



**PLANNING COMMISSION MEETING**  
**117 South Main Street, Monticello, Utah 84535. Commission Chambers**  
**October 09, 2025 at 6:00 PM**

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**AGENDA**

Google Meet joining info video call link: <https://meet.google.com/ust-hood-zzu> or dial: (US) +1 661-552-0879 PIN: 960 575 714#

**GENERAL BUSINESS**

**Welcome / Roll Call**

**Pledge of Allegiance**

**Conflict of Interest Disclosure**

**Approval of Minutes**

1. Approval of Planning Commission Meeting Minutes from August 14, 2025
2. Approval of Planning Commission Meeting Minutes from September 11, 2025

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

**ADMINISTRATIVE ITEMS**

3. Land-Use Ordinance Discussion and Direction. Mack McDonald, Chief Administrative Officer
4. General Plan Discussion and Direction. Mack McDonald, Chief Administrative Officer

**LEGISLATIVE ITEMS**

5. Consideration and Approval of a Planned Unit Development for the Homes at Wilson Arch Development Located on Parcel H and I of the Wilson Arch Resort Community Phase I Amended within the Highway Commercial CDh Zone. Mack McDonald, Chief Administrative Officer.

**BUILDING PERMIT(S) REVIEW**

6. October Building Permits Review

**ADJOURNMENT**

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



## **PLANNING COMMISSION MEETING**

**117 South Main Street, Monticello, Utah 84535. Commission Chambers**

**August 14, 2025 at 6:00 PM**

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### **MINUTES**

#### **GENERAL BUSINESS**

##### **Welcome / Roll Call**

Planning Commission Chair Trent Schafer called the meeting to order at 6:00 pm.

##### **PRESENT:**

Chairman Trent Schafer  
Vice-Chairman Lloyd Wilson  
Commissioner Cody Nielson  
Commissioner TC Garcia  
Commissioner Shea Walker  
Commissioner Melissa Rigg  
Commissioner Ann Austin  
County Administrator Mack McDonald  
Deputy Attorney Jens Neilson  
Board of County Commissioner Silvia Stubbs  
Board of County Commissioner Lori Maughan

##### **Pledge of Allegiance**

The Planning Commission conducted the Pledge of Allegiance.

##### **Approval of Minutes**

- 1. Approval of Planning Commission Meeting Minutes from May 8, 2025**

**Time Stamp 0:06:18 (audio)**

Commissioner Rigg raised concerns about the previous meeting's minutes, noting that they did not capture the conflict that led to Commission Schaefer's departure or their own subsequent role in running the meeting. They suggested that the minutes should reflect the change in meeting leadership and acknowledge potential bylaw violations, which they are willing to help draft.

Commissioner Rigg stated that a key decision regarding the "Loves" application being a proper application was made with a 4-0 vote after Commissioner Chair Schaefer left, indicating the meeting was legitimate despite concerns about a quorum. County Attorney Jens Nielson clarified that bylaws are internal guidelines and if the group agrees, past actions can be considered compliant, or they can choose to redo votes to strictly adhere to bylaws.

Commissioner Wilson read from the bylaws, stating that if both the chairperson and vice-chairperson are absent, remaining members present "shall elect an acting chairperson". Commissioner Wilson believes that any decisions made after Commission Chair Schaefer's departure, including the "two to two fails on a vote that didn't happen," are void and should be struck from the minutes and publicly corrected.

There was a debate on whether to void the minutes after Commission Chair Trent Schaefer's departure, with Commissioner Wilson advocating for strict adherence to bylaws, arguing that the meeting could not proceed without a properly elected chairperson. Other Commissioners expressed concern that voiding past actions could open up all previous meetings to dispute, suggesting a commitment to follow bylaws strictly moving forward rather than voiding past decisions. Commissioner Walker indicated that we are in a lot of hot water for not following rules with our Ordinance, we really should follow the bylaws. Commissioner Nielson indicated that we did say yes to having Commissioner Rigg Chair the meeting, but we really should follow the bylaws. Commissioner Austin expressed concerns about that direction questioning other times that we may not have followed the bylaws. Commissioner Garcia supported redoing any official votes from last month due to potential quorum issues but did not necessarily support voiding all minutes after Commissioner Schaefer left.

Motion made by Commissioner Wilson to remove any minutes past 01:32:00 anything after that should be deleted.

Discussion continued regarding the minutes, including removing parts after specific time stamps or after Commission Chair Schafer's departure. Commissioner Nielson recommended tabling the minutes for corrections.

Commission Chair Schafer called for a second to the motion. Motion failed due to lack of a second.

Motion made by Commissioner Rigg to table the minutes from July 10th, 2025. Commissioner Rigg moved that the Commission table the minutes until the next meeting and to allow County Administrator McDonald and Deputy County Attorney Nielson to address the identified deficits.

Motion was Seconded by Commissioner Nielson.

Voting Yea: Chairman Trent Schafer, Commissioner Cody Nielson, Commissioner TC Garcia, Commissioner Shea Walker, Commissioner Melissa Rigg, Commissioner Ann Austin.

Voting Nay: Vice-Chairman Lloyd Wilson

Motion carries.

## PUBLIC COMMENT

### Time Stamp 0:28:13 (audio)

Commission Chair Schafer provided the public comment guidelines, limiting speakers to three minutes and requiring sign-up prior to the meeting. They emphasized that the public comment period is for expressing comments, suggestions, and concerns, and not for debate or immediate responses, also stating that disparaging comments or disrespectful acts would not be tolerated.

### 0:30:38 - Ordinance Definitions and Enforcement

- **Zola Hunt** raised concerns about the proposed Ordinance, questioning regulations on household pets and suggesting additions to the definition of agricultural industries. Private roads and fencing concerns still remain. We have not been able to see our changes or suggestions. This leaves us feeling neglected.

### 0:32:51 – Planning Commission Appreciation

- **Wesley Hunt, Blanding Utah** Proud of Planning Commission members for what they deal with. Expressed appreciation for Planning Commission members as he

finds it challenging but shows how important each member is and the long-term effects. It is important that we appreciate one another.

#### **0:34:44 - Historical Context and Purpose**

- **Marjorie Hans, La Sal** provided detailed historical context for the separation of powers doctrine, tracing its origins from Aristotle and Polybius through Montesquieu and its influence on the US Constitution. Separation of powers is a political doctrine that divides the function of government into two distinct branches to prevent the concentration of unchecked power and to provide checks and balances among them.
- **Dave Goodman** emphasized its “enduring purpose... to secure liberty by preventing the accumulation of power into the hands of one or few and ensuring accountability.” He further stated, “The entire process of legislating is to be done by the commission or local body of legislators for land use led by the chair, not as it is done now with the administrative with the administrator leading out on legislation which is a massive violation of separation of powers because the administrator already controls the executive branch. We request that the planning and zoning administrator relinquish leadership of the PNZ legislative process and attend these meetings as a member of staff only.”

#### **0:40:06 – Rural Representation**

- **Greg Culrath** expressed concern about the lack of rural resident representation in ordinance surveys and the changes to County Planning and Zoning, emphasizing the importance of ensuring the right path is taken when making significant changes.

#### **0:42:32 – Public Comment Process**

- **Carol Martin, Elk Meadows** “the public comment section is provided for the public to vent their frustrations or offer solutions to problems. If this is true, then I would suggest that it is missing a major component, that of acknowledgement... some kind of feedback or consoling or empathy or acknowledgement is required.” She added that the current method “feels almost degrading. I care about what happens in this community. I want to be involved without a us vs them feeling. Help us by correcting this by being more interactive during public comments”.

#### **0:44:28 – Public Comment Process**

- **Lynn Martin** – Expressed concern about how inspections are done. Concerned inspections and enforcement will become aggressive in San Juan County. Lynn Martin highlighted extensive enforcement language (Pages 28-

33) in the proposed LUDMO, raising fears of "aggressive" enforcement and invasion of "private property." he cited the case of Connor Simmons, a glamping facility owner, who was sued by the county instead of being allowed to rezone.

#### **0:47:44 – Love’s Truck Stop**

- **Mark Shapiro** attended the first public meeting in 2019 for Love’s where it was stated that a Love’s Truck Stop corporate policy should not be located within 500 feet from residents. Why is a 500 feet buffer zone needed and what are the effects. You have heard about the negative effects by residents. In a cited an opinion from the Utah Property Rights Ombudsman stating, "A local government may designate uses as conditional but must also adopt compliance standards for the uses... a truck stop is a distinct land use with significantly different impacts than those associated with the component parts. It is therefore inappropriate to conclude that a truck stop may be implied because other allowed uses are somewhat similar. Even if the proposed facility consists of a combination of otherwise allowed uses, if the truck stop is substantially different, it cannot be allowed without an Ordinance amendment." During this entire course, the Ombudsman’s opinion has been ignored. This is a dog of a project and the truck stop is not a gas station.

#### **0:50:52 – Public Input for the Ordinance Process**

- **Shannon Brooks** proposed a structured public input process: "Step one, which we've been doing, submit the public changes, ideas. Step two, those changes or ideas are discussed, or determinations are made on them by the PNZ in a timely fashion...these will be taken back to the public. At that point, the public is allowed to provide feedback and then it comes back to the Commission. Step four, the commission makes determinations and acknowledged the feedback and makes determinations. At least the public is heard, provided input that is considered, or not approved. To be ignored is a problem. Some cases may require another look at the Ordinance by the public. Last meeting I provided four potential changes, emailed them to the Commission which is step one. Step two is a response from the Commission by email or a public meeting. This hasn’t happened. Step three would be the committee reviewing and taking those ideas and comments to the public. Step four would be to inform you of what the public is thinking. He also pointed out that the public comments invalidate claims that the County Attorney and Planning and Zoning office from those showing concern about the Ordinance are more than just a few extremists. 500 people signed a petition, over 250 took our survey and over 19 people in this meeting. He would like a retraction about the mischaracterization.

#### **0:53:52 – Love’s Truck Stop**

- **Marleen Huckabee, Spanish Valley** – No one came to her property to see where she lives in relation to Love’s Truck Stop. She sent an invitation to all Commission Members and only two have been out there. Marleen suggested Commissioners go and look at the property. Marleen argued that a truck stop is not in harmony with existing and approved residential and small business communities. This will create a forever problem, not for me, but for my family. Marlene Huckabe, whose property is adjacent to the proposed site, questioned, “would you like to have a truck stop next to your house, any of you? I am going to fight tooth and nail until I can’t.” She encouraged the Commission to vote no.
- **Lack of Mitigation and Dialogue: Holly Sloan**, representing Northern San Juan County noted that despite presenting “credible evidence”, regarding the harmful effects over the last 6 years, the community has not heard “any real discussion on sort of the harmony, the safety, the health issues”. She also mentioned they have made the case that there are real safety and health concerns regarding the Truck Stop. “We need to hear by they aren’t real concerns. Why is a truck stop in harmony with the residents and small businesses”. Commissioners have told us our hands are tied. We would like a deeper discussion. I am part of the coalition that has repeatedly appealed the decisions, this is not our first choice. We asked the County to set down for mitigation talks, which Loves has “no incentive to talk to us” because “they know they have the majority of the Commission on their side”. We are left to the idea we have to go to court to stop this, slow it, or force conversations. I hope we can have real mitigation conversations.
- **Colby Smith** pointed out a discrepancy: the original application (May 2019) was for a “53 bay truck stop,” but a “new one... dated May 29th of 2020 it's got 75 trucks truck bays.” He noted, “that's a over 40% increase in the number of truck bays, that feels like a material change to me.” 2020 is when the new one was in effect which doesn’t allow truck stops in this location. Please clarify so that what is originally submitted and what you approved as being complete, “why is there a new proposal?” if it was complete.
- **Ned Placid** requested that Loves provide the “studies and analyses he referenced in the July 2025 meeting” that supposedly show "no concern" regarding community impacts, noting these studies had not been made public. His property is directly east of the location. Would like studies from Loves reveled to residences. We don’t believe that the number of tractors staying there each night throughout the entire year can be in harmony. There is an increase in light, noise, air quality, traffic, garbage and chemical containment, and law enforcement will all add to the impact to residents. “Impacts will exceed all of the current impacts from all of the businesses that currently exist there as well as residences”. It is unclear how this is in harmony. “I would like the concerns of the citizens directly



impacted be considered. We would like any approval to be conditional to reduce the impacts to the community by ensuring some mitigations are taken to address the concerns of the community”. Mr. Placid provided a list of ways to mitigate their concerns through email. He also requested Love’s to provide their studies and analysis referenced in July. He looks forward to seeing this analysis and study. Love’s itself differentiates between a car stop and a truck stop.

- **Susan Carter** – Gave Committee members her discussion points. Concerned that Love’s is also a campground with overnight accommodation. This includes showers and toilets, and places for people to sleep. This is not limited to truck drivers but to all the public parking and stay. Since it was decided to use the 2011 Ordinance, would like the Commission to use the definitions from the 2011 Ordinance. Gas stations do not allow people to sleep in them, do not provide toilets and showers on a private basis as people pay for gas. Mitigation is your only course. Litigation is your only way to develop guidelines between community and other Commissions have done, there are a lot of resources to reference. No one feels like they are being heard. “Why isn’t safety of community important to you, why are those not harmonious issues that need to be addressed”.
- **Bradley Angel, Sunny Acres** expressed significant community opposition to a proposed truck stop, citing concerns about increased light, noise, traffic, and air pollution, which they believe will negatively impact the harmony and character of the residential area. Expressed grave concerns about air pollution, citing a Utah Department of Environmental Quality document on idling trucks and their link to "increased incidence of asthma, allergies, lung and heart disease, and cancer." He shared his personal health struggles with asthma and recent cancer surgery, stating, "the thought of living near a massive freeway style truck stop in my neighborhood... that emits 24/7 cancer-causing chemicals is unacceptable." I would have to consider selling the place that I love. I respectfully plead with you to follow common sense and say “no” to Loves.

#### 01:12:06 - Preserving Rural Character

- **Joe Musurneci, Elk Meadows:** Several residents, particularly from Elk Meadows, expressed concerns that the proposed 2025 Ordinance would shift San Juan County away from its "rural character." Joe Muschi stated, "I have my doubts of whether the county is being directed in the path to sustain this rural character that has drawn me and my friends over the past 10 years to move here and buy property and to prosper here." Agriculture Protection Areas (APAs): Joe Muschi inquired about the lack of an Ordinance for APAs, noting that it has been unaddressed since 2018 despite encouragement from UDAF.

#### 01:14:00 – Supporting New Business in Ordinance

- **Daniel Wright** advocated for an LUDMO that "laser focus[es] on affordability and facilitating new business," suggesting starting small, adding things as we go and as they are needed. These changes in zoning should allow for single-wide manufactured homes and ADUs. This will increase affordable housing and multi-generational housing. Supports State's trends. This will balance affordability without a loss of integrity.

#### **01:15:51 – Public Comment Process**

- **Christopher McBain, Elk Meadows** criticized the public comment period as "either insincere or do not allow the people to really communicate coming across more as a PSA than a true round experience." He emphasized that "true empathy and interest would go a long way." Doesn't like no meaningful follow up or secondary questions asked. Wants follow-up with public.

#### **01:18:28 – Love's Truck Stop**

- **Carrie Kelly**– Showed support to several of the other commentators. There is legal precedence in Utah showing that a gas station is not a truck stop and not a restaurant. The community has provided well-documented and well-referenced studies that include safety, air quality, trash, and water resources. Love's alluded to studies that refute these. Would like studies, if there are some, shared with the public. Agrees that the community has been clear they want to address concerns with Commission members, these should be mitigated and would like them addressed.

## **LEGISLATIVE ITEMS**

### **2. Review and Discussion of Planning Commission Bylaws**

#### **Time Stamp 01:20:23 (audio)**

The discussion turned to amending the bylaws, specifically concerning references to the San Juan County Zoning Ordinance in the "whereas". It was suggested to change "San Juan County Zoning Ordinance" to "subsequent approved ordinances" to avoid constant bylaw updates whenever new ordinances are approved. The commission also discussed updating the language to cover all land use codes, including the Spanish Valley supplemental code. Commission Rigg provided several recommended changes throughout the bylaws including structural and language changes to be incorporated in the bylaw revisions.

Commissioner Austin asked if this was in an ordinance and if it would require an amendment to the ordinance? County Administrator McDonald advised that it is an amendment to the ordinance which would be Amendment B.

Discussion ensued regarding the representation of different areas of the county and making sure the bylaws and by removing the 2011 reference at the top of the bylaws, it would then include all land-use ordinances including Spanish Valley. If you refer to Codes Governing Land Use, that should catch-all. It ensures that the procedure is prescribed in the codes governing land use.

The discussion then turned to one member from a special service district within the county. Commissioner Austin questioned why a special service district position is required? What's the motivation for why you'd want someone? County Administrator McDonald indicated that it is good just to have that perspective on this board. At the time we incorporated this in the bylaws, it was specifically for that, so that they were represented in all of our land use decisions that you're considering, the water availability in these smaller communities that may be ran just by special service districts themselves.

