Artifacts

IV. Give Back Locally

Cedar Mesa Project Information

Project Description

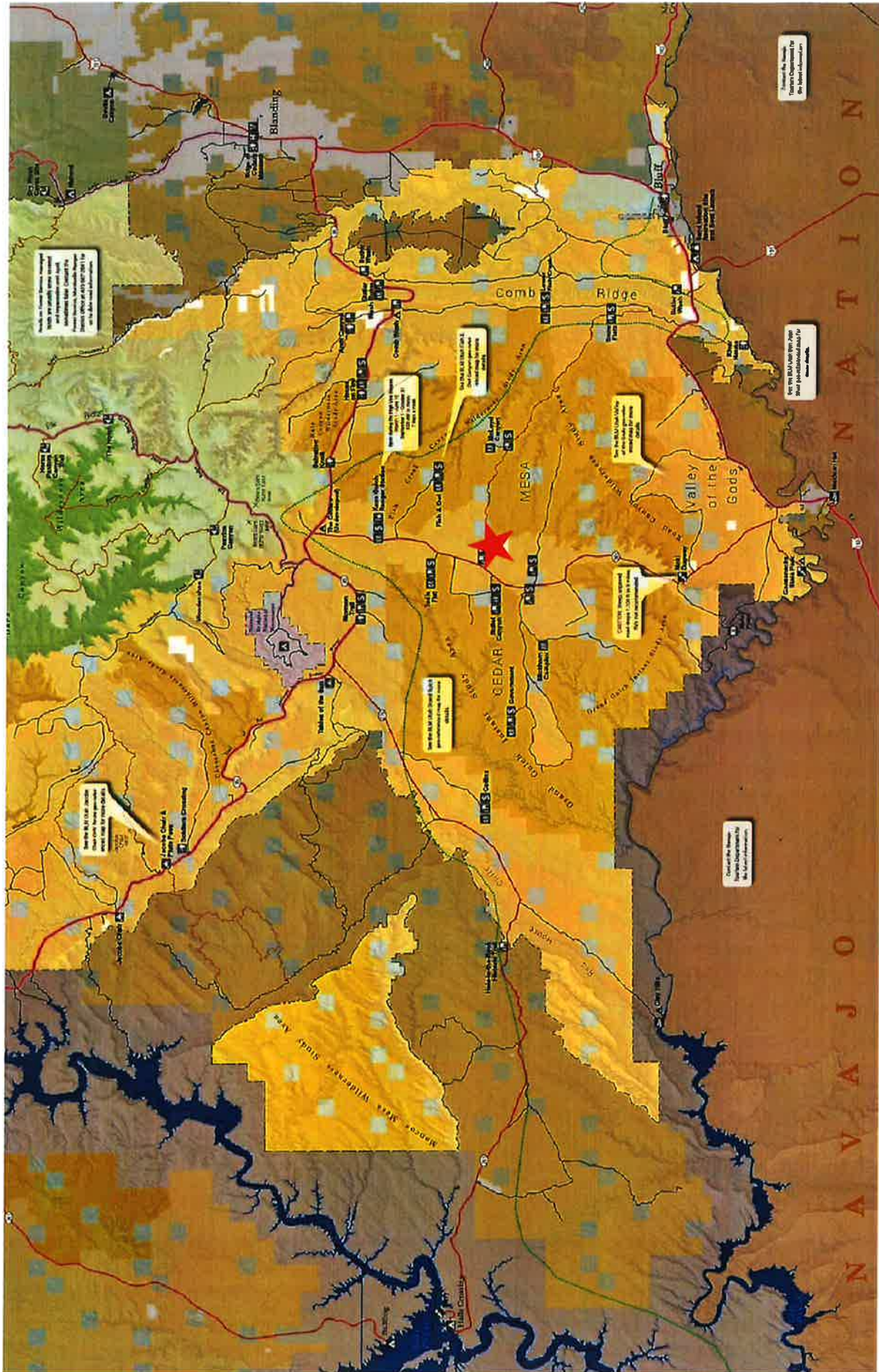
Dark Canyon Land Company LLC plans to bring limited development to the Cedar Mesa property, designing the infrastructure and business model to sustainably protect this sensitive area within the Bears Ears National Monument. Dark Canyon will offer a small number of off-grid, Airbnb type accommodations and exclusive experiences to enhance guest’s understanding and appreciation of the unparalleled landscapes, rich culture and ancient heritage of San Juan County.

In addition, Dark Canyon will look for opportunities to utilize the property for educational events and activities through future partnerships/relationships with Edge of Cedars Museum, BLM/Park Service, San Juan County School District and other local organizations.

Key Development Details

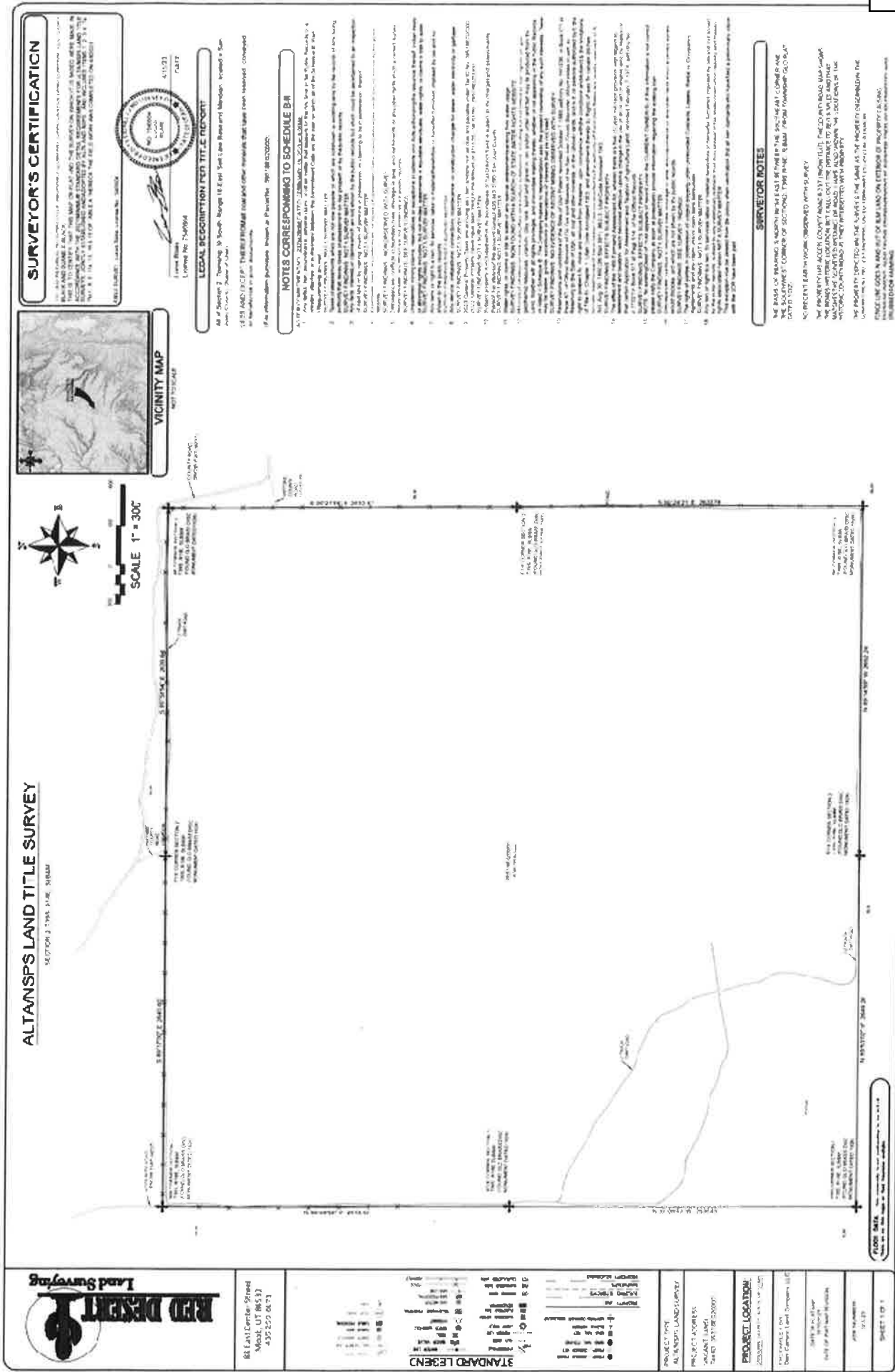
- Units are expected to be self-contained and off-grid; no in-ground septic system and minimal in-ground foundational requirements.*
- Maximizing the use of sustainable construction materials.*
- Light pollution not to exceed requirements for a Dark Sky Sanctuary*

Area Map



★ Cedar Mesa Property

ALTA/NSPS LAND TITLE SURVEY



RED DESERT
Land Surveying
1000 E. 1000 N.
Mesa, UT 84037
432-222-8173

STANDARD LEGEND

—	Survey Line
---	Unsurveyed Line
---	Property Line
---	Right of Way Line
---	Water Course
---	Other

PROJECT TYPE
ALTA/NSPS LAND SURVEY

PROJECT NUMBER
ALTA/NSPS
TRACT 2018-00001

PROJECT LOCATION
ALTA/NSPS LAND SURVEY
TRACT 2018-00001

DATE OF SURVEY
2018-08-01

DATE OF PLOTTING
2018-08-01

DATE OF PRINTING
2018-08-01

DATE OF RECORDING
2018-08-01

SHEET 1 OF 1

SURVEYOR'S CERTIFICATION

I, the undersigned, being a duly qualified and licensed Surveyor under the laws of the State of Utah, do hereby certify that I am the Surveyor of the above described land, and that the foregoing is a true and correct copy of the original field notes and computations made by me or under my direct supervision and control, and that the same conform to the requirements of the laws of the State of Utah, and that I am not aware of any fraud or other illegality in the same.

Surveyor's Name: **David R. Blaine**
License No: **140864**
Date: **8/1/2018**



LEGAL DESCRIPTION FOR TITLE REPORT

ALTA/NSPS SURVEY OF TRACT 2018-00001, BEING A PORTION OF THE TRACT DESCRIBED AS FOLLOWS: [Legal description text]

NOTES CORRESPONDING TO SCHEDULE 'B'

1. The survey was conducted in accordance with the provisions of the Utah Surveying Act, Chapter 101, Utah Code, and the rules and regulations of the Board of Surveying and Mapping, Utah State Office of Professional Regulation.

2. The survey was conducted in accordance with the provisions of the Utah Surveying Act, Chapter 101, Utah Code, and the rules and regulations of the Board of Surveying and Mapping, Utah State Office of Professional Regulation.

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SWVEYTOR NOTES

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Development Details

Rental Units

To limit the impact from development and protect the sensitive nature of the property a combination of the following self-contained, off-grid units will be placed on the property:

Drop Houses 25 Max

Glamping RV/Tents: 15 Max

RV Parking/Hookups: 10 Max

Utilities

Units will be designed to maximize renewable energy, while limiting water usage and waste.

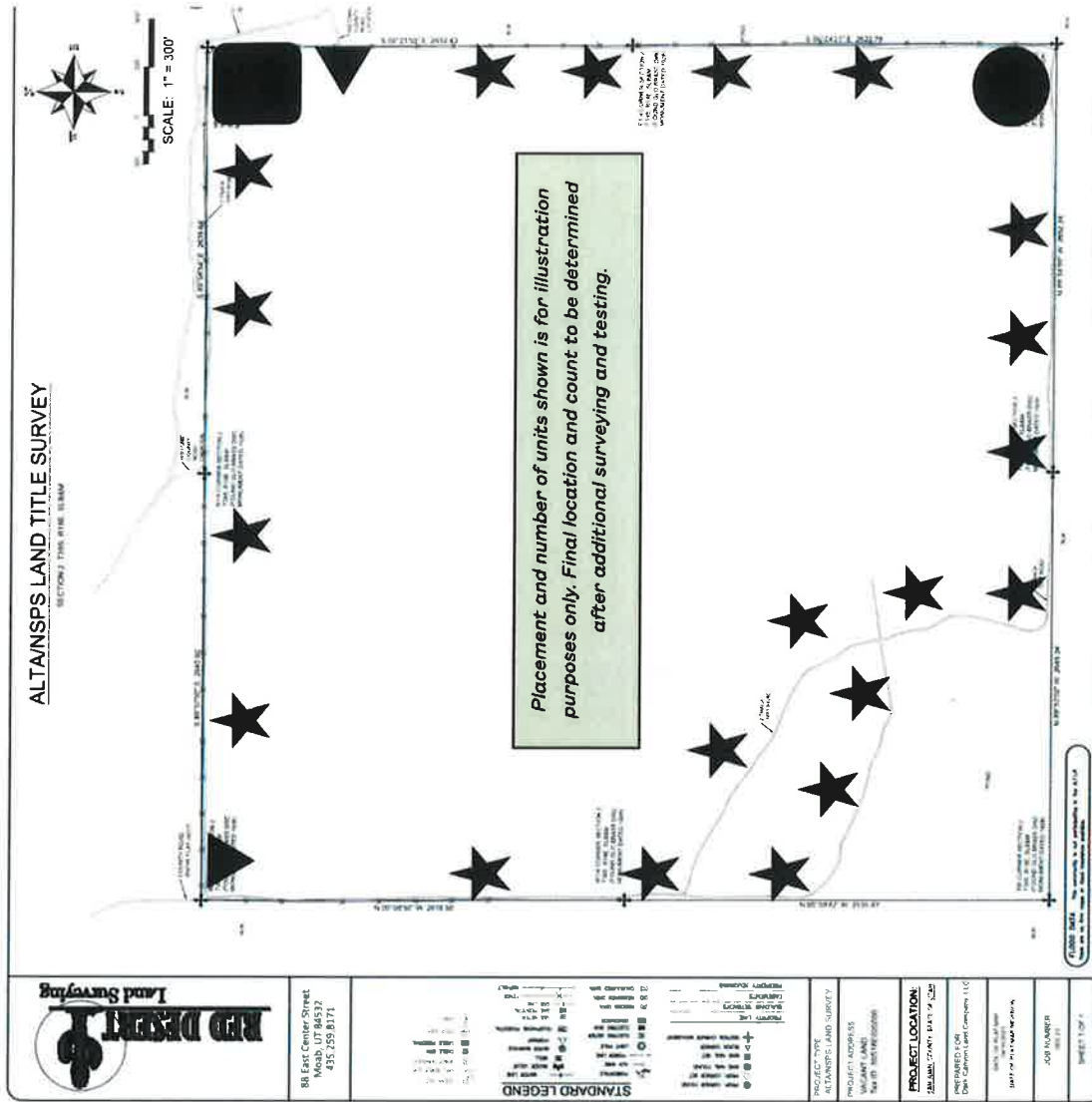
Power: Solar with backup propane generator.

Water: Potable water delivered to each unit.

Sewer: No in-ground septic systems,

Road Access: No change to current county road access and/or maintenance. Owners and guests will continue to use the NE and NW (gated) access points from Snow Flat Rd.

On property road development will be restricted to existing roads/paths and limited to grading for improving drainage and establishing designated parking areas.



Lodging - Drop House Concept

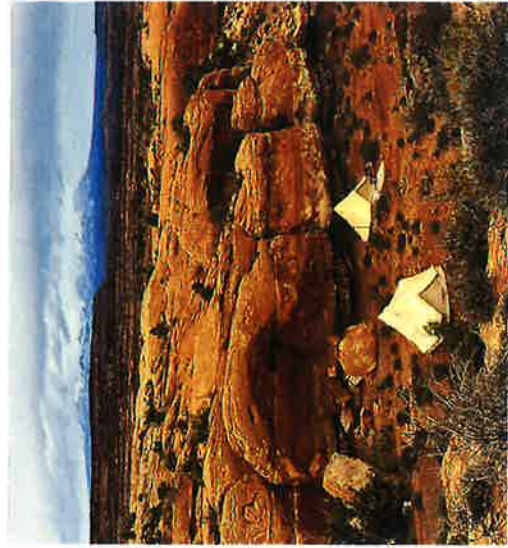
Location of each off-grid and self-contained unit is precisely chosen to protect the wilderness and archeological artifacts, while optimizing views of the landscape and sky. Large wall and ceiling windows, modern wood accents, dark wood and colors, warm welcoming textures/materials. Structure, deck and landscape will be designed to encourage outdoor living.

Potential Builder: Drop Structures - <https://www.dropstructures.ca/>



Lodging - Glamping Concept

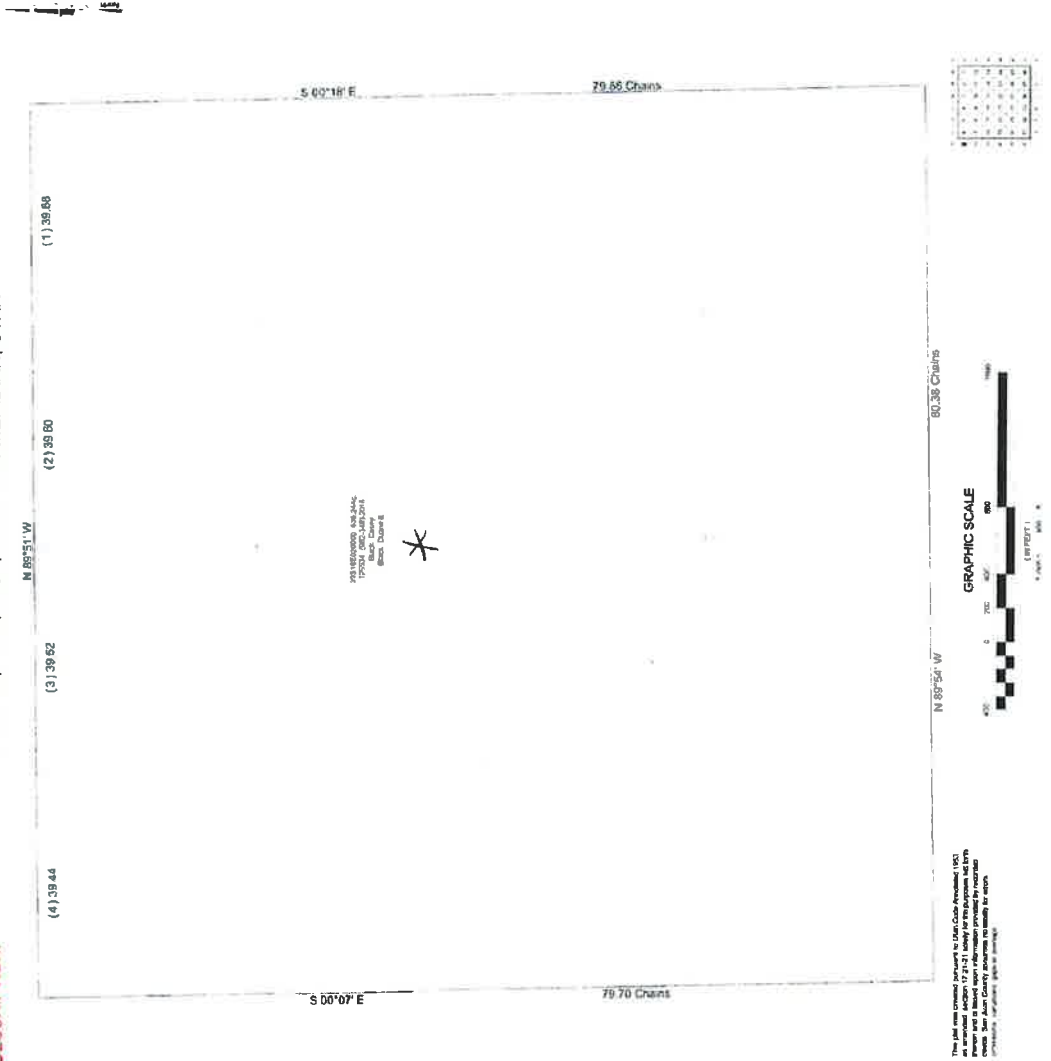
The experience of camping in the wild, with the comforts that make you want to stay forever. Tents will evoke the spirit of a luxurious African safari from the 1920's, nestled into a secluded area of the property.



Title Report

"SOUTHEASTERN UTAH TITLE COMPANY"
PURCHASES THIS PLAT SOLELY FOR THE
PURPOSE OF ASSISTING IN LOCATING THE
LAND. THE TITLE COMPANY ASSUMES NO
LIABILITY FOR VARIATIONS WITH AN ACTUAL
SURVEY OR DEED DESCRIPTION.

SAN JUAN COUNTY, UTAH SECTION 02, T39S, R18E, SALT LAKE MERIDIAN, UTAH

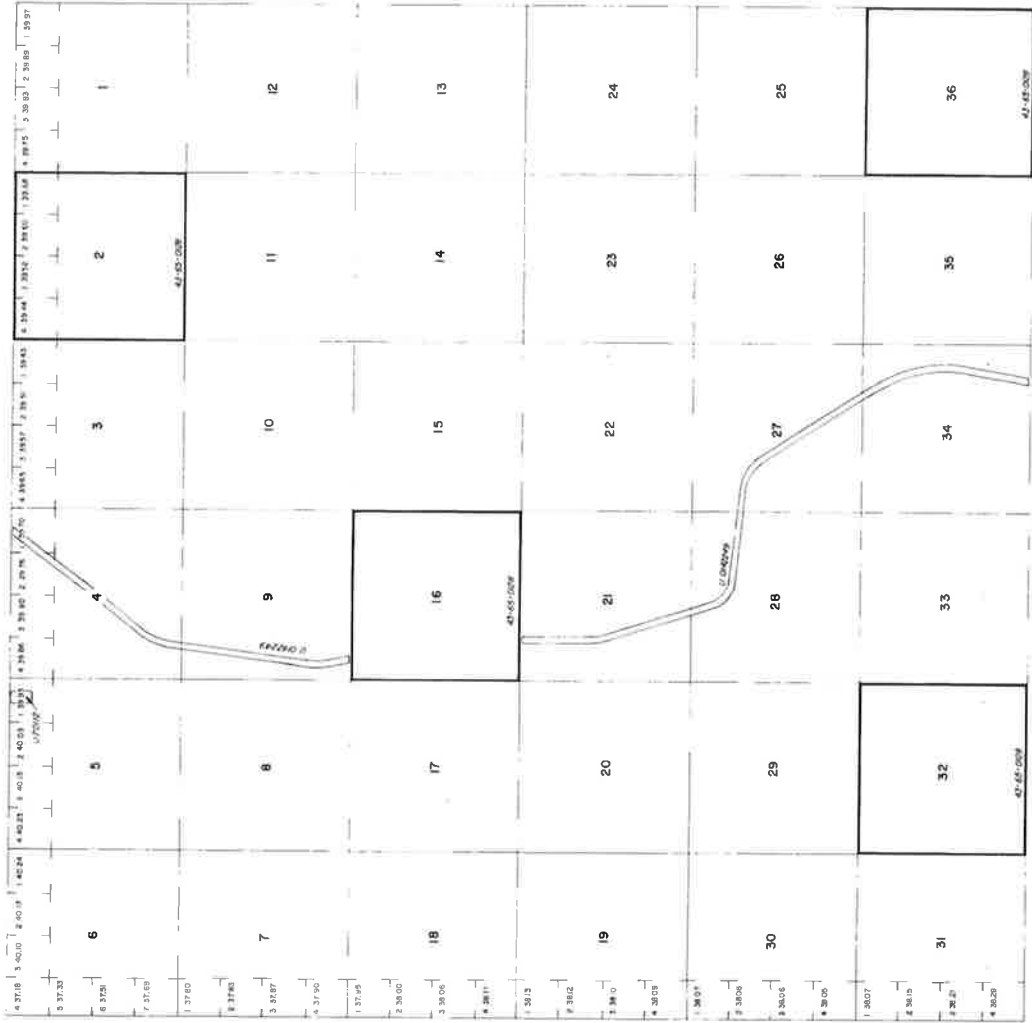


TOWNSHIP 39 SOUTH RANGE 18 EAST OF THE SALT LAKE MERIDIAN, UTAH

MOAB DISTRICT 060
SAN JUAN COUNTY

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

OG PLAT



TRACT NO.	ACRES	SUBDIVISION
1	36.00	SECTION 1
2	36.00	SECTION 2
3	36.00	SECTION 3
4	36.00	SECTION 4
5	36.00	SECTION 5
6	36.00	SECTION 6
7	36.00	SECTION 7
8	36.00	SECTION 8
9	36.00	SECTION 9
10	36.00	SECTION 10
11	36.00	SECTION 11
12	36.00	SECTION 12
13	36.00	SECTION 13
14	36.00	SECTION 14
15	36.00	SECTION 15
16	36.00	SECTION 16
17	36.00	SECTION 17
18	36.00	SECTION 18
19	36.00	SECTION 19
20	36.00	SECTION 20
21	36.00	SECTION 21
22	36.00	SECTION 22
23	36.00	SECTION 23
24	36.00	SECTION 24
25	36.00	SECTION 25
26	36.00	SECTION 26
27	36.00	SECTION 27
28	36.00	SECTION 28
29	36.00	SECTION 29
30	36.00	SECTION 30
31	36.00	SECTION 31
32	36.00	SECTION 32
33	36.00	SECTION 33
34	36.00	SECTION 34
35	36.00	SECTION 35
36	36.00	SECTION 36

FOR RECORDS OFFICIAL OR USE OF
UNIDENTIFIED LANDS WITHIN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES.
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

U.S.G.S. 1880, 1881, 1882, p. 107
S.E.C. 1, ALL
S.E.C. 2, ALL
S.E.C. 3, ALL
S.E.C. 4, ALL
S.E.C. 5, ALL
S.E.C. 6, ALL
S.E.C. 7, ALL
S.E.C. 8, ALL
S.E.C. 9, ALL
S.E.C. 10, ALL
S.E.C. 11, ALL
S.E.C. 12, ALL
S.E.C. 13, ALL
S.E.C. 14, ALL
S.E.C. 15, ALL
S.E.C. 16, ALL
S.E.C. 17, ALL
S.E.C. 18, ALL
S.E.C. 19, ALL
S.E.C. 20, ALL
S.E.C. 21, ALL
S.E.C. 22, ALL
S.E.C. 23, ALL
S.E.C. 24, ALL
S.E.C. 25, ALL
S.E.C. 26, ALL
S.E.C. 27, ALL
S.E.C. 28, ALL
S.E.C. 29, ALL
S.E.C. 30, ALL
S.E.C. 31, ALL
S.E.C. 32, ALL
S.E.C. 33, ALL
S.E.C. 34, ALL
S.E.C. 35, ALL
S.E.C. 36, ALL

TRACT NO.	ACRES	SUBDIVISION
1	36.00	SECTION 1
2	36.00	SECTION 2
3	36.00	SECTION 3
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12	36.00	SECTION 12
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14	36.00	SECTION 14
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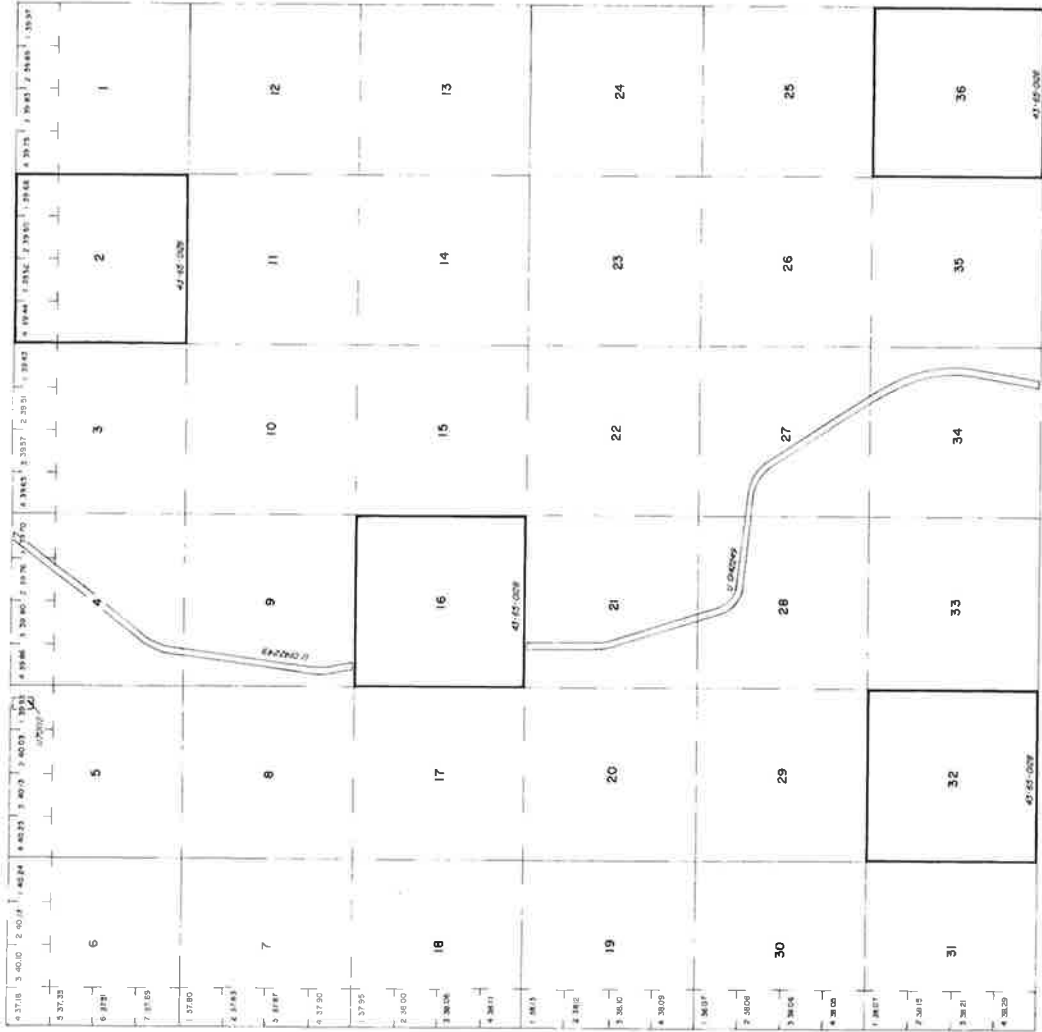
1" = 200'

SCALE
1" = 200'

TOWNSHIP 39 SOUTH RANGE 18 EAST OF THE SALT LAKE MERIDIAN, UTAH

MOAB DISTRICT 060
SAN JUAN COUNTY

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES



INDEX TO SEGREGATED TRACTS		
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FOR ORDERS EFFECTING DISPOSAL OR USE OF PUBLIC DOMAIN LANDS FOR MINERAL PURPOSES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

U.S.G.E. 36, Act. Area P. 167

36-12-11-17
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COMMENT TO	BY

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U.S. G.S.
LAND OFFICE

SCALE
30 CHAINS TO THE INCH



STAFF REPORT

MEETING DATE: June 8, 2023

ITEM TITLE, PRESENTER: Consideration and Approval of Snow Minor Subdivision Amendment 1, Lloyd Wilson

RECOMMENDATION: Consideration and Approval

SUMMARY

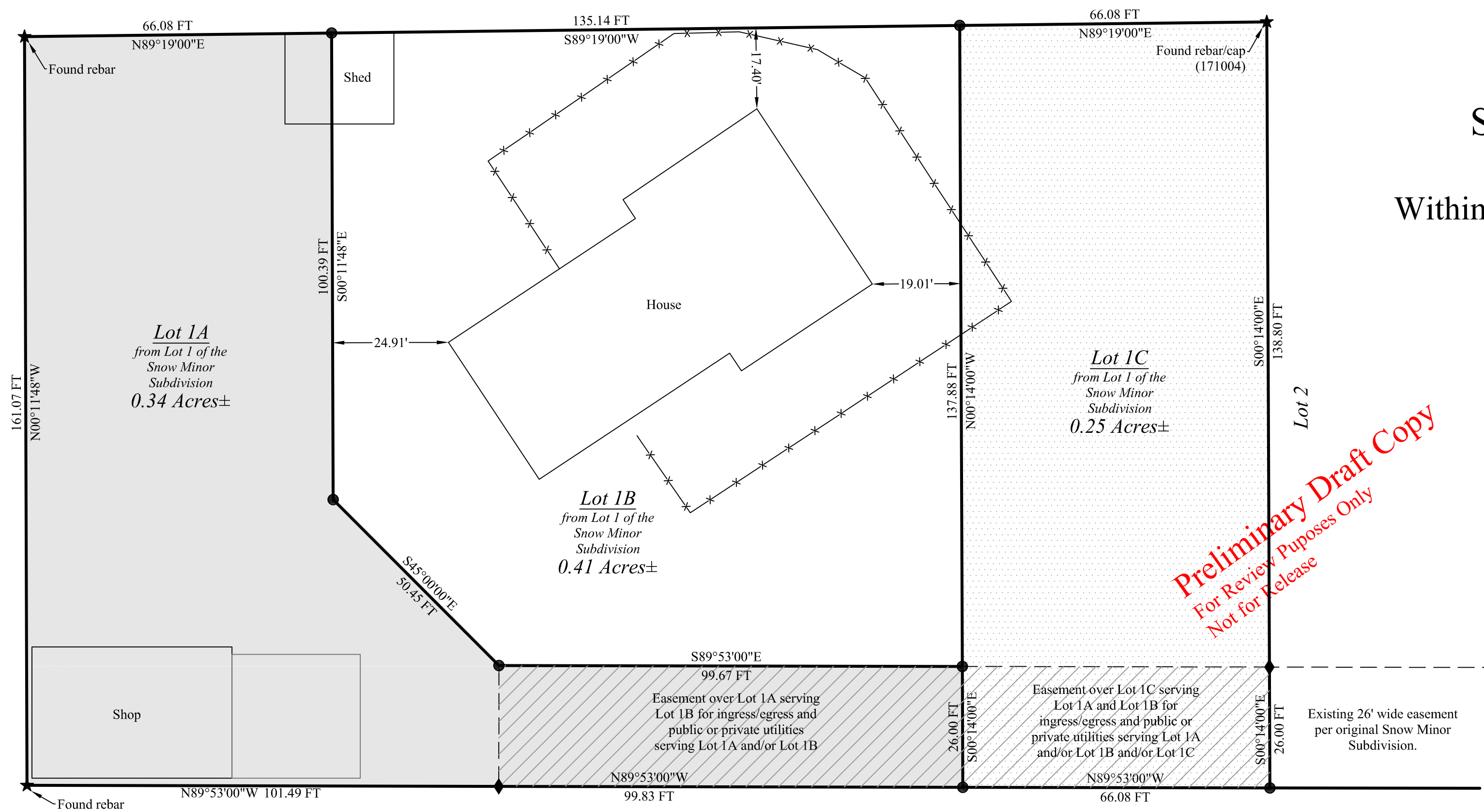
The Snow Minor Subdivision was created in 2006 with two lots. Attached is the original plat from 2006.

This proposed subdivision amendment splits lot 1 into three separate smaller lots as shown on the attached plat.

