



PLANNING COMMISSION MEETING
117 South Main Street, Monticello, Utah 84535. Commission Chambers
April 13, 2023 at 6:00 PM

MINUTES

GENERAL BUSINESS

Welcome / Roll Call

Planning Commission Vice Chair Lloyd Wilson called the meeting to order at 6:04 pm.

PRESENT

Commissioner Lloyd Wilson
Commissioner William Johnston
Commissioner Ed Dobson
Commissioner Ann Austin

STAFF

Ben Tomco, Building Inspector
Scott Burton, Planning and Zoning Administrator
Mack McDonald, County Administrator
Mitch Maughan, Deputy County Attorney
Elaine Gizler, Economic Development Director

County Commissioner Silvia Stubbs was also in attendance.

Pledge of Allegiance

The Planning Commission conducted the Pledge of Allegiance

Approval of Minutes

1. Approval of March 9, 2023 Planning Commission Meeting Minutes

The Planning Commissioners reviewed the minutes. PC Commissioner Ann Austin noticed a duplicate section in the minutes.

Motion to approve the minutes with the correction was made by Commissioner Austin,
Seconded by Commissioner Johnston.

Voting Yea: Commissioner Wilson, Commissioner Johnston, Commissioner Dobson,
Commissioner Austin

PUBLIC COMMENT

Time stamp 3:45 (audio)

PC Vice Chair Lloyd Wilson opened the meeting to public comment and the following individuals made comments:

Colby Smith a resident of northern San Juan County shared a study of nightly rentals in Utah with the Planning Commission. He expressed concern about the number of nightly rentals in Spanish Valley in relation to the number of permanent residents.

Holly Sloan a resident of northern San Juan County commented that the Planning Commission is not compelled to approve the Balanced Rock Rezone request. She also commented about the location of the rezone request, and her opinion that the area plan does not support Residential Flex in this location.

Marlene Huckaby a resident of Spanish Valley expressed her opposition to the rezone request for Balanced Rock Resort.

Monette Clark a resident of Spanish Valley expressed her opposition to the rezone request for Balanced Rock Resort.

Andrew Austin a resident of Spanish Valley commented on the rezone request for Balanced Rock Resort, and his opinion that the location of the rezone request is not outlined for Residential Flex in the Spanish Valley Area Plan.

ADMINISTRATIVE ITEMS

2. Consideration and Approval Conditional Use Permit, Indian Canyon Ranch, Joe Toska

Time stamp 17:25 (audio)

Joe Toska presented his application for a small campground as outlined in his application.

PC Vice Chair Lloyd Wilson asked for clarification on location, and questions about fire pits. PC Commissioner Ann Austin asked about total number of people, which Joe explained that each unit can have up to four people.

The PC discussed the following conditions:

- *Must comply with the public water system requirements for water storage and pressure for fire suppression standards*
- *Must comply with any state or federal fire restrictions*
- *Must comply with San Juan County Fire Policy*
- *Must comply with all building permit requirements*
- *Must comply with San Juan County Health Department requirements and Utah State water system requirements.*
- *Must meet the Health Department, Fire Department, and Building Department requirements before renting sites*
- *Must dismantle the fire pits except one central fire pit.*

Motion to approve with the above mentioned conditions was made by Commissioner Austin, Seconded by Commissioner Johnston.

Voting Yea: Commissioner Wilson, Commissioner Johnston, Commissioner Dobson, Commissioner Austin

3. Consideration and Approval Conditional Use Permit, Fairview Acres, Alfred Hall

Time stamp 38:16 (audio)

Alfred Hall presented his campground with one camp site as outlined in his application.

The PC discussed his campground and the following conditions.

- *Must comply with the public water system requirements for water storage and pressure for fire suppression standards*
- *Must comply with any state or federal fire restrictions*
- *Must comply with San Juan County Fire Policy*
- *Must comply with all building permit requirements*
- *Must comply with San Juan County Health Department requirements and Utah State water system requirements.*
- *Must meet the Health Department, Fire Department, and Building Department requirements before renting the campsite.*
- *Must comply with the San Juan County Business License requirements*

Motion to approve the application with the above conditions was made by Commissioner Austin, Seconded by Commissioner Johnston.