Commissioner Rigg asked if there's another area in the county that needs to be represented, to get a member from another area might be a better use of that? Commissioner Austin indicated that Instead of a special service district, we could get rid of having a requirement of a special service district or maybe a second at-large position. Commissioner Nielson recommended removing Bluff, where they are all incorporated and replace it with "Mexican Hat or Eastland," or to introduce "at-large" positions for north and south unincorporated areas. The discussion continued with possibilities that included only membership from unincorporated areas, owners of property in the unincorporated areas, membership from based on voting districts,

Commission Chair Schafer advised that why don't we change Bluff to Mexican Cat and questioned what can we do with Special Service District? Make two members at large? Commissioner Walker indicated that a Special Service District person will come with extra training on how the state works and extra training that will be useful in our ordinances.

Commissioner Austin pointed out the terms until replacement of membership. County Administrator McDonald addressed the bylaws regarding commission member terms, noting that current members will remain on the planning commission until replaced if no new appointment is made. This led to a discussion about whether this policy hinders opening up opportunities for more people to serve and the importance of members being willing to continue serving until a replacement is found

Commissioner Austin questioned if all motions had to have stated findings of facts. A discussion ensued regarding when motions needed findings of facts, if needed, and clarifying that language.

The discussion moved to public comments, removal of individuals, and upon recognition by the chairperson may direct questions to the applicant, witness or any person speaking from the audience. There is a way for us, via the Chair, to ask questions of the public who is providing public comments. Deputy County Attorney Nielson pointed out that you can't have a public hearing without the notice of a public hearing though, so your questions could all of a sudden create a public hearing that wasn't noticed. He advised that Commissioners want to be careful of that. Commissioner Austin pointed out that we can request, from the Chair, to ask a relevant fact question, not a public comment in accordance with the bylaws.

With Conflicts of Interest, the Commission agreed to keep the language as it is written in the bylaws that if there is a conflict, the member shall recuse themselves from the vote.

Commissioner Austin felt that the bylaws are unclear about members making public statements outside of and prior to the meeting. Commissioner Rigg explained and provided an example of making statements prior to the meeting regarding how a member is going to vote. She provided the example with the tall tower proposals.

Commissioner Austin also suggested a follow-up section be added to the agenda. This would allow for feedback from staff regarding any Commission questions. Commissioners Garcia and Nielson both like this idea, a process needs to be created, a possible table or legislative questions be asked and added to the agenda.

County Administrator McDonald proposed adding a regular agenda section for following up on public and commission questions, particularly legal ones, to ensure issues are tracked and resolved. Deputy County Attorney Nielson suggested a process for adding items to the agenda involves submitting them by Wednesday or Thursday of the prior week, with the expectation that answers are either in progress or already available. Commissioner Rigg acknowledged that this process shifts the responsibility to the planning commissioners rather than staff to make those suggestions.

### **3. Consideration and Approval of a Sign Permit for CED, 11910 S. Hwy 191, Michelle Eccles, Buds**

**Time Stamp 02:08:47 (audio)**

County Administrator McDonald referenced in the staff report.

Commissioner Austin highlighted the fact that the staff report referenced the requirements of the 2011 Ordinance and not the Spanish Valley Ordinance.

County Administrator McDonald suggested tabling the item.

Motion was made by Commissioner Nielson to table the item until September.

Commissioner Walker seconded the Motion.

Voting Yea: All in favor. Motion carries.

**4. Reconsideration after partial reversal and remand from ALJ Creswell of the Love's Travel Stop proposed along HWY 191 within Spanish Valley on 13.06 acres as a permitted mixed use under Controlled District Highway Commercial (CDh) Zone.**

**Time Stamp 02:12:45 (audio)**

Deputy County Attorney Nielson began to address the Commission. Commissioner Rigg asked if what Colby Smith said is true, that the original Love's was 53 bays, right? This new concept, I counted, and he's right, it is 75 bays, that is a significant change from what was originally proposed. I don't know if we should be talking about that right now. If what was originally approved was 53 bays, and it's been remanded to us, why are we now looking at something with 75 bays?

Deputy County Attorney Nielson indicated that the original approval is the only thing that's approved of at this point. That has been in the litigation process, and if the new schematic is going to become official, then it'll have to be approved through the normal course. Tonight, you're not voting on that. Tonight, you have a very specific questions from the court, or from Lynn Creswell, and we're going to cover all three questions because we determined that, in our last meeting.

There are three questions that the Administrative Law Judge has asked of you. Judge Creswell has asked that you make findings on the following three items. One is, is Loves the proper applicant? And the question there has to do with, you know, the ordinances for the landowner to be the applicant or a designee. Number two is, is the travel center, the Loves Travel Center, is it a permitted use within the ordinance? And then number three is, if you don't find it's a permitted use, alternatively, is the use in harmony with the intent of the neighborhood commercial zone and similar in nature to the listed permitted uses in the highway commercial zone. So, those are the three items. A lot of the questions and concerns which are good and valid have been talked about here in other meetings. A lot of those will be addressed, I think, during the litigation, and also at some point, you have to have permitting and there's quite a process here. So, a lot of those things will be addressed. It's just that tonight your job is quite focused on these questions.

Is Loves the correct applicant or a proper applicant? Do you want any discussion on that or anything from me on that, or do you feel like you know what you want to do?

Commissioner Wilson indicated that he agrees with this for the simple fact that your due diligence when you're buying a piece of property to make an investment, you are the applicant even though you don't own the property because you're looking at your options before you do, before you buy it. That is done in all cases for development. Deputy

County Attorney Nielson indicated that your purchase agreement generally has that requirement that you work together with the landowner and you are the designated, if you want to call it that, to run it through the process.

Deputy County Attorney Nielson asked do you want to do these individually or go through all three ?

Commissioner Rigg pointed out that looking at the packet, even the packet calls it a 53 base truck station. You know, I don't think we can vote on something that has changed midstream. Deputy County Attorney Nielson indicated that he understood and pointed out that Commissioner Rigg is confusing the issues that are before you. Commissioner Rigg stated that, No, I get that. I get what the issues are, because part of it is it's not in harmony, right? Or is it in harmony? And I've already stated my opinion about that. But... Deputy County Attorney Nielson stated that So, sorry, when you get to that point you have to vote on what's been approved, not what something new is. Commissioner Rigg asked so we're voting on 53 bays? Deputy County Attorney Nielson pointed out that you vote on whatever schematic was approved initially, not a new thing that hasn't come to be approved. So, that's what you'll be considering. Commission Austin asked in this packet, what schematic do we have? Commissioner Rigg pointed out that in this packet, we have, in the language, we have 53 bays, but the drawing that they included had 75. Commissioner Austin mentioned okay, there's a problem. Deputy County Attorney Nielson acknowledge Okay. Well, all right. Let's just, let me just, as far as the presentation here goes, do you want to go through each point? In other words, the application, the permitted use, whether it's permitted use, and then whether it's in harmony, do you want to go through all those and then vote on all, or do you want to go through one at a time? Commission Chair Schafer indicated one at a time.

Deputy County Attorney Nielson continued stating that one thing about this whole exercise is so that the Commission here can have a detailed findings, detailed findings, on why you're voting the way you're voting. And this staff report that Smith prepared was designed to give you the language, but you don't have to stick to that language, you can come up with your own. So on the question then of the, is Loves a proper applicant? Do you need anything more from me on that before you motion and vote and deliberate?

Commissioner Austin asked what was the date of the purchase agreement? Deputy County Attorney Nielson stated that he did not know. I don't think it's relevant to the question you're asking. Commissioner Rigg mentioned it was a while ago. I remember the last meeting. It wasn't recent. It wasn't just after this opinion came out. Deputy County Attorney Nielson indicated that the purchase agreement is the first thing in this

overall process, so it would have predated probably everything. That's just my speculation.

Commissioner Nielson stated that in my mind, number one is the only one we should vote on. We've already decided the other one. He just wanted it more defined. The decision was already voted on, and now we have it back here, going through it again. But the first question is the only question I feel like we haven't answered. His finding that he wanted, you know, a more complex or defined reason why it was in harmony, or, I mean. Deputy County Attorney Nielson mentioned that it's a privilege being a Judge, you get to ask additional questions. Commissioner Nielson pointed out that but he's asking, he's asking all of us who aren't attorneys to make a long, drawn-out motion describing every little detail why we think that, and we, the last motion did, I feel like. I don't even want to vote on two and three because I feel like they've already been answered. I think one is the only question that's really relevant. If the Judge doesn't like what we did before, then, I don't know, he can pound sand for all I care. But one is a legitimate question that we haven't answered before.

Commissioner Wilson made a Motion that, yes, the applicant, or that should have been, Loves or the people purchasing it, because that's how all cases go with development. You are the applicant when you are trying to figure out if this is the right property to purchase. If it is going to meet, does the ordinance meet the requirements of what you want to do with that land, you're not going to purchase it and then say, oh, well, this doesn't work for what I'm doing. So, yes, the applicant was the right one on this one. Commissioner Nielson asked, Commissioner Wilson, do you, the language that's there in the staff report for number one, those reasons, those findings, do you go to that? If those words are words you, if you agree with those, then I recommend you use those so that we're trying to be as specific as we can. Deputy County Attorney Nielson is hoping the judge likes his wording there and it doesn't come back..

Commissioner Wilson rephrased his Motion which is to recommend the staff's recommendation One with Subsection A, B, C and D within the staff report.

Commissioner Rigg seconded the Motion

Commission Chair repeated the Motion that Loves is the land-use applicant and in addition to that, A, B, C, and D

Voting Yea: All in favor. Motion carries.

#### **Time Stamp 02:24:01 (audio)**

Deputy County Attorney Nielson continued with item number two. I think this one is the, in my opinion, is the most difficult. The public comment has been heavy on this point



and, you know, there are good arguments for and against whether or not it's a permitted use. And one way of looking at it is to say if the components of the travel stop individually can be constructed within the highway zone, then why not one combined? That's maybe in a nutshell one side of it. The other side of it is to be a little bit more strict with the statute and just say, look, if the legislative body, which is the County Commissioners and this body, if you wanted a travel station, you would have approved one and stated it specifically. If you wanted the ordinance amended to allow it, you would amend it and allow it. You know, those are two, you know, logical ways of looking at this. In the staff report, you have kind of laid out some ways of looking at it. It talks about the restaurant or the driving cafe, the automobile service station or convenience store. Kind of lays out how you could see those as being the components of the Love's Travel Center and if they can be constructed individually, side by side, then why not together as one? You know, I think anyone that resides, you know, next to this type of a project is justified in feeling impacted for sure. and there's no question that any new development is going to change the status quo. The legal department really looks at this as a competing interest of landowners and, you know, landowner's rights and also in connection with, you know, what an ordinance allows. If our ordinance said Love's Travel Stations are allowed in this zone, then, you know, you wouldn't have much to really debate, right? But you're paid the big bucks because you have these, because these questions are never quite that easy.

Deputy County Attorney Nielson referenced what Mr. Shapiro pointed out about, and it's been mentioned before, the Ombudsman's case. And, you know, the Ombudsman's office writes these opinions and they're very good and I think that they're well-reasoned and researched and all that kind of thing. Two things: point one is the Ombudsman's office is not the same as a District Court Judge or Appellate Court Judge. It's advisory and it's helpful. But you all have a lot of discretion, and you can, there's nothing wrong with you saying we agree with the Ombudsman's decision. There's nothing wrong with you saying, it's a close call. We just see it the other way, so we're going the other way. Second, it should be noted that the Ordinance associated with that decision was very different from our Ordinance. That Ordinance did not have permitted uses, so you couldn't under that Ordinance say, well, you have conditional uses. That's a significant difference and that may be one reason the decision up there doesn't mean you couldn't adopt its logic. I'm just saying it's not exactly the same as your Ordinance, where your Ordinance does have permitted uses, that combined, appear to create a trial standard and they're not just all conditional. I just wanted to point out that there is some difference in those, in the two decisions, but you know, the Ombudsman's decision does have good reasoning. I mean, I wouldn't say that I have any concern with the reasoning of the Ombudsman's decision.



Commissioner Austin asked, “are you saying that the Ombudsman's Ordinance that they're referencing?” Deputy County Attorney Nielson mentioned it was an ordinance in Wellsville that's just a different, it's different than our Ordinance. Commissioner Austin asked what was the difference exactly? Deputy County Attorney Nielson indicated that in our Ordinance, there are permitted uses in the commercial highway zone. And in that Ordinance, they were all conditional uses, not permitted. So it's kind of one step from an automatic, hey, if it's permitted, I get to do it. If it's conditional, maybe I get to do it. This board has a lot more discretion if it's conditional. Commissioner Rigg asked if their truck stop was conditional? Deputy County Attorney Nielson mentioned that their truck stop was conditional, the issue there was you had conditional uses that were the components of a travel center, and the group there said, well, we would like to say that if we could, we could approve the components of it, let's just approve the thing itself. But it was a conditional use, they had the approval under a conditional use standard, whereas this statute has permitted uses, not conditional. Commissioner Austin mentioned that she didn't know what's the difference, how that really matters. Deputy County Attorney Nielson advised that if there's a permitted use, you, the applicant, are entitled to approval because it's a permitted use. It's not conditional. If it's conditional, then the applicant's not necessarily entitled to it. Commissioner Austin pointed out that isn't the argument that you can't combine those? To be one, even if it's just permitted? Deputy County Attorney Nielson advised that best way, I think, to look at it is to say that where you have permitted uses, the applicant's position is stronger if the use they're asking for is allowed, if it's permitted. If the use is conditional, then the applicant's position is not as strong. So I guess the point I'm trying to make is the applicant's position in the Ombudsman's case was not as strong because they weren't coming in saying, hey, I want, I'm applying for this Love's Travel Center, it's a permitted use. I'm taking the position it's a permitted use. And if this group says, yeah, it's a permitted use, it's just a combination of these things, then that's a different discussion then. It's not even a permitted use, it's a conditional use. So it may not even be something we want to have.

Commissioner Austin mentioned that she thinks the overarching point of that argument is whether or not you should look at different uses as something you can combine and mix and match. Deputy County Attorney Nielson agreed, under two different standards. Under that standard up there, under a conditional use analysis. Under this standard, under a permitted use analysis. Commissioner Austin agreed, which is really not that different, I don't think. I mean, we're still asking that same question, should we be allowing permitted use? Deputy County Attorney Nielson mentioned I'm not saying that it's like, you know, here and here. I'm just telling you there is a difference, it was brought up, so I thought I would mention it.

Commissioner Wilson gave an example, so, say, say you take the Moab Business Park. You've got one that, one on that roadside. It has 10 units in it. Each one of those is a different permitted use. It's all in one room. How do you decide the difference between that building and the Loves Travel Center? If it has multiple uses that are all permissible, how could you say that this building you can do it in, that this one you can't? You see what I'm saying? That's it. Under the 2011 Ordinance. Exactly, that we've agreed on, that is where this fell. That's what this is going through, is the 2011 Ordinance and they were permissible uses. If you take it from one building that's less than, you know, a thousand yards away, that can have all these permitted uses in it, but you go to the next building that's coming in, you can't have the same permitted uses. Commissioner Austin pointed out that the type of uses is what's different and so I wasn't around for the Moab Business Park application, but I imagine they listed the kinds of uses, and they aren't things like a gasoline filling station. Commissioner Wilson agreed, but we've already agreed that these are permissible use. The argument is, can all these be in, as combined. So I mean, we've agreed this came before us before, and it was, did all the uses that are going to be within this one building, are they a permissible use of the 2011 Ordinance? Yes, they are. Now the question is, is can they be combined? If you have them combined in the Moab Business Park building right here, but you can't do it in this one? Commissioner Austin agreed, because the use of this type is so different. You've got different impacts. Commissioner Wilson pointed out that anybody in Moab Business Park could have a restaurant at any time in any one of those units, because it's permissible in the 2011 Ordinance. Commissioner Austin mentioned that I'm still going to say, or argue, that the impacts of those uses in the business park do not require conditions or mitigating factors. Commissioner Wilson asked "who's to say?" Commissioner Austin indicated that she thinks we could go down the list of self-safety, health, welfare. Commissioner Wilson answered yeah, and the business parks on this smaller footprint with more businesses than this one is. Commissioner Austin questioned do any of them put out pollutants? Do any of them create excessive noise? Do any of them? Commissioner Wilson indicated "who's to say?" Do you know what businesses are being ran in there? Commissioner Austin mentioned I know a handful of them. Commissioner Wilson indicated that you don't know all. Commissioner Austin mentioned but those are low impact. Commissioner Wilson asked that you know for a fact? Commissioner Austen answered that as far as my measuring tool, I would say that a climbing gym is pretty low impact. A quilt shop is low impact. There's a gun shop there. I mean, it's not a shooting range. They sell guns. I mean, they don't require a lot of traffic. They're not putting out toxins, like for me, they are not the same comparison. Commissioner Austin mentioned to the Deputy County Attorney that I feel like something's missing from the staff report here when it comes to the number two Loves proposed uses permitted in the Controlled District Highway Commercial Zone based on the following findings. There's not one that says, you know, the flow chart. Where's the other option? Love's proposed use is not permitted in the

Controlled District Highway Commercial Zone based upon the following findings. Where's that language that you're providing us if we wanted to go in that direction?