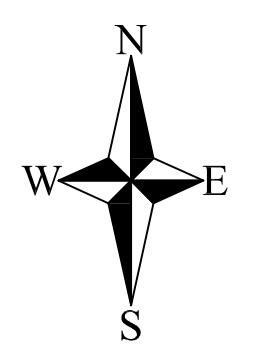
Access to these new lots is through the existing access easement that is proposed to be extended.

HISTORY/PAST ACTION

N/A

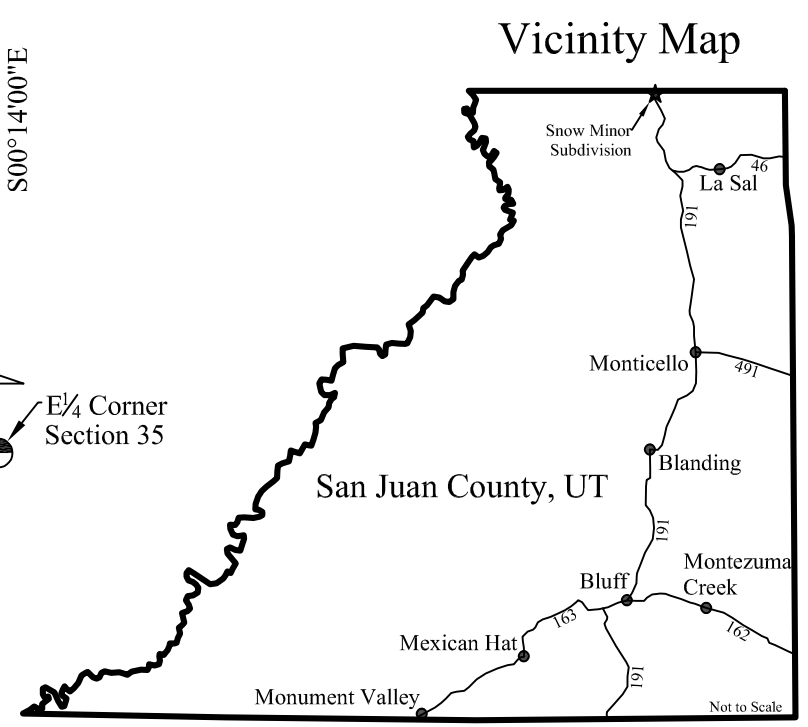
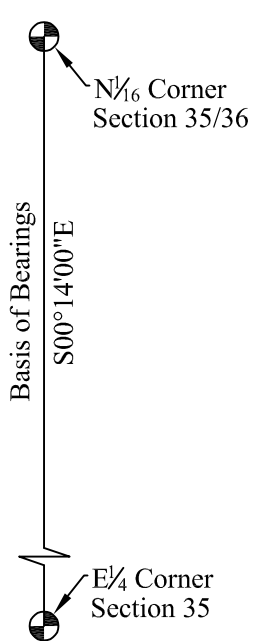


Final Plat Snow Minor Subdivision Amendment No.1 Within Section 35, T26S, R22E, SLB&M



Legend

- Found section monument
- Set rebar/cap (LS 4769309) this survey
- Found monument as labeled
- Fence
- Existing and amended utility easement
- Calculated location (not set)

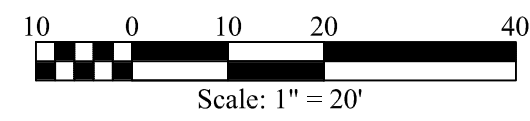


Surveyor's Certificate

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



5/9/2023
Date
Brad D. Bunker Utah P.L.S. #4769309



Narrative

The purpose of this survey was to amend Lot 1 of the Snow Minor Subdivision as shown hereon. New lots will be known as Lot 1A, 1B, and 1C in order to not confuse them with the original Lot 1. The basis of bearings for this survey is in accordance with the original Snow Subdivision which is S00°14'00"E between the N 1/4 corner and the E 1/4 corner of Section 35, Township 26 South, Range 22 East, SLB&M.

Health Department Approved this _____ Day of _____, 20____. _____ Health Official	Form Approval Approved this _____ Day of _____, 20____. _____ Attorney	County Recorder State of Utah, County of San Juan, Recorded at the request of _____ Filed : Date: _____ Time: _____ Book: _____ Page: _____ Fee: _____ _____ County Recorder	Final Plat <h2 style="margin: 0;">Snow Minor Subdivision Amendment No. 1</h2> Within Section 35, Township 26 South, Range 22 East, SLB&M
---	--	--	---

Acknowledgement State of Utah, County of San Juan, on the _____ Day of _____, 20____ personally appeared before me _____ and proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she/they) executed the same freely and voluntarily for the purposes stated herein. My commission expires _____ 20____ Residing in _____ County _____ Notary Public	Owners Dedication Know all men by these presents that we, the undersigned owners of the above shown Lot 1, having caused the same to be divided and amended hereafter to be known as the Snow Minor Subdivision, Amendment No. 1 In witness whereof I have hereunto set my hand this _____ Day of _____, 20____ By: _____ By: _____
---	--

San Juan County Commission The amendment hereon was presented to the San Juan County Commission this _____ day of _____, 20____, and was accepted and approved. _____ Attest Commissioner	San Juan County Planning Commission Approved by the San Juan County Planning Commission this _____ Day of _____, 20____ _____ Chairman	Bunker Engineering, LLC 965 South Creek Road, Monticello, UT 84535 P.O. Box 432, Monticello, UT 84535 (435) 459-9152 Date: 5/9/2023 Drawn By: B.D. Bunker Scale: 1" = 20' Drawing Name: Survey Reference Number: BE1314 Sheet: 1 of 1
---	--	--

SURVEYOR'S CERTIFICATE

I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A REGISTERED UTAH LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 171004 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT, AND I FURTHER CERTIFY THAT, UNDER AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE PROPERTY DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-23-17, HAVE SUBDIVIDED SAID TRACT INTO LOTS AND STREETS, AND HAVE VERIFIED ALL MEASUREMENTS AND PLACED MONUMENTS AS REPRESENTED ON THIS PLAT WHICH IS HEREAFTER TO BE KNOWN AS SNOW MINOR SUBDIVISION.

BOUNDARY DESCRIPTION

DESCRIPTION OF A PARCEL OF LAND IN THE SE1/4 OF THE NE1/4 SECTION 35, T 26 S, R 22 E, SLM, SAN JUAN COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A CORNER ON THE EAST LINE OF THE SE1/4 NE1/4 SECTION 35, SAID CORNER BEARS N 0°14'W 258.7 FT. FROM THE EAST 1/4 CORNER SECTION 35, T 26 S, R 22 E, SLM, AND PROCEEDING THENCE N 89°53'W 528.6 FT. TO A CORNER, THENCE N 0°12'W 161.0 FT. TO A CORNER, THENCE N 89°19'E 267.3 FT. TO A CORNER, THENCE WITH THE EAST LINE SE1/4 NE1/4 SAID SECTION 35 S 0°14'E 168.4 FT. TO THE POINT OF BEGINNING AND CONTAINING 2.00 ACRES, MORE OR LESS. EACH CORNER IS MONUMENTED AS SPECIFIED ON THE ATTACHED PLAT.
BEARINGS ARE BASED ON THE EAST LINE OF THE SE1/4 OF THE NE1/4 OF SECTION 35 (BEARING FROM THAT SURVEY OF AUGUST 1979=S 0°14'E).

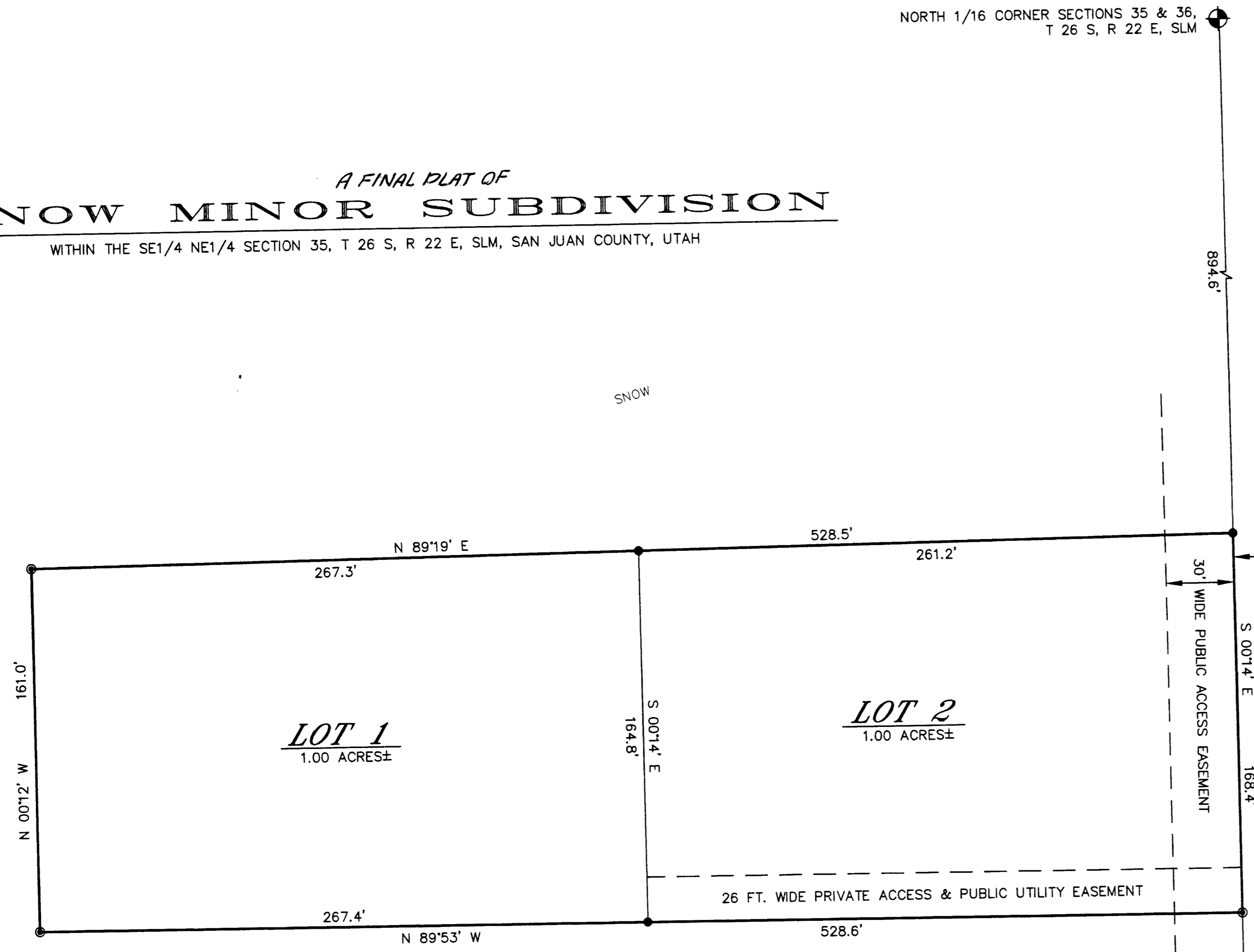
SURVEYORS NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO DIVIDE THE SNOW PROPERTY INTO THE LOTS 1 & 2 AS SHOWN HEREON. SAME WAS DONE AT THE REQUEST OF THE OWNER, WILLIAM SNOW.
THIS SURVEY REPRESENTS A FINDING OF 3 OF THE 4 ORIGINAL CORNERS SET BY UT. RLS# 2624 IN AUGUST OF 1979 FOR THE EXTERIOR OF THE PARCEL. THE 1 MISSING CORNER (THE NE CORNER) WAS RESET USING PROPORTIONATE MEASUREMENT BETWEEN ADJACENT FOUND CORNERS.
BEARINGS ARE BASED ON THE EAST LINE OF THE SE1/4 OF THE NE1/4 OF SECTION 35 (BEARING FROM THAT SURVEY OF AUGUST 1979=S 0°14'E).

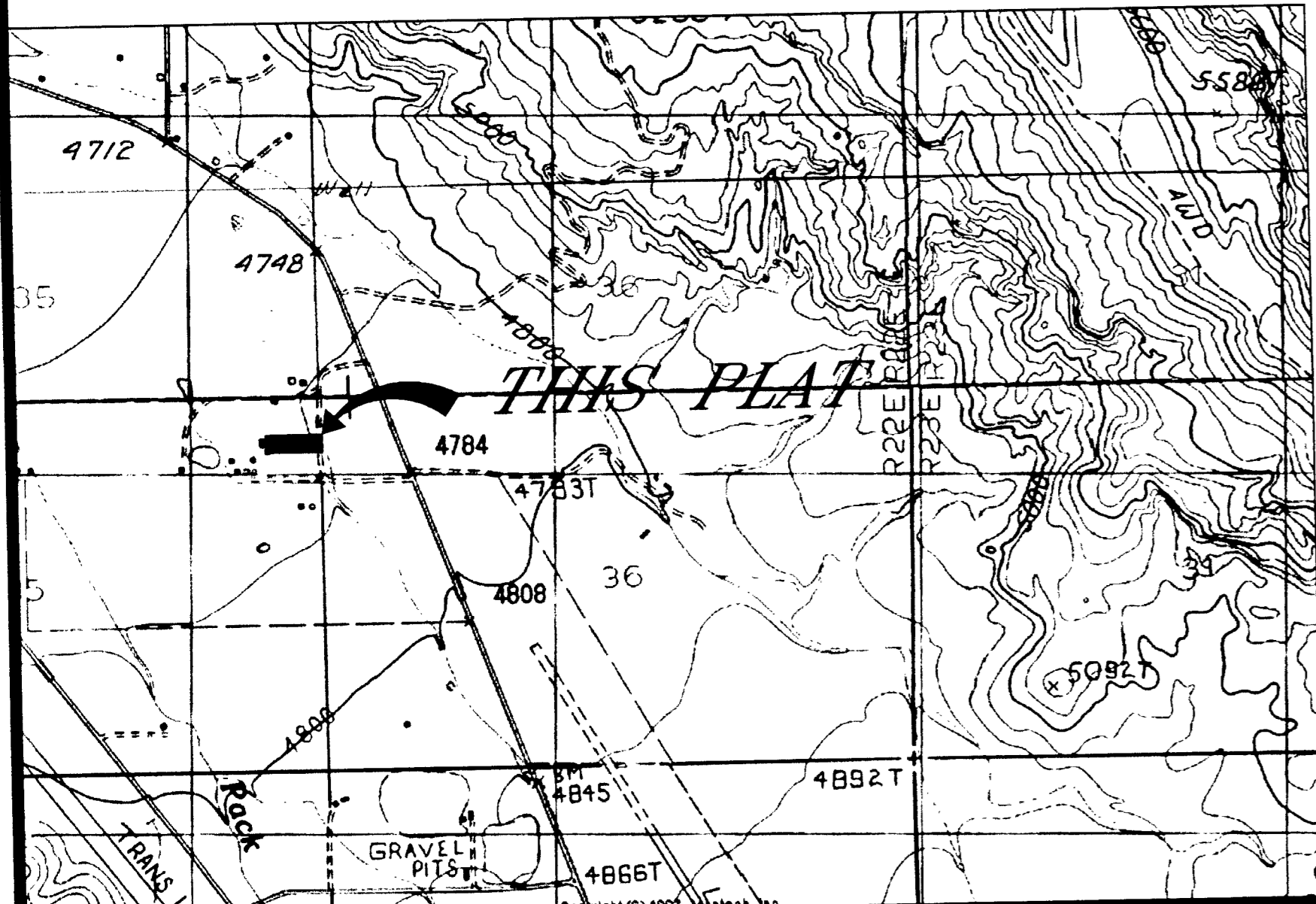
- NOTES:**
- 1. TOPOGRAPHY W/ 5' CONTOUR INTERVALS IS NOT AVAILABLE FOR THIS PROPERTY. THE PROPERTY IS "FLAT" WITH A SLIGHT DROP FROM EAST TO WEST.
 - 2. EXISTING ZONING A-1 AGRICULTURAL

A FINAL PLAT OF SNOW MINOR SUBDIVISION

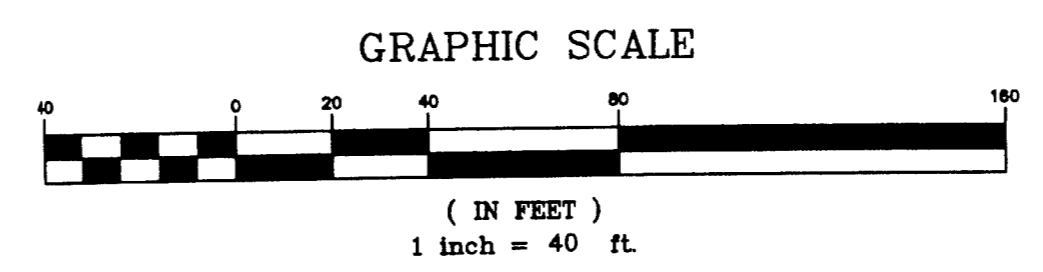
WITHIN THE SE1/4 NE1/4 SECTION 35, T 26 S, R 22 E, SLM, SAN JUAN COUNTY, UTAH



VICINITY MAP & TOPOGAPHY



- LEGEND**
- FOUND REBAR SET BY UT. RLS#2624 (SURVEY OF 8-79)
 - SET 5/8" REBAR WITH PLASTIC CAP THIS SURVEY
 - ⊕ FOUND BRASS CAP MONUMENT



DATE: Dec. 12/06
TIMOTHY M. KEOGH
REGISTERED LAND SURVEYOR
No. 171004
STATE OF UTAH

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT _____, THE UNDERSIGNED OWNER() OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS

SNOW MINOR SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF _____ HAVE HEREUNTO SET _____ THIS 11 DAY OF DEC, A.D., 2006

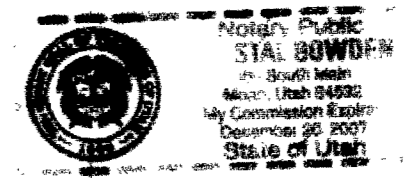
William E. Snow
WILLIAM E. SNOW
Mylene O. Snow
MYLENE O. SNOW

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF Grand S.S.

ON THE 11 DAY OF December, A.D., 2006, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF Grand IN SAID STATE OF UTAH, THE SIGNER(S) OF THE ABOVE OWNERS DEDICATION, 2 IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT they SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES 12-20-07
Crista Bowden
NOTARY PUBLIC
RESIDING IN Grand COUNTY



PREPARED BY
KEOGH LAND SURVEYING
45 EAST CENTER STREET
MOAB, UTAH 84532

DATE: OCT 18, 2006 SNOW.DWG
DRAWN BY: TMK CHECKED BY: TMK

COUNTY HEALTH DEPARTMENT
APPROVED THIS 11th DAY OF January, A.D. 2007, BY
Side W. Meyer

PLANNING COMMISSION CERTIFICATE
APPROVED THIS 5th DAY OF February, A.D. 2007, BY
Bruce B. Adams
CHAIRMAN
PLANNING COMMISSION

COUNTY SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT AS STAKED EXAMINED BY THIS OFFICE AND IT IS CORRECT AND ACCORDANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE COUNTY SURVEYOR.
JAN-10-2007
DATE

COUNTY COMMISSION APPROVAL
PRESENTED TO THE San Juan County Commission
THIS 5 DAY OF February, A.D. 2007. SUBDIVISION WAS ACCEPTED AND APPROVED.
ATTEST [Signature] Bruce B. Adams

COUNTY RECORDER NO. 090845
STATE OF UTAH, CO. OF SAN JUAN, RECORDED AT THE REQUEST OF WILLIAM E. SNOW FILED
DATE 02-06-07 TIME 9:02 AM BOOK 866 PAGE 475 FEE 32.00
0088
Laurie L. Jones
COUNTY RECORDER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 21st DAY OF February, A.D., 2007.
Walter J. Bird
Deputy County ATTORNEY



STAFF REPORT

MEETING DATE: June 8, 2023

ITEM TITLE, PRESENTER: Spanish Valley Storm Water Master Plan, Greg Poole, Hansen Allen and Luce Engineers

RECOMMENDATION: Consideration and Recommendation

SUMMARY

This Spanish Valley Storm Water Master Plan was prepared by Hansen, Allen and Luce Engineers. The plan was paid for by SITLA and San Juan County. County staff formed the stakeholder committee in the development of the plan.

The Planning Commission will make a recommendation to the Board of San Juan County Commissioners for adoption of the plan.

Possible Recommendations:

1. Include the Spanish Valley Storm Water Master Plan as an exhibit of the San Juan County Land Use and Development Ordinance (LUDMO).

OR

2. Codify the Spanish Valley Storm Water Master Plan as an Exhibit to the San Juan County Spanish Valley Development Ordinances of the San Juan County Zoning Ordinance, September 13, 2019, and modify the Table of Contents of the San Juan County Spanish Valley Development Ordinances of the San Juan County Zoning Ordinance, September 13, 2019 to include this plan

HISTORY/PAST ACTION

The Planning Commission discussed this at their March and April meetings.



SPANISH VALLEY

STORM WATER DRAINAGE MASTER PLAN

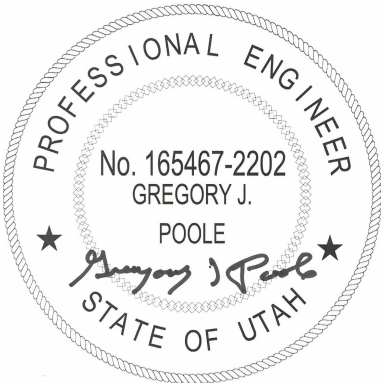
(HAL Project No.: 452.02.100)

February 2023

SPANISH VALLEY

STORM WATER DRAINAGE MASTER PLAN

(HAL Project No.: 452.02.100)



Gregory J. Poole, P.E.
Principal, Project Manager



February 2023

ACKNOWLEDGEMENTS

Successful completion of this master plan was made possible by the cooperation and assistance of many individuals, including the personnel as shown below. We sincerely appreciate the cooperation and assistance provided by these individuals.

San Juan County

Mack McDonald - San Juan County Chief Administrative Officer
 Kent B. (Sam) Cantrell – PLS, San Juan County Surveyor
 Jacob Regalado – Chief Deputy Surveyor
 Devlin McCarthy – Deputy Surveyor
 Scott Burton – Subdivision Administrator
 Todd Adair - Road Superintendent
 Tammy Gallegos - Emergency Director

School Institutional Trust Lands Administration

Elise Erler - SITLA - Development

Hansen, Allen, & Luce, Inc.

Gregory J. Poole - PE, Project Manager
 Kayson Shurtz – PE, Pack Creek Master Plan
 Dan Jones – PE, Development Drainage Master Plan

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EXECUTIVE SUMMARY

Storm water runoff is a difficult resource to manage. In a dry climate such as Utah's, existing drainage ways are often dry and, to the inexperienced, may appear to be prime places to construct buildings. Storm water flows are dependent on many complex time and spatially varied factors. Even a natural undeveloped drainage system is not static: streams can erode in one section while depositing in another; stream courses can also change alignment and cross section dramatically with just one storm runoff event. Urbanization compounds the problem and creates a need for a drainage system with the basic goals of managing nuisance water, protecting development from damage, and protecting downstream waters from adverse quality and quantity impacts.

Spanish Valley is expected to experience significant population growth and development. San Juan County recognizes the importance of developing a drainage master plan to guide development planning. This storm drainage master plan focuses on the San Juan County Spanish Valley floor where most of the development is expected to occur.

The San Juan County Area Plan (2018) and the South Valley Community Structure Plan (2022), prepared by Landmark Design for the School and Institutional Trust Lands Administration (SITLA), provide a framework for future development and a basis for storm drainage master planning.

KEY MASTER PLAN OBJECTIVES

- Protect developments from flooding in events up to the design storm runoff event.
- Potential development impacts on storm water quality and quantity to Pack Creek must be mitigated.
- Plan facilities with maintenance in mind.

STUDY AREA

The study area includes the San Juan County Spanish Valley floor south of the county line plus directly tributary areas.

PACK CREEK MASTER PLAN

Pack Creek poses a flood hazard risk to a significant portion of the San Juan County Spanish Valley floor. The braided nature of the channel network in the southern end of the valley is evidence of an alluvial fan. Above the valley floor Pack Creek flood flows are confined in mountain ravines which have high gradients and convey large quantities of eroded sand, rock, and boulders out onto the valley floor. On the valley floor land slopes are reduced and flood flow velocities are reduced depositing sediment and debris that form a fan shape. The erosion/deposition process results in channel braiding where channels are alternately cut and filled with sediment. This phenomenon is commonly referred to as an alluvial fan.

HAL performed a hydrologic study on Pack Creek previously to help San Juan County and SITLA better understand the flood hazards in Spanish Valley (HAL, 2019). San Juan County and SITLA are pursuing a recommendation from that study to develop debris basins and other facilities with sufficient capacity to convey the 1% chance flood event.

Two debris basins are currently planned as part of a Natural Resources Conservation Service (NRCS) project upstream of the drainage master plan study area. These new debris basins are

expected to reduce debris floods on the alluvial fan. In addition to the debris basins, a Pack Creek flood control basin is proposed to reduce the 1% chance flood flows.

The Pack Creek flood control basin is conceptually sized to provide about 423 acre-feet of flood attenuation storage. The flood control basin will normally be dry with available storage space to reduce storm runoff peak flood flowrates during a 100-year 24-hour storm event from 5,200 cfs to 1,500 cfs.

The Pack Creek master plan includes channel improvements below the flood control basin. The master plan improvements include grade control structures, channel forming and lining, and road crossings. The Pack Creek master plan alignment and proposed flood control basin are shown in **Figure EX-1**. The preferred channel cross section is shown in **Figure EX-2**. Conceptual construction cost estimates for the Pack Creek improvements are provided in **Table EX – 1**.

Table EX-1. Conceptual Cost Estimates for Pack Creek

Item	Estimated Construction Cost	Notes
Flood Control Detention Basin	\$6,000,000	Cost estimate does not include land costs
Channel Improvements	\$16,800,000	Total assumed length is 16,400 ft (from proposed detention basin to County line). Cost includes grouted boulder drops and protection for the low flow channel.
Typical Road Crossing	\$430,000	Assumes three 9' x 6' box culverts to pass 1,500 cfs without overtopping the road.

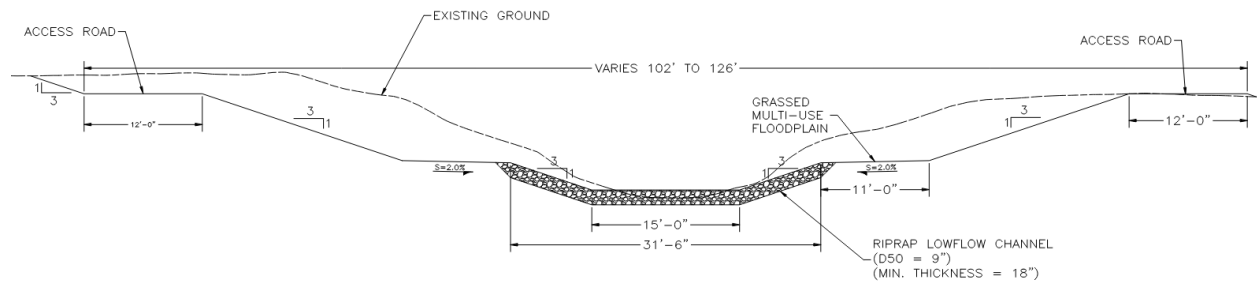
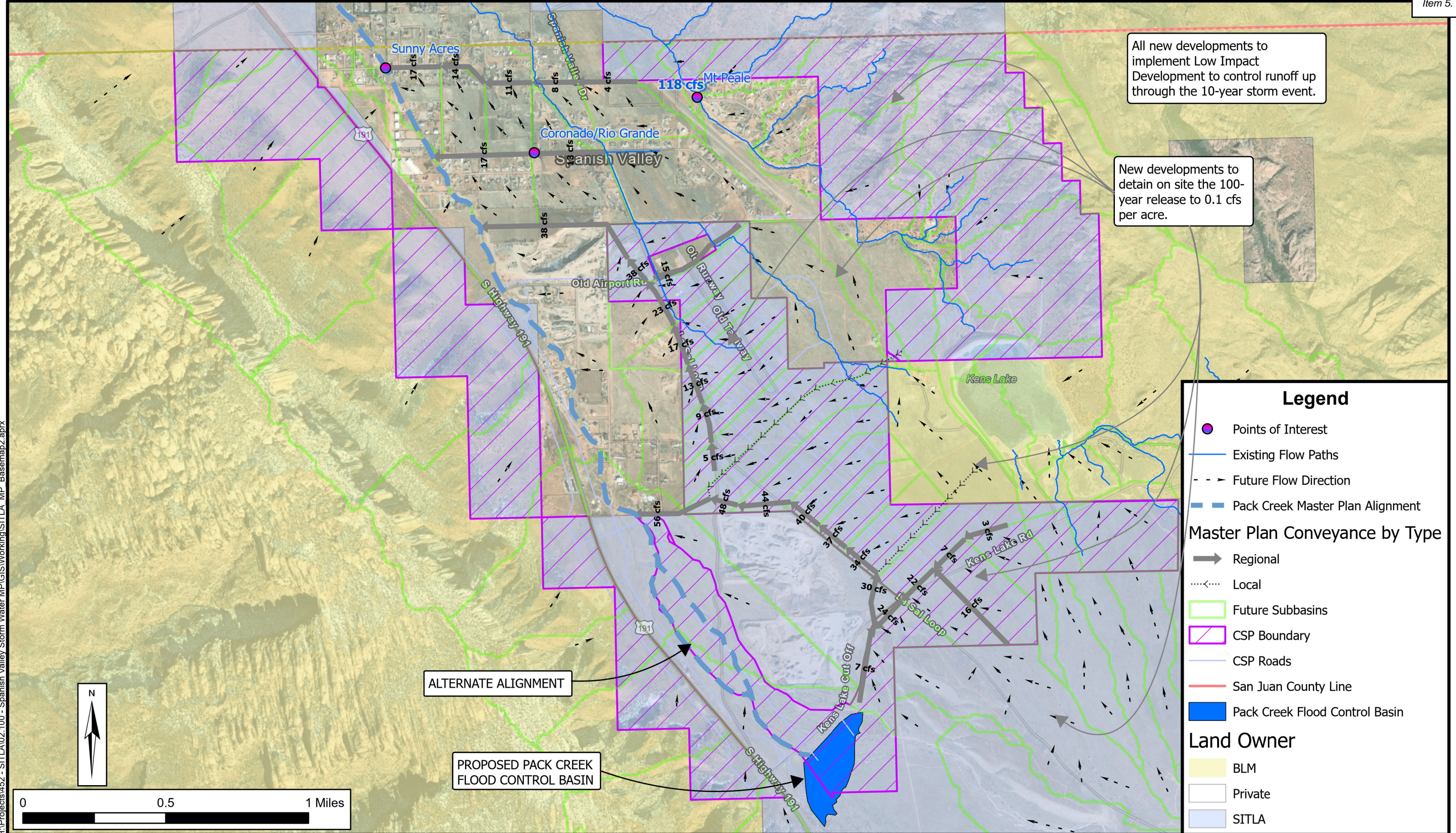


Figure EX-2 – Preferred Pack Creek Master Plan Cross Section



Legend

- Points of Interest
- Existing Flow Paths
- - - Future Flow Direction
- Pack Creek Master Plan Alignment

Master Plan Conveyance by Type

- Regional
- ⋯ Local

Future Subbasins

- Future Subbasins

CSP Boundary

- CSP Boundary

CSP Roads

- CSP Roads

San Juan County Line

- San Juan County Line

Pack Creek Flood Control Basin

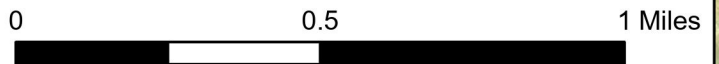
- Pack Creek Flood Control Basin

Land Owner

- BLM
- Private
- SITLA

ALTERNATE ALIGNMENT

PROPOSED PACK CREEK FLOOD CONTROL BASIN



Date: 2/28/2023 Document Path: H:\Projects\452 - SITLA\02.100 - Spanish Valley Storm Water MP\GIS\Working\SITLA_MP_Basemap2.aprx



SAN JUAN COUNTY – SPANISH VALLEY

STORM DRAINAGE MASTER PLAN LOCAL DETENTION ALTERNATIVE

FIGURE EX-1

DRAINAGE DESIGN CRITERIA

Several workshops were held with San Juan County staff. The following storm drainage design criteria were selected for implementation in the San Juan County portion of Spanish Valley:

- Design minor storm is the 10-year 24-hour storm event.
- Design major storm is the 100-year 24-hour storm event. Future development buildings are to be protected from flooding in events up to the 100-year storm event.
- Require Low Impact Development to control minor storm runoff:
 - Minimize directly connected impervious area.
 - Use Rain Gardens and Dry Wells (sumps) with pre-treatment to capture and infiltrate runoff from a 10-year storm event close to the source of runoff.
- Require detention basins to control major storm runoff to pre-development rates.
- Downhill cul-de-sacs and sags in streets which are not located at an intersection are to be avoided.
- Maintenance:
 - Assure adequate access.
 - No drainage structures placed on back lot lines.

SPANISH VALLEY SOILS

Most of the soils in the Spanish Valley floor in the study area are classified as hydrologic soil group A and are highly permeable well drained soils.

UNDISTURBED NATIVE VEGETATION STORM RUNOFF CHARACTERISTICS

The predevelopment condition was established in the model by applying the design storm to a basin with a Curve Number of 60. This number was selected as the predominant soil group is A and the cover is most like desert shrub in fair to poor condition. The resultant runoff volume and peak discharge per unit area are tabulated in **Table EX-2**. The values in **Table EX-2** represent the hydrologic characteristics of the undisturbed native vegetation condition.

Table EX-2
Undisturbed Vegetation Storm Runoff Characteristics

Storm Frequency (24-hour)	10-year	100-year
Percent Annual Chance Exceedance	10%	1%
Precipitation (inches)	1.80	2.81
Runoff Volume (acre-inches/acre)	0.03	0.27
Peak Flowrate (cfs/ac)	0.004	0.1

DEVELOPMENT CHARACTERISTICS

The San Juan County Area Plan (2018) and the South Valley Community Action Plan (2022), prepared by Landmark Design for the School and Institutional Trust Lands Administration (SITLA), provide a framework for future development and a basis for drainage master planning.

DEVELOPMENT STORM DRAINAGE MASTER PLAN ALTERNATIVES

Minor storm. To prevent increased runoff during the 10-year storm for new development (commensurate with undisturbed native vegetation runoff), sumps or other infiltration means should be implemented to retain and infiltrate the runoff from a 10-year storm event onsite.

Major storm. To prevent increased peak storm runoff flowrates from new development during the 100-year storm (commensurate with undisturbed native vegetation, see **Table EX-2**), detention and conveyance need to be added. There are two primary approaches for construction and maintenance of detention basins: regional and local. A comparison of the pros and cons of regional and local detention alternatives is summarized in **Table EX-3**.

