



PLANNING COMMISSION MEETING

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

July 10, 2025 at 6:00 PM

MEETING MINUTES

GENERAL BUSINESS

Welcome / Roll Call

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

PRESENT:

Chairman Trent Schafer
Commissioner Cody Nielson
Commissioner TC Garcia
Commissioner Melissa Rigg
Commissioner Ann Austin
Planning Administrator Kristen Bushnell
County Deputy Attorney Jens Nielson
County Commissioner Silvia Stubbs

Pledge of Allegiance

Conflict of Interest Disclosure

No conflicts of interest were disclosed at this time.

Approval of Minutes

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

Time Stamp 0:02:30 (audio)

Motion made by Commissioner Rigg to approve the above meeting minutes. Seconded by Commissioner Garcia.

Voting Yea: All in favor. Motion carries.

PUBLIC COMMENT – *Time reserved for public comments. Open comments are not allowed once into Administrative and Legislative agenda items.*

00:05:58 – Opposition to Love’s Travel Stop

- **Dave Ficardi** expressed concerns about hydrocarbon contamination to Pat Creek and called the proposal a “truck stop.”

00:08:13 – Ordinance Language Critique

- **Shannon Brooks** criticized the proposed ordinance, particularly the vague "household pet" definition and incorrect statutory references.

00:11:34 – Continued Concerns on Ordinance Language

- Brooks continued, highlighting inconsistencies in private road and agricultural industry definitions, and the lack of public zoning maps.
- Community called for a pause and revision of the ordinance with clearer definitions and public engagement.
- Concerns about zoning changes favoring urban models over rural community values.

Alternative Solutions & Community Feedback

- Residents proposed Agricultural Protection Areas, revised zoning maps, and alternative truck stop locations.
- A community survey of 236 residents showed overwhelming support for rural preservation, small family businesses, and stronger property rights.

00:16:58 – Truck Stop Impacts

- **Colby Smith** stated that truck stops are not equivalent to automobile service stations and noted potential harms.

00:20:17 – Health & Safety Concerns

- **Susan Carter** cited studies on diesel pollution, noise, crime, and property devaluation.

00:24:57 – Zoning Criticism

- **Zola Hunt** stated the R zone prioritizing residential uses does not apply to unincorporated San Juan County.

00:27:50 – Alternative Site Suggestions

- **Jennifer Widens** questioned site selection and advocated for exploring less intrusive alternatives.

00:31:17 – Homesteading Advocacy

- **Meline Bills** proposed recognizing homesteading under agricultural zoning.

00:34:06 – Community Frustration

- **Dave Goodman** questioned government responsiveness and criticized ignoring public input.

00:41:01 – Ordinance Opposition

- **Pat Kaden Head** urged the commission to maintain current standards, stating, “If it isn't broke, don't fix it.”

00:42:36 – Zoning and Nightly Rentals

- **Alicia Le Fever** discussed spot zoning concerns, (please don't spot zone our community), requested we put ourselves in their shoes, past issues in Moab, and health impacts. 82% of residents want to be residential and not allow nightly rentals. Doesn't want Love's truck stop in the location they are trying to use.

00:46:31 – Freedom & Regional Differences

- **Wesley Hunt** stressed the importance of regional diversity and personal freedom in zoning.

00:49:43 – Agricultural Protection Area Proposal

- **Lynn Martin** proposed implementing an APA ordinance for stability and rural protection.

00:52:35 – Community Survey Results

- **Carol Martin** presented a survey showing overwhelming support for rural values, small businesses, and reduced government regulation.

00:58:21 – Love's Representative Response

- **Kim Van Dike** (Love's Travel Stops) presented revised plans:
 - Moved trucks from residential areas
 - Relocated underground tanks
 - Added detention pond
 - Installed dark-sky compliant lighting

01:02:21 – Economic & Philanthropic Benefits

- Administrator Bushnell described Love's community involvement and potential tax/job benefits.

01:07:25 – Continued Public Opposition

- **Ned Plasson** and others opposed the location due to health, safety, and quality of life concerns including the concern with the increased density from the original proposal and the increase in proposed trucks.

01:10:25 – Public Support

- **Daniel Wright** presented support for the planning, rezone and map efforts. However, he feels that it needs to be scrapped and start over. It seems rushed and changes need to be made.