Deputy County Attorney Nielson answered, I guess if you go in that direction, then it's almost like there's all you have to say is really it's not permitted. I mean, if it's not a permitted use, it's not a permitted use. I get what you're saying. Why didn't I write just the same on the other side? Good point. Probably should have. Commissioner Austin pointed out that because otherwise it looks and feels like our options are limited to this. Deputy County Attorney Nielson advised that they are not limited at all. This is the staff's recommendation. That's what we're providing to you is the recommendation. If you find differently, then we just, we would adopt findings. I mean, I don't, we'll just work through it, right? Commissioner Rigg pointed out that there is an alternative. The 2011 Ordinance says if it's not listed as a permitted use, it is a conditional use and it says all other uses than those listed. I know we had a vote back however long ago that was and there was a group that thought that you could combine all those permitted uses. The alternative is, and it's quite clear in the ordinance, that if it's not listed, it's all other uses than those listed as a conditional use. Deputy County Attorney Nielson advised you could go that route if that's what this group wants to do.

Commissioner Austin pointed out that the other language in the staff report I have a question about is going down to B. Alternatively the Loves use is in harmony with the intent. That sounds like instead of saying that the proposed use fits within the following combined uses, we could say that it's in harmony with the intent. Deputy County Attorney Nielson advised that there's two prongs that you could approve this or disapprove it. One prong is the permitted use, and the other prong is the in harmony with. Commissioner Austin mentioned that alternatively, there's not language that says Loves use is not in harmony with the intent of the neighborhood or community. Deputy County Attorney Nielson mentioned that's because that wasn't our recommendation. The simple way we looked at this was, if you have a highway commercial zone, any permitted use within that zone would be in harmony, because that's what the zone is. How could you not allow a permitted use to be in harmony with the zone that it is permitted in? That's kind of the whole point.

Commissioner Wilson added that here's the other point of that. A lot of the conversation tonight was building a residence. The residences that are in that zone were put in there illegally. They were never a permissible use in a commercial zone. They were put in after, what was it, 1978, 79, when the 1,000 foot commercial zone was put in place, they were not a permissible use. The residences that are near the Love's Truck Stop or Travel Station, careful how you say that, were not a permissible use in the first place. You can't come in and say, hey, I built illegally in a certain zone, and now I don't want something

else that is a permissible use next to me. The harmony thing is it is in harmony with the way it was set forth from day one when it became a commercial zone. Because other people moved in illegally into that Zone does not make it not in harmony. Then you go back to the whole truck pollution and all that. Less than a quarter mile away, we have LeGrand Johnson that runs 60 to 80 semis every single day, in and out, with the scales. It is in harmony with what is near it, in every aspect of what they are doing there. It is in harmony in the commercial zone, in harmony with the other trucks that are down the road. I see no way to get around that. Deputy County Attorney Nielson brought up the point that, I don't know about the legality of the initial homes, what the zoning was and approvals and stuff. It was a little different world back then. I don't know what kind of approvals were going on. I wouldn't suggest that any of the current homes there, we are not calling you illegal. I'm just saying that's not my opinion. I think what Commissioner Wilson is basically saying is you have this zone that's commercial, but yet there is residential housing there. Commissioner Wilson pointed out that it was their choice.

Commissioner Rigg asked if it was a controlled district, right? Commissioner Wilson indicated it was Controlled District Highway Commercial for the 1,000 feet. Everything else was agricultural. Deputy County Attorney Nielson stated that in my opinion I don't know how relevant it is to your question. If you, so are you, are you moving off of the permitted use question to the in-harmony? That's kind of what we did the last time and it's okay. I'm just trying to keep you focused. Do you want to talk about the permitted use and vote one way or another, or do you want to go to the in-harmony and talk about that?

Commissioner Austin mentioned that I think in order to decide between the two, we need to flesh it out. I'm just asking clarifying questions. The harmony question, I think we've interpreted it different ways. You make it sound like it's implicit. If, you know, if it wasn't permitted, it wouldn't be in harmony. We wouldn't put a use that's permitted if we didn't think it'd be in harmony with that zone. There's a little bit of conflicting language around this because it specifically says as the purpose, and you've got it here, provide inappropriate locations, a district for agriculture, industrial, commercial, and residential uses may exist in harmony based on plan development for mutual benefit and flexible location of uses. So to me, I read that as this development has to be in harmony with the surrounding uses. Commissioner Wilson pointed out that only if it was planned, a planned development. It was never planned that way. Read that again.

Commissioner Austin read it again stating that the purpose of the control district is to provide inappropriate locations, a district for agriculture, industrial, commercial, and residential uses may exist in harmony based on plan development for mutual benefit and flexible location of uses. Am I not understanding that correctly that it needs to be in

harmony with surrounding uses? Deputy County Attorney Nielson advised that's the question is how are you interpreting it? That is your task tonight to interpret that.

Commissioner Wilson mentioned that the three sides of it are all commercial. Commissioner Austin argued that maybe it's being taxed as commercial because there's revenue being generated but the use is very residential. The short-term rentals that were built right behind there and yet my argument, I'll just repeat it again, that there are people sleeping in those units. Commissioner Wilson pointed out that they are considered commercial. Commissioner Austin pointed out that there are people sleeping in the business park. It's a residential use.

Deputy County Attorney Nielson added that to help the discussion a little bit, let me ask you a question. If, let's just say a new gas station, a convenience store with pumps and you know, if that were to be proposed there, would it, would it be in harmony? Not, not a travel center. A Maverick. Commissioner Austin mentioned that I think it would be much more in harmony than a. Deputy County Attorney Nielson asked why is that more in harmony than the travel center? Is it just the size and the overall impact or is it the types of uses, because you were talking about the uses. I think in a maverick you'd have more or less the same uses just maybe not as the same volume. Commissioner Austin pointed out that it's not a travel center with how many bays? 75 potential bays. Deputy County Attorney Nielson asked so volume? That's what I'm, that's what I'm trying to help you flesh out here. It comes down to volume to a degree. Is that what you're saying or? Commissioner Austin agreed volume and the use is. Deputy County Attorney Nielson pointed out that what if two maverick stores decide to come in side by side? Would the second one you would say, no, this is too much Maverick store. Commissioner Austin mentioned that I would think that would be most people would say, yeah, we don't need two gas stations side by side. Deputy County Attorney Nielson asked but as a permitted use in the ordinance, would you have a legal basis to say, you know, why would you be able to say, see what I'm saying? If it's permitted use and Maverick decides, hey, we want, we want to build side by side, we just like it that way. Commissioner Austin mentioned that is why we are not operating anymore under the 2011 Ordinance. Deputy County Attorney Nielson pointed out that we're trying not to. It becomes this difficult question, you know, where's the line? Commissioner Austin reminded them that because this body chose to look at this truck stop under 2011, I feel like that is not relevant. Deputy County Attorney Nielson advised that it was required because of the timing of the application. Legally, you have to look at it under that ordinance because it was. Commissioner Austin argued but the proposal to have two gas stations next to each other is not what we're talking about. We're talking about a travel center. Deputy County Attorney Nielson mentioned that my goal is just to try to get in perspective.

Commissioner Wilson mentioned that it's deciphering your decision. Is it the volume or the use? And more or less you came down to is the volume that wasn't the use because a Maverick would be the same thing other than the showers. It'd be identical. What bothered you was the volume, not the use. Commissioner Austin asked how about the volume of the use? That type of volume of that particular use? Deputy County Attorney Nielson mentioned that if you feel that that makes it non-harmonious, then that's your finding. You know, if you're saying there's a line somewhere that becomes non-harmonious at some point, then wherever that is for you, that's your finding. And that's the discussion.

Commissioner Austin pointed out that it sure seems like we could find on both counts that it's not permitted and it's not in harmony. But is this a just pick one? Deputy County Attorney Nielson advised that I think it'd be good to answer both because then if there's a question as it goes back into the legal process, answering both would be good because if the court sees a problem with one answer or the other, it might be able to fall back on one or the other. Commissioner Rigg asked can I just point out something else? I agree with Commissioner Austin about the harmony when you read that, that they're all supposed to coexist. And Commissioner Austin, the 2011 Zoning Ordinance actually talks about all those things as well. So this ordinance is designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of San Juan County, including among other things, the lessening of congestion in the streets or roads, securing safety from fire and other dangers, providing access to adequate light and air, and then it goes on and talks about land development. But you know, what we've heard so much about, and we all know that neighborhood, is that, you know, this will create fumes, it will create noise, it will create congestion, and it's not, it's 75, it's 75 truck bays and 78 car bays. So that's a, that's in their new one. So what is that? That's 153 parking spaces. Commissioner Walker asked where do we, I guess when you go down those lines, where do we draw our line? We talked about fire and health safety, like, well the health department regulates this safety, the emissions, that kind of stuff. Why would that fall under me? And us as a board, I guess.

Deputy County Attorney Nielson mentioned that's one of the reasons I mentioned in the beginning that, you know, it's for Love's to go through this process and do the development. Think of all the different steps it has to go through in the permitting stage and the approval stage with different departments and, you know, so forth. I'm not an expert on everything they have to show and so, you know, but these things are, you all can't be the EPA or the, you know. It's fine for you to consider whatever you feel you want to consider. If you wanted reports, it would be okay to ask those to get them and look through them and, you know, that's not a problem. But, you know, the scope of your task here is a little more narrow, but also, at some point you kind of have to say we



approve things based on the ordinance, what's approved, what's not approved, and other experts have to do their jobs down the road. You're just not involved in all of those steps. Commissioner Rigg points out that we do that when we approve a lot of things and we make it conditional. We throw those things in there, right? That it meets the fire codes and it meets with the conditions we put on it. Commissioner Wilson pointed out that they already have the conditions on this because they're a commercial business. They've got to meet the fire codes, they have to meet the health department, they have to, so we're not making a recommendation or a conditional use. We are answering three questions at this point. The task tonight is to simplify this. We're just answering one question, just, you know, one way or the other.

Commissioner Austin asked what perspective are you answering these questions? Commissioner Wilson replied as in which one? Commissioner Austin explained as in whether or not this is, its impacts with health, safety, and welfare of the community. Commissioner Wilson indicated that the way I look at it is the corner lot right there belongs to U-Haul. Next lot in has a house and a camper in front of it. They're running a commercial business with containers across the street from it. You have Zuniches, you have a storage facility owned by a member of the community. We're looking at two to three residents on that north end there. Everything else surrounding it is commercial projects and businesses. Everything else surrounding that. Is it harming 100%? Is it affecting anybody as in congestion? I mean, you could get any more congested than the next turn. They won't do anything about that camp park. I can promise you a project this size, UDOT is going to make them put in bigger turning lanes, so I'm guessing the congestion is not going to be there. I've actually seen the plans on it. They have an entrance; they have an exit. Commissioner Walker pointed out that this didn't come up when we were, it kind of came up, but like the congestion thing, I understand the struggle with it, but we also just approved U-Haul to go in where the business park is. The business park from one end, all the way to the nightly rentals, that were just put in on the other end, all accessed through the same more than congested area. This is going to not be as congested, so as far as that goes, that's the least of my concerns in this one. And while I appreciate the arguments of the health concerns and that kind of stuff, and I understand that I'm not an expert, so I don't fully understand the data, but I understand that it's there. The health department employee is a professional here, so if I was to vote against it simply based on health concerns or something like that, well, the health concerns for me, from my point of view, it's all speculation versus handing it over to people who regulate this and have the data and actually have laws and stuff that govern them. For me, I'm speculating that they're not going to be helpful, so I'm not going to vote for them. I don't think that's right. That's not fair. Commissioner Austin argued but you are also speculating that they do have that regulated without seeing their reports. Commissioner Walker indicated no, I'm trusting that the process down the line, the health

department will take care of that for me. I'm not speculating that it's healthy. I'm not speculating about that stuff. I'm trusting that the process will weed out all those concerns and make it as appropriate as anybody can.

Commissioner Wilson pointed out that on the exhaust things, Commission Chair Schafer, you can correct me on those. I mean, the majority of the trucks and semis running down the road nowadays all fall under the emission laws because otherwise they can't even cross the California border, and they can't truck. So they're all running the EPAF or exhaust fluids and things like that to reburn and to get rid of the emissions coming from diesel. I mean, that's clearer than the gas engine nowadays. There's more requirements on a diesel engine than there is on a gas engine anymore. Most of your commercial vehicles like that have inspections where your gas vehicles that you drive every day do not require an inspection anymore, or the diesel. Any commercial vehicle has to have the inspections yearly on the emissions. So, I mean, that's just the way I look at it.

Commissioner Austin added here's another perspective that I think is really important that we look at this from, and that is, what is our role as planning commissioners? We need to remember that we are not representing the developer, we are representing the residents of the county. And I think we all agree there is far more pushback on this development than there has been push for. I don't know when the last time we got an email of anybody saying, go Love's, say yes to Love's. Deputy County Attorney Nielson mentioned that I just want to correct, I think that statements not accurate. You know, the applicant is a landowner and has all the same rights as the other landowners involved. Your job is to represent everybody. Commissioner Austin commented Including the property developer, sure, but I can't look at one developer impacting the entire valley and not see that there is an imbalance of where. Deputy County Attorney Nielson explained I just wanted to say that you're working for everybody. Commissioner Austin pointed out that this is fine, I will acknowledge that we also have to represent the landowner who is Loves.

Commissioner Wilson brought up that at the same time, how about the other 200 people that we talk to every day, that are all for it? Commissioner Austin advised that they need to come to the table and put in public comment. Commissioner Wilson remarked why? There's a committee out there that will take all their everything they have to say and bring it back to us and speak for them. Commissioner Austin asked what do you mean? Commissioner Wilson mentioned that's the other committee that's going on in this County and that's for the people that don't want to show up. They can get all their response to this committee. The committee can come in and give their information. I don't agree with that. As a representative of a lot of people in Spanish Valley, I talk to these people. That's who I'm representing. And you are representing the group of people that you talk to.



Commissioner Austin mentioned that you need to share that ex-parte communication with us so we can see this push back or push forward. You know what I'm saying? Commissioner Wilson mentioned you are going to make your decision on behalf of who you represent. Commissioner Austin mentioned that I am making my decision based on every public comment that we've gotten, all of us, mutually have received. If you're receiving comments that are against this truck stop. Commissioner Nielson mentioned we're not here to judge public comment. We're here to interpret the land rights and uses. I mean as much as I love the neighbor and her comments and she hates it, that's not what I'm listening to. That's not what we're supposed to be listening to. We're supposed to look and say, is it an automobile service station? That's the question. Do they have that right? Commissioner Austin answered yes. They are asking for something very reasonable, which prove to us that this is going to be safe. Show us the data, show, have less.

Deputy County Attorney Nielson pointed out that tonight the question is more focused. I mean, if it's a permitted use, that's what we're asking you to decide. If it's not, then it's not, you know. And then if it's one way or another, then you've got them in harmony with the surrounding area. And that's all you're doing tonight. Commissioner Austin pointed out that a lot of this other stuff, I think, is important to remember. Deputy County Attorney Nielson mentioned that if you want to tie it to all these issues to your analysis of is it a permitted use or not, is it in harmony, I guess that's fine. I'm trying to keep us from getting too far out in the weeds.

Commissioner Austin mentioned that I think this is very relevant because we have the option to choose to say this is not a permitted use and it needs mitigation. And that would be the ultimate compromise to the public who has pushed back so much on this. I just want to finish why my reasoning is like this. Because this is not going to be the last controversial development that's proposed in San Juan County. We need to show that we are listening to the residents. But if we choose to ignore, when the next one comes up, we're going to have even, I mean, I just feel like the distrust is already at such a weak point. By considering the option that it is not a permitted use and go down the road where it is a conditional use allows us, allows the County to demonstrate its role as listening to and being responsive to the people. And in a, based on something that's very reasonable that they're asking is, we are, we have concerns. We need to address their concerns. And we have not done that. By saying black and white, the ordinance says this or that, it's not addressing their concerns. I'm proposing as a diplomatic move, as Planning Commissioners, we look at an option to choose to go the not permitted and that it is a, now I would formally make that motion. Deputy County Attorney Nielson injected that I just want you to know that as far as the legal department goes, even though the report may not appear to do so, we considered everybody's rights and views and I don't, I really, I honestly did. I really did. I'm not just saying that. Commissioner Austin said Okay,

Commission Chair Schafer indicated that we have a Motion. Commissioner Rigg seconded it. Commissioner Austin indicated that I just want to make sure I Motion with my findings properly.

Commissioner Austing Motions that the Loves application is not a permitted use in the 2011 San Juan County Ordinance based upon the following finding: That a travel stop is a distinct land use with significantly different impacts. Anybody want to add to my motion? Commissioner Rigg indicated that she will. And it is, and it is not in harmony with the surrounding area. Commissioner Austin added that it is not in harmony with the surrounding area because of the surrounding uses being residential, being mixed use. Mixed use with a large number of residential uses.

