



SAN JUAN COUNTY PLANNING COMMISSION MEETING MINUTES
Thursday, October 30, 2019

7:00 PM - Regular Planning Commission Meeting

Attendance:

Planning Commission Members: Cole Cloward
Lloyd Wilson
Mel Nelson
Leah Schrenk
Scoot Flannery, Vice-chair
Trent Schafer, Chair

County Staff: Scott Burton
Mack McDonald

1. **General Business:**

Welcome: At 7:01 p.m. Chairman Trent Schafer called the meeting to order and welcomed those in attendance. He specifically welcomed Leah Schrenk, the newest SJC Planning Commissioner and Mack McDonald the new SJC Administrator.

1.1 Roll Call: Quorum present. Commissioner Steve Deeter was absent.

1.2 Approval of Minutes for September 12, 2019: A MOTION was made by Commissioner Flannery to approve the minutes for the September 12, 2019 meeting. Commissioner Cloward SECONDED the motion. The voting was unanimous. Motion carried.

2. **Public Comment:** The PC received public comments from David Early, Bill Love, Randy Day, Kelly Green, Lowry Redd, Ann Austin, Rene Trout, Marjorie Haun, David Carpenter, Andrea Wilson and Patrick Barry.

3. **Administrative Items:**

3.1 Power permits to undeveloped lots. Staff has a question how the PC wants to approach these permits as they come in and if there needs to be an ordinance governing these. Grand County requires a point of use for such a permit, SJC presently doesn't. The reaction of the PC was mixed and they'd like to discuss it again next month.

3.2 Sharrell Carlson, Proposed RV project. Sharrell Carlson from Spanish Valley wants to develop a RV park in Spanish Valley - six (6) spaces have been there for

roughly fifteen years. He wants to cut his power from the front of his property, which presently services the six (6) spaces to the back of his property. The PC questioned whether they should govern change of power source. His daughter also wants to perhaps put a house on the lot. He wants to use the spaces for family and an RV business. Chairperson Schafer suggested he apply for a conditional use permit for his project.

- 3.3 Hummingbird Nest Project. Hilda Balon, the owner of the project addressed the private road that is presently too narrow for dedication to the county and will be maintained by the residents. Staff reviewed the project and had no comments. A motion was made by A MOTION was made by Commissioner Flannery to approve the Hummingbird Nest plat. Commissioner Wilson SECONDED the motion. The voting was unanimous. Motion carried.
- 3.4 Proposed subdivision: Legacy Fields, Lucas Blake. Surveyor Lucas Blake presented a preliminary plat for a 117 lot subdivision in La Sal on 150 acres. It will be accessed by Markel Lane and Bobbie Lane in La Sal. The lots all exceed 1.0 acre with 1.1 acre being the average lot size. All the lots will likely be serviced by private wells and septic, however, there is the possibility that the lots will be serviced by a community water system. The roads will be dedicated to the county. Staff has only seen the preliminary plat for the subdivision, but Blake also brought a final plat for an 18 lot phase 1. The PC would like to see a topo of the project and was concerned about drainage on the property. The property has attached two (2) water rights that service two (2) wells on the property. According to the developers, they've approached the state and the state water rights people stated that each property owner can seek a well permit to drill a well. However, the developer is also considering a community water system. Commissioner Deeter, who was absent, previously expressed concern about this project and a draw down of the aquifer that most people in La Sal pump their water from. Commissioner Flannery feels like the water issue is a non-issue because its controlled by the state, the proposal meets the zoning for the area, his only concern is the drainage issues.

4. **Presentation:** Contractor Mark Vlastic, Landmark Design presented on the proposed Spanish Valley Ordinances.
5. **Public Hearings:** Chairperson Schafer decided not to open and close each public hearing and stated that he would give each person commenting three (3) minutes of time to comment.

A MOTION was made by Commissioner Cloward to move into the scheduled public hearings concerning the proposed Spanish Valley Ordinances. Commissioner Flannery SECONDED the motion. The voting was unanimous. Motion carried.