Voting Yea: Commissioner Wilson, Commissioner Johnston, Commissioner Dobson, Commissioner Austin

LEGISLATIVE ITEMS

4. Consideration and Recommendation, Balanced Rock Resort Rezone Application, Jim Schnepel, Gardner Plumb LLC

Time stamp 51:54 (audio)

Jim Schnepel with Gardner Plumb LLC addressed several items that were brought up during the public hearing and the public comments made in regards to the rezone request.

Several items were addressed in the presentation including: the area plan description of flex zones, the number of units, road access and connectivity, and affordable housing. Jim expressed their desire to work with the county to establish the best plan for the development.

The PC had a lengthy discussion about these items.

After some discussion, PC Commission Vice Chair Lloyd Wilson asked for clarification whether this was just a rezone request or the first step of the Planned Community approval

process. Planning and Zoning Administrator Scott Burton explained that the first step of the PC zone plan approval is a rezone, however if the Planning Commission would like to consider them separate they would need to be clear what they are recommending in the motion.

Planning Commissioner Ann Austin asked several questions about the impact of the development on the Spanish Valley, and asked for some clarification from San Juan County Economic Development Director Elaine Gizler for her opinion about the economic impact of this type of development.

Elaine commented about the benefit of a planned community approach to development and nightly rentals rather than a half hazard approach that is currently happening. She commented about the increase of costs and the increase of taxes to the residents to pay for it. She explained that Transient Room Tax (TRT) is the fastest way for the county to grow our revenue.

PC Commissioner William Johnston expressed support for the development if they will pay for the roads, and also expressed support for good planned development.

Planning Commissioner Cody Nielson arrived during the discussion of this item at 7:34 pm.

The PC continued to discuss the collection and distribution of TRT with Elaine, and the need for a growth of TRT in the county.

PC Commissioner Cody Nielson commented that this property was half in Spanish Valley Residential (SVR) and half in Planned Community (PC) with the original map in 2019.

PC Commission Vice Chair Lloyd Wilson expressed support for the development if they upgrade the road infrastructure to handle the potential increase in traffic.

PC Commissioner Cody Nielson expressed support for the development and made a motion to recommend approval of the rezone. PC Commissioner Ann Austin asked to amend the motion to include the Overnight Accommodations overlay.

Neither motion was seconded, and the PC discussed wanting to consider this as an application for a rezone only, not as the first step of the PC Zone Plan.

PC Commissioner Ann Austin asked Mitch Maughan if we were following the county ordinances in recommending the zone change. Mitch mentioned that it is within the Planning Commission's purview to recommend a zone change to the County Commissioners.

Motion to recommend the rezone application only as described above was made by Commissioner Nielson, Seconded by Commissioner Johnston.

PC Commissioner Ann Austin asked about whether this gives the county more control over the development, which was then discussed. PC Commissioner Lloyd Wilson explained that it gives the county the ability to approve this in a planned approach with the PC Zone plan process.

Voting Yea: Commissioner Wilson, Commissioner Johnston, Commissioner Nielson
Voting Nay: Commissioner Dobson, Commissioner Austin

Motion carried with 3 voting yea, 2 voting nay

PC Commissioner Ed Dobson explained that he voted against to show the County Commissioners that the debate was close on this item.

5. Spanish Valley Storm Water Master Plan, Greg Poole, Hansen Allen and Luce Engineers

Time stamp 2:08:18 (audio)

The PC discussed some questions about the enforceability of the storm water plan. They asked about what the plan really means and a lack of understanding of the future impacts that the plan and how it is really enforced by the county.

The PC decided to table the item and asked Planning and Zoning Administrator Scott Burton to seek clarification and bring it back for a future meeting.

BUILDING PERMIT(S) REVIEW

6. Building Permit List

Time stamp 2:21:29

The PC reviewed the building permit list.

ADJOURNMENT

Motion to adjourn was made by Commissioner Nielson, Seconded by Commissioner Johnston.
Voting Yea: Commissioner Wilson, Commissioner Johnston, Commissioner Nielson, Commissioner Dobson, Commissioner Austin

Meeting was adjourned at 8:28 pm