Commissioner Rigg seconded the Motion.

Commission Chair Schafer mentioned he has a motion and a second that Loves is not a permitted use in the Controlled District Highway Commercial Zone in the 2011 Ordinance. That it's not in harmony because of the surrounding existing mixed residential use. Okay, any further discussion?

Commissioner Garcia mentioned that he does. I've got a request I guess to Commissioner Austin and Rigg. Do you guys think that we would be better served separating those two motions back out? So just have one distinct motion on number two, whether it is a permitted use or not, or conditional use, and then a separate motion on step three, whether it's in harmony. Commissioner Rigg asked what's your thinking Commissioner Garcia about why to separate? Commissioner Garcia added, honestly, Commissioner Rigg, because I like one of them, and I don't like the other one, to be to be quite frank. I think the Deputy County Attorney has presented them as two separate issues. We took the first one on its own merits. I think it's fair that we take the second one on its merits and the third individually on its own, to be honest about it. However, it's your Motion. Yeah, I just want to throw that out there for my comment. Commissioner Austin indicated that she doesn't think that would hurt to make them separate.

Commissioner Austin withdraws the Motion and makes a new Motion. That Love's application is not a permitted use in the Commercial District Highway Zone under the 2011 San Juan County Ordinance. Based upon the following finding that the travel stop is a distinct land use and it is significantly different.

Commissioner Rigg seconded the Motion.

Commission Chair Schafer asked if there was any further discussion? Hearing none, all those in favor say yea.

Voting Yea: Commissioner Rigg, Commissioner Austin, Commissioner Garcia

Voting Nay: Commissioner Nielson, Commissioner Wilson, Commissioner Walker and Commission Chair Schafer

The Motion is denied failing 3-4.

**Time Stamp 03:06:42 (audio)**

A Motion is made by Commissioner Wilson. I Motion that the proposed use is a permitted use including all within 1 as for what the staff report says. Deputy County Attorney Nielson clarifies that it includes item 2. A. through A.i., A.ii. a through d.

Commissioner Walker seconded the Motion.

Commission Chair repeats the Motion that Love's has a permitted use in the Commercial District Highway zone based on the following findings and that's recommended in the staff report. Any further discussion? All those in favor say yea.

Voting Yea: Commissioner Nielson, Commissioner Wilson, Commissioner Walker and Commission Chair Schafer

Voting Nay: Commissioner Rigg, Commissioner Austin, Commissioner Garcia  
Motion carries.

**Time Stamp 03:08:04 (audio)**

Commission Chair Schafer asks now is B, that's not 3, is it? Deputy County Attorney Nielson advised that we did 2.A. B is the second prong of 2. What you just approved as far as the staff report was 2.A and then including subsection i. a and b, subsection ii. a through d. The next section B is about the harmony with the neighborhood. I think it's good to answer this, like I said, just in case for whatever reason someone doesn't like the answer in number 1 but they do like your findings on 2 or the second part.

A Motion is made by Commissioner Austin. I'm going to reiterate my motion from earlier that the Love's Travel Stop is not in harmony or similar in nature to the listed permitted uses in the Commercial District Highway Zone because of the existing residential use surrounding the travel stop and that that concerns around the health, safety, and welfare of the community have not been addressed by this board or this County.

Commissioner Rigg seconded the Motion.

Commission Chair Schafer mentioned that I'm not going to try to follow all that was said for the motion but I'm going to just say that Love's is not in harmony with the intent of the neighborhood. Any other discussion?

Commissioner Garcia mentioned that he has a quick question on this and maybe now's not the right time to bring it up, but we did hear last month from the Love's representative that he did have some studies and data that was completed by them and it was brought up again today in public comment about those studies and data. I guess my question is on process. Have you guys seen that? Will we have an opportunity as a Planning Commission to see it or is that not for us to see or where does that come into play, if at all? Commission Chair Schafer mentioned he thought we need to see it. Deputy County Attorney Nielson mentioned that it is okay for you to ask for it. I have not seen it. We would just need to ask Love's to provide it. If the group feels like they don't have enough information to answer this part then you could make that finding and request this information. It's up to you.

Commission Chair Schafer asked if there was any further discussion? All those in favor of the motion that Love's is not in harmony say yea.

Voting Yea: Commissioner Rigg and Commissioner Austin

Voting Nay: Commissioner Garcia, Commissioner Nielson, Commissioner Wilson, Commissioner Walker and Commission Chair Schafer

The Motion is denied failing 2-5

**Time Stamp 03:12:14 (audio)**

A Motion is made by Commissioner Wilson. I make a motion that the Love's use is in harmony with the neighboring CDh Zone and the Zones within including all of B.ii.

Commissioner Walker seconded the Motion.

Commission Chair Schafer mentioned that he has a Motion and a Second that Love's use is in harmony with the intent of the neighborhood CDh zone and similar in nature to the list of permitted uses in the Controlled District Highway Commercial Zone. Any further discussion?

Commissioner Garcia asked if this would this be a good place to add on to Commissioner Wilson's motion here that we request that documentation from Love's to back up our assertion that it is harmonious with the Controlled District Highway Commercial ? Commissioner Wilson stated that he would not add it to my motion. Commissioner Austin mentioned that we lost that opportunity because we chose not to require

conditions like that in my opinion and other conditions that would have been reasonable to have. Commissioner Wilson reminded everyone that this is just a step where we're at right now. We were asked three questions, we answered these questions and before the process goes any further you'll get documentation.

Commission Chair Schafer asked all those in favor that Love's is in harmony with the intent. All those in favor say yae.

Voting Yea: Commissioner Garcia, Commissioner Nielson, Commissioner Wilson, Commissioner Walker and Commission Chair Schafer

Voting Nay: Commissioner Rigg and Commissioner Austin

Motion carries.

Commissioner Walker asked Commission Chair Schafer if he can I make a comment here? Commission Chair allows for the comment. Commissioner Walker continues I feel like we're all stuck in between a real rock and a hard place on this. There are two things that people bring public comment to us on and that's our new ordinance. They bring public comments because they feel like we're taking their freedoms and their rights away from their lands; then there's Love's and I feel that's the opposite. So as a board member, it's really hard for me to distinguish between the two as far as which one's right, because I can't fight Love's and then agree with everybody else; that their freedoms can't be touched. We can't infringe on their freedoms with this new ordinance but tell Love's that they can't do what they want to do. I guess that's more for the public, in hopes that you guys understand kind of where we are, and at least where I am, and where we sit as a board. It's really stuck. I feel if I were to vote one way on one, and one way on the other, I personally would feel a little hypocritical on this situation.

## **ADMINISTRATIVE ITEMS**

### **5. Review and Discussion of updates to the Land Use Timeline and proposed changes to the Use Table. Kristen Bushnell, Planning Administrator.**

**Time Stamp 03:16:02 (audio)**

Commission Chair Schafer recommended that this item be tabled.

Motion was made to table this item by Commissioner Rigg.

Commissioner Walker seconded the Motion.

Commission Chair Schafer asked all those in favor say yae.

Voting Yea: All in favor. Motion carries.

## **BUILDING PERMIT(S) REVIEW**

### **6. August Building Permits**

**Time Stamp 03:20:56 (audio)**

Corey Coleman had brought in report.

## **ADJOURNMENT**

Motion to adjourn was made by Commissioner Rigg.

Seconded by Commissioner Wilson.

Voting Yea: All in favor. Motion carries.

**\*\*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**  
**September 11, 2025 at 6:00 PM**

## MINUTES

### GENERAL BUSINESS

#### Welcome / Roll Call

Planning Commission Chair Trent Schafer called the meeting to order at 6:00 pm.

#### PRESENT:

Chairman Trent Schafer  
 Vice-Chairman Lloyd Wilson  
 Commissioner Cody Nielson  
 Commissioner TC Garcia  
 Commissioner Shea Walker  
 Commissioner Melissa Rigg  
 County Administrator Mack McDonald  
 County Attorney Mitch Maughan  
 County Building Official Corey Coleman

#### Pledge of Allegiance

The Planning Commission conducted the Pledge of Allegiance.

#### Approval of Minutes

#### 1. Approval of the Minutes for the July 10, 2025 Planning Commission

##### Time Stamp 0:13:24 (audio)

Commissioner Rigg made the motion to approve the minutes with changes to include adding into the minutes the sequence pertaining to public comments where the Commission Chair gave the Applicant Mr. Van Dyke extra time to speak in public comments and then I think it's important to also put in there that Shannon Brooks got up and made the comments and about how the comment period didn't work where it didn't look fair giving extra time to another but not everyone. Commissioner Schafer indicated that there were names also misspelled.

Motion was seconded by Commissioner Wilson.

Voting Yea: All in favor. Motion carries.

## **PUBLIC COMMENT**

Public Comment was offered for anything not on the agenda. Public Comment will be allowed for individual Administrative and Legislative Items.

No public comments were received.

## **ADMINISTRATIVE ITEMS**

### **2. Training on Land-Use Provided by the Office of Property Rights Ombudsman. Rob Terry, Statewide Land-Use Training Director**

**Time stamp 0:19:26 (audio)**

Mr. Terry provided required Planning Commission Training regarding land-use law from the Land Use Development and Management Act (LUDMA), General Plan Process, Land-Use Ordinances Adoptions, Technical Assistance from Southeast Regional Development Agency, History of Zoning, Roles of Planning Commissions, Land-Use Authority, Property Rights, Conditional Uses, Decisions and Substantial Evidence, Public Clamor, Commission Bias, Accessory Dwelling Units, Short-Term Rentals, Vested Rights, Variances, Conditional Use Permits, Annexation

Commissioners had an opportunity to ask questions throughout the training.

Regarding the land uses in an ordinance, Commissioner Nielson asked about a work around in a land-use table if something is not included unintentionally and not included then the County is in favor of it? Mr. Terry gave examples of how these could be provided by understanding that the Court is going to side with the property owner when considering the maximum use of private property. More often the court will side with the property owner for use where issues of interpretation or something not being listed. A use may not be appropriate, but the local level decision would have to have findings of fact as to why the use is not allowed. With a land-use matrix it is impossible to include everything. It is important to have language within the ordinance for the Planning Commission to have discussions about uses that are not in the matrix. As a planner, if you have language prohibiting all uses not listed, at least have a process available so that the Planning Commission can have discussion of whether or not the use should be allowed. Commissioner Nielson would like to have a process to approve new uses rather than prohibiting it. A conditional use process could also help with those uses not listed.

Commissioner Nielson asked about short-term and Assessor Dwelling Units (ADU)? Mr. Terry provided his training regarding ADU's and Short-Term Rentals.

Commissioner Wilson asked if a Short-Term Rental is considered as a commercial building with fire suppression requirements? Building Official Corey indicated that it is a commercial building listing in International Residential Code. Mr. Terry mentioned that it is an ongoing discussion also at the State level due to the conflicts between building code and LUDMO. Building code is much more detailed where LUDMO is supposed to be broad. Residential Unit



is also being debated at the State level, not just Short-Term Rentals. Short-Term Rentals will not be defined anytime soon. Commissioner Nielson mentioned that he sees it as residential, even as a new build, but Counties and Cities want to treat these as commercial. The County wanted to implement a permit process with inspections, and this is the worst direction we could go in. If poorer communities can use these to put money in their pockets, why would we prohibit it at the government level by restricting it. Mr. Terry feels that this will be more of a “may” instead of a “shall”, leaving it up to local levels to dictate what Short-Term rentals should be governed by.

Commissioner Nielson asked if Mr. Terry has ever heard of land-use licensing like Airbnb arbitrage? I own a home and lease it to someone, he goes and lists it with whatever company, am I required to go get a short-term license? Mr. Terry mentioned that it is up to the local authority. The property owner has ultimate responsibility. Commissioner Nielson followed up with a tax assessment question. Mr. Terry mentioned that there isn’t consistency in the state between what is considered primary and secondary. Consistency and transparency are what you want to have throughout the state.

Commissioner Rigg asked if a community can prohibit Short-Term Rentals in zones or set restriction on the number of units, on a zoning map, or set a limit on the number in a zone? Mr. Terry indicated that the local agency can within what State law says. You cannot prohibit someone from posting an ad, even if they are not permitted in an area. If the local agency determined that this is not prohibited, you have to have secondary evidentiary proof that it is taking place. The State will set the guardrails but relies on the local level to be specific. Commissioner Rigg mentioned that if half of Spanish Valley is Short-Term, can we prohibit it in the other half. Mr. Terry indicated that yes, as long as you have it in your ordinances that takes that type of approach. All the pressure is on the local agency to have something that is legally defensible.

In discussion about the General Plan or Land-Use Ordinance, Commissioner Nielson asked if the County Commissioners can also make a negative recommendation and pass it at their level. Mr. Terry stated that any recommendation that comes from the planning commission that goes to that legislative body, they can give as much weight to that as they want to. The law simply states that it has to go to the planning commission for a recommendation before the legislative body can act on it.

Mr. Terry touched on Vested Rights being a completed application and all fees paid, the applicant has vested rights under the ordinance in place once it is entirely completed, they would be vested at that time. Mr. Nielson asked about the loss of Vested Rights. Mr. Terry answered that Utah Code provides the validity of an approved application and is conditioned upon proceeding with reasonable diligence. So my recommendation to local agencies is to have some language in there that allows for staff and administration, as they're going through this, to be able to point to something so that reasonable then isn't left up to the interpretation of just the individual looking at it. Commissioner Nielson asked if a vested right can be transferred to a new property owner of that property? Mr. Terry answered that vested rights can be transferable, but the law does not consider them to be automatically transferable. If property changes hands and the new property owner is either unaware of something or does not have any communication with the local agency, then there has been court cases where they have looked at that before and said that the local agency is within their right to determine that there wasn't

reasonable diligence for you to move forward on something because there wasn't even communication about property changing hands and things of that nature. So best practice, of course, is if someone's buying property and there's any vesting on that property, that they're going to make sure that the local agency understands I still intend to move forward with this item. And that can allow for transference of vesting rights.

County Administrator McDonald provided the Commission with the questions that the Commissioners had for Mr. Terry. County Commissioner Stubbs was not present today because they had a question about County Commissioners attending Planning Commission meetings and it was discussed that a County Commissioner at the meetings can be seen as influencing the Planning Commission decisions. It was also asked about having a County Attorney present at all of the meetings, unless it is a legal remand or a legally pressing issue, that it is up to the Planning Commission to interpret the ordinance adopted by the County Commissioners. The County Commission sets the law and Planning is supposed to interpret that law that is set, in the past, the Planning Commission has turned to the County Attorney for that interpretation of the ordinance to make a decision. The discussion is critical that the Planning Commission discusses and interprets those ordinances so that the debate is shown in the minutes for the record of facts. The County Attorney's then use that in defending an appeal or a court case. That deliberation and interpretation from the Planning Commission is critical. We also discussed the General Plan where inconsistencies can be allowed in the General Plan when compared to the Land-Use Ordinance. It is important that they are consistent, but it is not required. Mr. Terry expressed that Utah is not a consistency state, where other states are. It is best practice to try and make them consistent.

Commissioner Garcia mentioned that he likes having the Attorney here to ask direct questions. County Administrator McDonald responded that it makes sense during the development of the ordinances but when an applicant comes in, the expectation is that the Planning Commissioners are applying that ordinance to the application. With Attorney's present, the Planning Commissioners are turning to them for the interpretation and then an argument starts between a Planning Commissioner and the Attorney. Commissioner Nielson mentioned that he feels like staff should provide the recommendation, but he is not a Planning Commissioner that will rubber stamp things, he would rather have the discussion. Commissioner Rigg likes having them there when it is a process question. Mr. Terry mentioned that if there is a constant question about a process, a definition or a policy, staff should be consulting the Attorney to help answer the question but having an Attorney present at all meetings for smaller local agencies often times creates a lot of onus and challenges.

### **3. General Plan Update**

#### **Time stamp 2:07:35 (audio)**

County Administrator McDonald provided an update on the General Plan Status. The County has reached out and asked for assistance from the Southeastern Regional Development Authority and asked for Planning Assistance. They have a regional planner, Todd Thorne who will be helping the County. We also reached out to the State, who has an integrated Water and Land Use in the General Plan Team who will also be helping with the updates to the General Plan.

Part of this update includes a water utilization plan to be developed, this is why we also have a Special Service District member on our Planning Commission. The densities in our General Plan and Ordinances need to consider water availability and future forecasts.

Our General Plan already includes Agricultural Protection Zones, we just need to make a process in our Ordinance.

County Administrator updated the Planning Commission as to why the language was in the General Plan regarding the Spanish Valley plans.

Commissioner Nielson indicated that the San Juan Conservation District is having a meeting with the Division of Drinking Water on the 16<sup>th</sup> to work on establishing a watershed plan, water quality and the streams.