- 5.1 Spanish Valley Residential (SVR) District.
- 5.2 Spanish Valley Planned Community (PC) District.

- 5.3 Spanish Valley Residential Flex Planned Community (RF) District.
- 5.4 Spanish Valley Business Flex Planned Community (BF) District.
- 5.5 Spanish Valley Highway Flex Planned Community (HF) District.
- 5.6 Spanish Valley Highway Commercial (HC) District.
- 5.7 Spanish Valley Water Efficient Landscape Requirements.
- 5.8 Spanish Valley Outdoor Lighting and Sign Illumination Requirements.
- 5.9 Spanish Valley Sign and Display Requirements.
- 5.10 Spanish Valley Overnight Accommodations Overlay District Requirements.

The PC received public comments for and against the ordinances from Bill Love, Randy Day, Linda Smurz, Mark Shapiro, Colby Smith, Rene Trout, Amy Weiser, Brittany Elles, Kyle Kimmerlee, Kelly Shumway, Andrea Wilson, Pat Barry, Monet Clark, Anne Austin, David Carpenter,Carolynn Dailey, Kerry Buhanan, and Elise Erler.

The PC discussed what changes need to be made to the text and to the map and how to determine what property want those changes. It was determined that changes needed to be made for consideration at the PCs next meeting on Nov. 14, 2019.

A MOTION was made by Commissioner Wilson to close the scheduled public hearings concerning the proposed Spanish Valley Ordinances. Commissioner Schrenk SECONDED the motion. The voting was unanimous. Motion carried.

- 5.11 Amendment of Chapter 11: Multiple Use, Agricultural, Rural Residential Districts Adoption, specifically Subsection 11-3 of the San Juan County, Utah Zoning Ordinance (2011) to amend the minimum lot sizes in those districts from one-acre to as small as one-quarter acre as compatible with state regulations on water and sewer sources and lot sizes.

A MOTION was made by Commissioner Wilson to move into the above scheduled public hearing. Commissioner Cloward SECONDED the motion. The voting was unanimous. Motion carried.

No public comment was made on the regulation to conform with state regulations. Commissioner Flannery read the proposed ordinance.

A MOTION was made by Commissioner Cloward to close the scheduled public hearings concerning the proposed amendment of Chapter 11: Multiple Use, Agricultural, Rural Residential Districts Adoption, specifically Subsection 11-3 of the San Juan County,

Utah Zoning Ordinance (2011) to amend the minimum lot sizes in those districts from one-acre to as small as one-quarter acre as compatible with state regulations on water and sewer sources and lot sizes. Commissioner Schrenk SECONDED the motion. The voting was unanimous. Motion carried.

- 5.12 Adoption of a new Section 4 of Article II. Planning Requirements for All Zones in San Juan County in the San Juan County Subdivision Ordinance (2016) to create a minor subdivision ordinance permitting developments up to four lots to be exempt from the platting requirements of the subdivision ordinance.

A MOTION was made by Commissioner Flannery to move into the above scheduled public hearing. Commissioner Cloward SECONDED the motion. The voting was unanimous. Motion carried.

A question was posed about platting requirements. With this proposed ordinance staff would review to make sure all county requirements are met. This requirement would pertain to new subdivisions. The PC would like to see some changes to language, especially those pertaining to survey requirements.

A MOTION was made by Commissioner Schrenk to close the scheduled public hearings concerning the proposed adoption of a new Section 4 of Article II. Planning Requirements for All Zones in San Juan County in the San Juan County Subdivision Ordinance (2016) to create a minor subdivision ordinance permitting developments up to four lots to be exempt from the platting requirements of the subdivision ordinance. Commissioner Flannery SECONDED the motion. The voting was unanimous. Motion carried.

