



## STAFF REPORT

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**MEETING DATE:** July 9, 2026

**ITEM TITLE, PRESENTER:** Deer Haven (0006500015B) - Permit # 26046

**RECOMMENDATION:**

**1. Approval Motion:**  
*I move to approve the proposed subdivision amendment based on the findings and conditions of approval, contingent upon satisfactory review and approval by all applicable County departments and affected agencies.*

**2. Denial or Table Motion – Statement of Reasons:**  
*I move to deny the subdivision amendment for the following reasons, as outlined in the Statement of Findings for Substantial Evidence.*

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### Staff Report

The applicants request approval to vacate **Lot 15B** from the Deer Haven Park Subdivision and combine it with their adjoining property located outside the subdivision for future residential use.

During staff's review, questions arose regarding the vacation of lots within a recorded subdivision, existing development agreements, the shared well, and associated water rights. Information provided to the County indicates the shared well is located on the lot proposed for vacation and serves multiple properties within the subdivision.

The Utah Property Rights Ombudsman advised that the land use authority has discretion to approve or deny the request upon finding **good cause** and should protect existing easements, particularly those associated with water service.

Because the proposed vacation may affect shared water rights, legal counsel requested that the applicants provide a written agreement addressing well access, maintenance, operation, and water allocation among the affected property owners. Staff also requested information regarding the intended use of the property following the proposed vacation and any potential effects on the rights and interests of other subdivision property owners.

The applicants provided notice to subdivision property owners, and the County provided notice in accordance with Utah law, allowing affected parties the opportunity to submit comments and participate in the public hearing.

Utah law authorizes subdivision vacations when good cause exists and the required notice has been provided. Questions regarding the shared well, water rights, and existing development agreements remain for the Planning Commission's consideration. Staff has also identified a need for additional policy guidance regarding subdivision vacations involving shared infrastructure and the removal of lots from existing recorded subdivisions.

Staff forwards the application to the Planning Commission for review and recommendation based on the evidence presented, public comment, applicable Utah law, and the San Juan County Subdivision Ordinance.