Commission Chair Schafer asked if we were out of compliance with our General Plan. Administrator McDonald indicated that there are items that the State requires that are missing from our General Plan such as water integration, and affordable housing. Commission Chair Schafer wants to make sure that we do not stop working on the Land-Use Ordinance. Administrator McDonald mentioned that the General Plan changes should be fairly simple, we can use the local citizen group to help get the changes out to the Public. We can also utilize their survey data that was provided to update the survey piece.

## LEGISLATIVE ITEMS

### 4. Consideration and Approval of a Sign Permit for CED, 11910 S Highway 191, Michelle Eccles, Buds Signs

**Time stamp 2:31:21 (audio)**

County Administrator McDonald presented the staff report and discussed the findings within the Spanish Valley Ordinance regarding sign standards and reviewed the height standards, type and placement of the sign proposed for 11910 S Highway 191. He reviewed Chapter 8 regarding the illumination allowances as well as Chapter 9, distance from Highway 191 being further than 500 feet but it is in the Highway District which allows for wall signs on the buildings. Wall signs are allowed as long as they do not exceed 20% of the face of the building. The building is 100 foot so it meets this requirement. The sign application and placement meets all of the ordinance requirements including coloring of the lettering and the sign.

Motion made by Commissioner Nielson to approve the sign where it meets the ordinance.

Seconded by Commissioner Wilson.

Voting Yea: All in favor. Motion carries.

## BUILDING PERMIT(S) REVIEW

## **5. September Building Permits**

### **Time stamp 2:41:11 (audio)**

Building Official Corey Coleman explained and answered questions regarding the September Building Permits in the County. Commissioner Wilson asked questions regarding several of the Spanish Valley Building Permits.

## **ADJOURNMENT**

### **Time stamp 2:46:56 (audio)**

Motion to adjourn was made by Commissioner Walker.

Seconded by Commissioner Rigg.

Voting Yea: All in favor. Motion carries.



## STAFF REPORT

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**MEETING DATE:** October 9, 2025

**ITEM TITLE, PRESENTER:** Land-Use Ordinance Discussion and Direction. Mack McDonald, Chief Administrative Officer

**RECOMMENDATION:** Provide direction as to the approach to revisions on the Land Use Ordinance

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### SUMMARY

After hearing from the public and receiving varied comments during Planning Commission discussions on separate items. I would like a unified direction provided on next steps with the Land Use Ordinance.

Some comments have included going back to the 2011 Ordinance and including updated legal required language but keeping it simple. During the Ombudsman's Training you learned that not everything has to be in a use table but to create a process if a use needs to be added to a zone. Some had indicated that they like the new definitions section of the 2025 proposed ordinances.

The point of this discussion is to come to consensus on where Staff is supposed to focus on next.

### HISTORY / PAST ACTION

There was an attempt with a new ordinance in 2022 and then again in 2025. Neither made it through Public Hearings for final adoption.



## STAFF REPORT

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**MEETING DATE:** October 9, 2025

**ITEM TITLE, PRESENTER:** General Plan Discussion and Direction. Mack McDonald, Chief Administrative Officer

**RECOMMENDATION:** Provide direction as to the approach to revisions on the General Plan, Land-Use, Section.

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### SUMMARY

I have gone through the Land-Use section of the General Plan and made some suggested updates for your review. I have added those portions that we are legally required to have in our General Plan. The Planning Commission is the body who, like the Land Use Ordinance, provides recommended changes and the overall process for the General Plan. Please review the modifications and come prepared to have an in-depth discussion regarding this section. My changes are not all inclusive. There can be additions added, or items taken away. It is to be primarily driven by the Planning Commission.

### HISTORY / PAST ACTION

The General Plan was last adopted in 2018

## Introduction

County plans in Utah have two land use sections. One, located in the Resource Management Plan element, covers in detail the issues surrounding public lands. Since a majority of the county is under the jurisdiction and ownership of either a federal agency or the Navajo Nation it is essential to have that section of policy and planning separate to cover its unique situation. This section deals with the land the county does have jurisdiction over. This land totals around 404,000 acres or just under 8% of the land mass. This type of land use planning is less focused on resource management, but more development patterns and what shape development will take in the future.

Currently, the county is under significant growth pressure due to the tourism industry. *We see this pressure as positive, as it supports local tourism related industries, but also creates a concern with lucrative over-night accommodations being developed for a transient vacationing population. Typical housing stock, which would have been used for long-term rentals, are no longer available. In addition, as federal decisions that support our mineral extraction industries, the need for affordable workforce housing only continues to increase.*

Areas like Spanish Valley will most likely incorporate *as the area continues to* and experience growth. In anticipation for the growth, *an area specific* special plan has been created for the Spanish Valley - the San Juan County Spanish Valley Area Plan - which was adopted by the County Commission in April, 2018 as an amendment to the General Plan. Others areas of *unincorporated* county land outside of Blanding and Monticello will most likely see *slow to moderate* growth as well since people will want the amenities a nearby city brings and the rural lifestyle of living on unincorporated territory. A large portion of this development is either focused towards resource development, workforce housing or vacation amenities for tourists. The San Juan County Spanish Valley Area Plan and any other future area plans are components of this General Plan.

The thing that will influence the location of development the most in the county is the location of public infrastructure. Some unincorporated areas are already serviced by special service districts. If services are not expanded to remote areas, development will most likely be focused in areas that can reasonably provide *citizens with* ~~them~~ services in the future. *A future annexation plan has been created with Blanding and Monticello in anticipation of this future transition opportunity.*

Spanish Valley is experiencing significant growth pressure, so a separate master plan was developed to make sure that

growth occurred in a deliberate manner *which also incapsulates the approved State Institutional Trust Lands Administration (SITLA) Community Structure Plan*. This master plan will be referenced throughout this plan when Spanish Valley is mentioned, and that plan will be seen as an extension of this document.

The purpose of a land use element is to ensure that development does not occur in a piecemeal fashion without consideration for future impacts. This element ensures that the use of land has been sufficiently studied and conforms to the overall future vision of the county. This is done by defining and categorizing all uses into general categories.

## Public Survey

~~When asked about how important it is to maintain the rural character of the county, residents gave an average response of 4.6 out of 5. Along the same lines, when asked about which topics need the most attention in the county, the first priority was farmland preservation (40.7% of responses). The third priority was land use compatibility and enforcement at 30.1%. When asked about what would be most important to them when moving, residents responded that large lots with space between neighbors would be a second priority, and nearby open space agriculture would be a third at 20.4% an 18.6% of responses respectively. When asked about infill development into existing municipalities instead of expanding outward into open lands, residents indicated a slight preference at 3.7 out of five.~~

*Use the new data from the Community Survey and the Points Housing Survey*

## Land Use Designations

These separate land use designations will be used on the future land use map. Each designation has its own purpose and limitations. These designations are not zoning districts, but are the basis for zoning districts. Many different zoning districts can exist within a single general plan land use designation. The designations to be shown on the Future Land Use Map are as follows:

**Low Density Residential** - The purpose of this designation is to promote and preserve single family large lot pattern. This is normally accompanied by limited keeping of animals and some agricultural practices. Lot sizes in this designation are normally at a minimum 43,560 square feet. Anything below this lot size should be encouraged to locate closer to other municipalities in transition areas. Since uses in this designation are rural in nature and tend to be isolated, services from public utilities are limited or are



## LAND USE

available. Depending on the location, sometimes flexibility can be explored if neighborhood commercial and other opportunities are kept in mind.

**Agriculture** - This designation is for the maintenance and protection of food production and related uses. This also includes agricultural protection areas. Incidental uses to agriculture are allowed as well, such as living quarters, sheds, storage etc.

**Transition Area** - The purpose of this designation is to ensure that development near existing municipalities can transition and annex into the municipality without complication. These areas closely coincide with municipality annexation policy plans. As part of a county development review in these areas, municipalities should be involved in the process, whether through actual review or by the reviewing of existing city plans and ensuring that development conforms to those plans. Some areas within these transition areas are already serviced with municipal utilities and may be able to develop at a higher density than elsewhere in the county.

**Industrial** - This designation is for the manufacturing, assembly, storage, and shipping of raw materials and other activities that support the economic base. Uses should be subject to approval and have no vested rights to develop in an industrial manner. Industrial uses should be regulated in a manner that adequately mitigates any negative externalities caused by the use.

**Commercial** - The purpose of this designation is to provide for economic development, shopping needs, and entertainment of residents. Commercial uses should be separated into different like types. (For example, types that work within a neighborhood and those that work better along a highway). Commercial uses should be clustered together to form commercial nodes and districts that can support each other. Commercial uses should not be allowed to encroach upon residential development.

**Sensitive Lands** - This designation is specifically for lands that cannot be developed for any use due to any natural hazard such as flood plains, erosion, tectonic, or other hazards.

**Multiple Use** - This designation is for land where residential and other uses will be limited. Also to protect land and open space resources; to reduce unreasonable requirements for public utility and service expenditures through uneconomic and unwise dispersal of population; to encourage use of the land, where appropriate, for forestry, grazing, agriculture,

mining, wildlife habitat, and recreation; to avoid excessive damage to watersheds, water pollution, soil erosion, danger from brush land fires, damage to grazing, livestock raising, and to wildlife values; and, to promote the health, safety, convenience, order, prosperity, and general welfare of the inhabitants of the community. **Include Recreational Support zone language**

**Public Lands** - This designation includes any land under the jurisdiction of an entity that is not the county or municipality. This includes, but is not limited to, entities such as the Bureau of Land Management, the Bureau of Reclamation, and The National Park Service. The county does not directly control these lands, but should be included in decisions regarding their use and access.

**Tribal Lands** - This designation is for land that is owned and controlled by the Navajo Nation and other groups. This land is not regulated by the county but can have a direct impact on the county as a whole.

### Future Land Use Map

The main tool provided in the general plan to guide policy decisions in the future is the Future Land Use Map. It is the legal basis for zoning, and takes into account the desired state of the county in the future. It also takes into account restraints such as road access, available water/sewer services, topography, significant habitats, groundwater resources, hazards, and accessibility to emergency services. Within these constraints, the core concept for the county's development directs future growth to areas where existing or planned infrastructure and services can support growth, and to locations within or adjacent to existing communities. The end goal is to produce a sustainable, well-balanced development pattern for the future.

### Anticipated Changes

Demand for workforce housing for individuals will increase, and there will most likely be a desire to locate it in San Juan County. Areas like Spanish Valley will continue to grow. The rural character of the county can be preserved through infill development and the dedication of open space.

The effort to accomplish this will be working with municipalities to annex urbanized unincorporated territory. Adequate places for industrial uses can be identified and located in places that do not conflict with public lands and recreation opportunities. This is essential to make sure that residents of the county have more employment opportunities in professional fields and not just the tourism industry. Industrial uses should locate near existing utilities or pay the way to extend needed services. Public lands and multiple use designated land will change in some form **as development continues**



## LAND USE

evolve. This is being experienced as tourism accommodation has changed adding glamping and different forms of over-night rentals or primitive camping industries come to our county. The single most important factor in growth will most likely be the availability of services. Since the county does not provide services, infill will be encouraged.

### Agricultural and Industrial Protection Areas

State statute requires the county general plans to “identify and consider each agriculture protection area” (17-27a-403(2) (c)). ~~Currently, the~~ county does not have any protection areas that have been registered as of 2025, however, our citizens have requested that processes and ordinances be established to add this element into our land-use ordinance. An agriculture protection area is a section of land that has a protected, vested use of an agriculture, mining, or industrial nature for a period of 20 years. By state statute, a county must appoint an advisory board that reviews requests from private property owners that want to establish a protection area. A final decision is then made by the legislative body, and the Utah Division of Agriculture and Food is notified. The county may establish their own review process and application fees by ordinance. During the 20 year period the land and use is protected from rezoning, eminent domain, nuisance claims, and state development. There are parcels within the county that could qualify as protection areas, and a way to establish and regulate them should be ~~explored~~ enacted and encouraged.

### Economic Considerations

- The effect of a land-use regulation on property values can be positive or negative. Historic land use regulation by the county has not been a hindrance to property values or local economic development opportunities.
- Without a working relationship with federal and state land management agencies, the prevalence and location of public lands in San Juan could negatively impact future land use goals of the County.

### Affordable Housing

According to the 2024 Points Consulting Dwelling on the Future Housing Needs and Strategy it indicated

that Utah’s voters selected “housing affordability” as their top concern in 2024. In San Juan County, housing concerns include not only affordability but also availability. Supply is limited and the region has not experienced any notable housing “booms”. Utah Developers do not perceive an incentive to build in the county, if they can build more profitable development in other areas of the state. On paper, the county is less attractive than other Utah regions due to its lack of growth, stagnant economy, high poverty rates and lack of suitable transportation corridors. Only 40% of households can afford to buy an average-priced home in the county, and in specific areas of the county, this percentage is even lower. Short-term rentals, while encouraged in the county, they have reduced the availability of long-term residential homes in the County. For example, in Spanish Valley, 63% of homes are short-term rentals where in Blanding and La Sal, short-term housing stock is much lower at 3.3% and 5.6% respectively.

Without government assistance, the study points out that the county’s population could decline to around 12,600 by 2040. Overall, the study recommends that the county touch on issues related to zoning and housing density, eligibility to access state funds, additional resources for development, repurposing existing structures, and coordinating with the local tribes for additional housing.

### Water Use and Preservation

In accordance with Utah Code 17-27a-401 the county must develop a water use and preservation element that is integrated into this general plan. This element should include the effects of permitted development on water demand and infrastructure, methods for reducing water demand and per capita consumption for future development, methods for reducing water demand and per capita consumption for existing development and opportunities to modify operations to eliminate or reduce conditions that waste water.

San Juan County is limited in water availability including that of its infrastructure and continues to work with our special service districts throughout the county as well as an emphasis of this general plan encouraging development to take place closer to those cities and towns that have available infrastructure that can be utilized as a form of conservation.

LAND USE

Item 4.



## Land Use Goals & Policies

San Juan County will seek to facilitate orderly and fiscally responsible growth by:

- Supporting the creation of agricultural and industrial protection areas by defining in county ordinances a process of how a private property owner may establish one.
- Using multiple use lands wisely and creating a trails master plan.
- Not permitting development in hazardous areas, such as floodplains and hill sides.
- Encouraging cluster developments to preserve open space and connect to public infrastructure systems.
- Exploring the option of transfers of development rights to protect multiple use lands.
- Working with landowners to obtain conservation easements.
- Requiring residential development to locate within existing communities or within areas where services are provided at a level that will meet the demand of development.
- Work with other governmental agencies to implement the resource management section of this plan.
- Ensuring that commercial developments are located near existing communities and are part of a planned use development or traditional neighborhood.
- 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).
- Industrial uses will only be permitted in locations where incompatible uses are unlikely to encroach upon the industrial use and make it a nuisance.
- Only approve zone changes and development applications that conform to the future land use map of this plan.
- Support the creation of other area plans, like the Spanish Valley plan, when growth pressure begins to mount. (Especially if the location intends to incorporate in the future).
- Participate with entities like the Inland Port and other State and Federal resources to encourage and implement affordable housing projects within the County.