01:13:20 – Land-Use and Permit Concerns

- **Connor Simmons** has property along Tera Drive. He likes the residential area along Sunny Acres, is proposed to the truck-stop. Tera Drive is allowed to have commercial uses on the west side of the street. Applied for a business license and was denied. He was told to wait until the new ordinance but cannot wait until it is finished. We were told in a meeting in December that the Planning Commission would work with property owners. Since then, the County has taken legal action against us. Will you please work with us, the people.

01:16:29 – Continued Public Opposition

- **Joy Howells** comments regarding the General Plan. Concerned about comments about extreme citizens. We aren't extreme in wanting to protect our property rights, we are not ignorant or unteachable, we just aren't being heard. Will there be public comments regarding the General Plan changes?

01:18:00 – Love's Truck Stop Concerns

- **Holly Sloan** concerned that the staff report and new proposal for 93-95 compared to the 53 automobile parking spaces. The staff report is based on a different proposal, 93 automobile and 53 truck parking spaces. I wanted to point out the difference between what was originally proposed.

01:19:05 – Continued Love's Truck Stop Opposition

- **Monette Clark** I live on Spanish Valley Drive. I have been in opposition of this since the beginning. I do not think this is the highest and best use of this land. I know that a lot of taxes will be received by the County. I don't appreciate being thrown under the bus regarding the cash-cow. Money is not the only objective. Consider the people and the investment of those living here. You have a duty to promote health, safety and welfare. This is the purpose of government. In the past seven years, the County has not listened to us. The Planning Commission needs to research these studies and do their due diligence.

01:22:47 – Continued Loves Truck Stop Opposition

- **Carolyn Dailey** I am the person who started the Northern San Juan Coalition in 2019 to organize my neighbors to oppose the truck stop. We had nearly 100 members. Our group is burned out after years of fighting the truck stop. A truck stop is not a gas station and should not be approved. This was done under the table without following proper procedures. The location is too close to residential neighborhoods and next to a climbing gym with youth. This is a health risk for those living in proximity. The noise that will be generated will also be an issue. This use is unsafe in this area. Planning oversees health and safety, which is one of the primary functions. A truck stop in this location is clearly a violation of this. Do the right thing, finally.

01:26:34 Public Comment Period Closed

ADMINISTRATIVE ITEMS

2. Consideration and Discussion of updates to General Plan “Land Use” Chapter. Kristen Bushnell, Planning Administrator.

Time Stamp 1:28:30 (audio)

Administrator Bushnell explained how the General Plan came about. Administrator Bushnell gave an update on the Land-Use Ordinance changes and history. Recently, the Land-Use Ordinance has been in review and taking comments from citizens and the County Commission for 6 months. Administrator Bushnell explained how she, along with the County, had hosted 5 more workshops with communities, responded to emails and met with people individually.

Administrator Bushnell was interrupted by a member of the audience regarding office hours Commissioner Trent Schaffer commented, “This isn’t for discussion” and Administrator Bushnell warned them they would be excused if they continued at which time the member in the audience told them “go ahead and try”.

Time Stamp 1:28:49 (audio)

Commissioner Schaffer indicates that he would like to call the meeting to an end and asks for a motion. Commissioner Rigg asked Commissioner Schaffer what his thoughts were, in which Commissioner Schaffer indicates that he is “just done, somebody can be in charge” and exits the meeting. No motion was made by the other Commissioners and no second was provided. Commissioner Austin indicates that in light of no second, we will continue the meeting.

Administrator Bushnell takes over the meeting as the Chair, since the Vice-Chair was out fighting fires. Commissioner Rigg indicated that she cannot take over as Chair and Administrator Bushnell asks if Commissioner Rigg would like to take over as Chair in which Commissioner Rigg agrees. Commissioner Austin thanks Commissioner Rigg for taking over as Chair.

Administrator Bushnell indicates that she needs to pause the meeting to make a phone call and announces a 10-minute break. No motion was taken for the brief recess.

During the recess, Planning Commissioners requested that the County Sheriff’s Office be present for the remainder of the meeting.

Time Stamp 1:47:36 (audio)

Commissioner Riggs, now conducting the meeting as Chair, resumes the meeting after the recess and directs Administrator Bushnell to continue with her presentation on this item.

- Administrator Bushnell spoke about the general plan and dates of goals. It was explained how the Council will be moving through the details of the general plan. (Planning Commission will work with the county commissioners and plan review committee. Not in the same meetings.)
- General plan is not a policy – it is a vision.
- Plan Review committee also gave feedback on the plan.
- Plan references are being removed to streamline future unified ordinances.
- Engagement survey was done last summer (2024). No other survey is necessary.
- Administrator Bushnell explained the update process:
 - General Plan update precedes the new Land Use Ordinance.
 - Collaborative chapter-by-chapter review with public input.
 - Public comments are being compiled and integrated.
 - Consultant hired to review language, update survey data, and align documents.