**Table EX-3
Pros and Cons of Each Detention Basin Approach**

Category	Regional	Local
Maintenance/Number of facilities	Low	High
Cost per acre-foot detention storage	Typically lower	Typically higher
Opportunity to “double store”	Lower	Higher
Conveyance Sizing	Larger	Smaller
Funding and Phasing difficulty	Higher	Low

Due to the funding constraints, the County has indicated a preference for the local detention approach for implementation in the master plan. Regional facilities may be permitted or required on a case-by-case basis.

Figure EX-1 shows a concept of the design flowrates for major conveyances under the local detention approach. **Table EX-4** provides a conceptual construction cost estimate for the major storm drainage conveyance facilities shown on **Figure EX-1**.

**Table EX-4
Conceptual Cost Estimates
of the Master Plan Regional Storm Drainage Facilities**

PROJECT	COST*
Master Plan Conveyances	\$6,310,000
Coronado (new outfall to Pack Creek)	\$512,000
Mt. Peale Drive (drainage crossing replacement)	\$102,000

* Assumes that the local detention option is selected. Also assumes that Master Plan Conveyances are pipes. Includes 30% for contingency and engineering.

CHAPTER 1 – INTRODUCTION

BACKGROUND

Storm water runoff is a difficult resource to manage. In a dry climate such as Utah's, existing drainage ways are often dry and, to the inexperienced, may appear to be prime places to construct buildings. Unlike sanitary sewers and culinary water systems, there are no clearly defined minimum service requirements for storm water systems. Storm water flows are dependent on many complex time and spatially varied factors. Even a natural undeveloped drainage system is not static: streams can erode in one section while depositing in another; stream courses can also change alignment and cross section dramatically with just one storm runoff event. Urbanization compounds the problem and creates a need for a drainage system with the basic goals of managing nuisance water, protecting development from damage, and protecting downstream waters from adverse quality and quantity impacts.

“Stormwater (runoff) management is the planned set of public policies and activities undertaken to regulate runoff under various specified conditions within various portions of the urban drainage system (McPherson 1970). It may establish criteria for control of peak flows or volumes, for runoff detention and retention, or for control of pollution, and may specify criteria for the relative elevations among various elements of the drainage system. Stormwater management is primarily concerned with limiting future flood damages and environmental impacts due to development, whereas flood control aims at reducing the extent of flooding that occurs under current conditions (Walesh 1987).” (After “The Urban Water Resources Research Council of the American Society of Civil Engineers and the Water Environment Federation, 1992”).

Spanish Valley is expected to experience significant population growth and development. San Juan County recognizes the importance of developing a drainage master plan to guide development planning. This storm drainage master plan focuses on the San Juan County Spanish Valley floor where most of the development is expected to occur.

The San Juan County Area Plan (2018) and the South Valley Community Structure Plan (2022), prepared by Landmark Design for the School and Institutional Trust Lands Administration (SITLA), provide a framework for future development and a basis for storm drainage master planning.

Low impact development (LID) techniques should be implemented as close as possible to the source of the runoff. Inherent in development is an increase in impervious area which can increase the volume and peak of storm water runoff. The Spanish Valley study area soils are permeable and LID practices including infiltration will be effective in mitigating the potential impacts. LID practices will potentially reduce initial infrastructure costs. The study area soils are conducive to the use of dry wells (sumps) to infiltrate runoff near the source and thus reduce the size and cost of downstream conveyance systems while recharging the valley fill aquifer.

KEY MASTER PLAN OBJECTIVES

- Protect developments from flooding in events up to the design storm runoff event (see drainage design criteria below).
- Potential development impacts on storm water quality and quantity to Pack Creek must be mitigated.

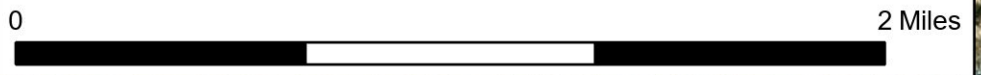
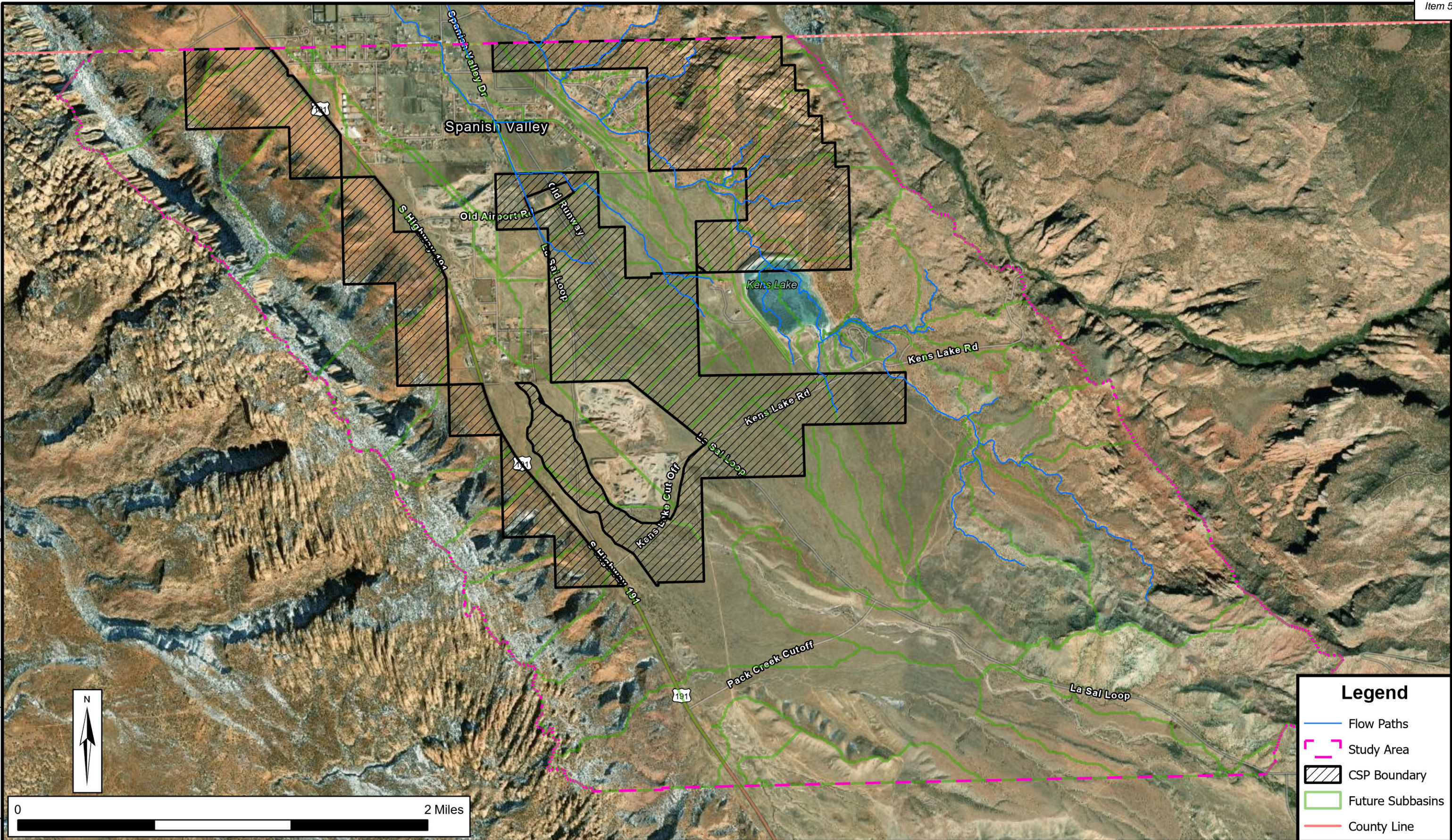
- Plan facilities with maintenance in mind.

AUTHORIZATION

The San Juan County and SITLA selected Hansen, Allen & Luce, Inc. (HAL) to prepare the Storm Water Drainage Master Plan. The Storm Water Drainage Master Plan has been completed in accordance with the agreement between SITLA and HAL dated March 15, 2022. The Storm Water Drainage Master Plan was completed under the direction of and in cooperation with San Juan County staff.

STUDY AREA

The portion of Spanish Valley included in the study area is shown on **Figure 1-1** and includes the San Juan County Spanish Valley floor south of the county line plus directly tributary areas.



Legend

- Flow Paths
- - - Study Area
- CSP Boundary
- Future Subbasins
- County Line

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SAN JUAN COUNTY - SPANISH VALLEY

STUDY AREA

FIGURE 1-1

CHAPTER 2 – STORM RUNOFF HYDROLOGY

The project team adopted a workshop approach with San Juan County staff to determine the design criteria, study areas, analysis processes, deficiencies, alternatives, and solutions. This section describes the methodology followed in developing the Master Plan.

DRAINAGE DESIGN CRITERIA

Several workshops were held with San Juan County staff. The following storm drainage design criteria was selected for implementation in the San Juan County portion of Spanish Valley.

- Design minor storm is the 10-year 24-hour storm event.
- Design major storm is the 100-year 24-hour storm event. Future development buildings are to be protected from flooding in events up to the 100-year storm event.
- Require Low Impact Development to control minor storm runoff.
 - Minimize directly connected impervious area.
 - Use Rain Gardens and Dry Wells (sumps) with pre-treatment to capture and infiltrate runoff from a 10-year storm event close to the source of runoff.
- Require detention basins to control major storm runoff to pre-development rates.
- Downhill cul-de-sacs and sags in streets which are not located at an intersection are to be avoided.
- Maintenance:
 - Assure adequate access.
 - No drainage structures placed on back lot lines.

HYDROLOGY

Hydrology is the study of the movement, distribution, accumulation, and management of water. For this Master Plan, the hydrology performed includes selecting a rainfall design frequency and storm distribution; subbasin area delineations and calculations; calculating runoff potential using soil data, land cover, and impervious surface estimates; and estimating the timing of peak runoff. This chapter details these processes in greater detail.

Design Frequencies

Spanish Valley selected design storm event frequencies of 10-year (10% chance of being equaled or exceeded in any given year) and 100-year (1% chance of being equaled or exceeded in any given year) for this study. Criteria included:

- 10-year 24-hour design capacity for the initial retention system. The initial retention system includes sumps, rain gardens, bioretention cells, rainwater harvesting, and infiltration basins, trenches, or galleries. Stormwater discharge should be zero for storms smaller than or equal to this event.
- 100-year conveyance capacity where flooding of homes may occur.
- 100-year 24-hour storm runoff capacity on all detention facilities. Release rate should be restricted to the pre-development discharge rate (0.1 cfs/acre, see **Table 2-3** Undisturbed Vegetation Storm Runoff Characteristics, below).
- A minimum freeboard of 1-foot for open channel conveyances and detention facilities should be provided during a 1% chance storm event.

Design Storms

The design storm distribution is how the precipitation falls throughout a storm of a particular duration. Selection of an appropriate storm distribution is important because it determines peak flows through pipes and channels and peak storage volumes in detention ponds. These results, determined in part by storm distribution, dictate the sizing of projects designed to solve existing deficiencies.

The storm distribution selected for use in this plan is the 24-hour NRCS Nested distribution which can be seen in **Figure 2-1**.

Precipitation depths were obtained from *NOAA Atlas 14: Precipitation-Frequency Atlas of the United States* (Bonnin et al. 2004; NOAA 2013). The design storm rainfall depths modeled for this Master Plan are seen in **Table 2-1**.

**Table 2-1
Modeled Rainfall Depths**

Storm Frequency	24-hr Depths
10-yr Rainfall Amount (in)	1.80
100-yr Rainfall Amount (in)	2.50

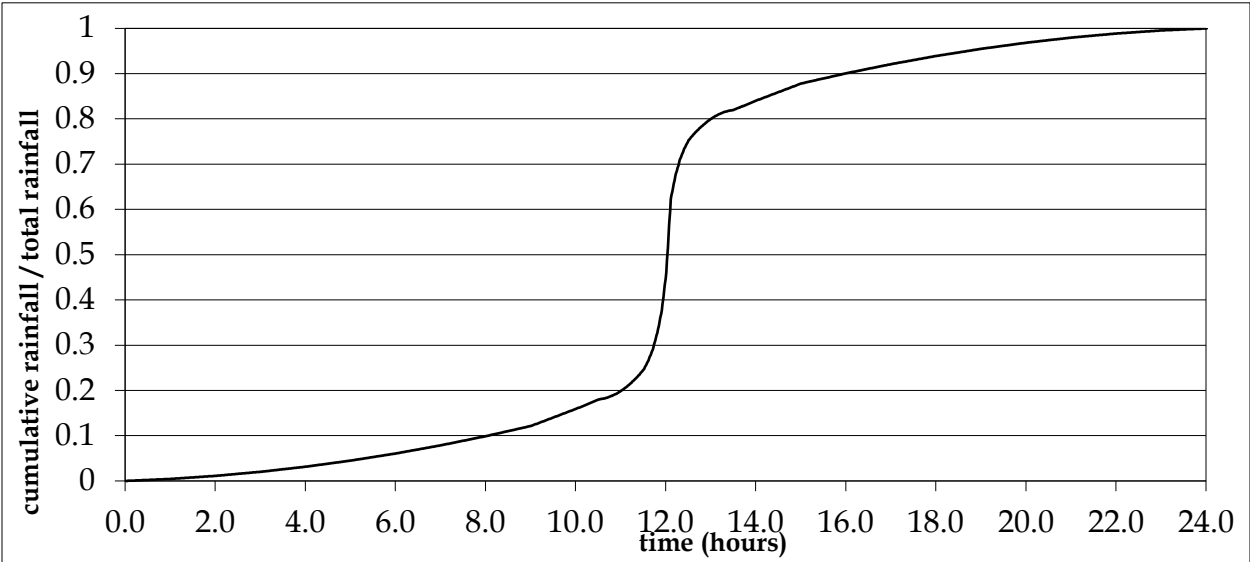


Figure 2-1 24-hour NRCS Nested Distribution

DEVELOPMENT OF THE HYDROLOGIC MODELS

As part of the Master Plan, HAL developed a hydrologic computer model to simulate runoff during storm events. The software used to develop this hydrologic model was HEC-HMS version 4.10.

Subbasins

A drainage basin, also called a subbasin, watershed or catchment, is an area in which all rainfall or snowmelt runoff will collect to a common point (the lowest point in the basin). Drainage basin boundaries depend upon both the topography and the location of storm drainage facilities. Subbasin characteristics developed for this plan were based on aerial imagery, soil data, GIS mapping, land use information from the County, and engineering literature. Important subbasin

characteristics described below include 1) area, 2) hydrologic soil group, 3) percentage of impervious area, 4) SCS curve number (CN), 5) Subbasin width, and 6) overland flow characteristics. Much of the methodology is documented in *Technical Release 55: Urban Hydrology for Small Watersheds* (NRCS, 1986), hereafter referred to as TR-55.

Subbasin Area

The amount of runoff is proportional to the area of the subbasin. The study area was divided into drainage subbasins based on best available mapping and planning. The estimated future subbasins are shown on **Figure 2-2**.

Hydrologic Soil Group

Hydrologic soil group is a general indication of a soil's infiltration capacity and is a key determinant of runoff behavior. The Natural Resources Conservation Service (NRCS) has classified soils into four hydrologic groups A, B, C, and D. Soils of group A have the highest infiltration rate and therefore produce the least amount of runoff. Group A soils include permeable gravels and well-drained sands. Group B soils have moderate infiltration rates and moderately fine or coarse textures. Group C soils have a lower infiltration rate and finer textures, sometimes with a layer that impedes infiltration. Soils of group D have the lowest infiltration rate and produce the highest amount of runoff. Group D soils include fine silts, clays, and other soils with low infiltration rates. Soil groups are described in TR-55 (NRCS, 1986).

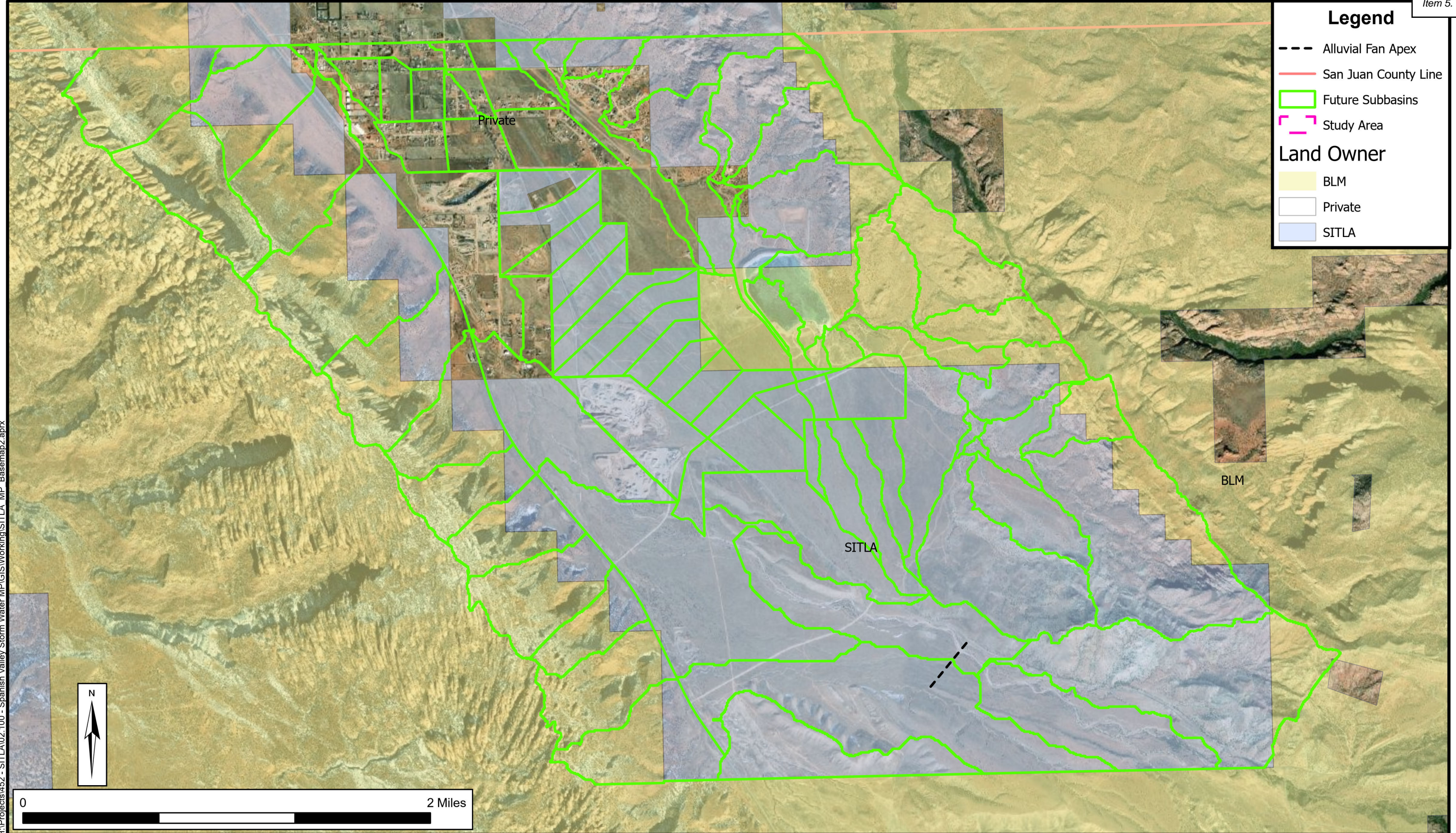
Group A soil is the most prevalent in the Study area and is geologically associated with the valley fill. As the landscape changes to the rocky cliffs, the soil type also changes to soil type D. Soil data for this study originated from the NRCS Web Soil Survey (Canyonlands Area Soil Survey, 2020). A soil map of the Study area is shown in **Figure 2-3**. The hydrologic soil group is a factor used to determine the CN for each subbasin.

Land Use

Different types of land cover in a watershed determine to what degree water infiltrates, accumulates (remains as puddles), or flows over the land (runoff). Various land covers have higher or lower amounts of interception and evapotranspiration. The land cover used in the hydrologic model was developed through a field visit and through available aerial imagery. The predominant land cover for undeveloped areas is most closely associated with TR-55's desert shrub in poor to fair condition or sagebrush in poor hydrologic condition. To develop curve numbers for poor to fair condition, a linear average was computed for the desert shrub between poor and fair conditions. As sagebrush with grass understory does not have a curve number for soil type A, it was assumed to be the same as desert shrub in poor to fair condition. The existing land cover can be seen in **Figure 2-4**.

Impervious Area

Impervious areas within each subbasin were assumed to be disconnected from the runoff network, which assumes that runoff will flow over a pervious region at some point in its flow to Pack Creek. The future model also assumed that impervious areas would remain disconnected, through implementation of Low Impact Development (LID) practices and careful planning. The future model shows the need for and impact of not implementing LID, and therefore design future flows assume development occurs according to this Master Plan. Flows from the future hydrologic model were reduced by applying the discharge per area requirement to the upstream detained area and adding it to the more local undetained flows.



Legend

- Alluvial Fan Apex
- San Juan County Line
- Future Subbasins
- Study Area

Land Owner

- BLM
- Private
- SITLA

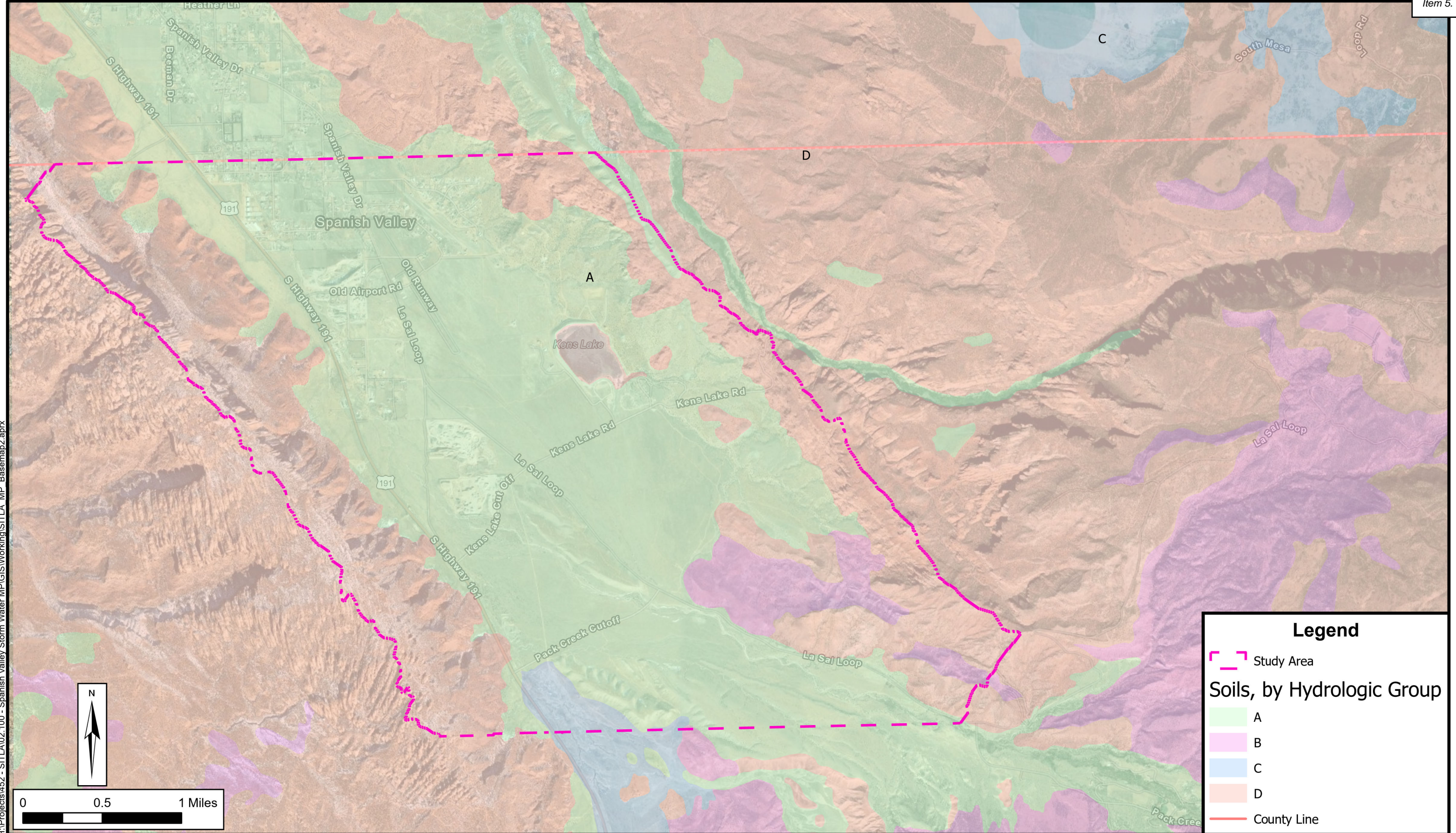
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SAN JUAN COUNTY - SPANISH VALLEY

**STORM DRAINAGE MASTER PLAN
FUTURE SUBBASINS**

**FIGURE
2-2**



Legend

- Study Area
- Soils, by Hydrologic Group**
- A
- B
- C
- D
- County Line

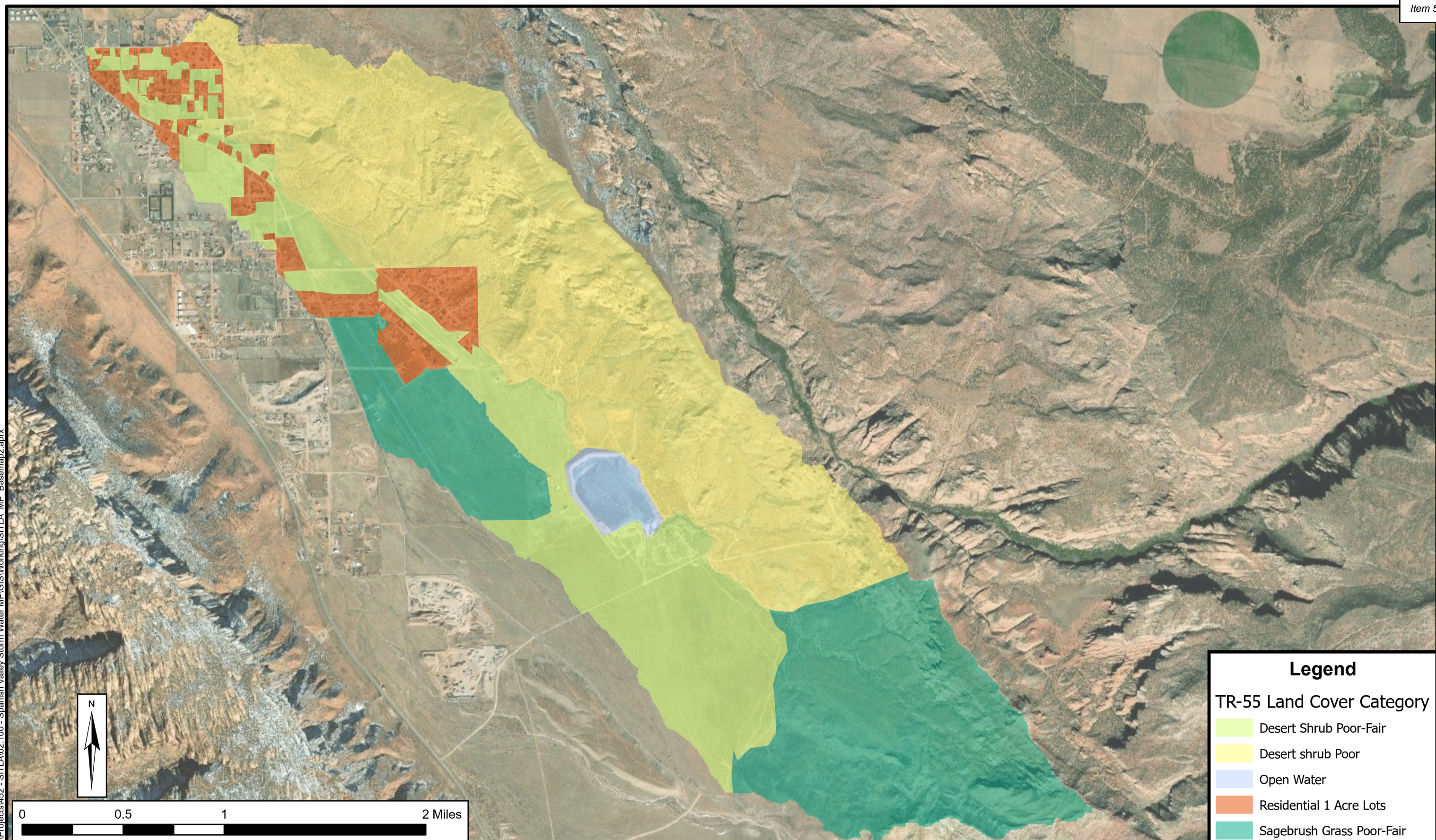
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**HANSEN
ALLEN
& LUCE, inc**
ENGINEERS

SAN JUAN COUNTY - SPANISH VALLEY

STORM DRAINAGE MASTER PLAN HYDROLOGIC SOIL GROUP

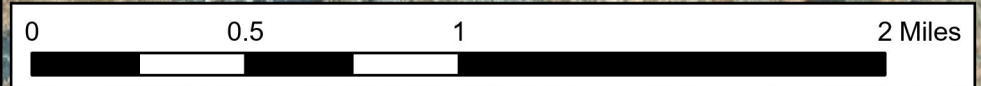
**FIGURE
2-3**



Legend

TR-55 Land Cover Category

- Desert Shrub Poor-Fair
- Desert shrub Poor
- Open Water
- Residential 1 Acre Lots
- Sagebrush Grass Poor-Fair



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SAN JUAN COUNTY - SPANISH VALLEY

**STORM DRAINAGE MASTER PLAN
 EXISTING LAND COVER**

**FIGURE
 2-4**

SCS Curve Number

Each subbasin was assigned a curve number based on hydrologic soil group, land use, and ground cover type as outlined in Chapter 2 of TR-55 (NRCS, 1986). The curve number describes the relationship between precipitation and runoff for the pervious and unconnected impervious portions of the subbasin. Practical curve numbers range from 30 to 98. Areas that are more pervious have lower curve numbers. For example, a well-vegetated subbasin with sandy soils and little impervious area would have a lower curve number than a poorly vegetated subbasin with clay soils and a significant amount of impervious area. Curve numbers used in the model for existing conditions on the valley floor are shown on **Table 2-2**.

**Table 2-2
Curve Number Assignment Table**

TR-55 Category	CN
Sagebrush Grass, Poor-Fair	60
Desert Shrub, Poor	64
Desert Shrub, Poor-Fair	60
Residential 1 Acre Lots	68
Open Water	98

UNDISTURBED NATIVE VEGETATION STORM RUNOFF CHARACTERISTICS

The predevelopment condition was established in the model by applying the design storm to a basin with a Curve Number of 60. This number was selected based on Hydrologic Soil Group A with a cover which is most similar to desert shrub in fair to poor condition. The timing and area of the basin were selected from Subbasin-15, which is a basin that is nearly untouched by development. The resultant runoff volume and peak discharge per unit area are tabulated in **Table 2-3**.

**Table 2-3
Undisturbed Vegetation Storm Runoff Characteristics**

Storm Frequency	10-year	100-year
Percent Annual Chance Exceedance	10%	1%
Precipitation (inches)	1.80	2.81
Runoff Volume (acre-inches/acre)	0.03	0.27
Peak Flowrate (cfs/ac)	0.004	0.1

Table 2-3 represents the hydrologic characteristics of the undisturbed native vegetation condition. This is an important baseline as it is the metric against which new development is graded. For a new development to have no adverse effects on its downstream neighbors, it must detain to the undisturbed flowrates reported above. All development will increase volume and there is potential for increased flows due to hydrograph aggregation from several detention basins; however, the peak flows should not exceed predevelopment conditions. As the discharge per acre is quite low for a 10-year event, and as the soils are well suited for infiltration, San Juan County has selected a full retention policy for the 10-year event. For the 100-year event, Spanish Valley has selected a detention release rate of no greater than 0.1 cfs per tributary acre.

DEVELOPMENT CHARACTERISTICS

Community Structure Action Plan

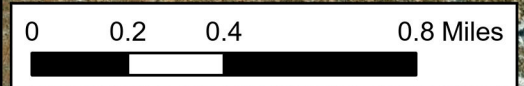
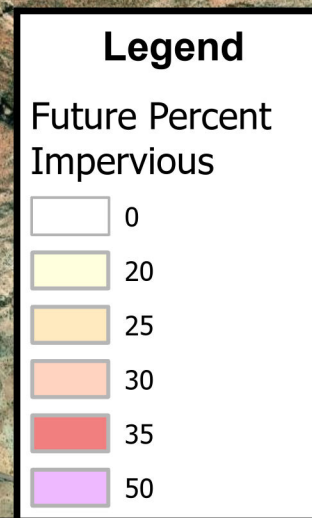
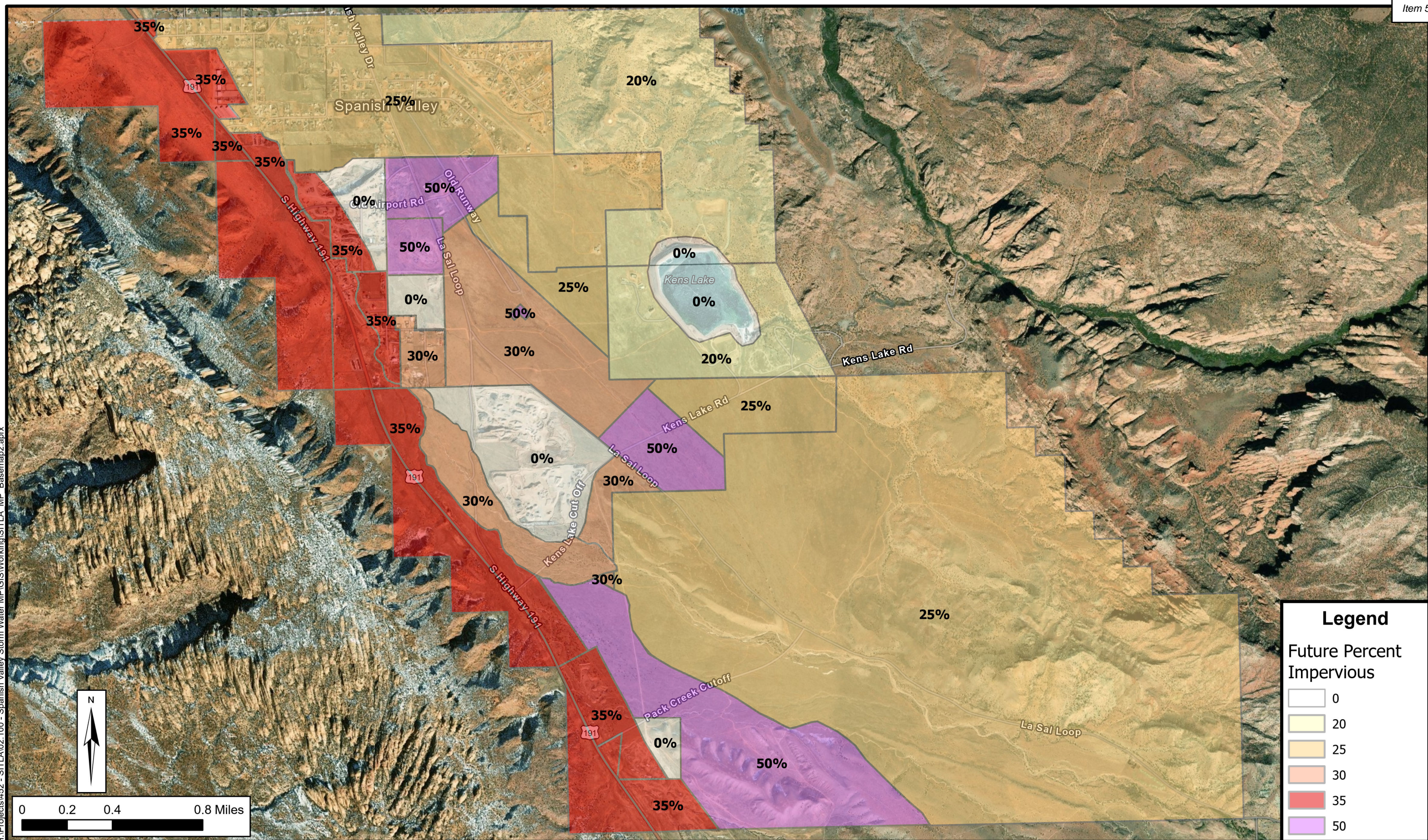
A draft version of a document titled the Community Structure Plan for the South Valley Community dated July 13, 2022, was provided to HAL. The Community Structure Plan (CSP) describes a land-use vision of the community and includes planning and description of community boundaries, development densities, a circulation plan, and utility connections and improvements.