Agricultural

Commercial District

Industrial

Multiple Use

Residential

Tribal Land

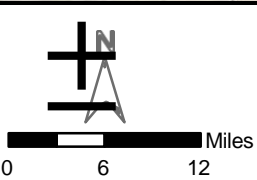
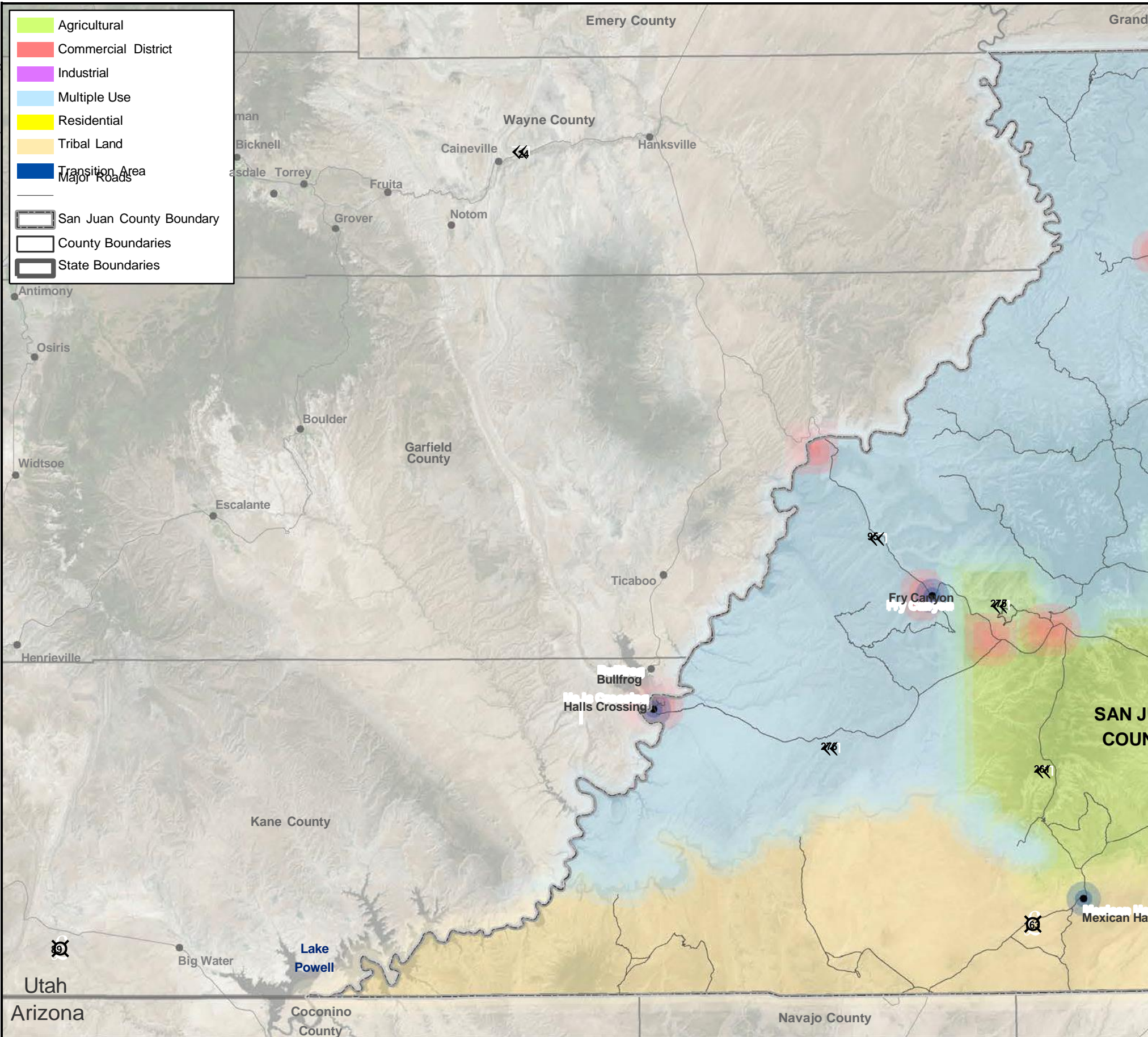
Transition Area

Major Roads

San Juan County Boundary

County Boundaries

State Boundaries



Jones & D  
Engineer

- Shaping the Quality

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## STAFF REPORT

**MEETING DATE:** October 9, 2025

**ITEM TITLE, PRESENTER:** Consideration and Approval of a Planned Unit Development for the Homes at Wilson Arch Development Located on Parcel H and I of the Wilson Arch Resort Community Phase I Amended. Mack McDonald, Chief Administrative Officer.

**RECOMMENDATION:** Make a motion approving the Planned Unit Development proving findings of fact if Short-Term Rentals are in harmony and permitted in the Highway Commercial CDh Zone. Include findings of facts allowing for a density exception in parcel size allowing  $\frac{3}{4}$  and  $\frac{1}{2}$  acres parcels in a subdivision amendment.

### SUMMARY

Developer Curtis Wells has approached the County and has applied for a Planned Unit Development (PUD) for the Homes at Wilson Arch Development to be located on Parcel H and I of the Wilson Arch Resort Community, Phase I Amended properties. The property is located within the Highway Commercial CDh Zone within the Control District. The parcel is within the 1,000 foot area along Highway 191. To permit the proposed development allowing for short-term rentals and a higher density on these parcels, a PUD process allows for exceptions to be approved as long as it meets the overall intentions of the underlying zoning for the property. In order to satisfy the requirements for water service and fire-suppression capabilities, the developer has received a “Will Serve” commitment of water from the Special Service District for this development.

### DISCUSSION

The parcels for this proposed development are within the 1,000 foot boundary from the center of highway 191 placing it within the Control District, specifically the Highway Commercial CDh zone. The original intentions for these two parcels were one parcel as commercial development and the other as housing. All parcels in the subdivision plat are over an acre. In the CDh zone, there is no process or ability to reduce lots sizes. However, under the Planned Unit Development (PUD) Process, there are exceptions that can be approved by the Planning Commission as long as the underlying zoning for those parcels is in compliance in the use.

The 2011 Land Use Ordinance defines a PUD as: “An integrated design for development of residential, commercial or industrial uses, or limited combinations of such uses, in which the density and location regulations of the district in which the development is situated may be varied or waived to allow flexibility and initiative in site and building design and location, in accordance with an approved plan and imposed requirements.”

Chapter 12 provides the details regarding the Controlled Districts.

Chapter 7 provides the details regarding the Planned Unit Development where it states that the purpose is to allow diversification in relationship to various uses and structures...to permit more flexibility in the use of such sites. It is intended to encourage good neighborhood, housing or area design. All in relation to the public health, safety and general welfare.

The chapter has 11 required conditions that must be met.

## **HISTORY / PAST ACTION**

Wilson Arch Subdivision was originally approved back in 1997 as a subdivision containing a mix of commercial and residential uses. These have since been amended over the years. Development on the west side of the highway has commenced at a quicker pace than those parcels on the west side of highway 191. The east side had better water infrastructure allowing for quicker growth. Specifically, in 2007 and 2008, the County provided written approvals for fire flows of 154 gallons per minute as sufficient for fire hydrants within Wilson Arch Resort and approved a minimum water storage requirement of 12,000 gallons.

For over a decade, Developer relied on these approvals by constructing the West Side Water System, selling lots, and connecting those lots to water and septic.

In February 2019, the County changed its position by informing Developer that it would no longer permit any more housing along the west side due to fire-flow requirements and that the fire-flow requirements in fire code requiring that the minimum fire flow be 500 gallons per minutes for two hours for all new houses constructed on the west side of Wilson Arch. The County also added the requirement that if any commercial lots were developed on the West Side, the minimum flow rate would have to be 1,500 gallons per minute for two hours.

In April of 2020, the County paid an engineer to test the west side fire flow, after the developer indicated that the water system was up and operational. The engineer provided a field fire flow test in which the system failed and did not have the fire flow capacity exceeding 500 gallons per minute so we again prohibited additional homes to be permitted.

In March of 2021, I also began working with the developer as he began upgrading the infrastructure there. This also included working with their attorney who agreed to place deed restrictions on the commercial lots at Wilson Arch, requiring anyone who purchased a commercial lot to provide their own water for their development for fire-suppression. This restriction was to be recorded against each commercial parcel and would be acknowledged by anyone purchasing those parcels.

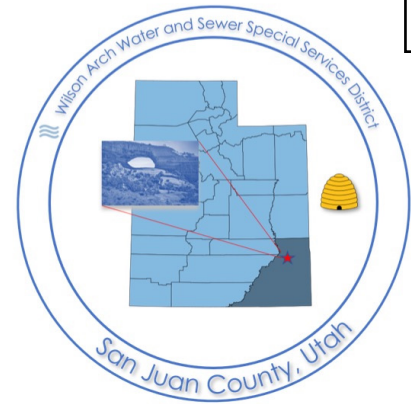
In 2021, the Wilson Arch Special Service District purchased the west side water infrastructure from Wilson Arch Water and Sewer Company, a Utah non-profit corporation, who originally controlled both east and west sides of the infrastructure created initially by the developer.

In 2022, the Special Service District received funding from the State of Utah to implement upgrades to the infrastructure after they performed a feasibility study and a 40 year culinary water systems master plan.



Since that time, construction has commenced on an additional water tank, pumps and piping on the west side. With these upgrades, the Special Service District now has the ability to provide adequate water for fire suppression allowing for the development to come to fruition.

Wilson Arch Water & Sewer Special Service District  
PO Box 97  
La Sal, UT. 84530



May 20, 2025

Dear Ricardo.

Thank you for the updated proposal for developing Lots H & I. The following response is based on the WILSON ARCH WATER AND SEWER SPECIAL SERVICE DISTRICT (WASSD) CULINARY WATER SYSTEM MASTER PLAN of 2022, water source and capacity findings from the Rural Water Association of Utah (RWAU), the mission of Wilson Arch Water & Sewer Special Service District Policies and Procedures, the placement of Well 4, and the placement of Large Underground Wastewater Disposal (LUWD) systems.

#### 1. Master Plan:

“This water system master plan is based on a five-point analysis of the Wilson Arch SSD culinary water system, which includes water right, source capacity, treatment, storage capacity, and distribution in accordance with the State of Utah Rules Governing Public Drinking Water Systems (Rules).” (P. 6, WILSON ARCH WATER AND SEWER SPECIAL SERVICE DISTRICT, CULINARY WATER SYSTEM MASTER PLAN 2022, Wilson Arch, La Sal, UT 94530, July 2022. PREPARED BY: Sunrise Engineering).

#### 2. RWAU-Well Flow


On Saturday, May 17, 2025, RWAU conducted flow studies on the three wells. The findings are the current combined flow rate of wells 1-3 result are 44 gal /min. The Master Plan had calculated a total of 37.5 gpm. Plugging in 44 gpm into the Division of Drinking Water Capacity Calculation Excel sheet, along with the residential and commercial ERC's, gives a source capacity of 68.7%, or a deficit of 20 gpm ( -22.3%). The storage capacity is at 103.7%.

The following factors were used in the calculation: 51 residential ERC's, 63 commercial ERC's, a 15,000 gallon pool, along with all the Utah State Division of Drinking water rules for calculations.

Appendix A of the Master Plan is what the WASSD uses to distribute ERC's.

| East Side Lots         | ERC In use | Allowed First Come | R=Residential<br>C=Commercial |
|------------------------|------------|--------------------|-------------------------------|
| C1                     | 1          |                    | R                             |
| C3                     |            | 1                  | R                             |
| C4                     |            | 1                  | R                             |
| C6                     | 1          |                    | R                             |
| C7                     | 1          |                    | R                             |
| C8                     | 1          |                    | R                             |
| C10                    | 1          |                    | R                             |
| C11                    | 1          |                    | R                             |
| C12                    | 1          |                    | R                             |
| C13                    |            | 1                  | R                             |
| C14                    | 1          |                    | R                             |
| C15                    |            | 1                  | R                             |
| C16                    |            | 1                  | R                             |
| C17                    |            | 1                  | R                             |
| C18                    |            | 1                  | R                             |
| C19                    |            | 1                  | R                             |
| C20                    | 1          |                    | R                             |
| C21                    |            | 1                  | R                             |
| C23                    |            | 1                  | R                             |
| C24                    |            | 1                  | R                             |
| C25                    |            | 1                  | R                             |
| C26                    | 1          |                    | R                             |
| C28                    | 1          |                    | R                             |
| B1                     | 1          |                    | R                             |
| B2                     | 1          |                    | R                             |
| D1                     |            | 1                  | R                             |
| D2                     |            | 1                  | R                             |
| D3                     |            | 1                  | R                             |
| D4                     |            | 1                  | R                             |
| D5                     | 1          | 1                  | R                             |
| D6                     |            | 1                  | R                             |
| ParcelD                |            | 9                  | C                             |
| Total Residential ERCs |            |                    | 32                            |
| Total Commercial ERCs  |            |                    | 9                             |

| West Side Lots         | ERC In use | Allowed First Come | R=Residential<br>C=Commercial |
|------------------------|------------|--------------------|-------------------------------|
| 1                      |            | 1                  | R                             |
| 2                      |            | 1                  | R                             |
| 3                      |            | 1                  | R                             |
| 4                      |            | 1                  | R                             |
| 5                      | 1          |                    | R                             |
| 6                      |            | 1                  | R                             |
| 7                      |            | 1                  | R                             |
| 8                      |            | 1                  | R                             |
| 9                      |            | 1                  | R                             |
| 10                     |            | 1                  | R                             |
| 11                     |            | 1                  | R                             |
| 12                     |            | 1                  | R                             |
| 13                     |            | 1                  | R                             |
| 14                     |            | 1                  | R                             |
| 15                     |            | 1                  | R                             |
| 16                     |            | 1                  | R                             |
| 17                     |            | 1                  | R                             |
| 18                     | 1          |                    | R                             |
| 19                     |            | 1                  | R                             |
| E                      |            | 11                 | C                             |
| F                      |            | 7                  | C                             |
| G                      |            | 9                  | C                             |
| H                      |            | 9                  | C                             |
| I                      |            | 9                  | C                             |
| J                      |            | 7                  | C                             |
| K                      |            | 2                  | C                             |
| L                      |            | 2                  | C                             |
| Total Residential ERCs |            |                    | 19                            |
| Total Commercial ERCs  |            |                    | 56                            |



Lot H is allocated 9 ERC's and Lot I is allocated 9 ERC's for a combined total of 18 ERC's. The recent RWAU findings confirm that the current water system cannot handle more ERC's.

The Developer has the option of how the ERC's will be distributed based on the ERC calculation table provided below. Occupancy rate is not a consideration for these calculations.

# ERC Calculation

Exhibit 1 - ERC calculation factors\*

| Customer Type  | Units                 | ERCs per Unit |
|--|-----------------------|---------------|
| <b>Permanent Residential</b>                                   |                       |               |
| Single Family  | Residence             | 1.00          |
| Multifamily, 2 Bedrooms or Larger or ADU > 700 ft <sup>2</sup> | Unit                  | 1.00          |
| Multifamily, 1 Bedroom or Smaller or ADU < 700 ft <sup>2</sup> | Unit                  | 0.56          |
| <b>Overnight Accommodations</b>                                |                       |               |
| Rental Unit with Kitchen, 2 Bedrooms or Larger                 | Unit                  | 1.20          |
| Rental Unit with Kitchen, 1 Bedroom or Smaller                 | Unit                  | 1.00          |
| Hotel/Motel (No Kitchen)                                       | Unit                  | 0.78          |
| <b>Other</b>   |                       |               |
| Auto Repair  | 1,000 ft <sup>2</sup> | 0.16          |
| Bakery   | 1,000 ft <sup>2</sup> | 0.53          |
| Bank   | 1,000 ft <sup>2</sup> | 0.50          |
| Beauty/Barber Shop   | Chair                 | 0.25          |
| Campground/RV Park   | Site                  | 0.79          |
| Car Wash - Auto  | Each                  | 10.00         |
| Car Wash - Wand  | Wand                  | 5.00          |
| Commercial   | 1,000 ft <sup>2</sup> | 0.15          |
| Dry Cleaner  | 1,000 ft <sup>2</sup> | 0.59          |
| Fast Food  | 1,000 ft <sup>2</sup> | 2.86          |
| Gas Station/Convenience Store                                  | 1,000 ft <sup>2</sup> | 0.28          |
| Grocery Store  | 1,000 ft <sup>2</sup> | 0.32          |
| Laundromat   | Washer                | 0.71          |
| Office   | 1,000 ft <sup>2</sup> | 0.25          |
| Restaurant   | Seat                  | 0.09          |
| Retail   | 1,000 ft <sup>2</sup> | 0.15          |
| Schools  | Students              | 0.07          |
| Theater  | Seat                  | 0.01          |
| Warehouse  | 1,000 ft <sup>2</sup> | 0.11          |

\*ERC determination is made by the GWSSA manager. For instances which are not specifically covered here, this list will be used as a guideline to determine ERCs.

### 3. Mission Statement as found in the WASSD Policies & Procedures:

*Wilson Arch Water and Sewer Special Services District: to provide safe and clean drinking water services, fire protection and Sewer services that meet Utah State and San Juan County standards to the residents of the Wilson Arch Community. Effective as of January 1 2024.*

In adhering to the Mission Statement, all properties have the right to their share of sustainable, clean water.

#### 4. Well 4:

Note that in 2036, the Master Plan predicts the need of a fourth well for source water as there would be a 25.83 gpm deficit. The recent RWAU calculations showed a 20 gpm deficit.

### CULINARY WATER SYSTEM MASTER PLAN 2022 (page 15)

#### 4.3 PROJECTED REQUIRED SOURCE CAPACITY

The total projected number of ERCs of each category is used to calculate the required source capacity. As noted above, it will be assumed that the number of residential ERCs that use secondary water for irrigation purposes will remain at zero through the planning period.