6. **Legislative Items:**

- 6.1 - Planning Commission consideration of the Spanish Valley Residential (SVR) District; Spanish Valley Planned Community(PC) District; Spanish Valley Residential Flex Planned Community (RF) District; Spanish Valley Business Flex Planned Community (BF) District; Spanish Valley Highway Flex Planned Community (HF) District; Spanish Valley Highway Commercial (HC) District; Spanish Valley Water Efficient Landscape Requirements; Spanish Valley Outdoor Lighting and Sign Illumination Requirements; Spanish Valley Sign and Display Requirements and Spanish Valley Overnight Accommodations Overlay District Requirements for possible recommendation to the Board of San Juan County Commissioners.

Chairperson Schafer posed the question whether they vote on the ordinances as a block or break them up to vote on them. Commissioner Nelson had questions about residential areas, overnight rentals and grandfathering questions. Mark Vlasic stated that should be looked into but it was outside his scope of work. Commissioner Wilson said he couldn't support the suggested ordinances until all the changes are made. He doesn't favor passing them now and working on amendments later. Commissioner Schrenk doesn't like the split lots

with some landowner's properties split into multiple zones. Commissioner Lloyd listed a lot of properties being used presently as commercial and should be protected as commercial. Chairperson Schafer doesn't favor adopting a poor map now and make changes later. Commissioner Cloward feels that is acceptable. Commissioner Wilson agrees with Commissioner Schafer that now is the time to make the changes - not later in an amendment. Commissioner Flannery questioned why the body was willing to pass a less than perfect set of ordinances last year and move forward making changes as opposed to now when some on the PC are not willing to do so. Chairperson Schafer reiterated that he still favors the original proposed zoning and the original dark skies ordinance.

A MOTION was made by Commissioner Cloward to recommend the proposed Spanish Valley Ordinances 6.1-6.10 to the county commission as written. There was no SECOND. The motion died from lack of a second.

A MOTION was made by Commissioner Wilson to make the necessary changes the map and text of the proposed Spanish Valley Ordinances and bring them back at the next meeting for consideration. Commissioner Nelson SECONDED the motion. Commissioner Flannery raised some his issues with the dark skies, one truck stop restriction, and drainage issues. Commissioner Flannery also asked Mark Vlastic if he got the names and properties of those presently in the commercial zone that want to stay commercial can he make a map that would reflect that. Mark said he could. Mark suggested they as a body approve the Ordinances as is and suggest those changes to the county commission. There was more discussion on how to make changes before the next meeting and how to reach out to landowners to see what they prefer for their properties. Commissioner Schafer once again reiterated that he doesn't support passing the ordinances with an eye on changing them later. Commissioner Flannery asked about Mark's contract and Mark agreed he'd get the changes made if he received them. A vote was taken with four PC commissioners - Schafer, Wilson, Nelson and Schrenk voting for the motion and two PC commissioners - Cloward and Flannery voting against. Motion carried 4-2 for the ayes.

6.11 Amendment of Chapter 11: Multiple Use, Agricultural, Rural Residential Districts Adoption, specifically Subsection 11-3 of the San Juan County, Utah Zoning Ordinance (2011) to amend the minimum lot sizes in those districts from one-acre to as small as one-quarter acre as compatible with state regulations on water and sewer sources and lot sizes.

A MOTION was made by Commissioner Wilson to recommend the reduction of lot sizes ordinances as presented. Commissioner Cloward SECONDED the motion. The voting was unanimous. Motion carried.

6.12 Adoption of a new Section 4 of Article II. Planning Requirements for All Zones in San Juan County in the San Juan County Subdivision Ordinance (2016) to create a minor subdivision ordinance permitting developments up to four lots to be exempt from the platting requirements of the subdivision ordinance.

It was determined that there are some issues with this ordinance and the PC decided to table the matter for more discussion next month.

7. **Building Permit(s) Review:**

7.1 Presentation of building permit list

DISCUSSION

8. **Adjournment.** A MOTION was made by Commissioner Nelson to adjourn. Commissioner Flannery SECONDED the motion. The voting was unanimous. Motion carried. The meeting ended at 10:19 pm.