



STAFF REPORT

MEETING DATE: November 14, 2024

ITEM TITLE, PRESENTER: Consideration and Approval of a Conditional Use Application for a Camp Resort to be Located at 158 Tera Drive in Spanish Valley , Daniel Wright

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

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

SUMMARY

In October 2024, Daniel Wright met with Planning Administrator Bushnell to continue the process of a possible Conditional Use Permit to be granted under historical context from an application submitted earlier this year that has been on hold for his property located at 158 Tera Drive in Spanish Valley.

Property:

Parcel: #26S22E357801

Current Zoning:

This parcel is in the Spanish Valley Residential (SVR) District as per 2021 Zoning Map

ORDINANCE SECTIONS

The following Conditional Uses are applicable in association with the Spanish Valley Residential (SVR) zone in Table 1-1:

- Accessory Buildings and Uses
- All other household living uses (5th wheels, trailers, etc.)

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

Possible Conditions to Consider:

- Must coordinate with the Division of Drinking Water and the Spanish Valley Special Service District for water system.
- Must comply with all building code and permit requirements including a fire suppression plan for campsites.
- Must comply with any state or federal fire restrictions.
- Must maintain a 15' wide roadway to property for emergency services access.
- Must comply with San Juan County Health Department requirements and Utah State water system requirements. Including having an engineer design the appropriate waste water systems for the uses.
- Must comply with San Juan County business license requirements.

HISTORY / PAST ACTION

The property was purchased by Wright in April 2019 (prior to the Spanish Valley Ordinance legal adoption). This parcel was historically under Agriculture (A-1) Zone as of the 2011 Ordinance. Within this document it was outlined that “Private park or recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial service uses which are owned by or managed by the recreational facility to which it is accessory” are a Conditional Use within the Agricultural Zone. Under this historical context, there is a 1 acre lot minimum, 25-foot front yard setback, 25-foot rear yard setback, and 15-foot side yard setbacks from the property line to any dwelling or accessory buildings. As it exists, under the historical context the property is not in compliance.

The Spanish Valley Ordinance was legally adopted in September 2019 by the San Juan County Board of Commissioners. This document, with the accompanied maps updated and amended in 2021, holds as our current legal directive. The property is currently designated as Spanish Valley Residential (SVR) which defines that “Accessory Buildings and Uses” and “All other household living uses (5th wheel, trailers, etc.)” as a Conditional Use. Every building and lot must have access to either an approved private street or driveway or alley which provides safe and convenient access for servicing, fire protection and required on-site parking. Each lot must uphold our minimum standards for 75-foot lot width, 25-foot front setback, 20-foot rear yard setback, and 8-foot side yard setbacks. A setback is defined as being unobstructed by any part of a structure from the ground to the sky and measured as the horizontal distance between a property line and the furthestmost projection of the structure. The SVR district also requires a minimum spacing of 16 feet between units.

Please refer to Chapter 1: Spanish Valley Residential (SVR) District of the Spanish Valley Development Ordinances for additional information on the current requirements on the property.

In January 2024 this parcel applied to be subdivided. The process raised questions to the power and water supplies which run on Carlson’s property adjacent to the south. After further investigation, it was revealed that Daniel Wright’s property had been running as a camp park with overnight rental units. Administrator Bushnell met with Wright and others January 23rd, 2024 to discuss plans for expansions to commercial uses on properties and she clarified that the use as an overnight camp park was prohibited within the Spanish Valley Residential Zone.

Wright has been working with the Planning Department for almost a year to resolve the regulations that were put in place after he had established his business. As similar to others in the area, policies and regulations were unclear at the time. Wright has waited for the new ordinance adoption which would once again make this a Conditional Use Permit, if adopted as drafted.