The 20-year projected source capacity requirement is calculated as follows:

##### Projected Required Source Capacity - 20 Yrs

###### Residential Use:

$$\text{Indoor} \quad 51 \text{ ERCs} \times \frac{800 \text{ gpd}}{\text{ERC}} \times \frac{1 \text{ day}}{24 \text{ hr}} \times \frac{1 \text{ hr}}{60 \text{ min.}} = 28.33 \text{ gpm}$$

$$\text{Outdoor (Assume 0\% of New Indoor)} \quad 0 \text{ ERCs} \times \frac{1 \text{ acre}}{3 \text{ ERCs}} \times \frac{3.39 \text{ gpm}}{\text{irr. acre}} = 0.00 \text{ gpm}$$

###### Commercial Use:

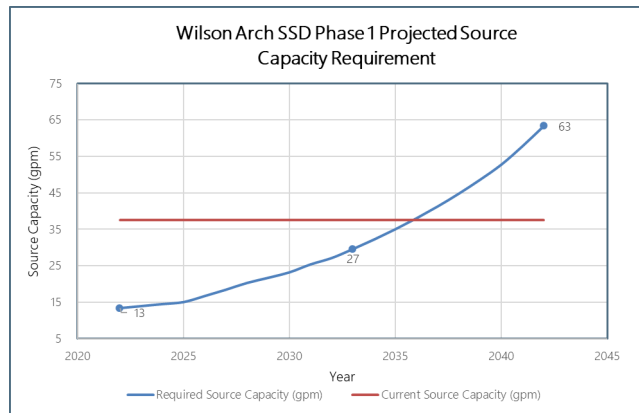
$$\text{Indoor} \quad 63 \text{ ERCs} \times \frac{800 \text{ gpd}}{\text{ERC}} \times \frac{1 \text{ day}}{24 \text{ hr}} \times \frac{1 \text{ hr}}{60 \text{ min.}} = 35.00 \text{ gpm}$$

$$\text{Outdoor (Assume 0\% of ERCs)} \quad 0 \text{ ERCs} \times \frac{1 \text{ acre}}{3 \text{ ERCs}} \times \frac{3.39 \text{ gpm}}{\text{irr. acre}} = 0.00 \text{ gpm}$$

$$\begin{aligned} \text{Total Projected Required Source Capacity} &= 63.33 \text{ gpm} \\ \text{Total Available Source Capacity} &= 37.50 \text{ gpm} \\ \text{Estimated Projected Source Capacity Deficit} &= \underline{\underline{(25.83) \text{ gpm}}} \end{aligned}$$

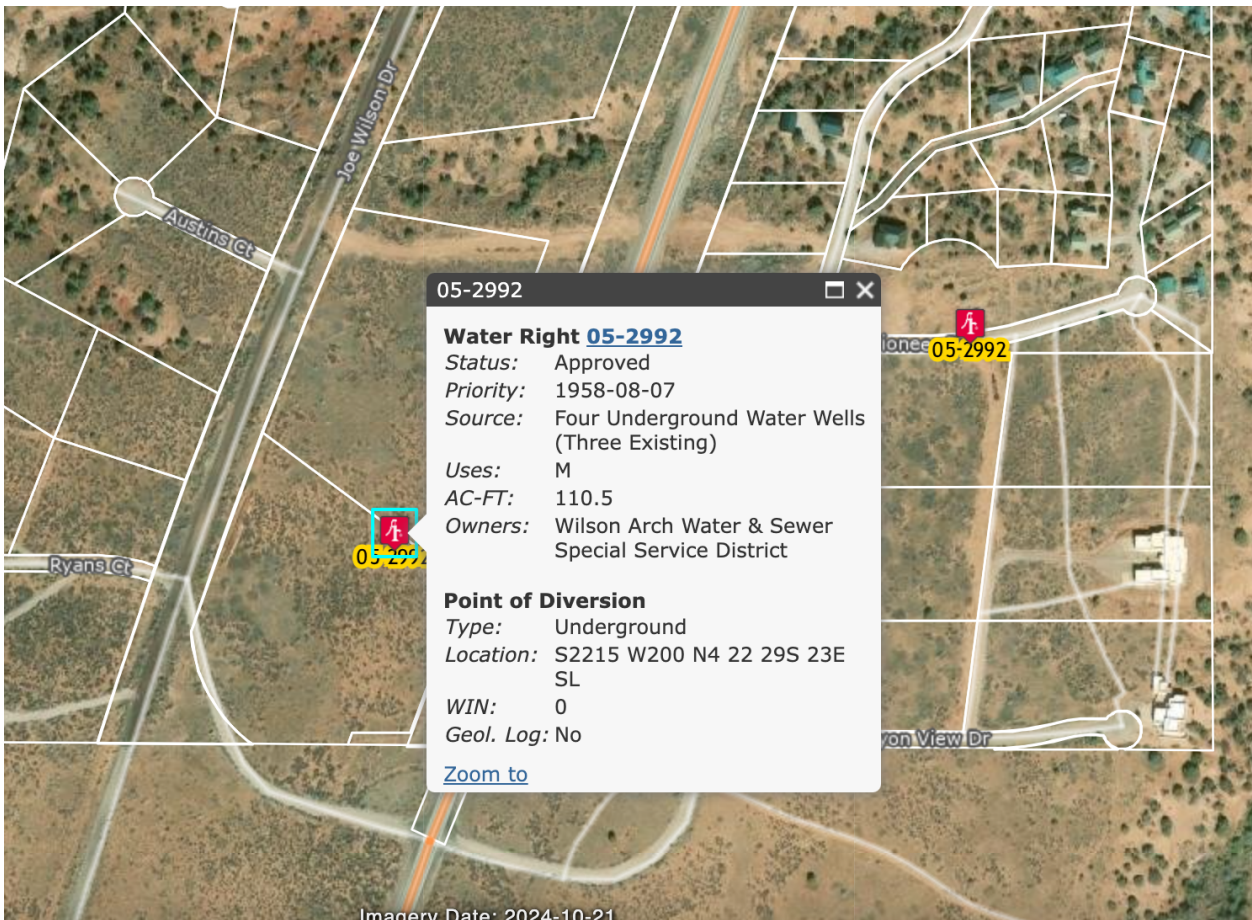
The calculation above shows that Wilson Arch SSD has a 20-year projected source capacity *deficit* of 25.83 gpm. Wilson Arch SSD's projected source capacity requirement over the 20-year planning period is shown below in Figure 4.3.1.

Figure 4.3.1: Projected Source Capacity Requirement



The WASSD has hired an engineering firm to look at possible site relocations. At present, the permit for well 4 is on Lot I. Developing Lot I would have to meet the source protection zones if the well 4 site remains active. This is a work in progress.

<https://maps.waterrights.utah.gov/EsrMap/map.asp?layersToAdd=PodSearch&q=05-2992#>



## 5. LUWD

The placement of the LUWD needs to be addressed from the San Juan County Health Department, the Utah Department of Environmental Quality, and the WASSD water manager. The Phase 1 plat shows the septic field on Lot J. At this time there is a house on Lot J.

Presently, there are some questions to work through. Please let us know how we can be of further assistance.

Eric Linscheid, Chair WASSD.

*Eric Linscheid*





# SAN JUAN COUNTY COMMISS

Item 5.

|                 |               |
|-----------------|---------------|
| Kenneth Maryboy | Chairman      |
| Willie Grayeyes | Vice-Chair    |
| Bruce Adams     | Commissioner  |
| Mack McDonald   | Administrator |

August 28, 2020

Phillip Glaze  
Dawn Howe  
Wilson Arch Water and Sewer Company  
PO Box 906  
Moab, Utah 84532

Dear Mr. Glaze,

First, I want to apologize for taking so long in this review, I appreciate your patience in allowing for a full review of what has transpired in the past.

On November 19, 2019, I received your hydrant flow study and analysis performed on October 26, 2019 indicating a total of 531 Gallons Per Minute (gpm) at the hydrant tested. With these results, you would have met the County's willingness to accept "the same standard for the west-side system as was accepted in 2003 on the east-side system – 500 gpm fire flow for two-hours" as quoted from a letter from the former County Administrator on February 26, 2019 to Mr. Scott Hacking which described what the County was willing to accept for fire flow capacity. This letter also required 1,500 gpm for 2 hours beyond the three additional units added to the development. It does not prevent you from continuing to develop within the allowable 8 dwelling units; it does however prevent you from developing beyond that without bringing the system up to that standard set forth.

In an effort to validate those results, San Juan County contracted with Sunrise Engineering in April of 2020 to perform a fire flow study, using tax payer funds, hoping that we would be able to match the same results achieved by your test. However, the results of that study actually indicated that the system is only capable of 190 gpm and had a difficulty maintaining residual pressure above 5 psi. In fact, the analysis could not determine duration due to the maintenance issues or design of the system where the pumps pressure dropped below zero. You were provided a copy of their analysis on April 29, 2020. The analysis also pointed out that the system fails to comply with "... the requirement of R309-105-9 to maintain a minimum pressure of 20 psi at all point in the system during a fire flow event, actual fire flow available is lower than the 190 gpm measured in the field test."

I reviewed the February 26, 2019 letter from Kelly Pehrson, former County Administrator which stated that the County is willing to allow the west-side system to grow by an additional three (3) homes before the water system which accommodates a total of eight (8) residential units is reached and which time the 500 gpm fire flow for two-hours has to be met. This allowance continues to this day.

Seven months later, on September 23, 2020, the interim County Administrator David Everitt responded to your request for variance following a meeting with yourself, the County Attorney, County Building Official, and County Public Works Director. This meeting was requested by Christina R. Sloan, Esq in her email dated May 10, 2019. David Everitt's letter is a result of that meeting in which the letter indicates the conditions which would need to be met in order to accept the West Side system but gave 2 options of which only one or both had to be met:

1. "Consistent with what is stated in the County's letter to the Utah Department of Environmental Quality (dated February 26, 2019, attached), the County will accept the same design fire flow requirement for the West Side System for future residential development..."
2. "All new development, including residential, must meet the requirements as set forth in the most current version of the International Fire Code for fire sprinkler systems for residential or commercial as appropriate. The CC&Rs for development on the West Side will be modified to include this requirement."



Both letters support one another in the fact that the County will continue to allow development up to the 8 dwelling units at current gpm, which was originally given a variance from the County for 100 gpm by the former County Administrator Rick Bailey, back in 2008. This has allowed the development to continue to develop without harm. To date, there are only 5 dwelling units constructed, this still allows the development to continue up to the maximum 8 dwelling units.

Applied to this reasoning, NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting, ed. 2017, the standard identifies a method of determining the minimum requirements for alternative water supplies for structural fire-fighting in areas determined that adequate and reliable water supply systems for fire-fighting purposes do not otherwise exist. Section A.4.4 allows for a permitted reduction of fire flow for one-and two-family dwellings with a reduction of 50 percent of the required fire flow of 500 gpm where a building is provided with an approved automatic sprinkler system. Hence the allowance for fire sprinklers as a variance from the 500 gpm. This would allow for at 250 gpm development, the minimum legal requirement for fire-fighting purposes.

In that standard, 4.1.3 states, the minimum requirements for water supply shall be subject to increases to compensate for particular conditions such as: 1) Limited fire department resources. 2) Extended fire department response time or distance 3) Potential for delayed discovery of the fire. 4) Limited access. 5) Hazardous vegetation. 6) Structural attachments, such as decks and porches. 7) Unusual terrain. 8) Special uses and unusual occupancies. All of these conditions other than item # 8) exist within this development including the overall fact that this system also provides domestic water at the same time as providing water delivery to the hydrants.

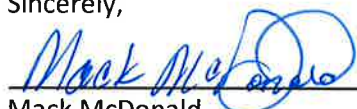
Table 4.6.1 provides the applicable water delivery rates of which we have asked you to meet the standard of 500 gpm for the entire development. Section 4.6.3 states specifically "The minimum water delivery rate shall not be less than 250 gpm". This is a mandatory fire code requirement, a code requirement adopted by both the State of Utah and San Juan County.

From what I ascertain, from the beginning of this development, you have worked with the County and have received allowances to continue with the development up to a point. I cannot find any of these allowances/variances being approved by a Planning Commission or a Board of County Commissioners. The difficulty with these prior allowances, which abled you to move forward with the first phase of homes, is that they should not able the entire future development and existing system to then be transferred into a public system knowing that the system, in its current state, is failing to meet minimum fire-fighting resource requirements.

The current system does not meet fire code and continuing to accommodate additional structures beyond the committed allowable 8 dwelling units, with minimum water delivery and fire flow, would then set precedence for every developer to attempt the same; waive the minimum requirements to a point where the County is pressured to allow it to become a public water system; this in turn would require the tax payers to invest funds in your water system in order to bring it up to the minimum standard legal requirements for a public system and meet legal fire-fighting resource requirements in a rural area.

I continue to standby the decisions of both former County Administrator Kelly Pehrson and that of Interim County Administrator David Everett. This is not a zoning issue, but that of a life-safety and fire code requirement that is being applied. If you do not like this administrative decision, you are more than welcome to appeal this standing to our Administrative Law Judge by contacting the County Attorney, Kendall Laws.

Sincerely,



Mack McDonald  
Chief Administrative Officer

# WILSON ARCH RESORT COMMUNITY

## PHASE I AMENDED

WITHIN SECTIONS 15 & 22, T 29 S, R 23 E, SLB & M, SAN JUAN COUNTY, UTAH

### NOTES:

- JENNAH CIRCLE, JENNAH COURT, AUSTINS COURT, RYANS COURT, BACK OF THE ARCH DRIVE, CANYON VIEW DRIVE, PIONEER DRIVE, AND ROCK VIEW COURT ARE PRIVATE ROADS & OWNERSHIP OF SAME WILL BE VESTED IN THE PROPERTY OWNERS ASSOCIATION FOR THE WILSON ARCH COMMUNITY. CONSTRUCTION AND MAINTENANCE OF THESE PRIVATE ROADS IS THE RESPONSIBILITY OF THE OWNER, PROPERTY OWNERS ASSOCIATION, OR DEVELOPER, NOT SAN JUAN COUNTY.
- PRIVATE ROADS HEREON HAVE A 30 FT. WIDE RIGHT-OF-WAY WITH 70 FT. DIAMETER TURN-AROUNDS. SAID PRIVATE ROADS ARE ALSO UTILITY EASEMENTS IN THEIR ENTIRETY.
- ALL SIDE AND REAR LOT LINES, & LINES NOT COMMON WITH A ROAD RIGHT-OF-WAY, ARE SUBJECT TO A 15.0 FT. WIDE UTILITY EASEMENT. IN THE CASE OF LINES COMMON TO TWO LOTS, THE 15 FT. EASEMENT WILL BE CENTERED ON THE PROPERTY LINE WITH 7.5 FT. ON EITHER SIDE. IN THE CASE OF A LOT LINE ADJOINING OPEN SPACE, THE 15 FT. EASEMENT SHALL BE ENTIRELY ON THE LOT SIDE OF THE LINE.
- LOCATION SHOWN IS PREFERRED HOME LOCATION. VARIATION FROM THIS LOCATION REQUIRES APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE.

### SURVEYORS NARRATIVE

TO DETERMINE THE EXTERIOR BOUNDARIES OF THIS PROPERTY, THIS SURVEYOR USED THOSE METHODS OF SECTIONAL SUBDIVISION AS PRESCRIBED IN THE U.S. B.L.M. MANUAL OF SURVEY INSTRUCTIONS. ALL MONUMENTS NECESSARY FOR SAME WERE FOUND AND USED.

TO DETERMINE THE BOUNDARIES COMMON WITH THE RIGHT-OF-WAY OF U.S. HIGHWAY 191, THIS SURVEYOR LOCATED SEVERAL EXISTING HIGHWAY RIGHT-OF-WAY MONUMENTS. SAME WERE FOUND TO BE IN AGREEMENT WITH RECORDED INFORMATION AND WERE ACCEPTED AS THE RIGHT-OF-WAY LINE/PROPERTY LINE.

THE RIGHT-OF-WAY OF THE OLD HIGHWAY ALIGNMENT, CURRENTLY A 100 FT. WIDE COUNTY ROAD RIGHT-OF-WAY, WAS DETERMINED BY DOING A "BEST FIT" OF THE EXISTING HIGHWAY AND ASSOCIATED RIGHT-OF-WAY FENCES. THE ORIGINAL CONVEYANCE OF THIS RIGHT-OF-WAY CONTAINS ERRORS AND DOES NOT AGREE WITH THE PHYSICAL LOCATION OF THE OLD HIGHWAY.

BEARINGS ARE BASED ON THE WEST LINE OF THE NW1/4 SECTION 22 (BEARING FROM 1902 G.L.O. SURVEY PLAT = N 0° 02' W).