Volume weighting was performed to the Curve Numbers to account for increased future impervious percentage. The assumed future percentage impervious was developed according to zoning maps provided in the Planned Community Rezone Application (e.g. Map 2, CSP). Predicted future impervious percentage is shown in **Figure 2-5**.

Infill Assumptions

As one-acre lots are subdivided into quarter-acre lots, infill is expected to happen which will result in an increase in impervious area. The projected future impervious percentage is shown in **Figure 2-5**. We recommend that new lots be required to provide sumps to capture and infiltrate the runoff from storm events up to a 10-year 24-hour storm from the new impervious area.

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SAN JUAN COUNTY - SPANISH VALLEY

**STORM DRAINAGE MASTER PLAN
ASSUMED FUTURE PERCENT IMPERVIOUS**

**FIGURE
2-5**

CHAPTER 3 – PACK CREEK MASTER PLAN

HAL performed a hydrologic study on Pack Creek previously to help San Juan County and SITLA better understand the flood hazards in Spanish Valley (HAL, 2019). San Juan County and SITLA are pursuing recommendations from that study to develop debris basins and other facilities with sufficient capacity to convey the 1% chance flood event.

The results of the prior study predict that the 1% annual chance exceedance peak flood flow for Pack Creek at the San Juan County line is about 5,200 cfs. The 10% annual chance exceedance peak flood flow estimated by the HMS model is about 2,400 cfs.

Pack Creek poses a flood hazard risk to a significant portion of the San Juan County Spanish Valley floor. The braided nature of the channel network in the southern end of the valley is evidence of an alluvial fan. Above the valley floor, Pack Creek flood flows are confined in mountain ravines which have high gradients and convey large quantities of eroded sand, rock, and boulders out onto the valley floor. On the valley floor, land slopes are reduced; and flood flow velocities are reduced depositing sediment and debris forming a fan shape. The erosion/deposition process results in channel braiding where channels are alternately cut and filled with sediment. This phenomenon is commonly referred to as an alluvial fan.

The Pack Creek alluvial fan presents a special flood hazard (see SITLA Flood Hazard Mapping memo, HAL 2019). Two debris basins are currently planned as part of a Natural Resources Conservation Service (NRCS) project upstream of the drainage master plan study area. These new debris basins are expected to reduce debris floods on the alluvial fan. In addition to the debris basins, a flood control basin is proposed to reduce the 1% chance flood flows.

Pack Creek is an intermittent stream through the study reach with visibly flowing water occurring during periods of snow melt and rainfall events. The creek bed is dry much of the year (see **Figure 3-1**). The water table is deep in the valley floor, and the stream channel lacks riparian vegetation.



Figure 3-1. Pack Creek Channel in Valley Floor

FLOOD CONTROL BASIN

San Juan County and SITLA are exploring the option of constructing a detention basin on Pack Creek to reduce peak flowrates and protect existing homes and structures; it will also make more land developable. The general location of the proposed detention basin is southeast of the gravel pits that are owned by SITLA. A conceptual figure showing the approximate size, location, and extents of the potential basin is shown in **Figure 3-2**.

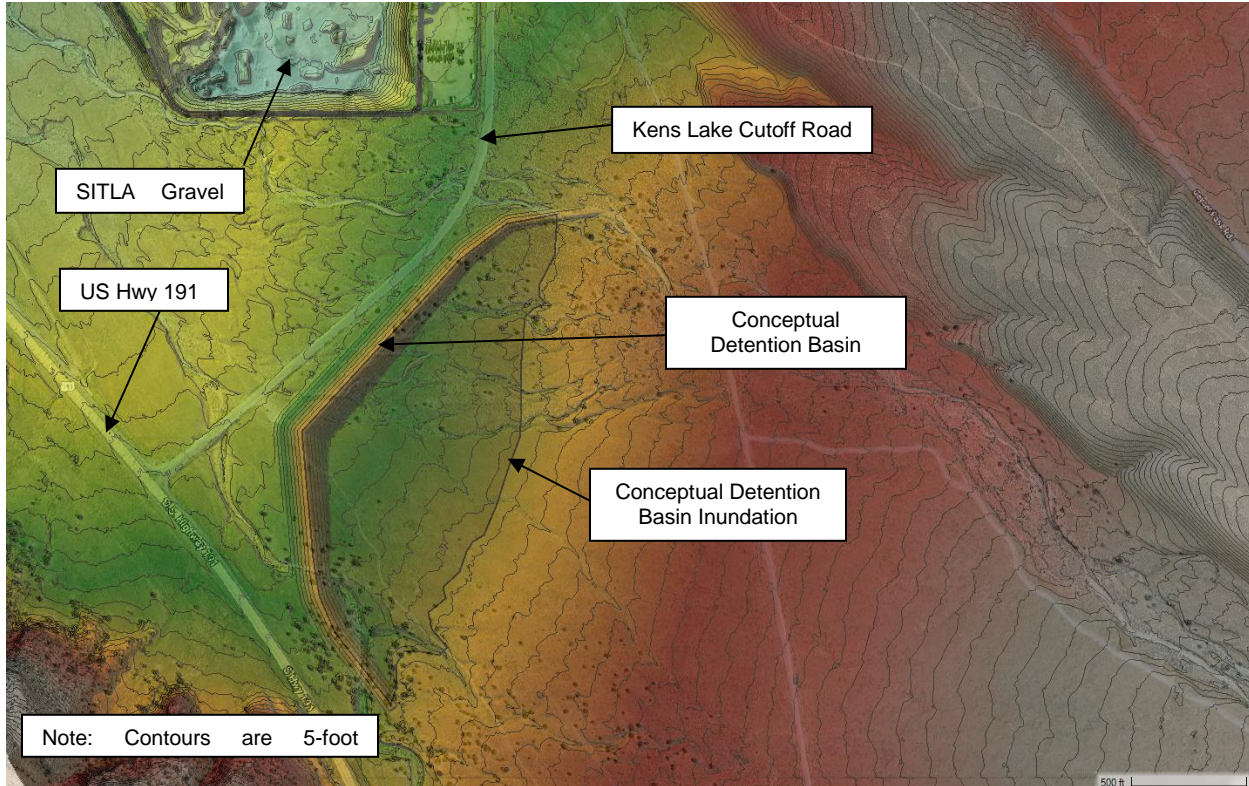


Figure 3-2. Conceptual Detention Basin Location and Extents

The detention basin would be downstream of debris basins that are currently in the design phase. The hydrologic model developed previously was used to estimate the required detention volume for various release rates. A hypothetical dam was added to the existing terrain data at a location selected by SITLA and San Juan County. A storage elevation curve was developed based on anticipated grading and the assumption that much of the material to create the detention basin embankment could come from material excavated on site.

It was estimated the required berm height would be approximately 35 feet above lowest existing elevation and would require about 156 acre-ft of material for the prism of the detention embankment. It was assumed that 100 of the 156 acre-ft of required volume could be extracted within the first 8 feet above the lowest existing elevation. The estimated elevation storage curve for the potential detention basin is shown in **Figure 3-3** below.

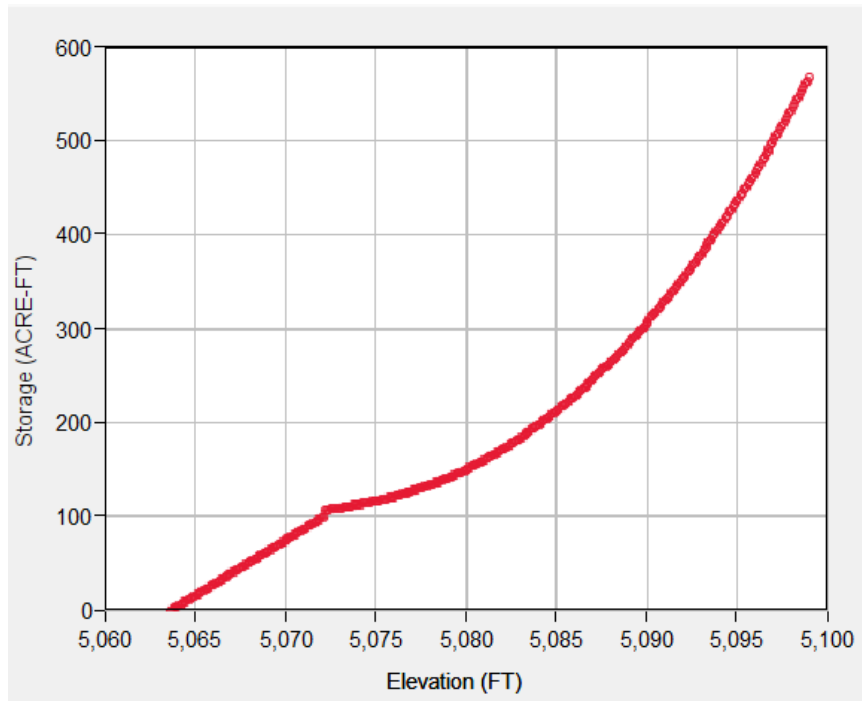


Figure 3-3. Hypothetical Future Pack Creek Detention Basin Storage vs. Elevation Curve

A recent relatively high flow event on Pack Creek was reported at approximately 1,500 cfs. Existing dwellings along Pack Creek in San Juan County and in Grand County were not impacted by the flow. Minor damage occurred during the event but was mostly attributed to excessive debris and not necessarily the flowrate. The general thought has been if the upstream debris basins significantly reduce debris loads and the flowrate can be reduced to 1,500 cfs via the flood control detention basin, then existing dwellings along Pack Creek in San Juan and Grand counties will not be flooded in a 1% chance event.

The model was then run with an orifice sized to release 400 cfs up to 8 feet of depth and 100-acre-ft of volume (2-5 year event). A second orifice was set at a depth of 8 feet and sized to release a combined 1,500 cfs for the 100-year flood event. A summary of the orifice configuration is shown in **Table 3-1**.

Table 3-1. Summary of Assumed Orifice Configuration

Orifice #	Elevation (ft)	Area (sf)	Coefficient
1	5064	29	0.61
2	5072	31	0.61

The required volume based on the configuration described above is approximately 423 acre-feet. The model results are shown in **Figure 3-4**.

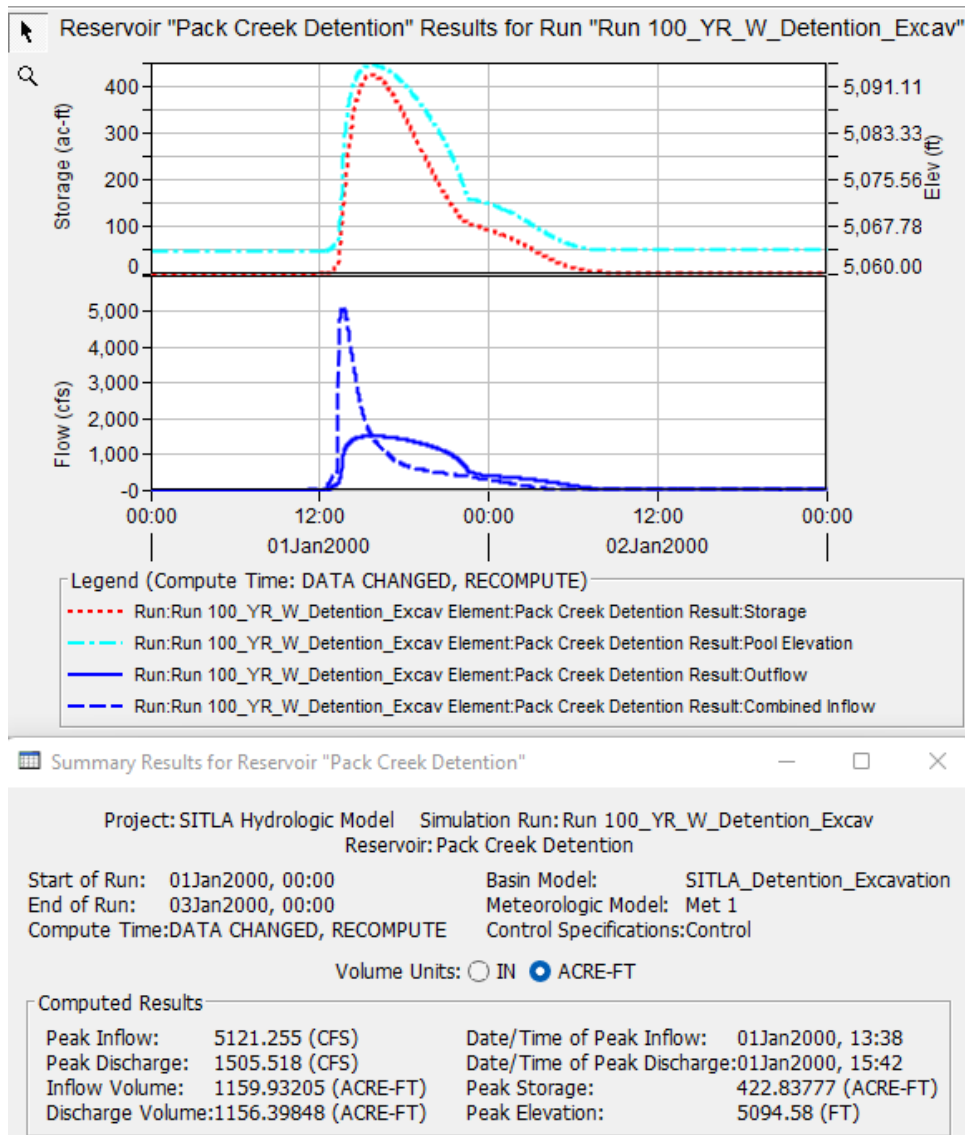


Figure 3-4. HEC-HMS Pack Creek Model Detention Analysis Results

PACK CREEK CHANNEL MASTER PLAN CROSS SECTION

Below the proposed flood control basin, Pack Creek will need stabilization and increased conveyance to accommodate the existing and proposed developments. The following channel design criteria were selected in consultation with SITLA and San Juan County.

Design Flow

- Low Flow Channel capacity = 400 cfs (approximately 2 to 5-year detained release)
- Total Channel capacity = 1,500 cfs (100-year detained release)

Channel Hydraulics

- Maximum Froude Number in low flow channel = 0.8
- Low Flow Channel riprap design based on safety factor method with a safety factor of 1.5. Calculated D50 is 9-inches.
- Composite channel will be sized to convey the 1,500 cfs.

The recommended Pack Creek channel design includes the use of grade control structures. The existing slopes are too steep for subcritical flow; Froude numbers less than or equal to 0.8 are desirable for a stable channel design. The recommended Pack Creek Channel design involves a series of stable channel reaches and grade control structures as needed based on ground slopes. An example profile of how this may look is shown in **Figure 3-5**. The typical spacing between drops for a 3- and 4-foot drop are provided in **Table 3-2**.

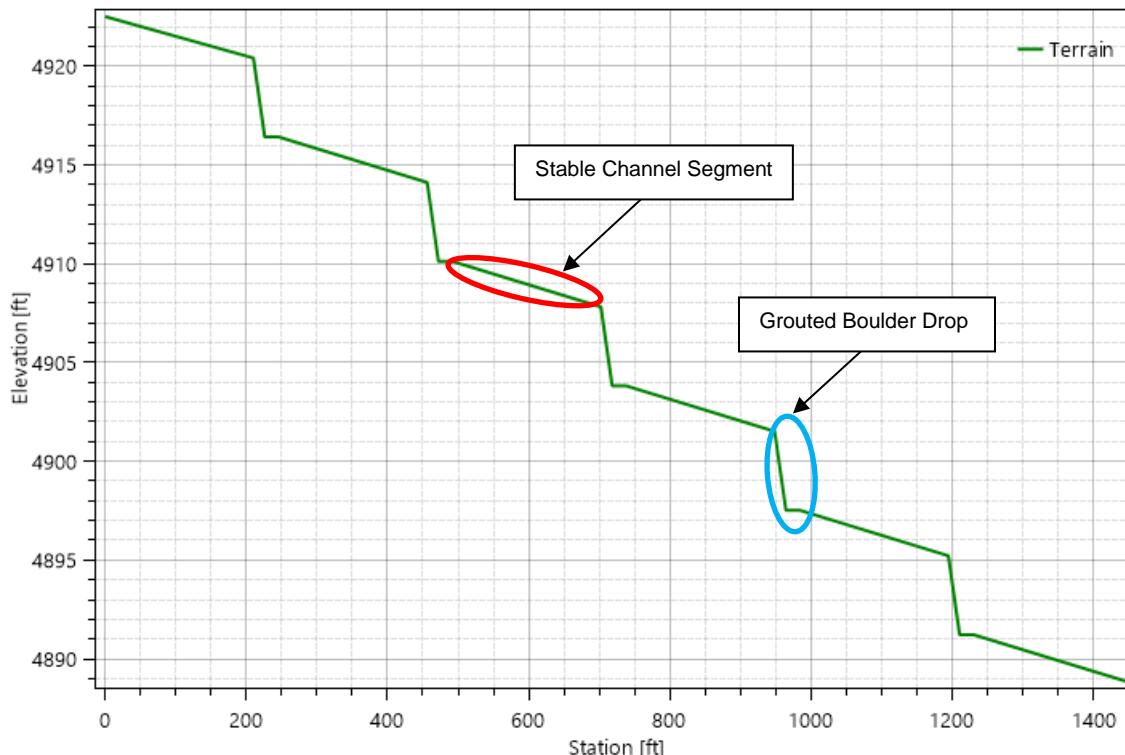


Figure 3-5. Typical Pack Creek Design Channel Profile

Table 3-2. Typical Spacing Between Drops

	Typical 3' Drop Spacing (ft)	Typical 4' Drop Spacing (ft)
	Design Channel Slope (ft/ft)	Design Channel Slope (ft/ft)
Ground Slope (ft/ft)	0.01	0.01
0.030	150	200
0.025	200	267
0.020	300	400

The preferred method for grade control is the Grouted Sloping Boulder Drops with criteria as specified in the Urban Storm Drainage Criteria Manual, Volume 2, Mile High Flood District Denver, Colorado (MHFD, 2016). **Figure 3-6** shows an example of a grouted boulder drop profile with a free draining stilling basin.

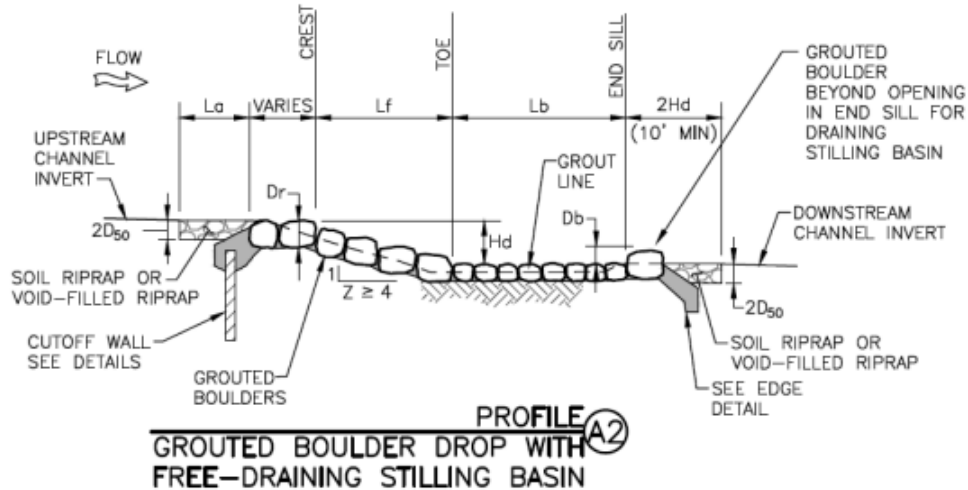


Figure 3-6. Grouted Boulder Drop Profile Drawing (MHFD, 2016)

Preferred Pack Creek Channel Section

The preferred composite design channel cross section for Pack Creek downstream of the proposed detention basin is shown in **Figure 3-7**.

Low flow channel

- Bottom Width of 15 feet
- Side slopes of 3H:1V
- Channel slope of 1%
- Riprap protection D50 of 9-inches
- Depth of approximately 2.75 feet

The Preferred Composite Channel Cross Section extends out beyond the top of the low flow channel by 11 feet on each side, and then has 3:1 side slopes up to the existing grade (total required width varies based on proximity to drop structures).

Narrow Pack Creek Channel Section

In areas where top width is limited due to existing development, gabion walls could be used to reduce the required top width while keeping the low flow channel the same. The typical narrow cross section configuration is shown in **Figure 3-8**.

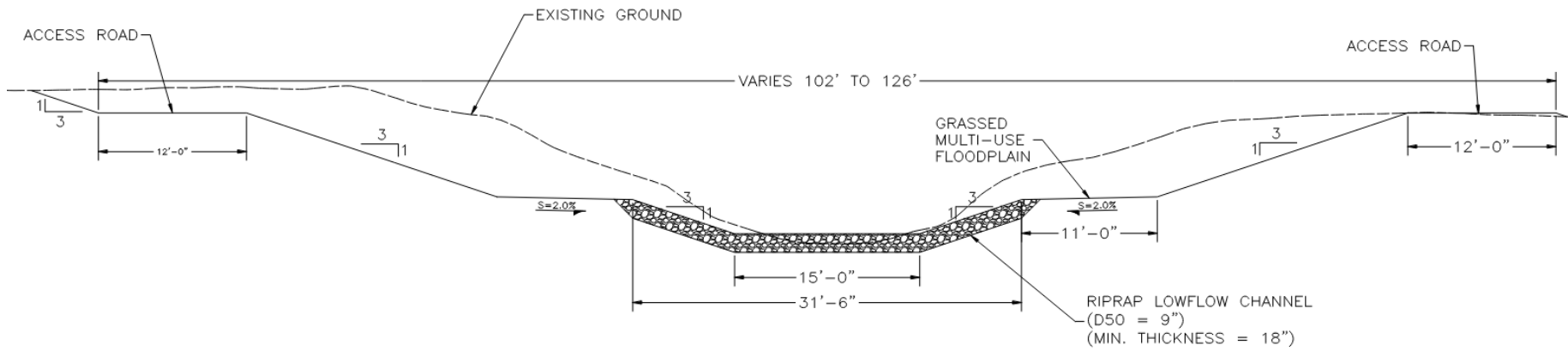


Figure 3-7. Pack Creek Preferred Cross Section

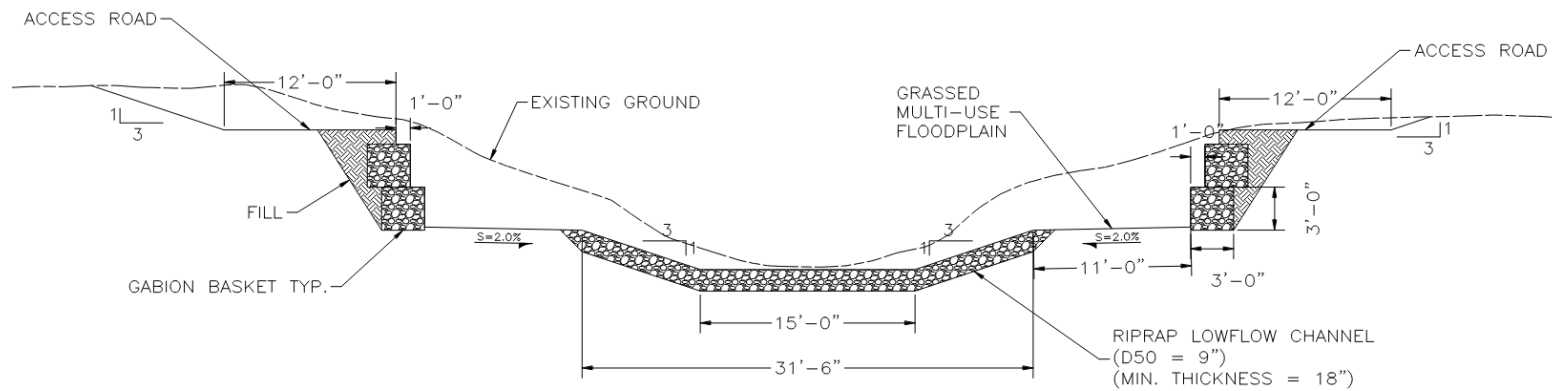


Figure 3-8. Pack Creek Narrow Cross Section (for use where existing channel encroachments preclude use of the preferred cross section)

MASTER PLAN TYPICAL ROAD CROSSING

Two alternatives for crossings to allow conveying the 100-year flood event without impacting buildings have been investigated: 1) use of box culverts with sufficient capacity to convey the 100-year flood event without overtopping the road, and 2) use of a depressed road surface in the section of the crossing with a culvert sized sufficiently to convey 1,500 cfs with combined culvert and weir flow over the road.

Box Culverts Sized for 100-Year Flood Event

Because of the available gradients through the study reach (generally greater than 2%), box culverts for the road crossings have been conceptually sized and are shown below based on inlet control conditions.

- Approximate Size is three 9' x 6' box culverts to pass the 1,500 cfs.
- Approximate Size is one 15' x 6' box culvert to pass the 1,100 cfs (the additional 400 cfs of weir flow would require approximately 1.5 feet of head and 75 feet of weir length).

In the situation where weir flow over the road is possible, signs should be placed in the road to warn of the flood prone nature of the crossing.

We recommend that the culverts be sized to carry the full 1,500 cfs without overtopping the road. Because the flows are being detained, the likelihood that the channel will experience flows of this magnitude is increased significantly.

Existing Crossings

The existing crossing at Sunny Acres Lane is severely undersized and should be improved as the design channel is constructed in that area. The existing crossing at Old Airport Road currently has sufficient capacity to pass the 1,500 cfs without overtopping. No existing dirt road crossing has sufficient capacity for the design flows. These crossings should either be removed or improved to provide sufficient capacity for the design flow of 1,500 cfs. This will become increasingly important as development occurs, because bottlenecks in the creek increase flood risk.

CONCEPTUAL CONSTRUCTION COST ESTIMATES

Construction cost estimates for the detention basin, channel improvements, and typical road crossings are provided in **Table 3-3**. The unit cost for channel improvements is approximately \$1,000 per linear foot.

Table 3-3. Conceptual Cost Estimates for Pack Creek

Item	Estimated Construction Cost	Notes
Detention Basin	\$6,000,000	Cost estimate does not include land costs
Channel Improvements	\$16,800,000	Total assumed length is 16,400 ft (from proposed detention basin to County line). Cost includes grouted boulder drops and protection for the low flow channel.
Typical Road Crossing	\$430,000	Assumes three 9' x 6' box culverts to pass 1,500 cfs without overtopping the road.

CHAPTER 4 – STORM DRAINAGE MASTER PLAN

The existing storm drainage system in Spanish Valley is primarily open channel, comprised mostly of creeks, washes, roadside swales, irrigation ditches, and some culvert road crossings. The proposed development will change the landscape of Spanish Valley and will require associated drainage improvements. This chapter discusses the existing drainage deficiencies and the plan to prevent future deficiencies for both existing and future landowners as land develops.

EXISTING DRAINAGE DEFICIENCIES

The existing deficiencies in this master plan were identified by San Juan County staff for areas which constituted known drainage issues. Identified existing drainage deficiencies and possible solutions are described below by location.

Coronado

The residence of 110 East Coronado Street has been flooded several times according to the County. The contributing drainage area to 110 East Coronado Street for minor storm events appears to be limited to local drainage. Major storm events could contribute flow from south of Coronado Street or east of Cabrillo Street. This location is particularly hazardous as the driveway directs flow away from the road into or near the house. Some possible solutions which would resolve the minor event flooding include:

1. Adding sumps on both sides of the driveway which would intercept and infiltrate the road drainage.
2. Increasing conveyance by improving the ditch along the east side of the driveway.
3. Developing storage in the undeveloped land east of the driveway.

The ideal option is of course elevation of the structure and, wherever possible, this option should be employed. This example serves as a reminder why homes should be elevated and driveways sloped down to the road.

There is an irrigation ditch on the south side of Coronado which, if it overtops, would spill some flow north across Coronado during large events. Solving the major event flooding would require also installing detention or retention upstream. Good siting for this basin or these basins would include the areas immediately south of the property and/or the southeast corner of the intersection at Coronado and La Sal Loop Rd.

Rio Grande

Any flow from the major event that does not cross Coronado at the location discussed above, crosses Rio Grande Drive just to the west. According to LiDAR, the minimum crest elevation for Rio Grande is approximately one foot lower than that of Coronado's (4791.2 compared to 4792.2). This means that this conveyance path receives 100% of the storm runoff from south of Coronado Street until the flood is large enough to overtop Coronado, at which time both locations experience major flooding. A potential solution for this location includes a culvert under Rio Grande Drive to convey the design peak flow. The selected master plan solution is to construct a new conveyance to Pack Creek from the west end of Coronado.

Mt. Peale

The crossing of the open drainage way (wash) just east of Sky Ranch airport with Mt. Peale Drive results in the closing of the road during flood events. The neighborhood just east of the crossing has more than 50 homes and is currently accessible only via Mt. Peale Drive. It is recommended that the design event for this crossing be the 100-year storm. The 100-year design flow for this crossing is 118 cfs. A 54-inch diameter culvert operating under inlet control is adequate to pass the design flow (118 cfs) with a headwater depth of 5.2 feet.

Sunny Acres

The County identified the Sunny Acres Drive crossing of Pack Creek as prone to flooding; it needs to be replaced. This crossing is addressed in the Pack Creek master plan (see Chapter 3).

MASTER PLAN ALTERNATIVES

Minor storm. To prevent increased runoff during the 10-year storm for new development (commensurate with undisturbed native vegetation runoff), sumps or other infiltration means should be implemented to retain and infiltrate the runoff from a 10-year storm event onsite.

Major storm. To prevent increased runoff from new development during the 100-year storm (commensurate with undisturbed native vegetation), detention and conveyance need to be added. There are two primary approaches for construction and maintenance of detention basins: regional and local. The following paragraphs describe the advantages and disadvantages of each approach.

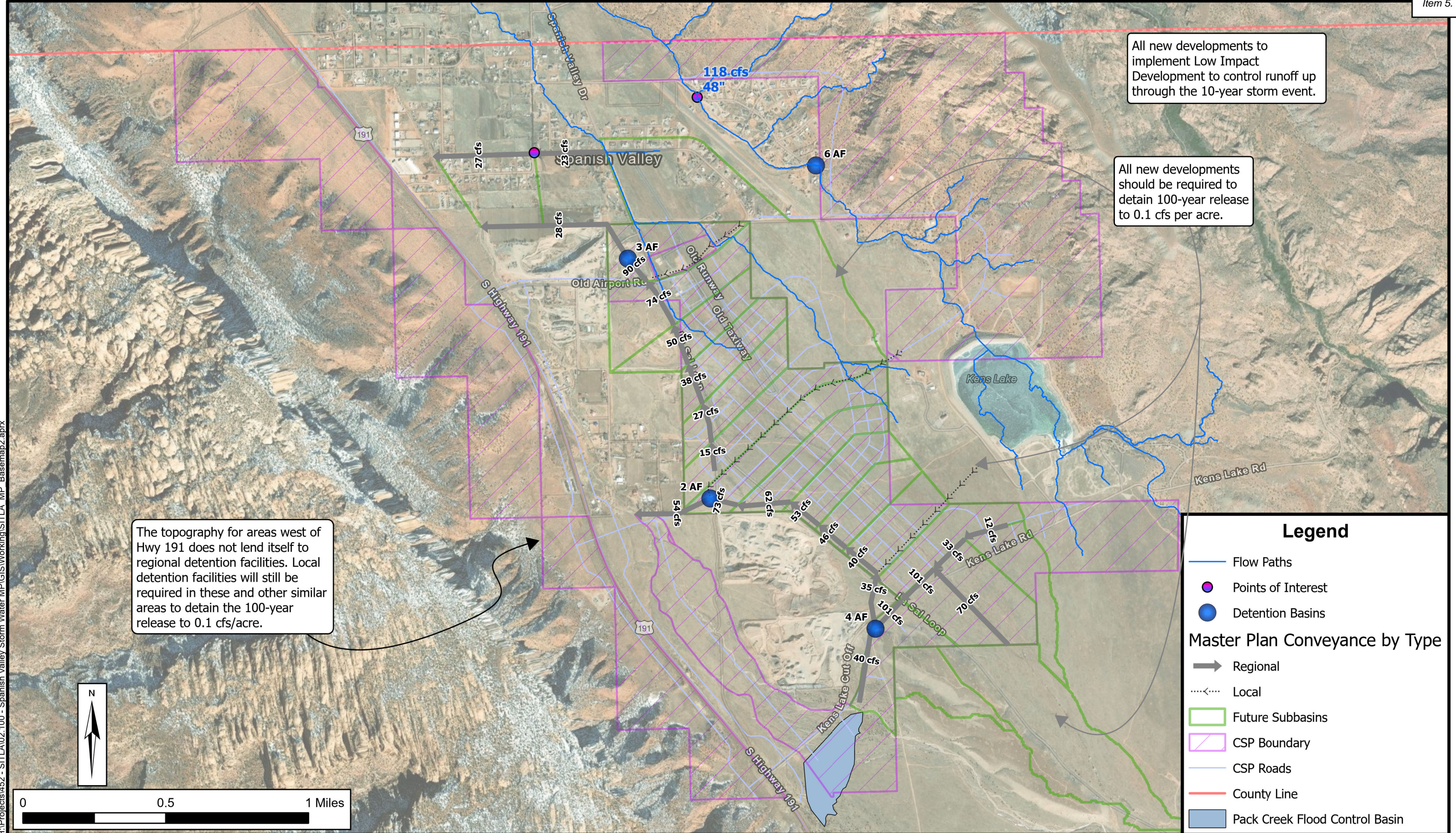
Regional Detention Basins

Regional detention facilities serve to detain flows from a large contributing area. The advantage of regional detention facilities is that they are few. Maintenance is consolidated for maintenance personnel with fewer basins. Regional detention basins are larger and provide an increased opportunity for multi-use facilities. Regional detention basins are usually maintained by the local government entity. The cost per unit storage is generally lower due to economy of scale. As the system detains flow in fewer places, there is less opportunity to “double-store” volume, which happens when water has been detained once already and is mixed with undetained flows prior to entering another detention facility.