### CURVE SCHEDULE

| CURVE | RADIUS  | LENGTH | TANGENT | CHORD  | BEARING    | DELTA   |
|-------|---------|--------|---------|--------|------------|---------|
| 1     | 10050.0 | 183.3  | 81.6    | 183.3  | S 18°26' W | 010°3'  |
| 2     | 327.3   | 106.9  | 54.0    | 106.5  | N 80°25' E | 18°43'  |
| 3     | 35.0    | 20.5   | 10.5    | 20.2   | N 42°22' E | 33°36'  |
| 4     | 35.0    | 51.6   | 31.8    | 47.1   | N 78°39' E | 89°23'  |
| 5     | 35.0    | 46.2   | 27.1    | 42.9   | S 01°22' W | 75°35'  |
| 6     | 35.0    | 70.7   | 55.7    | 59.3   | N 83°00' W | 115°42' |
| 7     | 357.3   | 116.8  | 58.9    | 116.3  | N 80°24' E | 18°44'  |
| 8     | 10050.0 | 30.0   | 15.0    | 30.0   | S 19°02' W | 06°10'  |
| 9     | 10050.0 | 165.0  | 82.5    | 165.0  | S 19°36' W | 06°56'  |
| 10    | 10050.0 | 170.0  | 85.0    | 170.0  | S 20°33' W | 06°58'  |
| 11    | 10050.0 | 240.0  | 120.0   | 240.0  | S 21°43' W | 01°22'  |
| 12    | 35.0    | 39.5   | 22.2    | 37.5   | N 83°40' E | 64°42'  |
| 13    | 35.0    | 68.2   | 44.5    | 59.7   | N 09°49' E | 108°10' |
| 14    | 35.0    | 56.1   | 36.2    | 50.3   | N 89°43' W | 91°54'  |
| 15    | 35.0    | 27.1   | 14.3    | 26.4   | N 21°36' W | 44°20'  |
| 16    | 10050.0 | 30.1   | 15.0    | 30.1   | S 22°29' W | 06°10'  |
| 17    | 10050.0 | 208.1  | 104.1   | 208.1  | S 23°10' W | 01°11'  |
| 18    | 10050.0 | 21.6   | 10.8    | 21.6   | S 23°48' W | 00°07'  |
| 19    | 35.0    | 43.9   | 25.4    | 41.1   | N 35°16' E | 53°17'  |
| 20    | 35.0    | 94.0   | 59.5    | 88.2   | S 31°34' E | 153°49' |
| 21    | 35.0    | 51.1   | 31.3    | 46.6   | S 86°48' W | 83°34'  |
| 22    | 35.0    | 108.5  | 65.4    | 90.0   | S 41°57' E | 177°35' |
| 23    | 35.0    | 42.9   | 24.6    | 40.2   | S 81°55' W | 70°10'  |
| 24    | 35.0    | 37.6   | 20.8    | 35.8   | N 32°15' W | 61°30'  |
| 25    | 1050.0  | 192.4  | 96.5    | 192.1  | S 29°08' W | 10°30'  |
| 26    | 850.0   | 174.0  | 87.3    | 173.8  | S 29°08' W | 10°30'  |
| 27    | 9950.0  | 92.5   | 46.2    | 92.5   | S 21°37' W | 00°32'  |
| 28    | 9950.0  | 440.0  | 220.1   | 440.0  | S 22°05' W | 02°32'  |
| 29    | 9950.0  | 384.4  | 192.2   | 384.4  | S 22°05' W | 02°32'  |
| 30    | 270.0   | 242.2  | 130.0   | 234.2  | S 28°31' E | 51°24'  |
| 31    | 5106.7  | 1016.0 | 509.7   | 1014.3 | N 15°01' E | 11°24'  |
| 32    | 5986.5  | 1317.3 | 658.6   | 1313.4 | N 15°01' E | 11°24'  |
| 33    | 512.9   | 35.4   | 18.1    | 35.0   | N 82°42' W | 15°07'  |
| 34    | 542.9   | 143.3  | 72.1    | 142.9  | S 82°42' W | 15°07'  |
| 35    | 757.5   | 220.1  | 110.8   | 219.5  | N 81°41' E | 16°39'  |
| 36    | 774.9   | 88.4   | 44.8    | 86.2   | N 85°33' E | 20°18'  |
| 37    | 727.5   | 211.3  | 106.4   | 210.6  | N 81°41' E | 16°39'  |
| 38    | 757.5   | 220.1  | 110.8   | 219.5  | N 81°41' E | 16°39'  |
| 39    | 774.9   | 88.4   | 44.8    | 86.2   | N 85°33' E | 20°18'  |
| 40    | 804.9   | 92.9   | 46.5    | 92.8   | N 12°59' E | 06°33'  |
| 41    | 199.9   | 172.1  | 91.8    | 166.9  | N 34°21' E | 49°20'  |
| 42    | 229.9   | 198.0  | 103.6   | 191.9  | N 34°21' E | 49°20'  |
| 43    | 110.2   | 60.1   | 30.8    | 59.3   | N 43°24' E | 31°14'  |
| 44    | 140.2   | 76.4   | 39.2    | 75.5   | N 43°24' E | 31°14'  |
| 45    | 314.8   | 86.2   | 43.4    | 86.0   | N 35°37' E | 15°42'  |
| 46    | 344.8   | 94.4   | 47.5    | 94.2   | N 35°37' E | 15°42'  |

### LEGEND

- 5/8" IRON BAR WITH PLASTIC CAP SET BY THIS SURVEYOR
- FOUND HIGHWAY RIGHT-OF-WAY MONUMENT (BRASS CAP)
- FOUND BLM ALUMINUM MONUMENT (1996)
- FOUND U.S. G.L.O. STONE MONUMENT
- FOUND B.L.M. R.R. SPIKE (1996) WITH REFERENCE MONUMENTS
- WELL
- CURVE IDENTIFICATION NUMBER. CORRESPONDS WITH CURVE SCHEDULE
- CENTER OF HOMESITE (SEE NOTE #4)

DEDICATED OPEN SPACE

NW CORNER SECTION 22, T 29 S, R 23 E, SLB & M

S 89°57' E

2638.1'

1/4 CORNER TO SECTIONS 15 & 22, T 29 S, R 23 E, SLB & M

FUTURE PHASES

WEST 1/4 CORNER SECTION 22, T 29 S, R 23 E, SLB & M. FOUND SCRIBED STONE 1/4 CORNER. SET 5/8" REBAR WITH PLASTIC CAP AT BASE.

GRAPHIC SCALE



(IN FEET)  
1 inch = 200 ft

### COUNTY SURVEYORS APPROVAL

I HEREBY CERTIFY THAT I HAVE HAD THIS PLAT AND SAID TRACT AS STAKED EXAMINED BY THIS OFFICE AND IT IS CORRECT AND IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

5-29-01 *Timothy M. Keogh*  
DATE

### COUNTY COMMISSION APPROVAL

PRESENTED TO THE *San Juan County Commission*  
THIS *21* DAY OF *May*, A.D. 20*01*. SUBDIVISION WAS ACCEPTED AND APPROVED.

ATTEST *Lynda D. Spivey* *By Lewis*

### HEALTH DEPARTMENT APPROVAL

APPROVED THIS *26* DAY OF *June*, A.D. 20*01*.

*Steve P. Meyer*  
COUNTY HEALTH OFFICIAL

### FILED COUNTY RECORDER NO. 064023

STATE OF UTAH, CO. OF SAN JUAN  
RECORDED AT THE REQUEST OF *Phillip Glaze*  
DATE 07-02-01 TIME 14:31pm BOOK 796 PAGE 513  
FEE \$9.00

0057 *Lewis C. Jones*  
COUNTY RECORDER

### PLANNING COMMISSION APPROVAL

APPROVED THIS *21* DAY OF *May*, A.D. 20*01*, BY THE SAN JUAN COUNTY PLANNING COMMISSION.

*By Lewis*  
CHAIRMAN PLANNING COMMISSION

### APPROVAL AS TO FORM

APPROVED AS TO FORM THIS *21* DAY OF *May*, A.D. 20*01*.

*Phillip C. Glaze*  
SAN JUAN COUNTY ATTORNEY

### SURVEYOR'S CERTIFICATION

I, TIMOTHY M. KEOGH, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF UTAH, AND I FURTHER CERTIFY THAT I AM ONE OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND I HAVE DIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREIN TO BE KNOWN AS AMENDED PLAT OF WILSON ARCH RESORT COMMUNITY, PHASE I, AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BEGINNING AT THE NW CORNER OF SECTION 22, T 29 S, R 23 E, SLB & M, AND PROCEEDING THENCE WITH THE NORTH LINE OF SAID SECTION 22, S 89°57' E, 2638.1 FT. TO THE 1/4 CORNER COMMON TO SECTIONS 15 & 22, THENCE WITH THE CENTER 1/4 LINE OF SECTION 15, N 0°04' E, 1326.8 FT. TO THE CENTER SOUTH 1/16 CORNER SECTION 15, THENCE S 89°57' E, 1318.4 FT. TO THE NE CORNER SW1/4, SE1/4 SAID SECTION 15, THENCE S 0°04' W, 1326.8 FT. TO THE EAST 1/16 CORNER SECTIONS 15 & 22, THENCE S 0°15' E, 2648.7 FT. TO THE CENTER EAST 1/16 CORNER SECTION 22, THENCE N 89°44' W, 3964.9 FT. TO THE WEST 1/4 CORNER SAID SECTION 22, THENCE WITH THE WEST LINE SAID SECTION 22, N 0°02' W, 2633.7 FT. TO THE POINT OF BEGINNING.

LESS: THE RIGHT-OF-WAY FOR U.S. HIGHWAY 191 AND THE OLD HIGHWAY RIGHT-OF-WAY (COUNTY ROAD #179) PASSING THROUGH SAME.

DATE *May 21, 2001*  
TIMOTHY M. KEOGH

PREPARED BY  
**KEOGH LAND SURVEYING**  
45 EAST CENTER STREET  
MOAB, UTAH 84052

DATE: DEC. 18, 2000 DRAWN BY: TWK CHECKED BY: JH TWK

### OWNERS DEDICATION

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

AMENDED PLAT OF  
WILSON ARCH RESORT COMMUNITY, PHASE I

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  
DAY OF *May*, A.D. 20*01*

*Timothy M. Keogh*  
Timothy M. Keogh, Surveyor

### ACKNOWLEDGMENT

STATE OF UTAH  
COUNTY OF *San Juan*

ON THE *21* DAY OF *May*, A.D. 20*01*, I, *Timothy M. Keogh*, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF *San Juan*, IN SAID STATE OF UTAH, THE SIGNER(S) OF THE ABOVE INSTRUMENT, IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT *Timothy M. Keogh* SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES *4-2-06*  
NOTARY PUBLIC  
RESIDING IN *San Juan* COUNTY

E 064023 B 796 P 0513  
Date 2-JUL-2001 14:31pm  
Fees: \$9.00 Check#  
LOUISE C JONES, Recorder  
Filed By WED  
For PHILLIP V GLAZE  
SAN JUAN COUNTY CORPORATION



# Homes at Wilson Arch

High Desert Living at Its Best

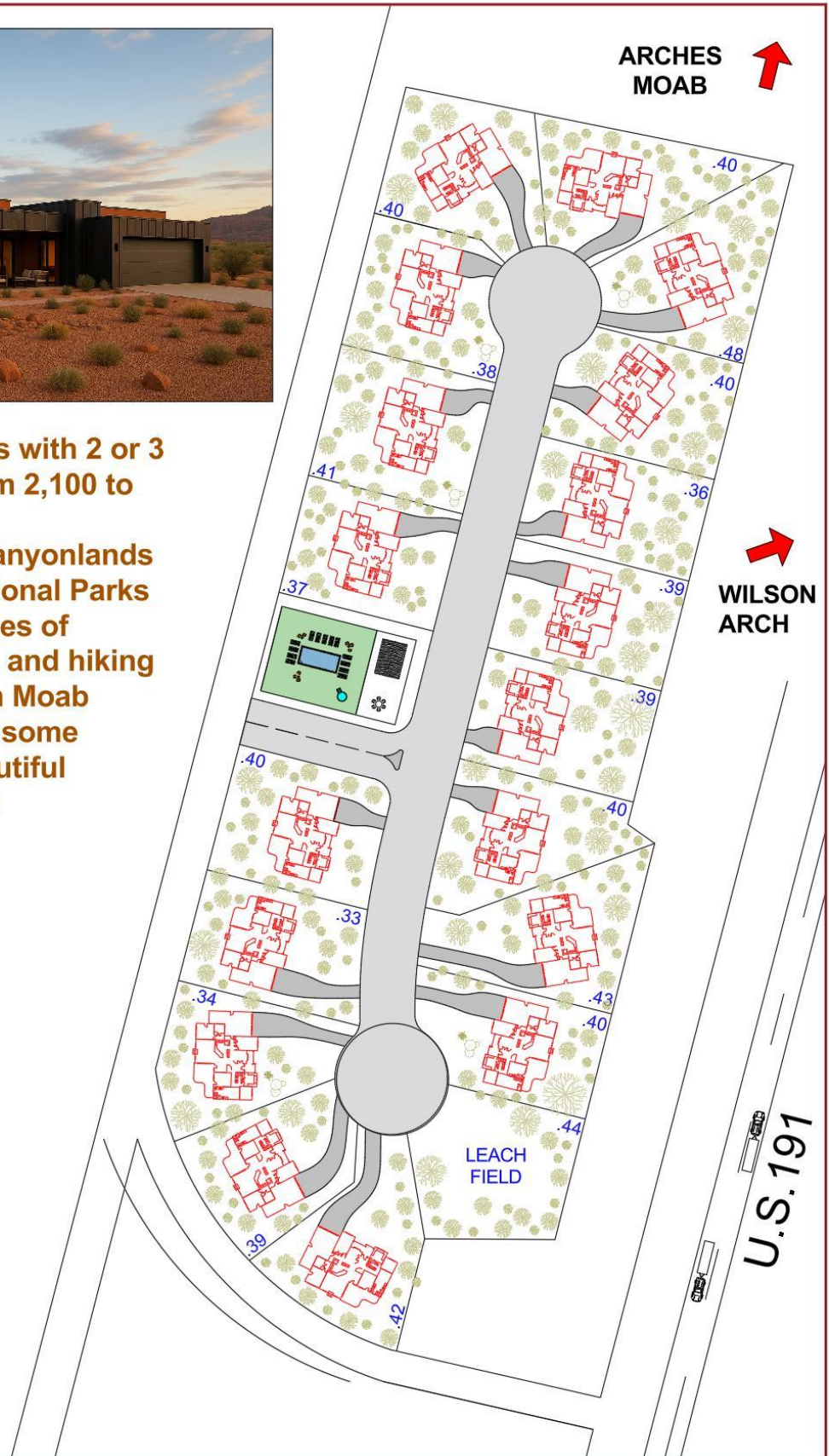


- Spacious homes with 2 or 3 car garages from 2,100 to 3,000 sq ft
- Minutes from Canyonlands and Arches National Parks
- Hundreds of miles of off-road, biking, and hiking
- 25 minutes from Moab
- In the middle of some of the most beautiful landscapes and National Parks in the world
- Pool
- Cabana
- Fire pits
- Grills

← CANYONLANDS



ALL DIMENSIONS ARE TO SCALE



# In your review and interpretation of the map, please note:

- 1) All lots range in size from 1/3 to 1/2 of an acre.
- 2) Lot sizes and layout will be refined during engineering. The lot size is annotated in blue in each lot.
- 3) Setbacks and layout are for illustration purposes. Actual layout, setbacks, and lot sizes will be optimized during engineering and architectural design.
- 4) All landscaping is native vegetation and stone.
- 5) The project is conceived to minimize earth moving and disturbance to the natural environment.
- 6) Road and access may be modified. Both the road and the cul-de-sacs are now larger than perhaps necessary. The returns are now 120 ft in diameter and the road is 64' wide.
- 7) All floor plans are the same for illustration purposes. Other floor plans may be included. Those shown here are 3000 sq ft.
- 8) The image in the brochure is intended to reflect the design intent, colors, and materials. The actual designs will be further engineered and optimized.
- 9) The look and feel of the units will be the same throughout the whole project.
- 10) Orientation of the units will be also optimized to provide the best possible views from each unit as well as for noise, thermal, and aesthetic purposes.
- 11) The leach field location is for illustration purposes. The actual location may change depending on the local characteristics of the soil. Most of the soil exhibits excellent percolation (3-4min/inch in most places) thus allowing for great flexibility in the location of the leach field. Based on the average of these percolation test results it is estimated (including reserve) to be approximately 0.37 ac in size. Its location is annotated on the map.



# Renderings of 3,000 sq. ft. units

Front



Rear





## Permit Report

09/01/2025 - 10/1/2025

| Permit # | Permit Date | Residential or Commercial | Building Address                                   | Building CityStateZip                              | Description  |
|----------|-------------|---------------------------|--|--|--|
| 25110    | 10/1/2025   |                           | 48A Tangren Circle                                 | Moab Utah 84532                                    | Residential  |
| 25109    | 10/1/2025   |                           | 1999 Reservoir Road                                | Blanding, UT 84511                                 | Building and site development for City well equipment                        |
| 25108    | 9/29/2025   |                           | 48 S Deeter Dr.                                    | La Sal, Utah, 84530                                | Primary residence  |
| 25107    | 9/29/2025   |                           | 219 E Mount Peale Dr.                              | Moab, UT 84532                                     | Installation of roof-mounted pv solar panels                                 |
| 25106    | 9/12/2025   | Commercial                | 11910 S Hwy 191                                    | Moab, UT. 84532                                    | New channel letters flush mounted to the wall for business identification    |
| 25105    | 9/10/2025   |                           | 48 S Beeman st                                     | LaSal, Utah 84530                                  | private use electrical service upgrade/electric air handler install for heat |
| 25104    | 9/8/2025    |                           | South of Monticello, UTAH (37.787745, -109.418081) | South of Monticello, UTAH (37.787745, -109.418081) | (6) Eating Shelters  |
| 25103    | 9/2/2025    |                           | 102 E. North Dude Ranch Rd                         | Monticello, UT 84535                               | Garage   |
|          |             |                           |  |  |  |

Total Records: 8

Page: 1 of 1

10/2/2025