A disadvantage of regional detention facilities is the higher requirement for coordination on the funding. Construction of the regional facility will need to happen early in the development process to provide the required benefits. Additionally, the conveyance sizing to direct flows to the regional facility are larger as the flow is accumulated prior to being detained. **Figure 4-1** shows a concept of the pipes and basins under the regional detention approach.

Development Detention Basins

Local detention basins only serve the development for which they were constructed. Their strengths and weaknesses are generally opposite those of regional facilities. As they must occur for every development, local detention policy will result in creation of many detention basins. Maintenance costs are higher, and the cost per unit storage is generally larger than for regional facilities. The system detains flow in more places and there is more opportunity to “double-store” volume. The sizing of the conveyances to route the flow from the local facilities is smaller than it would have been in the regional case, but care should be taken not to commingle detained flows



The topography for areas west of Hwy 191 does not lend itself to regional detention facilities. Local detention facilities will still be required in these and other similar areas to detain the 100-year release to 0.1 cfs/acre.

All new developments to implement Low Impact Development to control runoff through the 10-year storm event.

All new developments should be required to detain 100-year release to 0.1 cfs per acre.

Legend

- Flow Paths
- Points of Interest
- Detention Basins

Master Plan Conveyance by Type

- Regional
- - - Local
- Future Subbasins
- CSP Boundary
- CSP Roads
- County Line
- Pack Creek Flood Control Basin

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with undetained flows. **Figure 4-2** shows a concept of the pipes and basins under the local detention approach. **Table 4-1** provides a summary of the pros and cons of each approach.

**Table 4-1
Pros and Cons of Each Detention Basin Approach**

Category	Regional	Local
Maintenance/Number of facilities	Low	High
Cost per unit volume	Typically lower	Typically higher
Opportunity to “double store”	Lower	Higher
Conveyance Sizing	Larger	Smaller
Funding and Phasing difficulty	Higher	Low

Due to the funding constraints, the County has chosen the local detention approach for implementation in the master plan. Regional facilities may be permitted or required on a case-by-case basis.

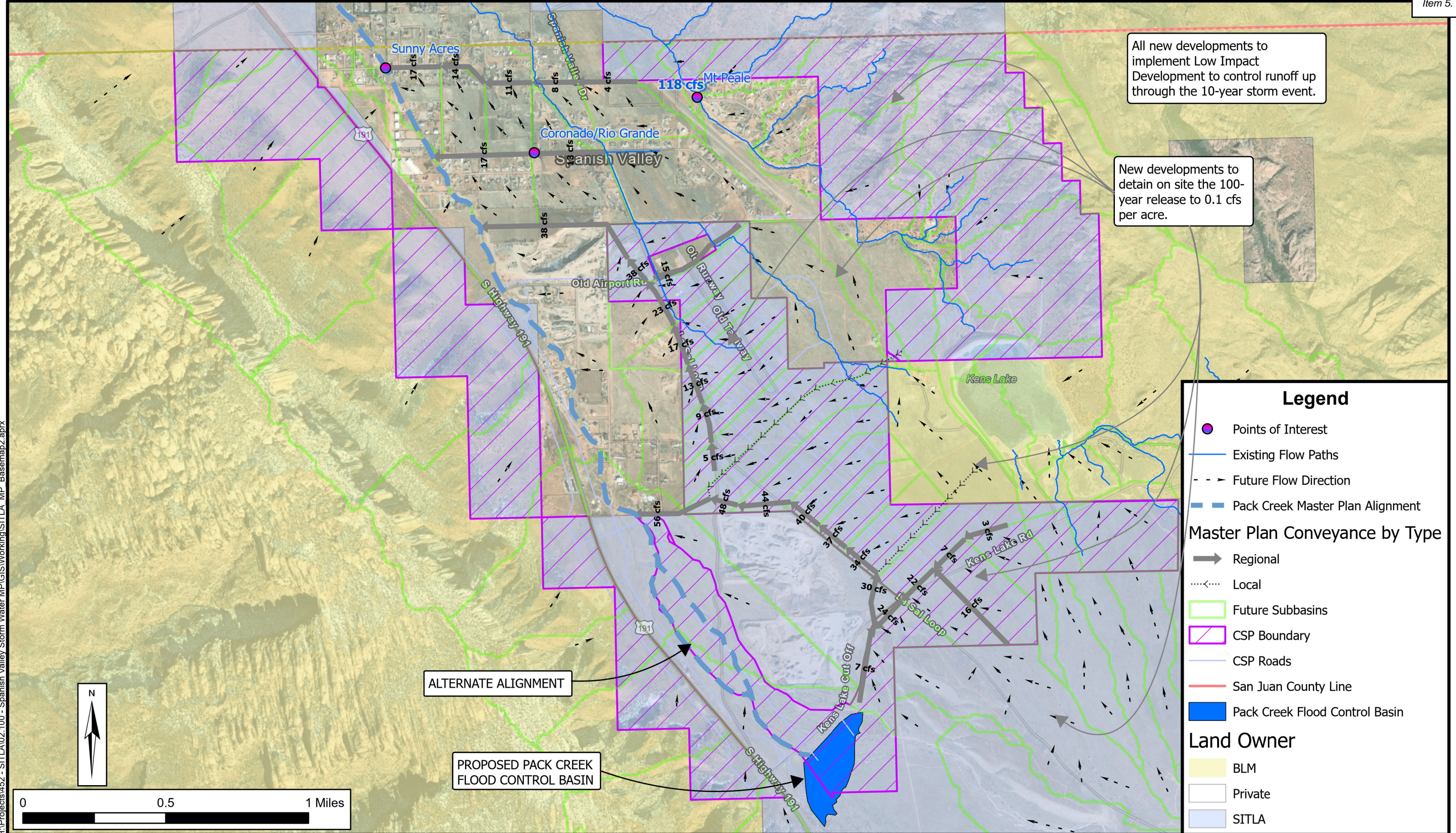
CONCEPTUAL CONSTRUCTION COST ESTIMATES

Construction cost estimates for the master plan conveyances and existing deficiencies on Mt. Peale Drive and Coronado Street are provided in **Table 4-2**. This cost estimate assumes that the local detention option is selected and that the Master Plan Conveyances are pipes.

**Table 4-2
Conceptual Cost Estimates
of the Master Plan Regional Storm Drainage Facilities**

PROJECT	COST*
Master Plan Conveyances	\$6,310,000
Coronado (new outfall to Pack Creek)	\$512,000
Mt. Peale Drive (drainage crossing replacement)	\$102,000

* Assumes that the local detention option is selected. Also assumes that Master Plan Conveyances are pipes. Includes 30% for contingency and engineering.



All new developments to implement Low Impact Development to control runoff up through the 10-year storm event.

New developments to detain on site the 100-year release to 0.1 cfs per acre.

Legend

- Points of Interest
- Existing Flow Paths
- - - Future Flow Direction
- Pack Creek Master Plan Alignment

Master Plan Conveyance by Type

- Regional
- ⋯ Local

Future Subbasins

-

CSP Boundary

-

CSP Roads

-

San Juan County Line

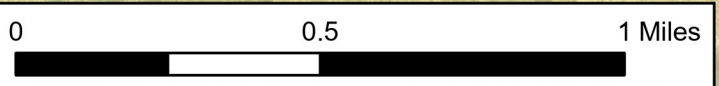
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Pack Creek Flood Control Basin

-

Land Owner

- BLM
- Private
- SITLA



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SAN JUAN COUNTY – SPANISH VALLEY

STORM DRAINAGE MASTER PLAN LOCAL DETENTION ALTERNATIVE

REFERENCES

“Design Hydrology and Sedimentology for Small Catchments” C. T. Haan, B. J. Barfield, and J. C. Hayes, Academic Press, 1994.

“Incipient Sediment Motion and Riprap Design” S. Wang and H. W. Shen, ASCE Journal of Hydraulics, 1985.

“Pack Creek Spanish Valley San Juan County” HAL, March 2019.

“Roughness of Loose Rock Riprap on Steep Slopes”, C. E. Rice, K. C. Kadavy, and K. M. Robinson, ASCE Journal of Hydraulic Engineering, 1998.

“Sediment Transport Technology” D. B. Simons and F. Senturk, Water Resources Publications, Ft. Collins, Co., 1977 and 1992.

“Urban Storm Drainage Criteria Manual”, Volume 2. Denver, CO: Mile High Flood District. Website: www.mhfd.



STAFF REPORT

MEETING DATE: June 8, 2023

ITEM TITLE, PRESENTER: Spanish Valley Overnight Accommodations Overlay Application, Jim Schnepel, Gardner Plumb LLC

RECOMMENDATION: Consideration and Recommendation

SUMMARY

Gardner Plumb LLC is applying for the Spanish Valley Overnight Accommodations Overlay (SVOAO) for 72 acres of private property in Spanish Valley as described below:

Property:

Parcel 1: 27S22E063001, 35.92 acres

Parcel 2: 27S23E063000, 10.01 acres

Parcel 3: 27S23E010001, 26.34 acres

Current Zoning:

These parcels are in the Residential Flex Planned Community District (RF). The rezone of the property was approved at the May 16, 2023 Board of Commissioners Meeting.

This application is a request to both apply the SVOAO to these parcels and attach the it to their Balanced Rock Resort development plans. In the past the Planning Commission has approved SVOAO applications in three steps. Step one applies the overlay to the property, and step two attaches it to the specific project or development, and step three is development agreement, project plan, or subdivision plats. The applicant is seeking to consider both step one and step two together.

This three-step consideration process is outlined in Chapter 10 of the Spanish Valley Development Ordinances, and has established somewhat of a precedent, and to be consistent in the way we handle these applications, the Planning Commission would consider this application in two steps rather than one.

HISTORY/PAST ACTION

At the March 9, 2023 Planning Commission Meeting the Planning Commission held a public hearing on this rezone application. The board voted to table this item and asked for a legal opinion about whether the Spanish Valley Overnight Accommodations Overlay could be applied for properties in the Residential Flex District or not. The legal opinion stated that the overlay could be applied to properties in the RF district. The legal opinion is included in the application as Exhibit C.

At the April 13, 2023 Planning Commission Meeting the Planning Commission voted to recommend approval of the rezone application without considering this the first step of the PC approval process. The positive recommendation passed with 3 voting yea and 2 voting nay.

At the May 16, 2023 Board of County Commissioners Meeting, the County Commission approved the rezone request with a unanimous vote.

Balanced Rock Resort

San Juan County, Utah
Planning and Zoning
117 S. Main Street
Monticello, UT 84535

March 23, 2023 (revised May 25, 2023)

APPLICATION
Spanish Valley Overnight Accommodations Overlay (Rezone)
and,
Application for Attaching Overnight Accommodations (OA)
Overlay to a Specific Site, Property or Development

CONTACT INFORMATION

Property Owner: Elkin Spielman Charitable Remainder Trust
Contact: Karl Spielman
Address: 404 W. Main Street, #123, Cortez, CO 81321
Phone: 435-260-1383
Email address: 2karlspielman@comcast.net

Owner Representative: Gardner Plumb LLC
Contact: Jim Schnepel
Address: 201 S. Main Street, Suite 2000, Salt Lake City, UT 84111
Phone: 801-231-3666
Email address: westernlanddev@gmail.com

PROJECT INFORMATION

Planned community name: Balanced Rock Resort
General location of property: North end of San Juan County, in Spanish Valley
Size of property: 72.27 acres (per the survey)
Current Zoning: Residential Flex (Planned Community District, Small Community)

SUPPORTING MATERIALS

- **Chapter 10:** Spanish Valley Overnight Accommodations Overlay District Requirements of the San Juan County Spanish Valley Development Ordinances of the San Juan County Zoning Ordinance, dated September 13, 2019 (“Ordinance”)

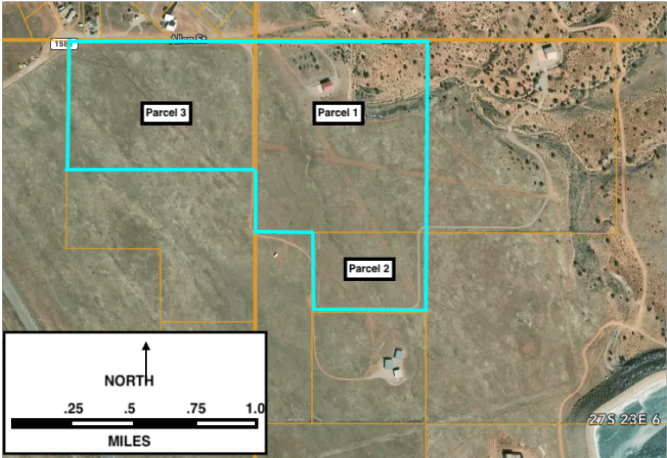
- **Exhibit A:** Property Map
- **Exhibit B:** Legal description of the Parcels.
- **Exhibit C:** San Juan County Attorney’s legal opinion: *230320 Legal Opinion Overnight Rentals Overlay Zone*
- **Exhibit D:** Existing overnight rentals in vicinity
- **Exhibit E:** Site Master Plan (draft)
- **Exhibit F:** Utah Code 10-9a-507 Conditional uses

PROPERTY DESCRIPTION (“Property”)

Location of Property: See Exhibit A

Total Property: 72.27 Acres (per survey)

Parcel 1	Parcel 2	Parcel 3
27S22E063001	27S23E063000	27S23E010001
35.92 acres	10.01 acres	26.34 acres



Legal Description of Property: See Exhibit B

IMPLEMENTATION REQUEST

The applicant requests the following (per Table 10-1 of the Development Ordinance):

- A modification to the official Zoning Map, indicating that the Overnight Accommodations Overlay district applies to the Property.

- A modification to the official Zoning Map and Zoning Ordinance indicating that the specific location of the application site is the Property, and that the terms within this application will define the development of the Property.
- Upon approval of the Overnight Accommodations Overlay, coordination in drafting and approving a Development Agreement, Project Plan and/or Subdivision Plat.

REZONE RATIONALE

1. Spanish Valley Area Plan

The San Juan County Spanish Valley Area Plan was intended to be a high-level template for the development of the Spanish Valley. It was only meant to create a general vision for the area, while the Development Ordinances dictate the specific direction.

According to Utah Code 10-9a-405 Effect of general plan:

“Except as provided in Section 10-9a-406 [which applies to public spaces, such as parks], the general plan is an advisory guide for land use decisions, the impact of which shall be determined by ordinance.”

Although the Area Plan is only an advisory guide, the Balanced Rock Resort does align with many parts of the plan, including:

Private Land Areas

- *Efforts should focus on improving the layout of the existing neighborhoods, linking them with a coordinated road and infrastructure system that facilitates infill development.*
- *Connecting a municipal water and sewer system to all existing and future homes and uses in the area.*
- *Implementing a system of roads and storm water drainage system standards that is unified and efficient.*
- *Providing transitions and buffers between incompatible land uses.*
[Through the use of roads and employee housing, Balanced Rock Resort will “buffer” its use from the few existing homes to the north. The proposed lodge is over 1,000 feet from the nearest existing home.]

Central Development Areas:

- *Located in the center of the valley, these are the flattest, least sensitive and easiest-to-develop sites...*
- *They are suitable for a wide range of residential development in addition to civic, educational, institutional and park/open space uses.*

Balanced Rock Resort

- *These are the preferred areas for locating mixed-use neighborhood centers, where local commercial and civic services will be provided.*
- *The large tracts of contiguous land are primarily under single ownership, which promotes the use of coordinated development strategies to encourage creative design and development.*

Flex Development Areas:

- *These areas provide opportunities to establish an economic base for the [San Juan County portion of the] valley.*
- *...incorporating a flexible development approach that allows a range of business, distribution...and specialty residential uses in response to market opportunities and conditions. [The adjacent “Moab” market provides a need for overnight rentals.]*

Key Uses/Principles:

- *Residential: A full range of residential uses and types is envisioned for the area. The Central Development Area should be designed with the greatest diversity of residential uses... [The County considers overnight rentals of homes to be a residential use.]*
- *Establishment of an interconnected trail system of trails, including off-street facilities located in the open space corridors, and on-street bike lanes located along the edges of the road system.*
- *Guidelines and ordinances...should encourage coordinated development of large tracts of land under single ownership. They should be easy to understand and promote good planning and creative design.*
- *Discouragement [De-emphasis] of strip development and encouragement of the establishment of centers, nodes and of destinations.*
- *Open space corridors should be encouraged for the location of stormwater detention facilities, trails, parks and to link neighborhoods to public lands.*

Phasing:

- *Residential development should be implemented sequentially from north to south as part of a rational extension of municipal water and sewer services.*
- *Phase 1 – Existing and undeveloped private land area: Residential infill and densification is supported, assuming minimum lot size, setback and similar site development guidelines are established.*
- *It was planned that the early phase developments in the valley would draw from the existing 5,000-acre feet of culinary water.*

2. San Juan County Spanish Valley Development Ordinances

The Balanced Rock Resort project will fulfill the following requirements, among others, of the Spanish Valley Overnight Accommodations Overlay District:

“Overnight accommodations have the potential to be an important part of the Spanish Valley and San Juan County economy.”

“The...Overlay Ordinance...should be applied to all new proposals to ensure approved projects minimize community impacts and result in tangible community benefits through the application of creative design...”

The Overnight Overlay will allow Balanced Rock Resort to appeal to owners and visitors who want to buy into, live in, or visit a master planned community that is designed and built upfront to mitigate issues associated with overnight rental properties. This will allow a better approach than the neighborhood to the north where a patchwork of overnight properties has evolved.

Residential Flex allows for the uses proposed in the Site Master Plan

The Residential Flex zone is a subset of the Planned Community District, Small Planned Community zoning categorization.

The Permitted uses in a Small Planned Community include, among others:

- *Residential uses of various types and lot sizes including single family detached; single family attached; multifamily residential; townhomes; loft apartments; residential units above ground floor retail or office; and manufactured home communities;*
- *Home-based businesses;*
- *Common areas, such as parks, plazas, playgrounds, and trails;*
- *Open space, including landscaped areas and areas in natural vegetation, waterways, parks, trails and recreational areas;*

The Conditional uses in a Small Planned Community include:

“The approved PC Zone Plan or Community Structure Plan (Site Master Plan when applying for the Overnight Accommodations Overlay) may include provisions for specific land uses identified as either permitted or conditional use within a given PC Zone and may include uses listed elsewhere in this chapter or additional uses.”

The lodge/hotel is a conditional use. (See Exhibit F for Utah Code re conditional use.)

The Overnight Accommodations Overlay can be applied to Residential Flex

As was documented in the Planning Commission Meeting held on March 9th, 2023, the Ordinance has contradictions and is ambiguous. However, a plain language reading of the Ordinances (per Utah State law) indicates that the Overnight Accommodations Overlay district is allowable in the Residential Flex zone.

The San Juan County Attorney issued a legal opinion in a document dated March 20, 2023 (Exhibit C), where it was concluded that the Residential Flex zone is subject to the Overnight Accommodations Overlay:

“It is the opinion of the San Juan County Attorney’s Office that Chapters 3, 4, 5 & 6, related to Residential Flex, Business Flex, Highway Flex, and Highway Commercial zones respectively, are subject to The Spanish Valley Overnight Accommodations Overlay Ordinance. This conclusion is based upon reading the plain language of the statute; it is supported by the legislative intent...”

4. Approval of the Overnight Accommodations Overlay would align with current usages in the area

An approval of the Overnight Accommodations Overlay would align with the rest of the greater area, where many homes are already being used for overnight rentals.

Exhibit D shows:

- Homes that are currently used for overnight rentals within 1,000’ of the property.
- Some of the many homes that are currently used as overnight rentals in the greater neighborhood to the north of the property.
- A property that is being used as an RV park.

Given the number of overnight rentals occurring in the area, approving the Overnight Accommodations Overlay for the Balanced Rock Resort would bring the property into parity with what is already occurring immediately adjacent to the property.

5. Minimizing impacts on area residents

Existing neighborhood

It is important to note that the Balanced Rock Resort project area is not “surrounded” by residential uses, as has been mentioned in some of the comments during public meetings. There are relatively few homes to the immediate north of the property (some of which are being used as overnight rentals). There is one home on large acreage to the south of the property, and an airplane hangar on acreage to the east of the property. And while there is a future housing subdivision planned to the south of the project area,

Balanced Rock Resort

the developer of that project has expressed that he is in favor of our proposed development, and we are working with him to coordinate roads, storm water, utilities, etc.

Buffers

Balanced Rock Resort is proposing to build a primary east-west road along the north property boundary that will add a buffer between the project and the few existing homes that are near the property line. Further, the employee/affordable housing that is slated for the northernmost lots will also add to the buffer, for a total of over 100' of space between the overnight rentals within Balanced Rock Resort and the north property line. Additionally, the houses to the north are accessed via a small lane just north of that property line. The proposed lodge is over 1,000 feet from the nearest homes.

Access

Currently, the project area is accessed by East Allen Street, which is an improved county road. (There are approximately seven homes that currently use East Allen Street for access.) Balanced Rock Resort would like to participate in the extension of Old Airport Road to create a more direct flow to Spanish Valley Drive. We expect that this extension would also encourage our residents and users to continue to US 191 rather than drive to Moab via Spanish Valley Drive (see Exhibit E: Site Master Plan).

Although the Development Ordinances do not specifically require additional access points, we feel that more will be needed at a future date. East Allen Street (and the extension of Old Airport Road) would provide adequate access for all the planned residential lots, but we expect that when the lodge is built out that additional access points will need to be built. We are currently working with the developer of the Thomas Subdivision and SITLA to identify locations for future roads that will serve Balanced Rock Resort, the Thomas Subdivision and SITLA's build out. We will coordinate with the County on these road alignments to ensure that the greater community is served and connected.

Lighting

The Resort will use dark-sky friendly lighting systems to enhance the experience of the owners and guest, and to minimize the impact on neighboring properties.

Storm water

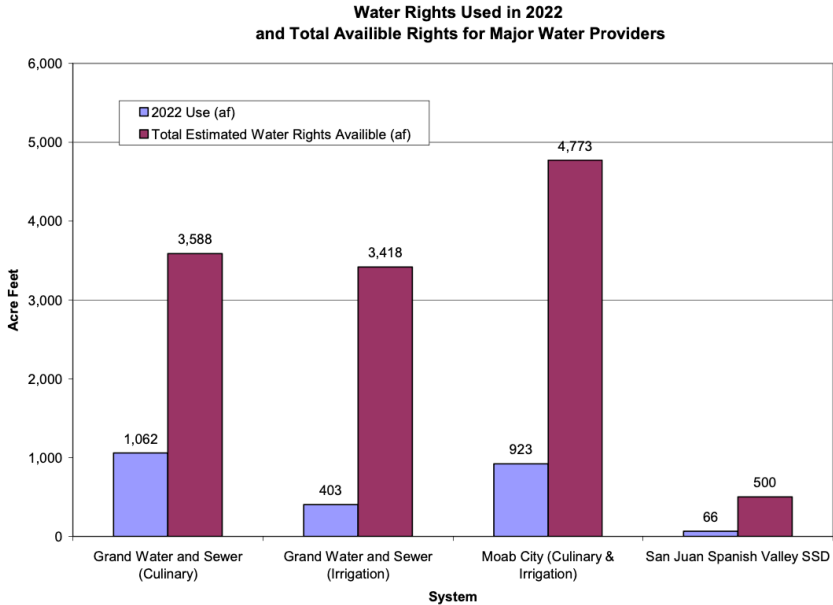
We are designing our storm water control measures to harmonize with the County's draft storm water plan. We have had meetings with SITLA and the owner of the Thomas Subdivision to ensure that a coordinated plan is reached to control storm water to minimize any impacts to our neighbors.

Water

Balanced Rock Resort will follow the County’s ordinances regarding the efficient use of water by residents and guests. The Resort is open to discussing ways that water can be conserved including the re-use of gray water if the health department is amenable, and implementation of water conserving landscapes.

Despite some claims during the public comment period that overnight guests use exorbitant amounts of water our research indicates that that type of excessive use is rare, and, that guests can be encouraged to conserve water (and power) by providing messaging that states that water is a finite resource and to use it conscientiously. (It was also interesting to note that overnight guests in residences are likely to use less water than if they stayed in a hotel.)

In the Annual Monitoring Report for the San Juan Spanish Valley Special Service District (SJSVSSD)(dated May, 2023) there is a graph that shows that the Special Service District only used about 13% of the water available of its total available water rights. It’s also interesting to note that the total available rights for SJSVSSD are fairly insignificant in size relative to Grand Water and Sewer (Culinary), Grand Water and Sewer (Irrigation), and Moab City (Culinary & Irrigation):



Residential units

Some comments were made during the public comment period about the relative number of overnight rentals versus non-overnight rental residences in the north end of San Juan County in Spanish Valley. While we can’t speak to why there does not seem to be pushback against the many homes currently used for overnight rentals in the

Balanced Rock Resort

neighborhood to the north of the project area, it is important to put the impact of the Balanced Rock Resort project into perspective. Currently, just to the south of the project area, is a development that is slated to add 120 or so residential lots to the market. SITLA projects an additional 3,134 residential units will be built on its land. Additionally, there is more private land in the area where even more residential units will likely be developed.

Density

While the current Residential Flex zoning allows for 4-5 units per acre, or a total of 289 to 361 units, please note that Balanced Rock Resort is proposing approximately 259 Equivalent Residential Units (3.6 per acre).

SITLA's Neighborhood Center, which abuts Balanced Rock Resort to the west, is projected to have an average density of 8 units per acre. If that same density were applied to Balanced Rock's 72.27 acres, it would equal 578 units!

6. The Overnight Accommodations Overlay will allow Balanced Rock Resort to be an economic driver for the county.

The Overnight Accommodations Overlay will allow Balanced Rock Resort to increase revenue for the County due to increased property tax and transient room tax (TRT).

In other "resort" communities the applicant has built we have seen property taxes go up due to the homes having a higher valuation in comparison to similar properties that do not allow overnight rentals.

The residents and visitors of Balanced Rock Resort will help provide a base population to support the development of SITLA's neighboring Neighborhood Center where a mix of commercial uses is planned.

7. Balanced Rock Resort will benefit the community

Employee and affordable housing

As part of this Overlay application, Balanced Rock Resort is proposing to convert a number of single-family lots to duplex and a fourplex lot that will be available for employee and/or affordable housing. This equates to 18 dwelling units where locally-employed families can live and be a part of the Balanced Rock community.

The Applicant intends to work with the County to define the parameters for the housing, including: if there should be deed restrictions, qualifying income, who can rent the second half of a duplex, approval process, etc.

Balanced Rock Resort

Neighborhood Center

By providing a base population to support the build out of SITLA's neighborhood center, the development of Balanced Rock Resort will encourage stores and restaurants to occupy the commercial spaces, and therefore will provide options to local residents that don't involve driving out of San Juan County to patronize the busy establishments in Moab.

Trails, open space, and roads

Balanced Rock Resort is designing open space with a network of trails that can be enjoyed by the greater community. The primary east-west road on the north side of the project will be a link from SITLA's Neighborhood Center along Spanish Valley Drive, to less densely developed areas to east of Balanced Rock Resort. This will allow the greater community to drive and bike along the connected road system as it gets built out.

Quality project

Gardner Plumb has a strong history of building high quality developments, with attractive amenities. Balanced Rock Resort will be a desirable place to own and live and will help set a benchmark for quality as other land in the area is developed.

Mixed uses

There is a shortage of housing options in the greater Moab area and northern San Juan County, particularly those that allow overnight rentals. A search of the MLS (on May 23, 2023) for homes in Moab Valley and Spanish Valley that allow overnight rentals only resulted in 13 properties for sale. The Balanced Rock Resort will provide a range of housing types (townhomes, duplexes, single-family and affordable/employee) to the community. These properties will appeal to the locally employed and other current residents of the area, as well as draw new residents and visitors to the area.

8. Site Master Plan

Please review the draft Site Master Plan (Exhibit F) for details that address the many requirements laid out in Chapter 10 of the Development Ordinances. (Of note, the draft layout for the community has been modified to include employee and affordable housing options.)

APPLICANT STATEMENT

The applicants submit this request for a rezone with the intent of applying the Overnight Accommodations Overlay to master plan a resort-style community. We believe that the type of real estate product mix we are proposing will hold high appeal to the types of residents and visitors who want to be near the Moab area. Our goal is to create a quality resort community that will reflect positively on San Juan County.

Balanced Rock Resort

The Balanced Rock Resort will be an important economic driver for the area. It will provide revenue to the County in the form of increased property taxes and Transient Room Taxes. It will also bring a critical mass of people to the area to support the future success of the Neighborhood Center that will be built nearby.

We plan to continue to work with SITLA and other landowners to ensure that our designs harmonize with the future developments planned for neighboring areas.

The Gardner Plumb group has a strong history of building high-quality communities and looks forward to bringing this resort to fruition.

Thank you for your consideration:

For the Elkin Spielman Charitable Remainder Trust

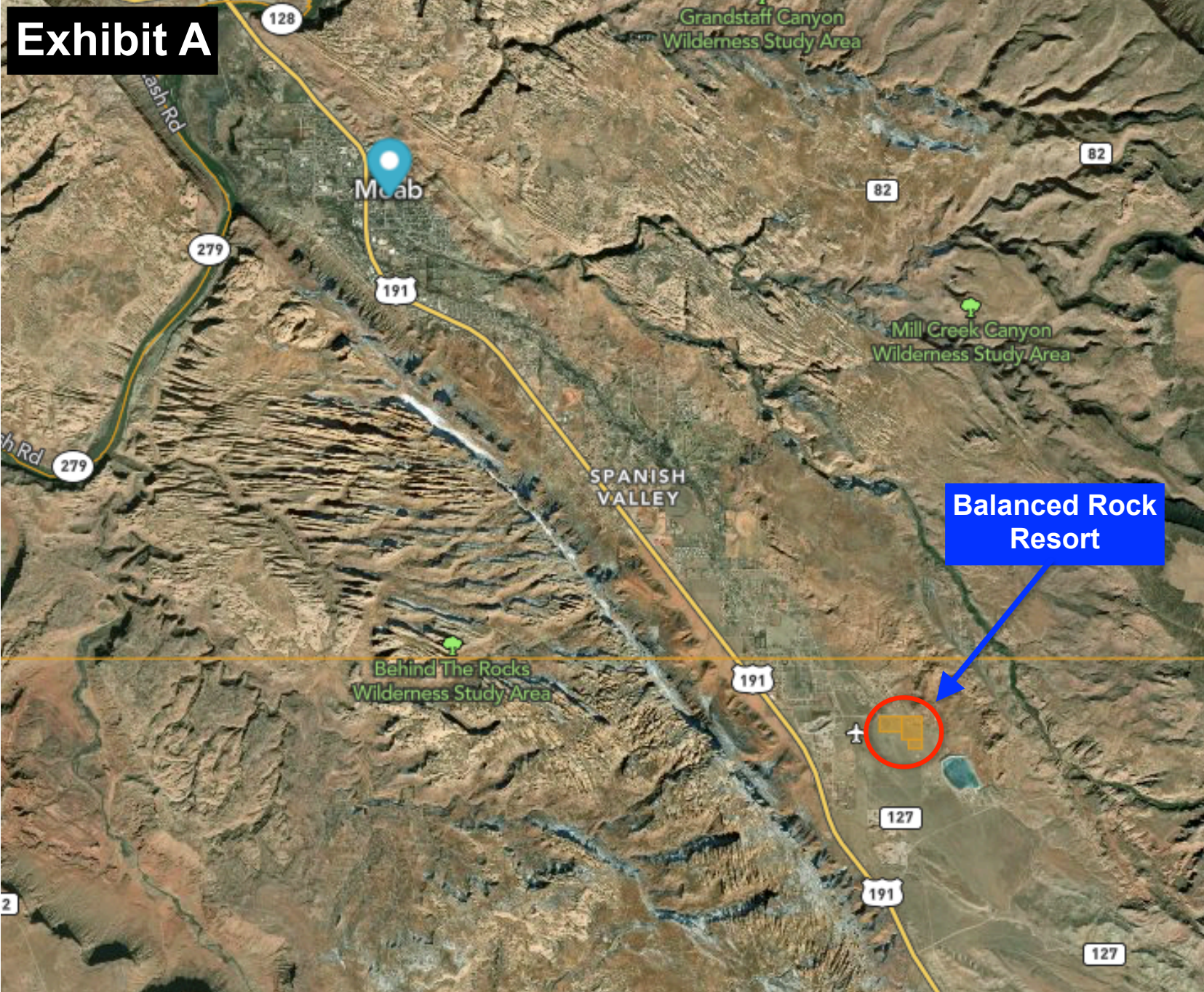
Karl Spielman trustee 5/25/23
Karl Spielman Date

Melinda Elkin trustee 5/25/23
Melinda Elkin Date

For Gardner Plumb LLC

DocuSigned by:
Walter J. Plumb III 5/26/2023
Walter J Plumb III Date

Exhibit A



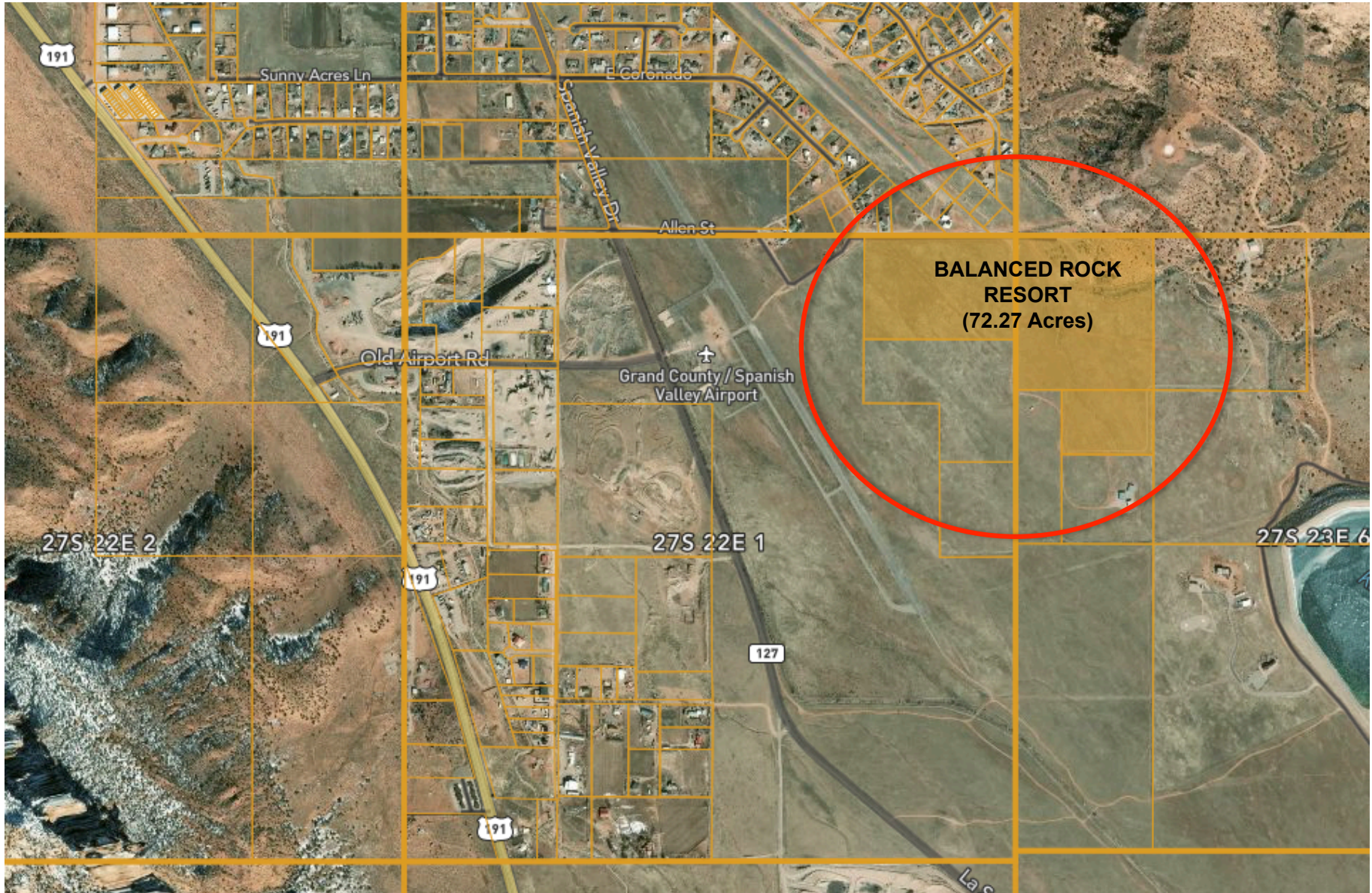


Exhibit B**Legal Description of Property:**

Parcel 1:
Township 27 South, Range 23 East, SLBM
Section 6: Lot 2
Parcel No: 27S23E063001

Parcel 2:
Beginning at a point which is South 89° 55' East 391.9 feet and North 767.4 feet from the West $\frac{1}{4}$ corner of Section 6, Township 27 South, Range 23 East, SLM, and proceeding thence North 552.7 feet to a corner, thence South 89°57' East 788.1 feet to a corner, thence South 552.7 feet to a corner, thence North 89° 57' West 788.1 feet to the point of beginning
Parcel No. 27S23E063000

Parcel 3:
Beginning at the Northeast corner of Section 1, Township 27 South, Range 22 East, SLM, and proceeding thence with the East line of said Section 1, South 0° 04' West 867.3 feet to a corner, thence South 89° 58' West 1321.3 feet to a corner, thence North 0° 04' East 869.4 feet to a corner, thence with the North line of said Section 1, South 89° 56' East 1321.3 feet to the point of beginning.
Parcel No. 27S22E010001

Exhibit C**SAN JUAN COUNTY ATTORNEY**

Brittney M. Ivins
County Attorney

Mitchell D Maughan
Deputy County Attorney

March 20, 2023

San Juan County Planning Commission

Re: San Juan County Spanish Valley Overnight Accommodations Overlay District

Dear Planning Commission,

The following is an analysis and legal opinion as to whether the Spanish Valley Residential Flex Planned Community (RF) is subject to the terms and conditions set forth in the San Juan County Spanish Valley Overnight Accommodations Overlay District.

Spanish Valley Residential Flex Planned Community (RF).

The uses, restrictions and standards for the RF zone are found in Chapter 3 of the Spanish Valley Development Ordinance. The purpose of the zone is stated to be: “[t]o accommodate large planned communities using large scale coordinated design and planning efforts”. It specifically lists under “Development Standards” three separate items related to height, buffering and transitioning, which are not germane to this discussion. It also incorporates all the requirements and all of the development standards set forth for large scaled communities in the Planned Community (PC) Zone.

The permitted uses in the RF zone are not enumerated or categorized, as in other zones, but are simply stated as uses consisting of a wide range of residential, single-family, multi-family, townhomes, and employee housing as part of a mixed-use transitional development.¹ Other uses such as parks, open space, commercial, business and similar uses are permitted, within and in proximity to gravel pits, ***once extraction operations for the gravel pit have ceased and mitigation efforts are underway.*** In addition, non-residential uses shall not be permitted within 100 feet of an adjacent residential district boundary or an existing residential use.

Chapters 3, 4, 5, and 6, dealing with the Residential Flex (RF); Business Flex (BF); Highway Flex (HF); and Highway Commercial (HC), respectively, all contain the same provisions relating to overnight rentals. Each of these Chapters provides:

Uses Subject to the Spanish Valley Overnight Accommodations Overlay

- *Hotels and Motels*
- *Commercial Condominiums for short-term rentals*
- *Bed and Breakfasts (B&Bs), lodges and resorts*
- *Commercial campgrounds*
- *All other variations of overnight accommodations intended for nightly rentals*

¹ Also, there are no conditional uses in the RF zone.



SAN JUAN COUNTY ATTORNEY

Brittney M. Ivins
County Attorney

Mitchell D Maughan
Deputy County Attorney

The Spanish Valley Overnight Accommodations Overlay Ordinance

The Spanish Valley Overnight Accommodations Overlay Ordinance (the “Overlay Ordinance”) sets forth, in the introductory paragraph of Chapter 10, that the Overlay is “An ordinance establishing an overnight accommodations overlay district that can be sought for sites located within the **Spanish Valley Highway Commercial District**”. Later on it contradicts itself by stating “The Spanish Valley Overnight Accommodations Overlay Ordinance is an overlay district for properties located in the **Highway Commercial and Highway Flex districts**”.

There is an obvious conflict, or at the very least, an ambiguity, in the Ordinance as to in what district(s) should the Overlay Ordinance apply?

In interpreting the meaning of a statute or ordinance, a court will first look at the plain language of the ordinance and must assume that each term included in the ordinance was used advisedly. If the ordinance is ambiguous, the court will first look to the legislative history. "Carrier v. Salt Lake Cnty., 2004 UT 98, ¶ 30, 104 P.3d 1208..." Cahoon v. Hinckley Town Appeal Auth., 276 P.3d 1141, 705 Utah Adv. Rep. 26, 2012 UT App 94 (Utah App. 2012)

To resolve conflicts in interpretation of statutes or ordinances, the Courts follow well-settled rules of statutory construction. First, "[i]n cases of apparent conflict between provisions of the same statute, it is the Court's duty to harmonize and reconcile statutory provisions, since the Court cannot presume that the legislature intended to create a conflict." Madsen v. Brown, 701 P.2d 1086, 1089-90 (Utah 1985). Further, "a provision treating a matter specifically prevails over an incidental reference made thereto in a provision treating another issue, not because one provision has more force than another, but because the legislative mind is presumed to have stated its intent when it focused on that particular issue." Id. at 1090. Bennion v. Sundance Development Corp., 897 P.2d 1232 (Utah App. 1995)

The plain language of the Ordinance clearly states that “All other variations of overnight accommodations intended for nightly rentals” are allowed under the sub-heading “Uses Subject to the Spanish Valley Overnight Accommodations Overlay” in Chapters 3, 4, 5, and 6 (dealing with the Residential Flex; the Business Flex; the Highway Flex and the Highway Commercial zones, respectively). It is presumed that this provision was inserted in each of these Chapters for a reason. Conversely, if these provisions were absent from each of these chapters, (with the exception of Chapter 6), it would essentially “gut” these chapters stripping them of any meaningful provisions. Most importantly, under the plain language scenario, Chapter 10 does not specifically negate any overnight overlay in Residential Flex or Business Flex; it simply confirms that the accommodations overlay is allowed in the Highway Flex and Highway Commercial.

In addition, the legislative intent behind the Spanish Valley Development Ordinance overwhelmingly suggests that the overnight accommodations overlay should apply to the RF & BF zones. It has been the heightened focus of San Juan County, its county commission, and administrative officers, to regulate, clarify and standardize overnight rentals in the Spanish Valley area of San Juan County since before the adoption of the Spanish Valley Development Ordinance.

Finally, the Chapter 10 language is the offending language that should not be trusted. The best way to harmonize these inconsistencies is to delete and/or modify the Chapter 10 language because, as stated earlier, Chapter 10 does not specifically negate any overnight overlay in Residential Flex or Business Flex. It simply confirms that the accommodations overlay is allowed in the Highway Flex and Highway Commercial.



SAN JUAN COUNTY ATTORNEY

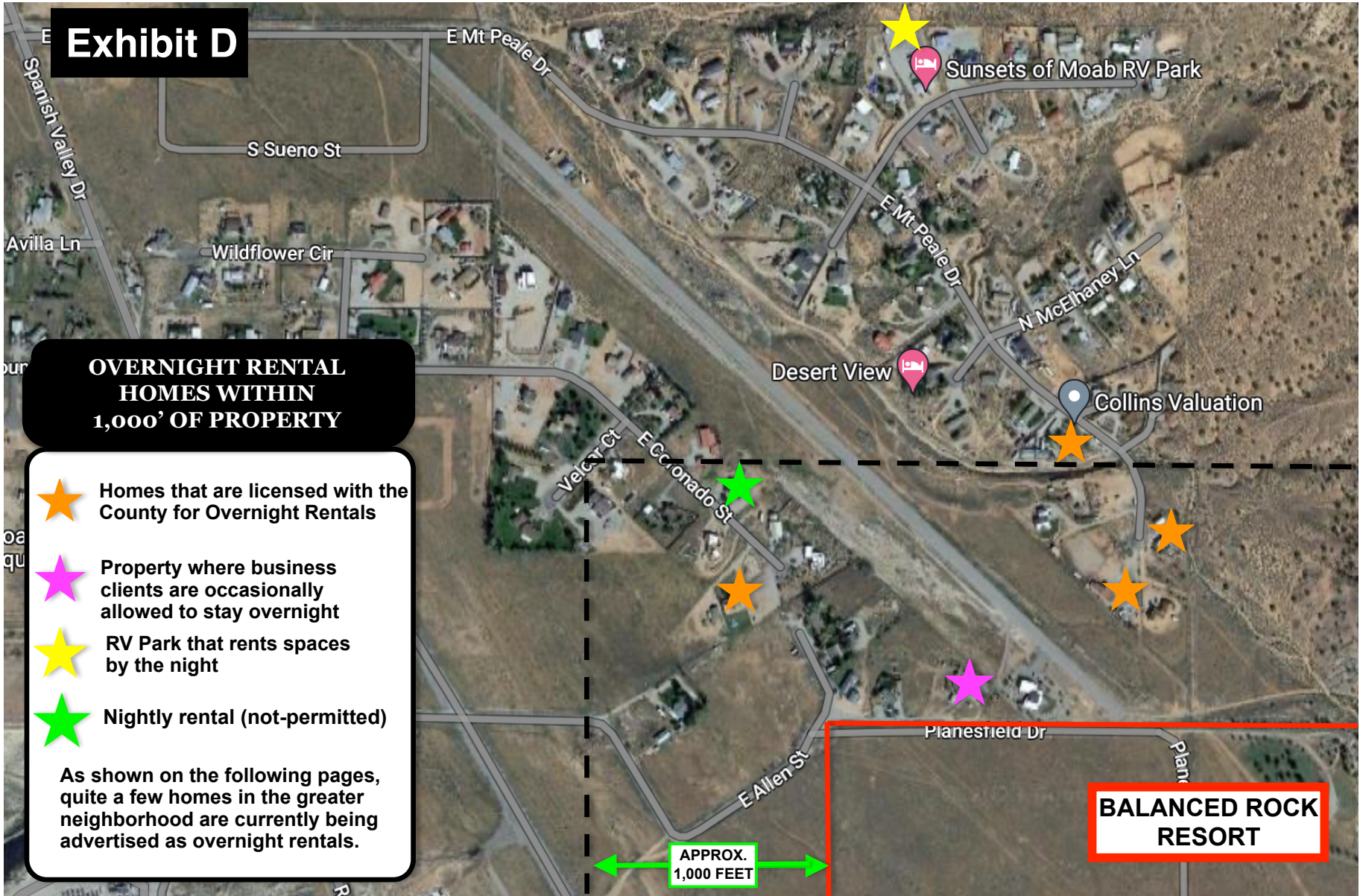
Brittney M. Ivins
County Attorney

Mitchell D Maughan
Deputy County Attorney

Conclusion

It is the opinion of the San Juan County Attorney's Office that Chapters 3, 4, 5 & 6, related to Residential Flex, Business Flex, Highway Flex, and Highway Commercial zones respectively, are subject to The Spanish Valley Overnight Accommodations Overlay Ordinance. This conclusion is based upon reading the plain language of the statute; it is supported by the legislative intent; and because the best way to harmonize the conflicting provisions, is to either delete the offending language, or add to the language, that the overlay is available in the Residential Flex and Business Flex, in addition to the Highway Flex and Highway Commercial zones.

/s/ Mitchell D Maughan
Deputy County Attorney



The search results on this page, and the subsequent pages, were performed on March 21, 2023
(Note: A number of the same homes likely show up on the search results from the different websites.)

We have heard that there are more homes being used as overnight rentals than what is shown on these pages.

The screenshot shows a web browser window with the HomeToGo website. The search parameters are Spanish Valley, Anytime, and 1 guest. The page displays two property listings and a map. The first listing is for a house with 5 bedrooms and 16 guests, priced from \$500 per night. The second listing is for a 1900 ft² house with 3 bedrooms and 8 guests, priced from \$476 per night. The map on the right shows various price points for properties in the area, with 'BALANCED ROCK RESORT' highlighted in a red box.

150 offers · [Learn more](#) about ranking of offers

from **\$500** per night
Found on Vrbo

House · 5 bedrooms · 16 guests
Breccia House, just minutes from downtown Moab! Slee...
5.0 ★★★★★ (47 ratings)
0.4 mi to center · Spanish Valley

Details [View deal](#)

-11% **\$532** from **\$476** per night
Book directly on HomeToGo

1900 ft² House · 3 bedrooms · 8 guests
Arroyo Rez - in the beautiful red rocks of Moab with priv...
4.3 ★★★★★ (14 ratings)
0.9 mi to center · Spanish Valley

Details [View deal](#)

Check rates

from \$499
from \$492
from \$498
from \$706
from \$635
from \$973
from \$965
from \$1,134
from \$476

BALANCED ROCK RESORT



Get the app

Trip Boards

Log in

Sign up

Help

Feedback

USD (\$)

EN

List your Property

Where Moab, Utah, United States of Amer...

Check-in

Check-out

Guests

Filters

Popular

Price

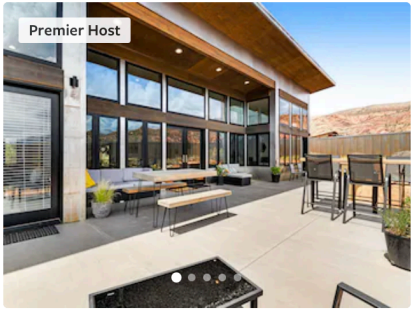
Rooms & spaces

Map area

17 properties Sort

Search when I move map

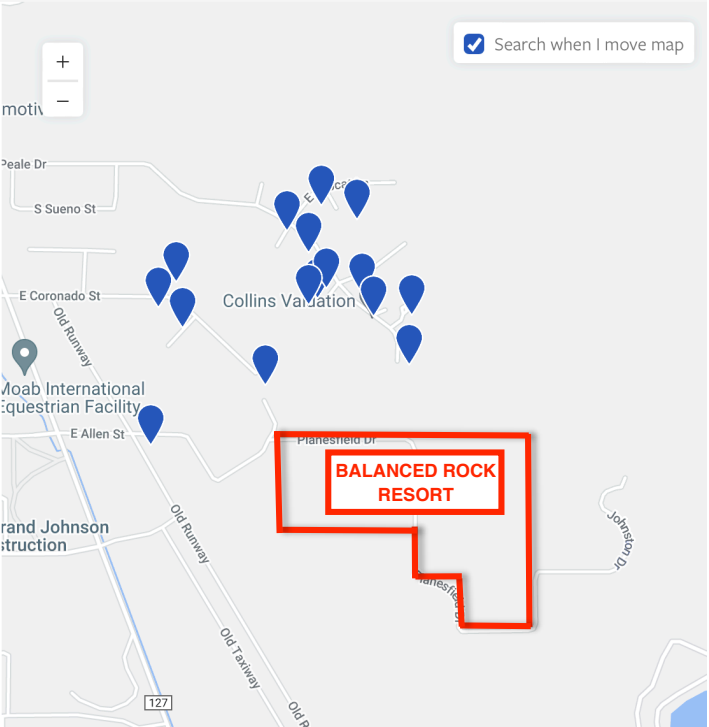
Need flexibility? We've got you. Some places let you cancel for free closer to your check-in date. Check the property's policy for details.



House Wonderful Home Close to Hiking & Activities w/Free WiFi, Private Washer/Dryer Sleeps 6 · 3 bedrooms · 3 beds Wonderful! 4.9/5 5.0 (20 reviews) Free cancellation up to 30 days before check-in \$351 avg/night



House Private Pool! Private Hot Tub! Trailer Parking! Fire Pits! All on 2 Acres!





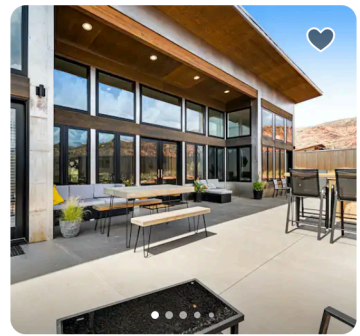
Map area | Any week | Add guests

Airbnb your home

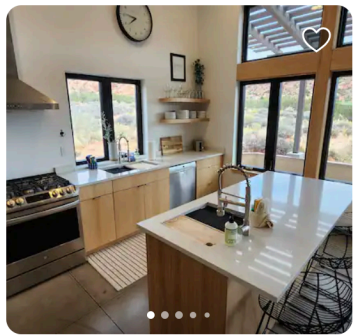
- All homes
- Amazing pools
- Amazing views
- Countryside
- Cabins
- Desert
- Camping
- Tiny homes
- Trending
- New
- Vineyards
- Farms
- National parks
- Filters

🕒 There aren't many places left in Moab, so now's a good time to book.

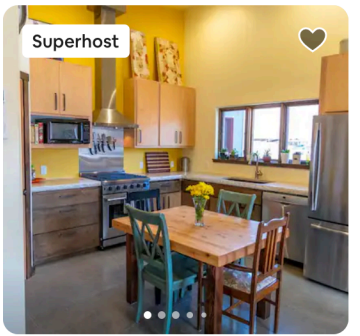
14 homes in Moab



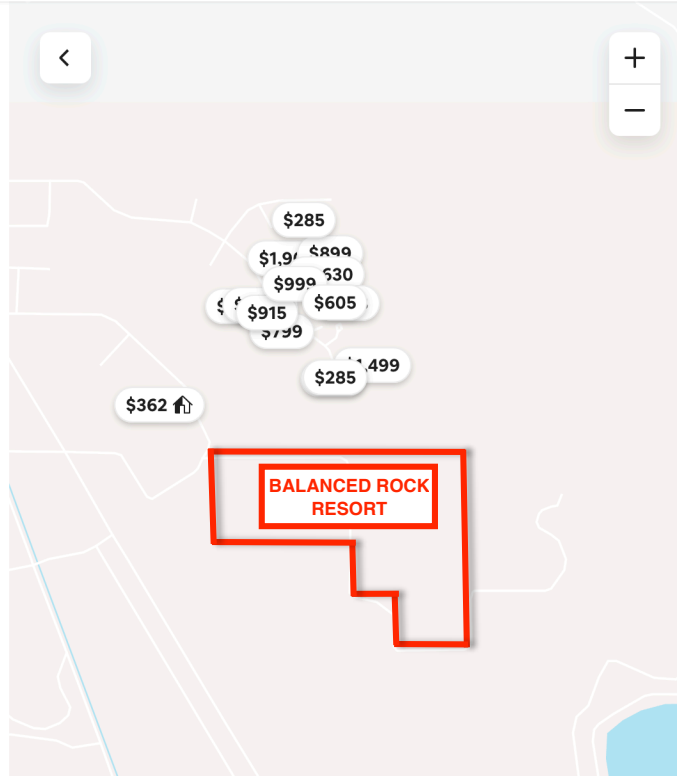
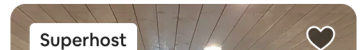
Home in Moab ★ 4.89 (55)
 Wonderful Home Close to ...
 3 beds
 Mar 29 – Apr 3
 \$605 night



Home in Moab ★ 5.0 (4)
 Modern, Private, Views, ...
 4 beds
 Mar 29 – Apr 3
 \$488 night



Cottage in Moab ★ 4.98 (187)
 Cottage in the Rocks quiet ge...
 2 beds
 Jun 6 – 11
 \$285 night



Vacation Rentals in Moab South Valley | USA > Utah > Moab > Moab South Valley

Moab South Valley Vacation Rentals & Rent By Owner Homes



From \$482

★ 4.5 (104 Reviews) Cabin

SENDERO - beautiful log home. 10 min...

Air Conditioner • Balcony/Terrace • Bedding/Linens

Moab > Moab South Valley



[View Availabil...](#)



From \$307

★ 4.5 (1 Review) House

5 Bed 3 Bath Vacation home in Arches...

Air Conditioner • Balcony/Terrace • Child Friendly

Moab > Moab South Valley



[View Availabil...](#)



From \$226

★ New House

Atomic Container Home by Utah Vacatio...

Bedding/Linens • Internet • Kitchen

Moab > Moab South Valley



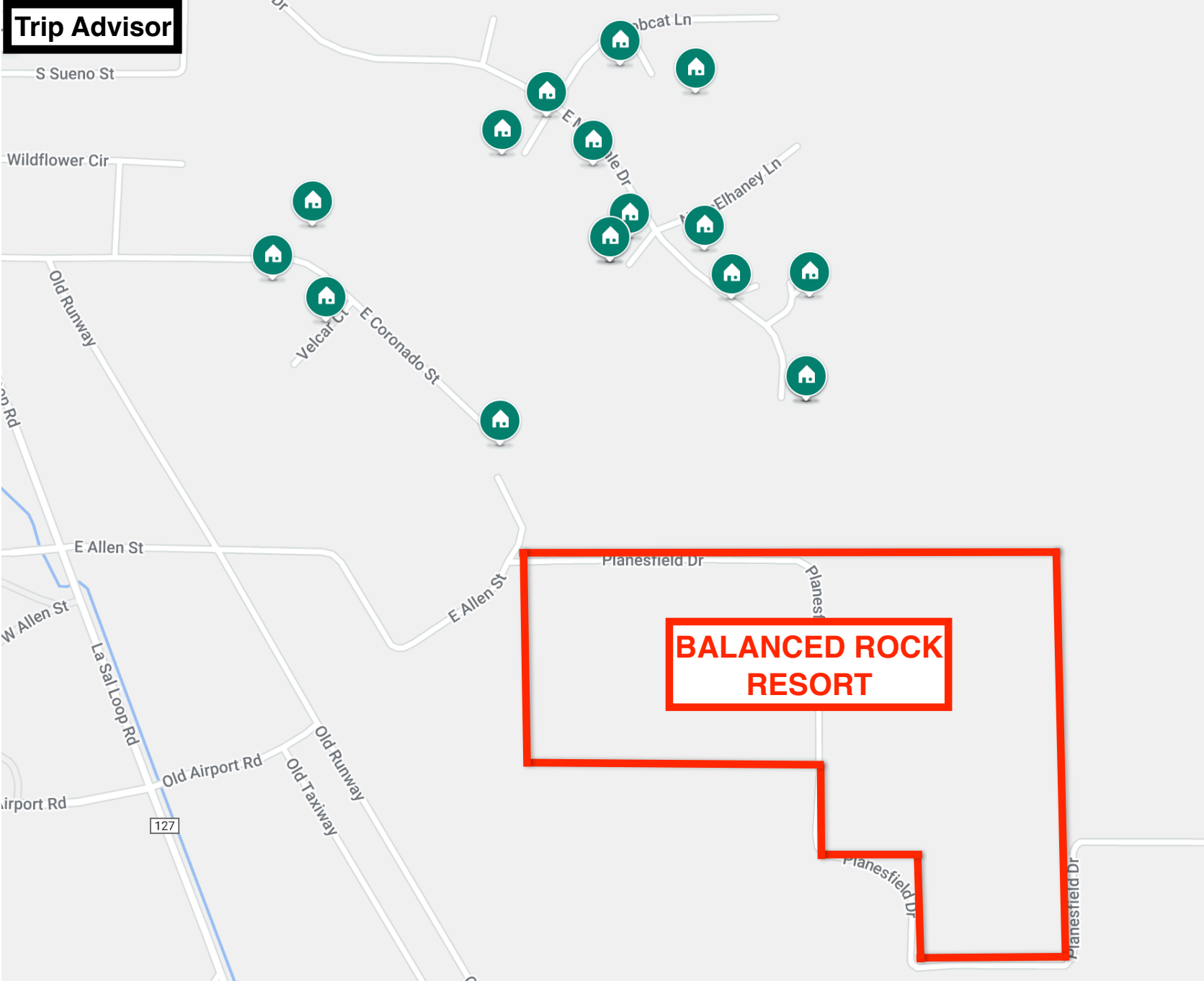
[View Availabil...](#)

Map search

Map price tags: \$226, \$2,003, \$260, \$350, \$637, \$681, \$1,042, \$482, \$334

Map labels: Desert View, Balanced Rock Resort, Planesfield Dr, Old Runway

Trip Advisor





Utah



Anytime



Guests



List your property

Filter & Sort

Rooms

Price

Accommodation types



Pool

Internet

Pet allowed

Kitchen

Air conditioning



from \$476 per night

Found on HomeToGo

1900 ft² House · 3 bedrooms · 8 guests
Arroyo Rez - in the beautiful red rocks of Moab with ...

4.3 ★★★★★ (14 ratings)

Spanish Valley, San Juan County



View Deal



from \$243 per night

Found on Vrbo

670 ft² Cottage · 1 bedroom · 4 guests
Beautiful Cottage in Spanish Valley + Gorgeous Views

5.0 ★★★★★ (32 ratings)

Spanish Valley, San Juan County



View Deal

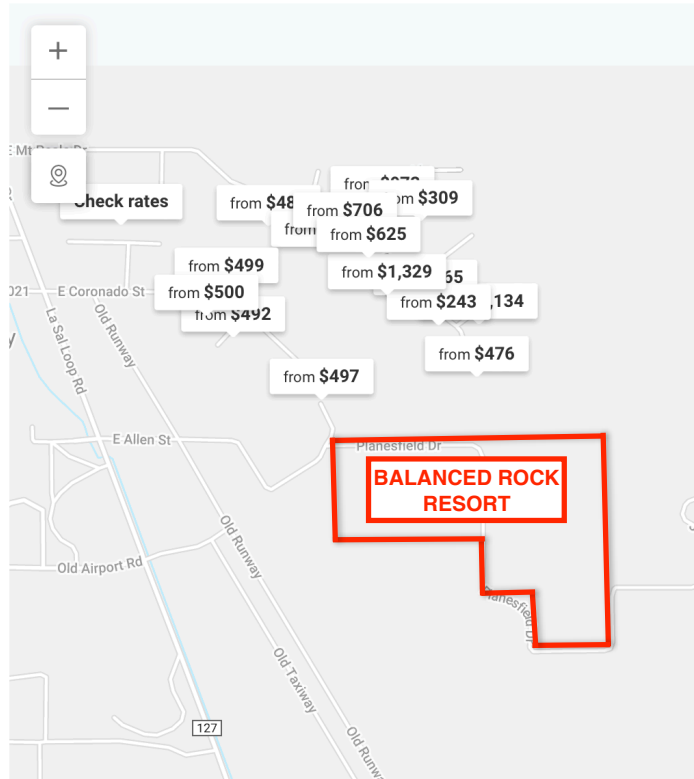


Exhibit E

The Site Master Plan was sent separately as a standalone document.

Exhibit F

Effective 5/5/2021

10-9a-507 Conditional uses.

- (1)
 - (a) A municipality may adopt a land use ordinance that includes conditional uses and provisions for conditional uses that require compliance with objective standards set forth in an applicable ordinance.
 - (b) A municipality may not impose a requirement or standard on a conditional use that conflicts with a provision of this chapter or other state or federal law.
- (2)
 - (a)
 - (i) A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.
 - (ii) The requirement described in Subsection (2)(a)(i) to reasonably mitigate anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effects.
 - (b) If a land use authority proposes reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions are stated on the record and reasonably relate to mitigating the anticipated detrimental effects of the proposed use.
 - (c) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the land use authority may deny the conditional use.
- (3) A land use authority's decision to approve or deny conditional use is an administrative land use decision.
- (4) A legislative body shall classify any use that a land use regulation allows in a zoning district as either a permitted or conditional use under this chapter.

Amended by Chapter 385, 2021 General Session

Site Master Plan

(draft)

**Spanish Valley
San Juan County, Utah**

March 29, 2023
(revised May 25, 2023)



Introduction

The Gardner Plumb group proposes to develop approximately 72.27 acres of land that is currently owned by the Elkin Spielman Charitable Remainder Trust. The land is located on the north end of Spanish Valley, in San Juan County, and is generally very flat. This Site Master Plan outlines our vision for the Balanced Rock Resort community we plan to build. It is in “draft” form at present, and we look forward to working with the County to refine this vision.

This Site Master Plan is a requirement found in Chapter 10 of the San Juan County Zoning Ordinance for a rezone to apply the Overnight Accommodations Overlay to the Property. This Site Master Plan has been adapted from the Community Structure Plan (CSP) that was submitted as part of a request to rezone the property to Residential Flex.

To minimize confusion for readers switching between the two plans, we have kept the original numbering from the CSP. The information has been edited to reflect changes in our draft layout, and supplemented with information to address the requirements found in Chapter 10.

Statement (per Chapter 10, 5a)

The Balanced Rock Resort will be a high-quality master-planned community consisting of a variety of residential products (single-family homes, duplex homes, townhomes) and a lodge, all with overnight accommodations being allowed. Employee and affordable/moderate income housing options will be included, without the option for overnight rentals. This Resort community is designed to appeal to residents and visitors who enjoy living and recreating in the greater Moab area.

The Resort is sited on one of the few pieces of private property where a community of this style can be built. There is very little private land of large enough acreage available in the San Juan County portion of Spanish Valley to allow this type of community, and Grand County and Moab City ordinances practically preclude a development like Balanced Rock north of the county line.

The ability to master-plan the Resort from the ground-up will allow the creation of a community that addresses upfront many of the issues that face neighborhoods where overnight rentals have become a patchwork amidst long-term occupied homes (a prime example are the neighborhoods just to the north of Balanced Rock Resort). Buyers of property within the Resort will know from the first moment that they are buying into a community that allows overnight rentals.

The Overnight Accommodations will mean that the properties in the Resort will have a higher value than similar residences without the overnight application. This will result in increased property taxes being paid to the county. Along with the lodge, the residences will provide additional revenue to the county by way of paying the Transient Room Tax (TRT) that is required of short-term rentals.

San Juan County Spanish Valley Area Plan and the San Juan County General Plan

(per Chapter 10, 5i - how the proposed development is consistent with both Plans)

The Balanced Rock Resort development aligns with the Spanish Valley Area Plan and the San Juan County General Plan as follows.

Growth and Development Areas

The Spanish Valley Area Plan identifies the types of growth and development areas:

Private Land Areas: *This area consists of both developed and undeveloped land that is owned by numerous private parties. Since the area has been inconsistently planned, the focus is on meeting the following needs:*

- *Establishing a rational and coordinated system of road and storm water conveyance systems.*
- *Providing transitions between existing and future incompatible uses.*
- *Facilitating limited subdivision and densification where opportunities exist.*
- *Ensuring that future development follows a new system of guidelines that promote safe, coordinated growth and development.*

Central Development Areas: *Located in the center of the valley, these are the flattest and easiest-to-develop areas. They are suitable for a wide range of development, including residential, civic, institutional and parks/open space uses. They also support limited development of local commerce and community services. The large tracts of contiguous land are primarily under single ownership, which promotes the application of coordinated development strategies.*

Flex Development Areas: *These areas provide unique opportunities to create an economic base for the valley... A flexible development approach should be considered to allow market developments and opportunities to be addressed.*

The Balanced Rock Resort could fit into any, or all, of the above-defined categories.

Infrastructure

As stated in the San Juan County General Plan, ***“The thing that will influence the location of development the most in the county is the location of public infrastructure.”*** The relatively recent improvements to infrastructure (sanitary sewer, water lines, water tank/pump, and power) make the Balanced Rock Resort location ideal for development.

Phasing

The Spanish Valley Area Plan outlines the phased timing for future development: ***“Residential development should be implemented sequentially from north to south as part of a rational extension of municipal water and sewer services (Phases 1-6).”***

The Area Plan defines the first phases to be developed, and states that Phases 1 and 2 will be the first to use the existing water supply. The map on page 35 could define that the Balanced Rock Resort property is in Phase 1, while the accompanying text seems to suggest that it could be in Phase 1 or Phase 2:

- ***Phase 1 – 700 acres:*** *Existing and undeveloped private lands.*
- ***Phase 2 – 950 acres:*** *Primarily residential neighborhood. Bulk of land in single ownership (SITLA) supports coordinated design and development, with higher density*

in the Central Neighborhood Development zone. Supports application of coordinated design and development principles. Includes a small neighborhood center, two regional parks and a community park as primary amenities/destination.

The Spanish Valley Area Plan makes the following statement in regard to the development of private land: ***“There has been little planning direction in this area in the past, resulting in an inefficient and helter-skelter pattern of development.”*** A master-planned Resort with short-term rentals allowed from the start will eliminate the chance of a “helter-skelter” type community being built.

The San Juan County General Plan defines some of the Land Use Goals & Policies that support the development of the Resort:

- ***Encouraging cluster developments to preserve open space.***
- ***Requiring residential development to locate within existing communities or within areas where services are provided at a level that will meet demand of development.***
- ***Ensuring that commercial and industrial development locate near existing utilities or pay for the extension of services needed themselves. (Some tools to make this more achievable are impact fees and development agreements.)***

The Spanish Valley Area Plan states some key principles that support the Balanced Rock Resort concept:

- ***The needs of the partially-developed Private Development Areas will be significantly different than the undeveloped areas to the south. The application of separate guidelines and ordinances for both areas should be considered.***
- ***Guidelines and ordinances...should encourage coordinated development of large tracts of land under single ownership. They should be easy to understand and promote planning and creative design.***
- ***Discouragement of strip development and encouragement of the establishment of centers, nodes and of destinations.*** [Note: The Highway Flex zone is a prime example of “strip” mentality. Balanced Rock Resort’s dispersed location on a utility spur to the immediate east of SITLA’s Neighborhood Center is a prime example of a tasteful destination community in the valley.]
- ***Clarification of minimum park and open space standards. Open space corridors should be encouraged for the location of stormwater detention facilities, trails, parks and to link neighborhoods to public lands.***
- ***The major road systems consist of four east/west roads linking development areas to US-191 and Spanish Valley Drive/La Sal Loop Road. A full range of collector and local roads should also be included, laid out in response to the natural topography and the valley landscapes.***
- ***The various Development Districts should encompass a wide range of residential uses and types to meet the full range of socio-economic and life-cycle needs of the Study Area. Densities should be higher in Central Development Areas, with lower-***

density/larger lot development focused in the outlying Perimeter Development Areas.

- **Major and minor streams and washes should be incorporated into the community structure as part of a Low-Impact Development (LID) approach where appropriate. These systems should be coordinated with the regional park, open space and trails system.**

Economic Driver

“The San Juan County General Plan is not intended to be a static document. Rather, it is intended to be used on a regular basis to identify and direct where various activities will be located, the strategies of the county to encourage certain land uses and the requirements for their establishment, to identify priorities for county actions, and resource allocation decisions, and to identify provisions of required services and their adopted standards.” (p. 6, San Juan County General Plan)

During the San Juan County Board of Commissioners Meeting on January 17th, 2023, a resolution was passed encouraging economic development, a renewed effort to improve zoning to increase economic development opportunities, and a commitment to work with developers, property owners, and the public in bringing vitality and growth to San Juan County.

Northern San Juan County is sited beautifully to prosper from the wide variety of recreational opportunities that draw residents and visitors to the greater Moab area. **San Juan County can, and should, obtain a bigger share of the profits these assets create.**

“The County has many natural assets that can provide a strong economic foundation. There is an unparalleled concentration of national and state parks, monument, recreation areas and abundant natural resources. The County also provides an attractive quality of life for those looking for open space, low levels of crime, and a strong community atmosphere.” (p. 22, San Juan County General Plan)

“Many residents see tourism as the most promising economic resource. Much of the growth in government jobs has been attributed to education and social service programs addressing the poverty and education gap in the region. Economic development is a priority of all county residents.” (pp. 140-141, San Juan County General Plan)

The Balanced Rock Resort, with an Overnight Accommodations Overlay, can add significantly to the transient room taxes, and add to property values that will result in higher taxes paid to San Juan County. The Resort will draw residents and visitors from the already insufficient housing and lodging options in Moab.

The project will be a quality “anchor tenant” that will positively influence how SITLA’s Neighborhood Center evolves with services and amenities that will be patronized by the visitors and residents of Balanced Rock Resort. A variety of service venues (restaurants, coffee shops, grocery stores, wellness businesses and the like) will benefit from the Resort’s population base and will be within walking or biking distance. **Balanced Rock Resort and SITLA’s Neighborhood Center will create a symbiotic relationship.**

The net result will be increasing the taxes paid to the county, and helping provide a stronger base population to support the businesses that will reside in the future Neighborhood Centers sited along Spanish Valley Drive. The Resort will help even out the disparity between Grand County and San Juan County when it comes to revenue derived from residents and visitors.

“While neighboring Grand County shifted to a tourism economy, San Juan County remained reliant on agriculture and other services. While residents would like to see agriculture, grazing, and timber preserved, the services, government, and non-farm proprietor sectors are now projected to create the most jobs in coming decades.” (p. 140 of San Juan County General Plan)

The San Juan County General Plan references a Kem C. Gardner Policy Institute (“Policy Institute”) Profile on Travel & Tourism in Utah, dated 2015, and states that in San Juan County in 2015 the Average Daily Room Rate was \$100.04, and the occupancy rate was 56.8%, both are below the State average. And, that the transient room tax generated in San Juan County in 2015 was \$840,929.

A more recent Policy Institute analysis (The State of Utah’s Travel and Tourism Industry 2021)* offers some interesting, updated information on visitor spending and tax revenue. It is interesting to compare the data regarding San Juan County and Grand County (Please see SMP Exhibit: D). San Juan County can do more to capture more of the revenue generated by visitors to the area.

*Kem C. Gardner Policy Institute, The State of Utah’s Travel and Tourism Industry 2021, February 2023: <https://gardner.utah.edu/wp-content/uploads/TT-Report-Feb2023.pdf>

As a disclosure, some principles of “Gardner” of “Gardner Plumb LLC” are affiliated with the Policy Institute.

Affordable Housing

While the Balanced Rock Resort community will not solve the affordable housing situation discussed in the San Juan County General Plan, the seven duplexes and one fourplex reserved for employees and locally employed persons, can provide homes for 18 families.

*“Spanish Valley - ...there will be approximately 68 households in need [of affordable housing] by 2030. With the current supply of 31 affordable units, **there will be a need for 37 more affordable units by 2030.**”* (p. 52, San Juan County General Plan)

In accordance with the guidance in the San Juan County Plan, Balanced Rock Resort will work with the county to utilize federal and state tax credits to subsidize housing to make it more affordable and utilize rental assistance programs available at the federal and state level.

“It is expected that the new infrastructure in the Spanish Valley area will facilitate a significant amount of residential development, some of which could be directed toward workforce housing.” (p. 53, San Juan County General Plan)

Site Plan (per Chapter 10, 5h)

Please refer to the draft layout as you read the following pages. (SMP Exhibit: E)

1. Name of Planned Community

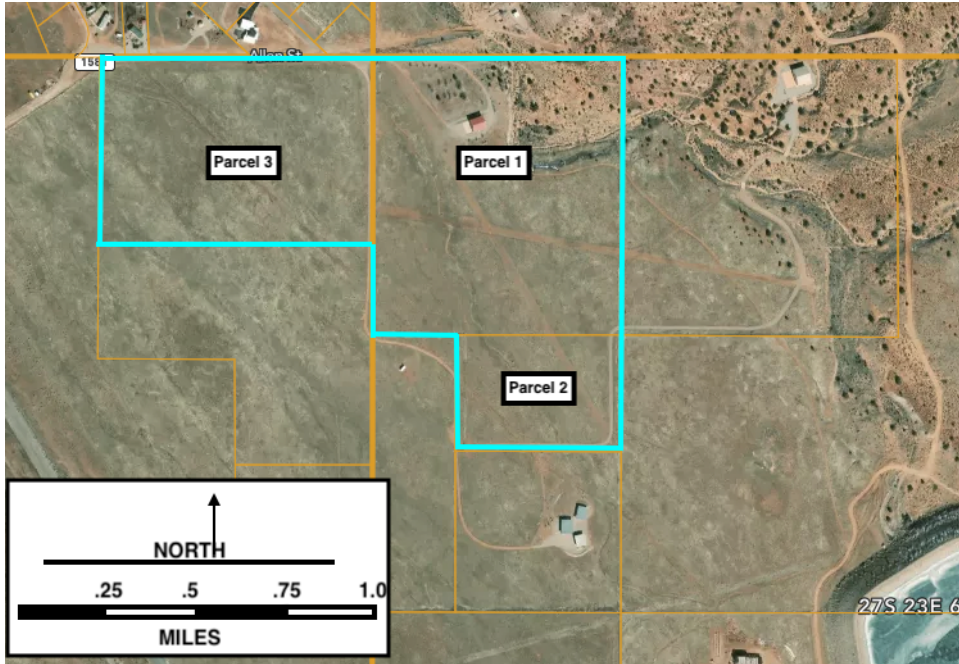
Balanced Rock Resort

2. Name, Address, and Phone Number of Applicant and Property Owner

Property Owner: Elkin Spielman Charitable Remainder Trust
Karl Spielman and Melinda Elkin
404 W. Main Street, #123
Cortez, CO 81321
435-260-1383

Applicant: Gardner Plumb LLC
Jim Schnepel
201 S. Main Street, Suite 2000
Salt Lake City, UT 84111
801-231-3666

3. Site Master Plan Location, Legal/Boundary Description and Acreage (“Property”)



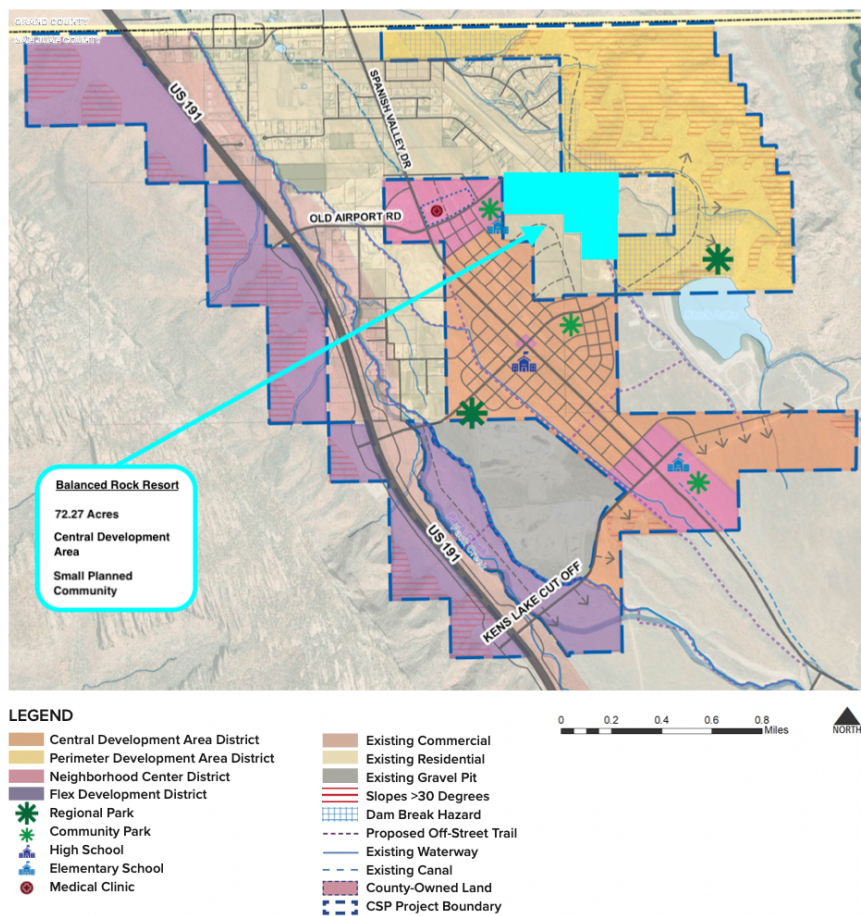
Parcel 1:
 Township 27 South, Range 23 East, SLBM
 Section 6: Lot 2
 Parcel No: 27S23E063001

Parcel 2:
 Beginning at a point which is South 89° 55' East 391.9 feet and North 767.4 feet from the West $\frac{1}{4}$ corner of Section 6, Township 27 South, Range 23 East, SLM, and proceeding thence North 552.7 feet to a corner, thence South 89°57' East 788.1 feet to a corner, thence South 552.7 feet to a corner, thence North 89° 57' West 788.1 feet to the point of beginning
 Parcel No. 27S23E063000

Parcel 3:
 Beginning at the Northeast corner of Section 1, Township 27 South, Range 22 East, SLM, and proceeding thence with the East line of said Section 1, South 0° 04' West 867.3 feet to a corner, thence South 89° 58' West 1321.3 feet to a corner, thence North 0° 04' East 869.4 feet to a corner, thence with the North line of said Section 1, South 89° 56' East 1321.3 feet to the point of beginning.
 Parcel No. 27S22E010001

4. Proposed Land Use District Boundaries and Acreages

This map was taken from SITLA’s South Valley Community: Community Structure Plan (dated August 2, 2022) and modified to illustrate how a rezone will correlate with what is planned for the greater area.



As mentioned above, Balanced Rock Resort will be a complementary addition to what is planned in the surrounding SITLA lands. The Resort abuts **SITLA’s planned Neighborhood Center District** which is planned to be a:

“Mix of residential, office, commercial and similar uses proposed as part of creating a discernible mixed-use community. Uses may be mixed vertically or horizontally. 30% of acreage is assumed to be dedicated to trails, open space, local parks, etc. It is assumed that 50% of developable area will be dedicated to residential uses with an average density of 8 units per acre. The remaining 50% of the developable area is assumed as office, commercial and similar uses with a F.A.R. of 0.25.” (p. 9 of South Valley Community: Community Structure Plan, August 2, 2022)

5. Maximum Number of Dwelling Units and Acreages, and Graphic Presentation
(per Chapter 10, 5f)

Gross Acreage: 72.27 acres (per survey)

Maximum Project Density (as allowed by ordinance)

Land Use Table: Acres and Density (maximum density)

ACRES	MAXIMUM SQ. FT. NON RESIDENTIAL*	MAXIMUM UNITS/ROOMS	MAXIMUM ERUs**	DESCRIPTION
72.27			289	Number of units/ERUs allowed at 4 units/acre density***
33.10		250	250	Single-family, duplex, work/play townhomes/condos
5.00	45,000	130	39	130 Lodge rooms converted to units at 30% rate
			289	Total ERUs
3.06				Community space, including clubhouse and grounds
	5,800			Clubhouse (acres are noted above)
16.6				Open space

* The Lodge maximum square footage figure is for the main level. It is anticipated to have additional levels.

** ERUs = Equivalent Residential Units

*** The Central Development Areas allow for "4-5 residential units/ERUs per acre."

(Due to some ambiguity in the Spanish Valley Ordinances, 5 units/ERUs per acre may be permitted in the PC Residential Flex zone.

If needed, the applicant may apply to obtain a bonus density under the PUD ordinance.)

Anticipated Project Density (per conceptual layout)

Land Use Table: Floor Area Ratios (FAR), and Acres by Lot Type (based on the conceptual layout)

LOT TYPE	LOT QTY	TOTAL UNITS	BUILDING FOOTPRINT SF	TYPICAL LOT SF	FAR	TOTAL ACRES BY LOT TYPE	LOT TYPE AS % OF TOTAL ACRES*	NOTES
Single-Family "5k SF Lots"	41	41	2,200	5,500	40.0%	5.2	7.2%	
Single-Family "10k SF Lots"	46	46	3,500	10,000	35.0%	10.6	14.6%	
Single-Family "12k SF Lots"	6	6	3,500	12,000	29.2%	1.7	2.3%	
Single-Family "37k SF Lot"	1	1	5,865	36,918	15.9%	0.8	1.2%	SF equals hangar plus a to-be-built home.
Duplex	37	74	2,800	10,450	26.8%	8.9	12.3%	There will be 2 living units per lot, for a total of 74 units.
Live, Work, Play Townhomes	34	34	2,400	4,400	54.5%	3.4	4.8%	
	165	202				30.5	42.3%	Totals
4-Plex (Employee/Affordable)	1	4	5,600	14,787	37.9%	0.3	0.5%	The 4-plex will have a total of 4 units.
Duplex (Employee/Affordable)	7	14	2,800	9,900	28.3%	1.6	2.2%	There will be 2 living units per lot, for a total of 14 units.
	8	18				1.9	2.7%	Totals
Lodge	1		45,000	152,024	29.6%	5.00	6.9%	The Lodge lot is 3.49 acres + 1.51 acres for parking.
Clubhouse	1		5,800	133,294	4.4%	3.10	4.3%	
Open Space	MISC.					16.52	22.9%	
Overflow/RV Parking	MISC.					1.08	1.5%	
Streets	MISC.					13.43	18.6%	

* Total acres of project: 72.27

NOTE: The Affordable housing for the duplexes will target Affordable and/or Moderate-Income ranges for locally employed persons.

Total number of overnight accommodation units (per conceptual plan)

- The conceptual plan shows 239 Units/ERUs (Equivalent Residential Units) that will be allowed to provide overnight accommodations:
 - 202 Residential Units
 - 130 Lodge Rooms, which equals 39 ERUs
- The 239 Units/ERUs on 72.27 acres equals a density of 3.3 units/acre

Although the underlying density would allow for a higher concentration of units, planned communities like Balanced Rock Resort are more concerned with tasteful design for the residents and visitors than about maximizing density at the expense of amenities.

Parking Spaces

- Each residential unit will have the minimum number of parking spaces required by the ordinance.
- The Lodge has a 1.51 acre parking lot.
- There is an Overflow/RV Parking lot of 1.07 acres available to all users of the Resort, and we are working on identifying supplementary overflow parking areas if more are needed.
- Use of the Overflow/RV Parking will be encouraged.

Employee and Affordable Housing

The Balanced Rock Resort's conceptual plan has been modified to add Employee and Affordable housing along the north end of the project:

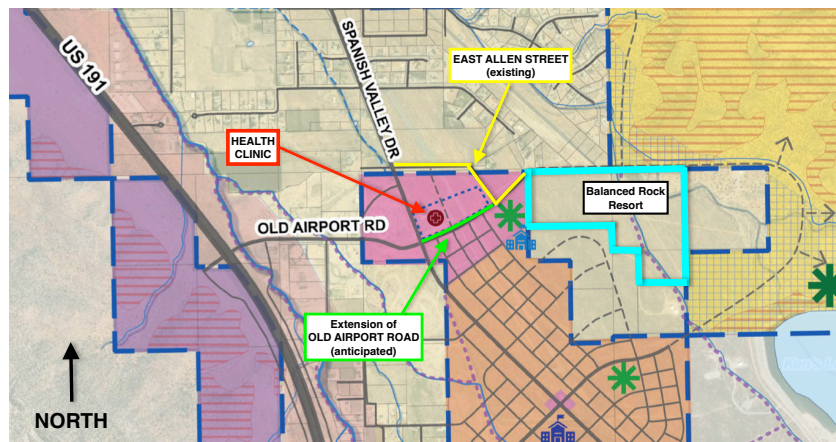
- The **4-plex lot** (4 units, each with 2 bedrooms) is set-aside primarily to provide employee housing for the Lodge. Should the Lodge not get built, or if employee housing is not in demand for the Lodge, the secondary priority will be to provide housing for employees working at the Balanced Rock Resort. A tertiary priority will be to provide housing to persons who are locally employed in Spanish Valley or Moab Valley. The 4-plex will not allow overnight rentals.
- The **seven duplex lots** (14 units) are set-aside for purchase by persons who are locally employed, with priority to those working within the Balanced Rock Resort. These duplex owners may rent only to locally employed persons, and the units cannot be used for overnight rentals. If the lots cannot be sold to a locally employed person (within a yet to-be-determined amount of time) they may be sold to someone not locally employed, but still can only be rented to locally employed persons, and still with no overnight rentals being allowed.

Future Transportation System

It is anticipated that the Balanced Rock Resort community will primarily be accessed via a new road which will be an extension of Old Airport Road, which currently goes from US-191 to Spanish Valley Drive.

One half of this future road extension has been identified along the south edge of the 10 acres that the county owns just east of Spanish Valley Drive (where the health clinic is located). SITLA has committed to provide the other half of the land needed in the Purchase and Sale Agreement that covered the acquisition of the 10 acres by the county. This future road is shown in SITLA's latest plan and will connect to the southern point of the "V" of East Allen Street. Once completed, it will provide Balanced Rock residents a direct route to Spanish Valley Drive and US-191. (Please see SMP Exhibit: C for the Record of Survey.)

Balanced Rock Resort will participate in the construction of the extension of Old Airport Road to join with East Allen Street.



Ideally, there will be a cycling and pedestrian path along the side of the road from Balanced Rock Resort to the Neighborhood Center, and on to Spanish Valley Drive.

The Balanced Rock Resort will also connect to adjoining land, with roads being planned to access properties to the east, west and south (where another subdivision is being planned). We strongly believe in coordinating with other landowners to ensure that roadways will effectively serve existing and future land uses.

The conceptual plan for the Balanced Rock Resort community shows proposed road alignments, ROW widths, and trails (for pedestrians and bicyclists) that will connect residents and the community to open spaces, and neighboring properties. It was designed to work with SITLA's most recent plan.

Dedication of Roads

As some of the roads within the Resort will be thoroughfares for the public to access neighboring land and developments, Balanced Rock Resort would prefer to build all roads to the county spec with intent of future dedication to the County. A thoroughfare used by the public for 10 years becomes public domain, per state law. (This preference follows the commentary made during the San Juan County Planning Commission Meeting on February 9th, 2023.)

Traffic (per Chapter 10, 5g)

Please see SMP Exhibit: F for an analysis of the traffic that will be generated by the project. Chapter 10 (Overnight Accommodations Overlay) of the Ordinance requires an analysis of traffic, whereas the Chapters for developing in SVR or Residential Flex do not. Thus, the traffic analysis compares the potential effects of the Overlay in contrast to what could be built without an Overlay.

Developing a subdivision under SVR or Residential Flex allows for 4-5 units per acre, which would be 289-361 units given the 72.27 acres. Balanced Rock Resort's density is designed to be less than the 289-361 maximum allowable units, in part due to not developing the northeast corner of the property that is more challenged topographically, but also in part due leaving a large central open space in the middle of the community to enhance the livability for residents and guests. The density proposed in the draft layout will result in less traffic than if the land were developed with the goal of maximizing every foot to hit the allowable density.

Any traffic noise that would increase and affect the existing area can be mitigated by building the extension of Old Airport Road. Traffic would also flow better to Spanish Valley Drive and on to US-191 with this extension. Of course, the added traffic volume from Balanced Rock Resort will become less consequential in comparison to the traffic that will be generated as the SITLA Neighborhood Centers and residential developments are built.

7. Water Sources, Flood Control, and Major Utilities and Easements

Utilities

Major utilities run along the north border of the property, including water, sewer, and electricity. The electricity lines include 3-phase power, which is a unique asset not found everywhere. Natural gas is at the northwest property corner, and a smaller gas line (not adequate to serve the new development) runs to an existing structure. (Please refer to SMP Exhibit: A).

A lot of money has been invested by the County and others to run utilities along the north edge of the property. Sewer lines, water lines (from the new water tank) and 3-phase power (from the new well) are assets that the County can capitalize on by approving uses in the area that will benefit from this new infrastructure. Also, some of the costs to install the infrastructure may be recaptured as users connect to them.

It is anticipated that culinary water and sanitary sewer services will be provided through the San Juan Spanish Valley Special Service District. The property falls within that area that The San Juan County Spanish Valley Area Plan (April 17, 2018) identified as being the first or second phase of development for the area, and that it would draw from the existing 5,000 acre-feet of water supply. The project has received an initial approval that the Special Service District will be able to provide service (see SMP Exhibit: B).

Easements

Please refer to the conceptual plan for the Balanced Rock Resort to see other easements that affect the property. We plan to work with the neighboring property owners who benefit from those easements to work on realignments of the easements that currently interfere with the development of the project.

Well

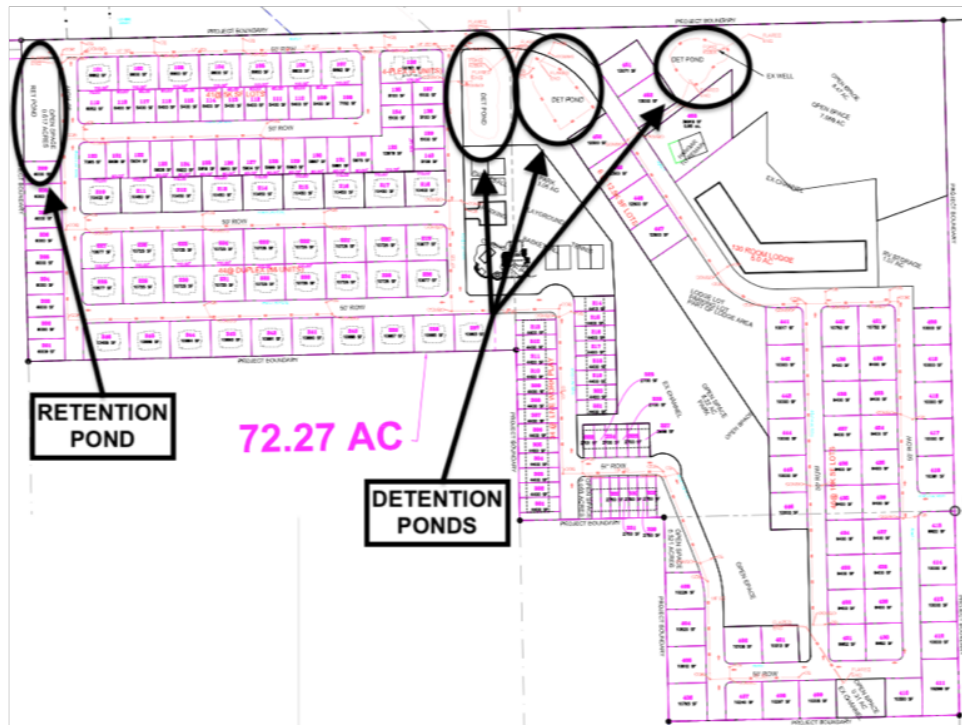
There is an existing well identified on the conceptual layout. Water from the well may be used for irrigation, at least initially to help establish new plants and trees.

Storm Water Management

The conceptual plan includes measures to mitigate surface and storm water. Low Impact Design (LID) storm water practices shall be required wherever possible.

Detention ponds are planned that will slow and control surface water prior to releasing it into an existing water channel.

A **retention pond** is planned that will retain surface water and allow it to absorb into the ground.



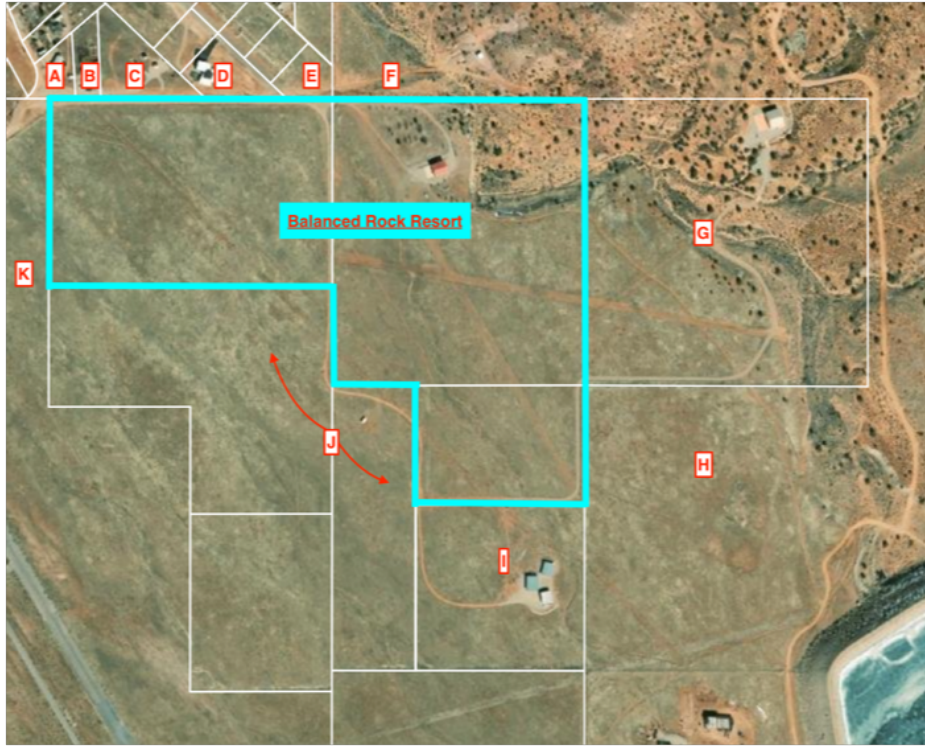
The detention ponds to a degree, and the retention pond more so, will allow storm water to seep into the ground and into the aquifer. Further, the Resort will work with the County to identify methods to increase recharge of the aquifer, and to protect public drinking water.

Flood Zones

There are no known FEMA designated flood zones for the property.

8. Adjacent Parcels

This map and table show the adjacent parcels, their owners, and their uses.



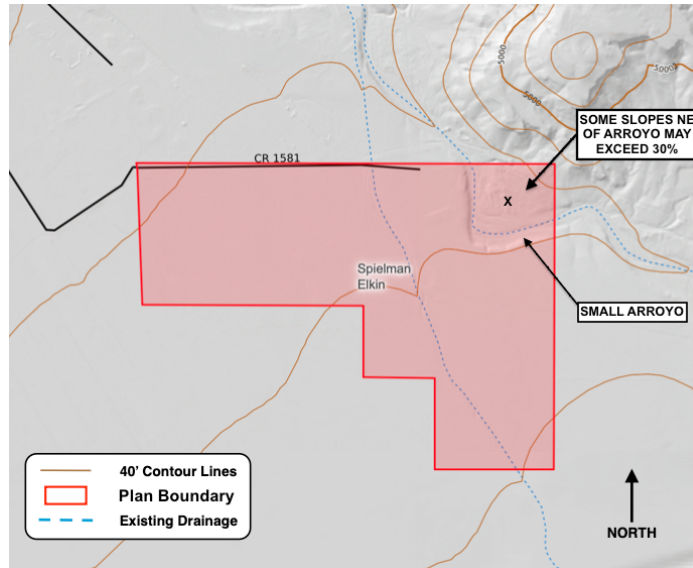
MAP IDENTIFIER	PARCEL NUMBER	USE	OWNER
A	000450000030	One house	Ronald Tazz Robinson and Kellie Warden
B	000450000040	One house	James Peter Patterson; Kimberly J Jacobs
C	000450000050	One house	James Peter Patterson; Kimberly J Jacobs
D	000640000050	One house	Business Resolutions, LLC
E	640000010	Vacant	Business Resolutions, LLC
F	T26S R23E	Vacant*	SITLA
G	27S23E062400	Hangar	Stephen P & Kathleen M Johnston
H	T27S R23E	Vacant*	SITLA
I	27S23E063600	One house	Timothy & Beverly B O'Neill
J	27S22E010002	Vacant*	ECP Spanish Valley, LLC
K	T27S R22E	Vacant*	SITLA

* Owner intends to develop the property

9. Topography and Form (per Chapter 10, 5b)

The following map shows the 40-foot contours and significant topographic features within or adjacent to the Property. A more detailed topographic map can be found in the conceptual layout.

Most of the property is relatively flat, or moderately sloped, and is conducive to development. The high hill to the northeast provides some natural isolation to that area of the property.



The few areas of the property where slopes that exceed 30% (the small arroyo where water seldomly flows, and some of the Property in the northeast corner, as indicated on the map above) have been avoided. This area is being left for open space, with trails being planned.

There are no known FEMA-designated floodplains, or riparian areas on the Property.

We are unaware of any significant geological, biological, or archeological sites on the Property. Discussions with the County Planning office resulted in the same conclusion. A geotechnical study was performed to support engineering as the project progresses.

10. Existing and Proposed Secondary Water Rights, Shares and Usage

This table shows the existing water rights that are within the Site Master Plan boundary. It is anticipated that the project will use water from the existing well for irrigation.

STATUS	WATER RIGHT	ACRE FEET	EXISTING USE	FUTURE USE
EXISTING	05-2779	6.73	Irrigation and culinary	Irrigation
EXISTING	05-2730	19.374	Irrigation and culinary	Irrigation

11. Open Space Plan

As currently planned, the community will have approximately 19.62 acres of publicly accessible open space, which will feature trails, natural landscape, pickleball/tennis/basketball courts, swimming pool, playground, and clubhouse. The 19.62 acres of open space is about 27% of the total project area.

The open space is primarily broken into two major areas, with the first (approximately 11.28 acres) running north-south following a natural drainage through the heart of the development, and the second (approximately 7.96 acres) sited in the northeast corner of the property where greater privacy will be felt.

12. Major Public Infrastructure Standards

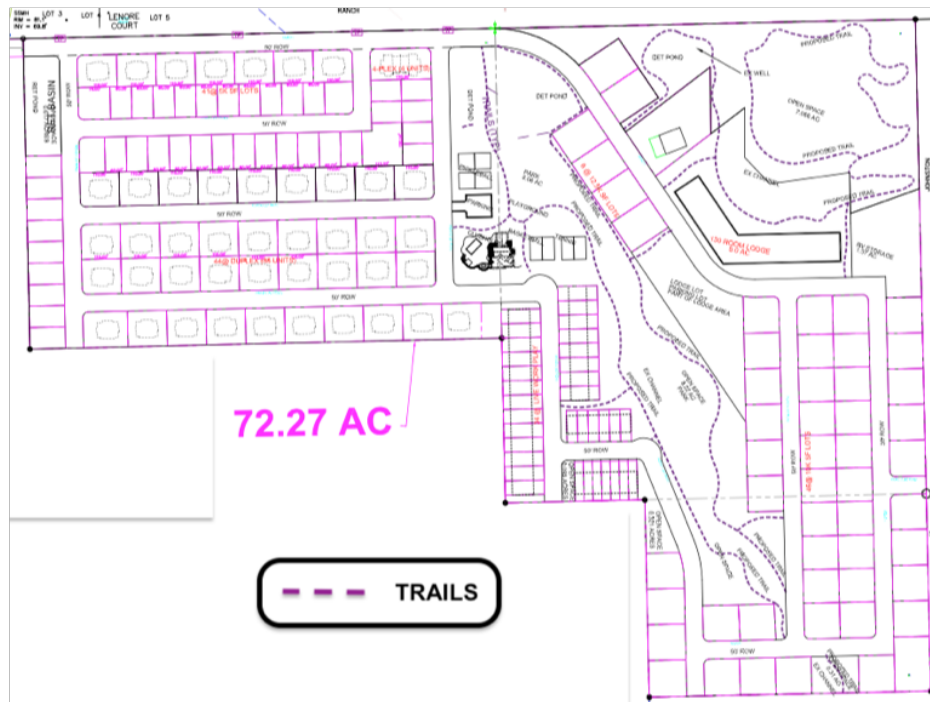
Streets

All streets will be paved and will meet the county's road specs. The street rights-of-way are fifty feet wide. As mentioned above in Section 6, Balanced Rock would like to work with the County on road dedications.

We do not anticipate including street furniture.

Sidewalks/Trails

To maintain an essence of the rural feel of Spanish Valley the streets and lots have been purposefully designed to not have sidewalks. There will be a network of trails for residents and visitors to enjoy in the open spaces. The trails within the central open space will be approximately 5-6' wide and will be finished with crushed gravel to ensure durability. The trails in the northeast portion of the property will follow a more natural style and will be more of a hiking path that you would find in a wilderness setting. There will be some benches provided along the trails. The proposed trails are identified by dotted lines:



Community Lighting

Dark sky preservation will be the prevailing theme. Limited public lighting will be provided. All lighting will be high quality and commercial grade, “Dark Sky” compliant, and will meet the requirements in the county code.

Clubhouse and Grounds

The clubhouse and associated amenities will be built early in the development of the project. On approximately 3 acres there will be a clubhouse, pool, pickleball and tennis courts (which may double as a basketball court), and a playground. The proposed locations are shown on the conceptual plan. Following, are photos of some amenities we built for a community we developed in St. George, UT:



13. Building Standards

Comprehensive CC&Rs will be developed and applied to the community once all details are finalized with the County.

Architectural Form

To create a community that fits into the natural environment and setting, the Balanced Rock community will advance architectural design standards that will create a cohesive-looking community. The design standards will apply to single-family, duplexes, townhomes (live/work/play), fourplex, clubhouse and lodge.

Currently the Modern Desert style of architecture best captures our vision for the look and feel we like for the community. Here are some examples of the style:



The design, but not the Modern Desert style, of the live/work/play townhomes is represented by this photo:



The use of appropriate exterior materials for all structures will be chosen regarding colors that fit into the desert landscape, and for their permanence and resilience for maintenance.

Structure setbacks will conform with San Juan County codes.

Plumbing, maintenance, and mechanical equipment will be located on the interior of buildings whenever possible. If it is necessary to locate such features outside of a building or on roofs, they will be screened using parapet walls, high-quality site walls, and other screening methods that match the quality and look of the structure.

Walls and Fencing

To maintain a sense of open space and community, the use of walls or fences to separate lots will be discouraged unless they are made of high-quality materials (concrete, stone, adobe, etc.) and built with changes in height or other design features to enhance architectural interest. Fences, if any, will be made of metal (wrought iron or similar) or wood of a design that falls within the Modern Desert theme. Plastic/vinyl and chain-link fencing will not be allowed.

Overflow and RV/Trailer Parking

Residents and visitors will be encouraged to park RVs and trailers in the overflow parking lot.

Landscaping and Irrigation

Water-wise landscaping will be mandated and will follow the Spanish Valley Water Efficient Landscape ordinance to ensure that the water resources available in the region are used wisely and conserved. It is anticipated that the minimal landscaping that will be required near the clubhouse will be drawn from the existing well and the water rights associated with it. Depending on County and health department restrictions, the re-use of gray water may be an option to minimize water use for landscaping.

All areas of lots and parcels not designated for open space, parking, buildings, or other hard surfacing shall be landscaped and properly maintained. The well water will be used to help establish drought tolerant plants and shrubs.

Designated open space shall remain in a natural condition and properly maintained. A small grass area may be planted in the immediate area of the playground and pool area.

Maintenance

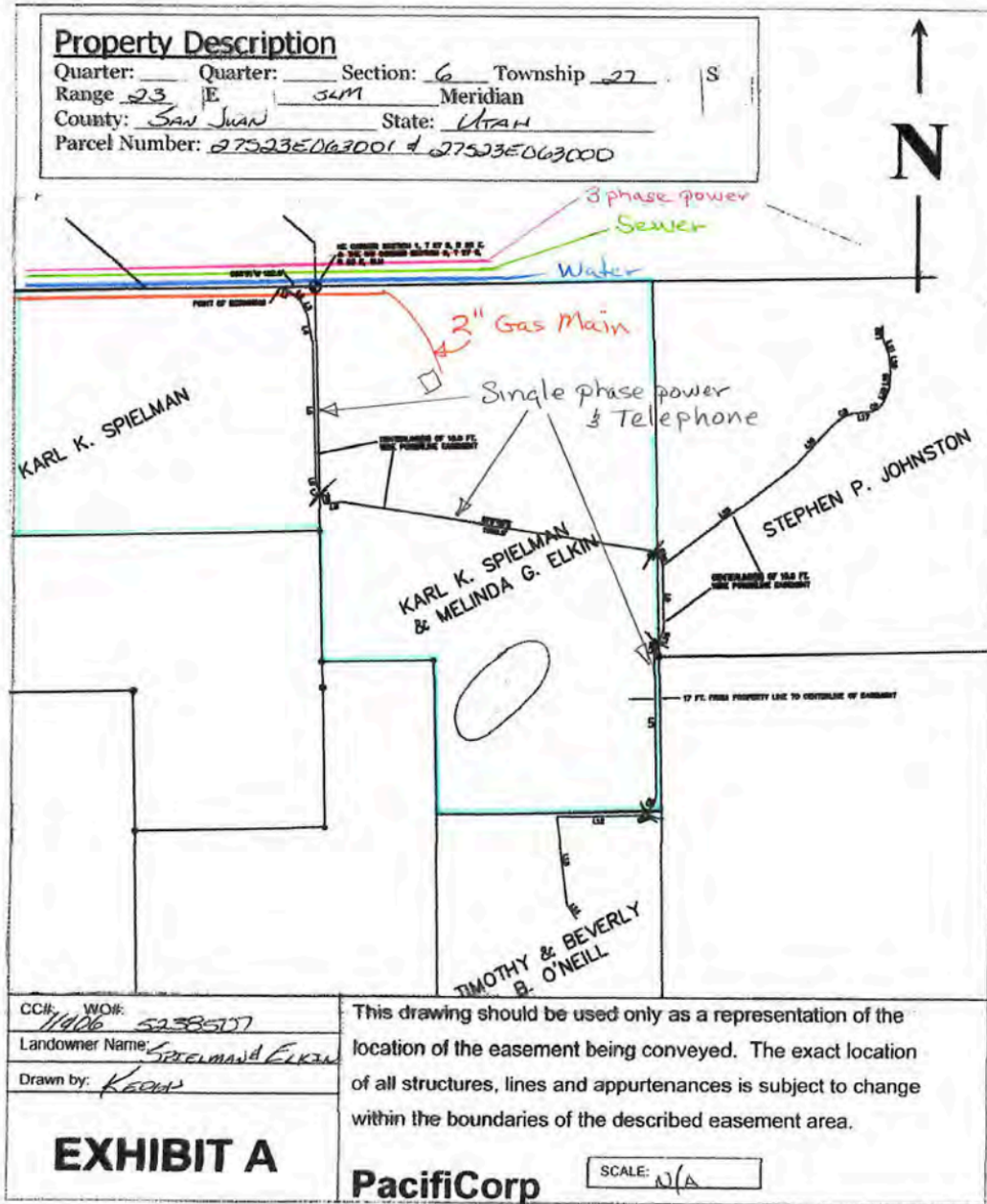
Property owners will properly maintain all private areas of individual lots or parcels.

A Homeowners Association (HOA) will be established to manage the maintenance of all common area improvements including buildings, open space, recreational facilities, roads, fences/walls, utilities, landscaping, walkways, streetlights, and signs not specifically dedicated to or accepted for ownership or maintenance by San Juan County or other incorporated entity. The HOA will collect fees from lot owners to cover these costs.

We look forward to working with the County to refine this draft Site Master Plan.

End

SMP Exhibit: A



SMP Exhibit: B



San Juan Spanish Valley Special Service District

64 E Tangren Ln – 375 S Main St #234 – Moab, UT 84532
435-459-4121

Date: January 20, 2023

Property Owner: Elkin Spielman Charitable Remainder Trust

Mailing Address: 404 W. Main Street, #123

City: Cortez State: Colorado Zip: 81321

Phone: 435-260-1383

E-Mail: 2karlspielman@comcast.net

Contact Person(If Different): Jim Schnepel

Contact Phone: 801-231-3666 jbschnepel@yahoo.com

Property Developer
Gardner Plumb LLC
201 S. Main Street, Suite 2000
SLC UT 84111

Service Address: 185 S. Planesfield Drive, Spanish Valley

Development Name
Balanced Rock Resort

Parcel Number: 27S23E063001, 27S23E063000, 27S22E010001

Requested Services: Sewer and Water service

Need Service For
216 Residential Units:
98 Single Family Houses
84 Duplex Units (42 buildings)
34 Townhomes (Live/Work/Play)
216 Total
130 Lodge Rooms

Project Type Residential Commercial Industrial

Meter Size Requested Various

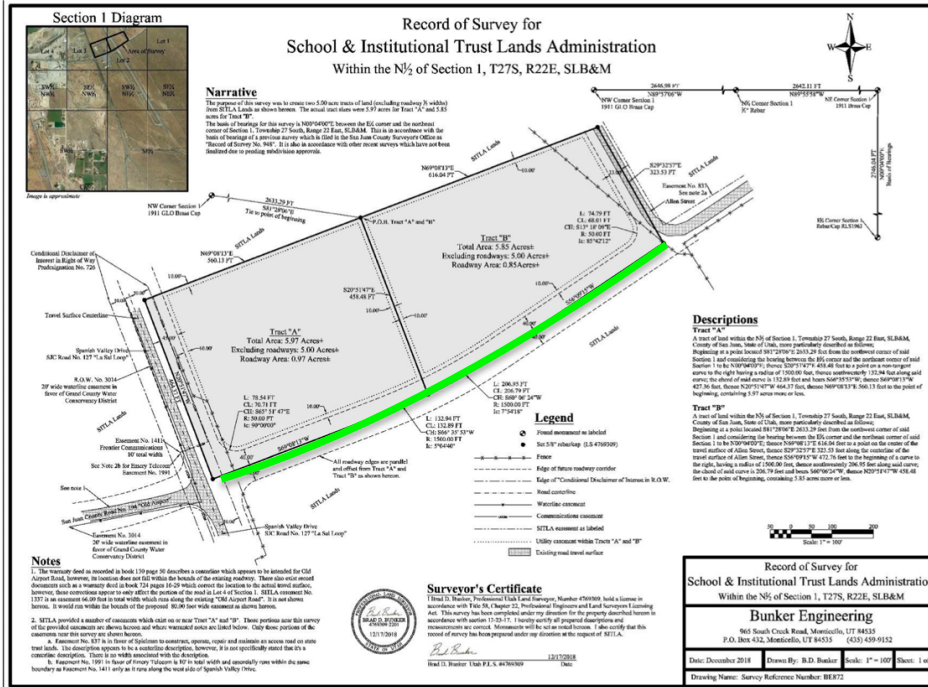
Authorized Signature:

Date: January 23, 2023

This approval is A PRELIMINARY proof of service availability. SJSVSSD REQUIRES A WILL SERVICE APPLICATION, FEE AND DEVELOPMENT REVIEW PRIOR TO FINAL APPROVAL

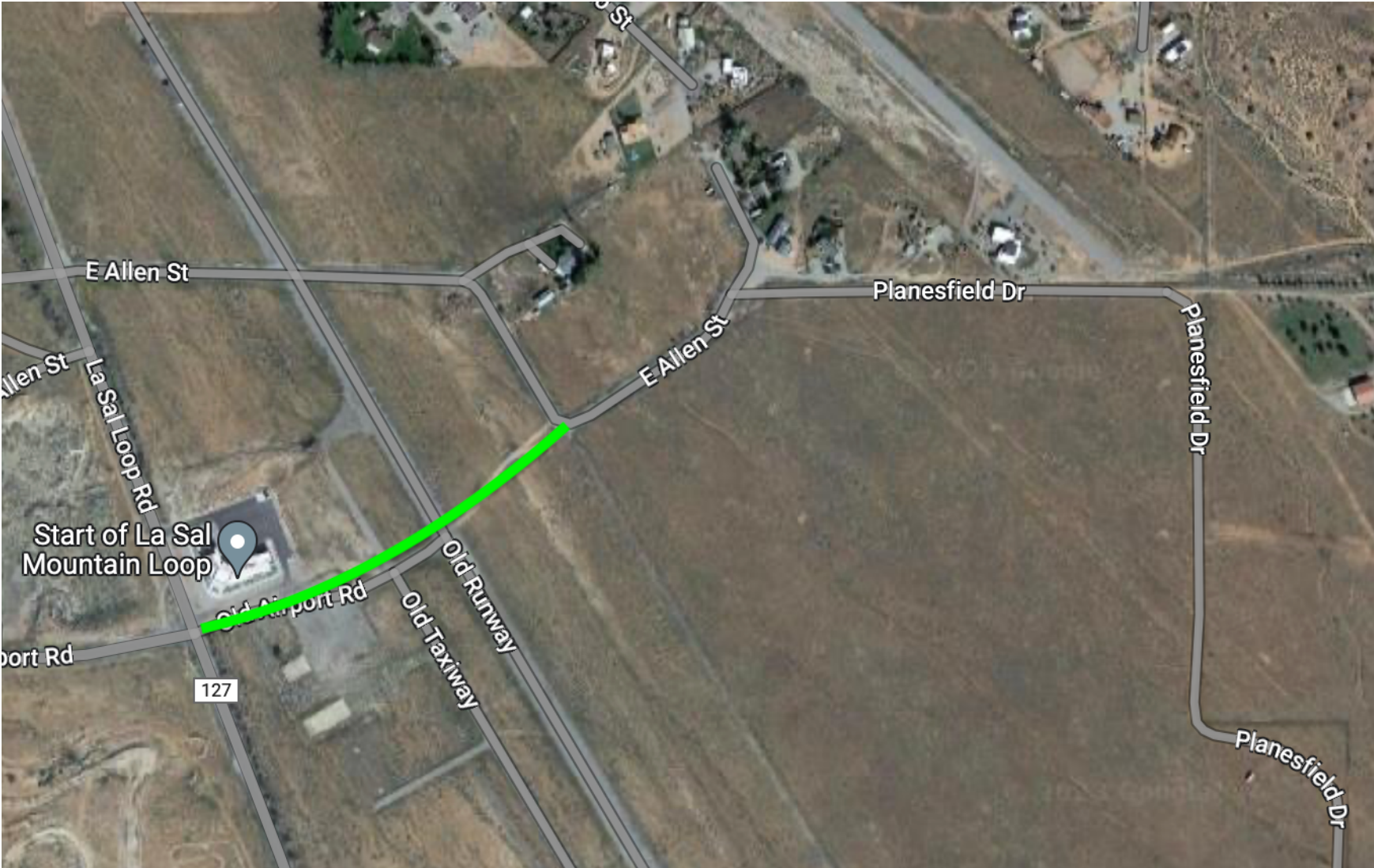
SMP Exhibit: C

C-26823
Page 14 of 16



Record of Survey of the Property (ROS 1101)

EXHIBIT C

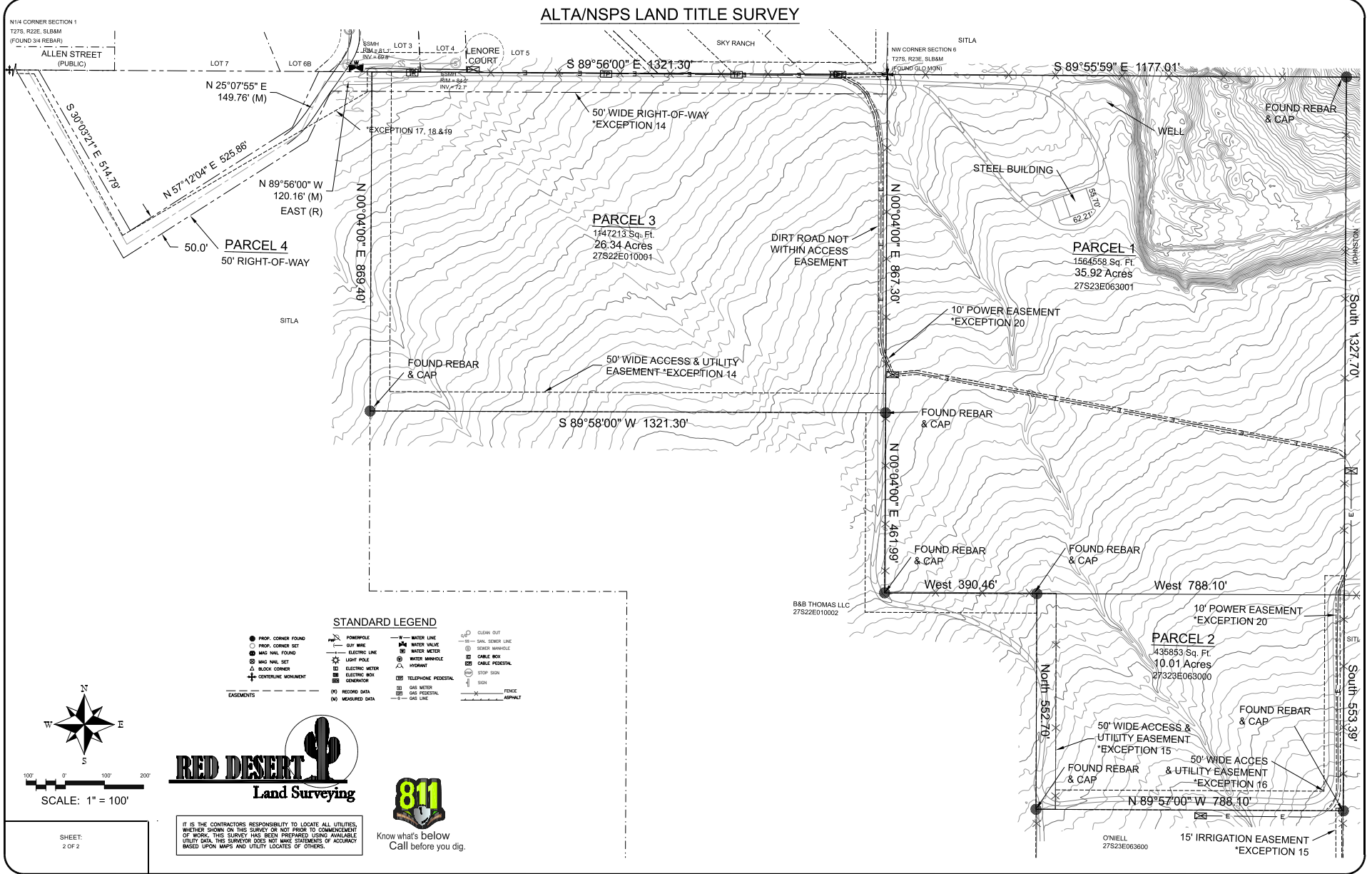


SMP Exhibit: D**The State of Utah's Travel and Tourism Industry 2021****February 2023****Kem C. Gardner Policy Institute**

Selected excerpts:

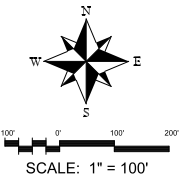
- Two-Year Change in Leisure & Hospitality Taxable Sales, 2019-2021:
 - **San Juan County = -7.0%**
 - Grand County = 51.5%
- Percent Change in County Transient Room Tax Revenue by County, 2019-2021:
 - **San Juan County = -16.00%**
 - Grand County = 54.6%
- **County Transient Room Tax Revenue Gains, 2019-2021:**
 - **San Juan County: -\$205,000**
 - **Grand County: \$3,107,000**
- Average Daily Room Rate (ADR) by County, 2021:
 - **San Juan County: \$126**
 - Grand County: \$174
- Percent Change in Average Daily Room Rate by County, 2019-2021:
 - **San Juan County: 0.8%**
 - Grand County: 18.7%
- Percent Change in Short-Term Rental Listings by County, 2019-2022:
 - **San Juan County: -7.4%**
 - Grand County: 2.4%
- Utah National Park Visitor Spending by Category, 2021:
 - **Lodging = 37.9%**
 - Restaurant = 17.0%
 - Recreation Industries = 8.6%
 - Retail/Shopping = 8.1%
 - Groceries = 6.7%
- Utah National Park Recreation Visitation by Park, 2019-2021:
 - Arches NP
 - 1,806,865 visitors in 2021
 - A 45.9% increase over 2020 (Covid had an impact)

ALTA/NSPS LAND TITLE SURVEY



STANDARD LEGEND

● PROP. CORNER FOUND	— POWERPOLE	— WATER LINE	○ CLEAN OUT
○ PROP. CORNER SET	— GUY WIRE	— WATER VALVE	— DUAL TRAILER LINE
● MAG. NAIL FOUND	— ELECTRIC LINE	— WATER METER	— SENSER MANHOLE
△ MAG. NAIL SET	— LIGHT POLE	— WATER MANHOLE	— CABLE BOX
▲ BLOCK CORNER	— ELECTRIC METER	— HYDRANT	— CABLE PEDESTAL
— COORDINATE MONUMENT	— ELECTRIC BOX	— GENERATOR	— STOP SIGN
	— RECORD DATA	— TELEPHONE PEDESTAL	— SIGN
	— MEASURED DATA	— GAS METER	— FENCE
		— GAS PEDESTAL	— ASPHALT
		— GAS LINE	



IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE ALL UTILITIES, WHETHER SHOWN ON THIS SURVEY OR NOT PRIOR TO COMMENCEMENT OF WORK. THIS SURVEY HAS BEEN PREPARED USING AVAILABLE UTILITY DATA. THIS SURVEYOR DOES NOT MAKE STATEMENTS OF ACCURACY BASED UPON MAPS AND UTILITY LOCATES OF OTHERS.

SHEET:
2 OF 2

SMP Exhibit F

March 29, 2023



RE: Balanced Rock Resort – Traffic Memo – San Juan County, UT

The following traffic memo identifies the projected traffic generation for the proposed Balanced Rock Resort Development located in San Juan County, Utah which is south of Moab, UT. The site is a proposed 72.27 acre parcel located southeast of the former Grand County Spanish Valley Airport. The proposed site is planning to include:

- 130 room Lodge
- 94 single family homes
- 44 duplexes (88 units)
- 4-plex
- 34 Live-Work units

Figure 1 shows the location of the site and Figure 2 indicates the proposed site plan.

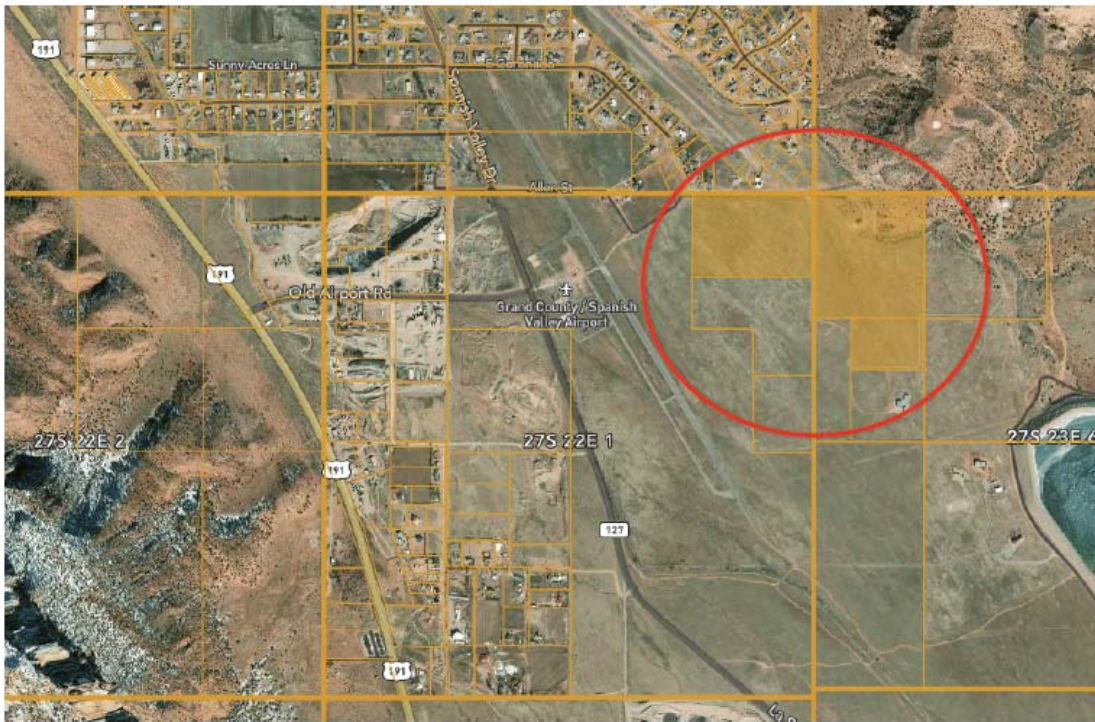


Figure 1: Proposed Site Location

P.O. Box 521651 Salt Lake City, UT 84152
 (801) 949-0348 fax (801) 582-6252
 atrans@comcast.net

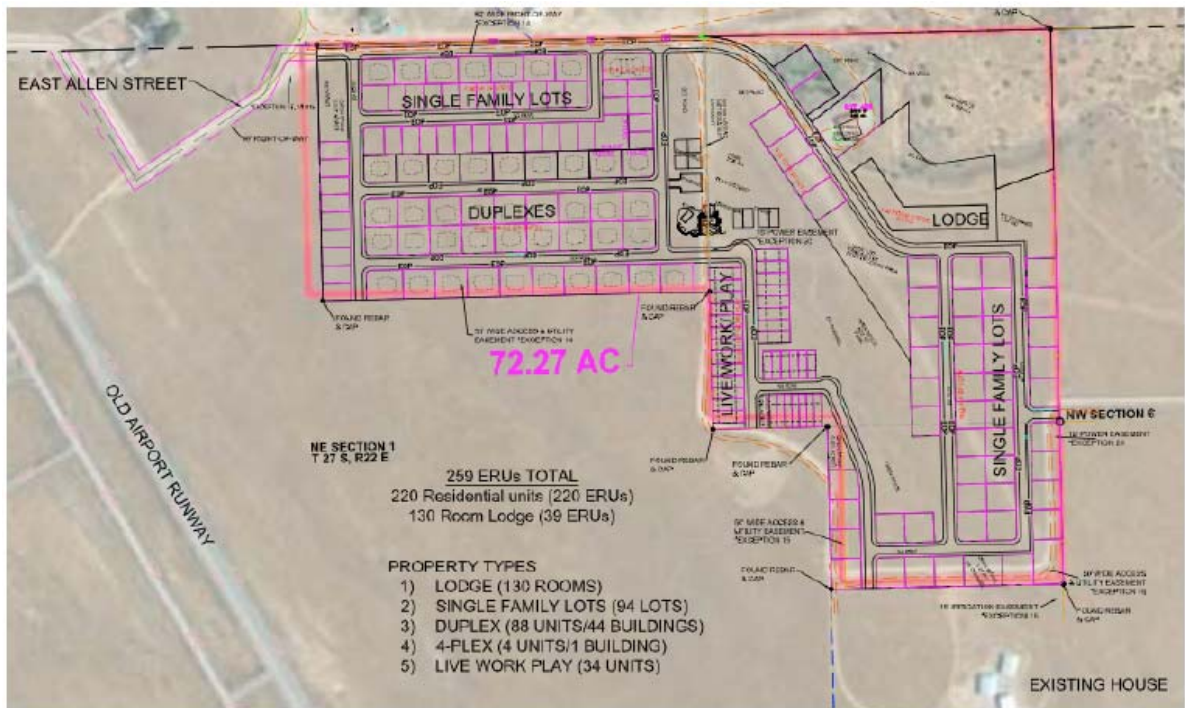
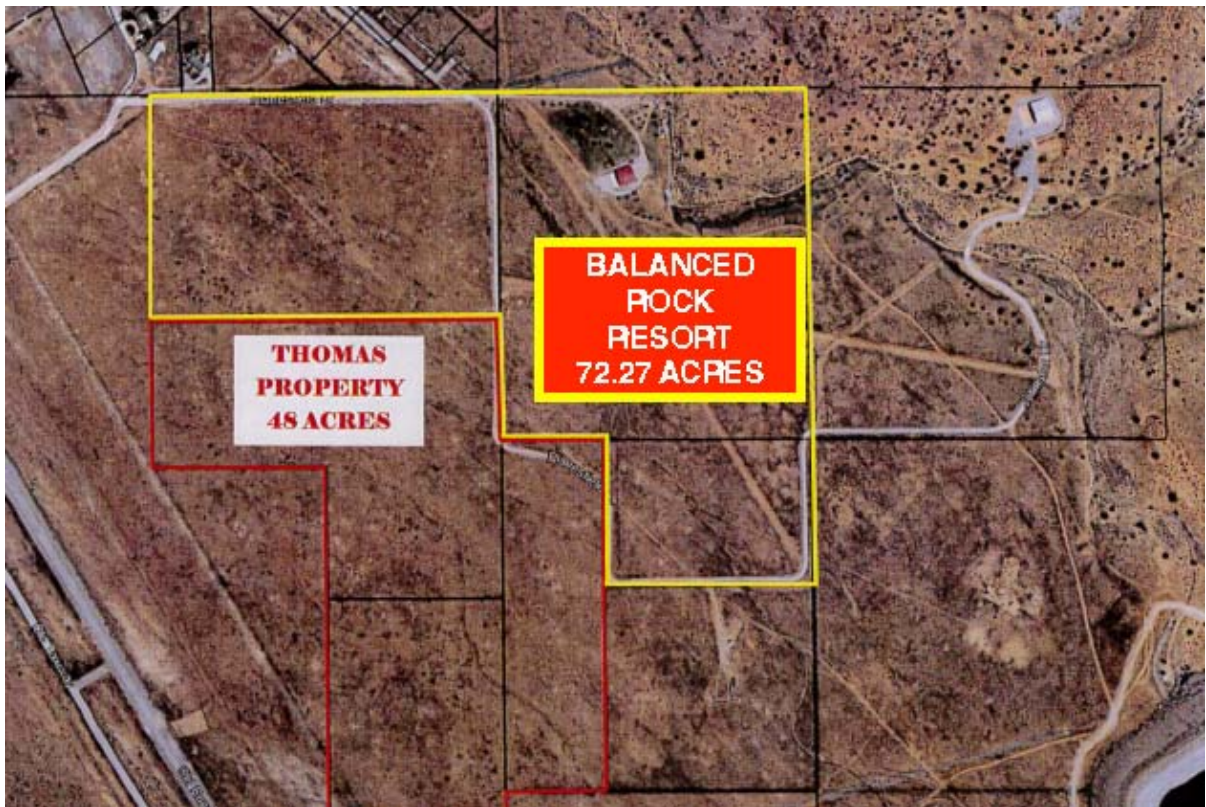


Figure 2: Proposed Site Plan

P.O. Box 521651 Salt Lake City, UT 84152
(801) 949-0348 fax (801) 582-6252
atrans@comcast.net

Trip Generation

Trip generation for the site is provided using the Institute of Transportation Engineers (ITE) *Trip Generation* software based on land use type and number of units and applying the empirical information collected on that particular land use type. Table 1 provides the projected trips for the proposed Balanced Rock Resort. Two issues to be specified is that the land use for the Live-Work units is based on a recreational home trip rate since no live-work land use exists in the ITE. The other is that the daily rate for a resort lodge is unavailable and so the typically practiced rate of 10 times the PM peak rate is applied.

ITE 11th Ed	Size	Land Use	Trip Rate			Trips		
			AM	PM	Daily	AM	PM	Daily
Single Family Homes	94	210	0.70	0.94	9.43	66	88	886
Duplexes	88	210	0.70	0.94	9.43	62	83	830
Lodge	130	330	0.32	0.41	0.00	42	53	533
4-plex	4	220	0.40	0.51	6.74	2	2	27
Live Work Units	34	260	0.22	0.29	3.55	7	10	121
Total								2397

A comparison can be made of the other traffic generation depending on the assumed land uses and sizes. The possible land uses come from the “San Juan County Spanish Valley Development Ordinances of the San Juan County Zoning Ordinance - September 13, 2019. The PC zone has such a wide range that unless a land use plan is provided, any projection of the other possible uses for this land would be speculation. Instead, it might be helpful to equate certain land uses to the projected proposed Balanced Rock Resort traffic of 2,397 daily trips on the 72.27 acres. This would be a similar generation to one of the following:

- 254 single family homes
- 356 multi-family homes
- 221,000 square feet of office space
- 64,700 square feet of retail

Page 16 of the San Juan County Spanish Valley Development Ordinances of the San Juan County Zoning Ordinance - September 13, 2019 identifies the MINIMUM requirements of a small planned community and it states:

Small Planned Community:

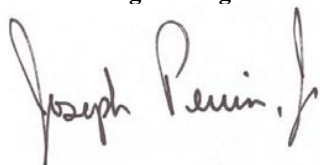
Each PC Zone of this type shall contain a minimum of 20 acres under single ownership. This area will allow up to four (4) residential units per acre, and a range of residential units and types.

For the 72.27 acres at four units per acre would equate to 289 units which would generate 2,725 daily trips which would be more traffic than the proposed Balanced Rock Resort projected traffic of 2,397 daily trips.

Capacity Impact

The traffic will utilize either La Sal Loop Road which is carrying 120 daily trips or using Old Airport Road to access US 191 which carries 5,600 daily trips. Both of these are two-lane roadways with capacities in the 15,000 daily trip range. Therefore the roadways have the capacity to accommodate the projected demand. Connections to these routes from the resort will need to be evaluated not from a traffic capacity aspect but from a road pavement condition.

Sincerely,
A-Trans Engineering



Joseph Perrin, PhD, PE, PTOE
Principal



Permit Report

05/04/2023 - 06/02/2023

Permit #	Permit Date	City or County	Residential or Commercial	Type of Permit	Building CityStateZip	Owner Name	Applicant Name	Parcel #	Parcel Address
23,070	6/1/2023	San Juan County	Residential	New Construction	Moab, UT 84532		Casey Bynum		
23,069	6/1/2023	San Juan County	Residential	New Construction	Moab, UT 84532		Casey Bynum		
23,068	6/1/2023	San Juan County	Residential	New Construction	Moab, UT 84532		Casey Bynum		
23,067	6/1/2023	San Juan County	Residential	New Construction	Moab, UT 84532		Casey Bynum		
23,066	5/31/2023			Agricultural Exempt	84511		Kelly Anderson		
23,065	5/31/2023	San Juan County	Commercial	New Construction	Monticello utah 84535		Amazing Auto & Diesel Repair	33S24E320601	
23,064	5/31/2023	San Juan County	Residential	Remodel	La Sal		Denise Klassen	00065000015A	25 N PORCUPINE LANE
23,063	5/25/2023	San Juan County		Modular Home	Moab Utah 84532		Canyonlands Inn		
23,062	5/25/2023	San Juan County	Residential	Modular Home	Moab Utah 84532		Canyonlands Inn		
23,061	5/23/2023	San Juan County	Residential	Modular Home	LaSal Utah 84533		Brian Tipton	000900020090	129 E Deer Creek Rd
23,060	5/18/2023	San Juan County	Residential	New Construction	Blanding, Utah 84511		Weston Carter	36S22E368406	
23,059	5/17/2023	San Juan County	Residential	Addition	Moab UT 84532		Jeffrey R Brown	000330000020	1701 W BEHIND THE ROCKS RD
23,058	5/15/2023	San Juan County	Commercial	Addition	Blanding UT 84511		Ryan Meier	36S22E354204	

23,057	5/13/2023	San Juan County	Residential	New Construction	Moab		Kaaron LLC	001490000200	128 Crimson Cliffs Dr
23,056	5/11/2023	San Juan County	Residential	New Construction	Blanding, UT, 84511		Mark McKay Lee	37S23E040000	MUSTANG RD AND HWY 191
23,055	5/8/2023	San Juan County	Residential	New Construction	LA SAL, UT 84530		JAMES WHITMORE JR	490000160	65 S PINION
23,054	5/8/2023	San Juan County	Mixed Use	Electrical	La Sal, Utah 84530		Jean Cheever	000920020050	16 E OLD SCHOOL HOUSE DR
23,053	5/8/2023	San Juan County	Mixed Use	Electrical	La Sal, Utah 84530		Jean Cheever	000920020050	16 E OLD SCHOOL HOUSE DR

Total Records: 18

6/2/2023

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