Commissioner Rigg explained to the public regarding the schedule and that as we break these sections up, that is when the public can make comments regarding those specific sections.

Commissioner Austin expressed her concerns with the Planning Commission reviewing and making recommended changes and at the same time the County Board of Commissioners reviewing and making changes. Commissioner Austin thinks that this will only be more confusing. Overall, “I do not want this to be another thing that slows it down from our goal of having it completed by the beginning of the new year, here is a new thing we have to incorporate”.

Commissioner Garcia mentioned that he is fine taking our time in the process. “I really don’t care if it takes until next year. This might take some time, I am cool with that”. I think its worth our time to work on the proposed Ordinance and take as long as it takes”.

Commissioner Nielson agreed. He liked that the Commission had looked at it. They have made comments and recommendations. We have looked at it. There were people that were aware and were informed when it was presented in January. Others that aren’t informed, this gives everyone a chance to review it and feel comfortable with the Ordinance. “I am fine with 6 months, I am fine with 2 years to make as many people as happy as possible, so they can all see some of the beneficial changes”.

Commissioner Austin indicated that the Ordinance is “too bloated” and needs to be reduced in size. “Get it back to closer with what we had”. This Ordinance is too big and is holding people up.

A discussion continued regarding the size of the Ordinance. Commissioner Nielson gave an example where some of the sections, like Subdivisions, is dictated and mandated by the State. Commissioner Austin indicated that as long as it is the big stuff that is needed and not creating “problems” with all the extra language in the Ordinance.

Commissioner Rigg indicated to the Public that the General Plan will go through a Public Hearing Process.

Administrator Bushnell reviewed some of the language that needs to be changed in the General Plan. A concern was expressed by Commissioner Austin regarding eliminating the Spanish

Valley Area Community Plan. Administrator Bushnell highlighted the fact that we had a survey performed prior to 2018 and that we can use the current survey performed back in June to help. Commissioner Garcia recommended that we add the word “rural” in front of residential. Commissioner Rigg asked about the “future land-use map” to make sure that there isn’t something different than our current land-use map. Recreation Support will have to be added. Adjustments will need to be added to include all tribes. Tourism needs to be included to reflect the increased population and infrastructure support.

Commissioner Rigg mentions that where this is going to take an entire overhaul, we should move on. Commissioner Austin mentioned that whatever gets changed in the General Plan cannot contradict where we are going in the Ordinance.

Administrator Bushnell reminded the Commission that we will be working on this for the next couple of months.

3. Review and Discussion of Community Comments and Chapters 1-6 of the 2025 Land Use Ordinance. Kristen Bushnell, Planning Administrator.

Time Stamp 2:30:36 (audio)

Planning Commissioners went through the requested changes for the Use Table. Added uses for:

- Raceways
- Event centers
- Equipment rental & Storage
- Cottage industries
- Junkyards
- Auto sales
- Educational facilities
- Equine services

Definitions and regulation of the following items were discussed:

- Cottage industries
- Event centers
- Junkyards
- Sexually oriented businesses
- Equipment rentals
- Home-based businesses
- Beekeeping

Other zoning concerns in Spanish Valley and areas near Moab were discussed. (Sky Ranch, Air BNB’s Pack Creek, etc. Can’t move backwards but can move forward) People are going to be non-conforming because of what’s been approved all ready. People can’t expand if they are non-conforming. Need for more residential areas as no one is against housing. There are some places we can salvage and some that will need to zone commercial to promote infrastructure growth. This discussion will be saved for next time.

Manufactured Homes Discussion:

- Issues rose regarding minimum home dimensions and accessory dwelling units.

- Recommended to add a line about Manufactured homes being only so wide. It is suggested that this just be deleted.
- Recommended one Manufactured home per acre not per lot.

Debate about continuing vs. tabling discussion; decision made to move forward with additional agenda items.

LEGISLATIVE ITEMS

~~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 the Controlled District Highway Commercial (CDh) Zone. Jens Nielson, San Juan County Deputy Attorney.~~

~~Time Stamp 1:45:00 (audio)~~

~~Attorney Nielson outlined the current standing of the Love's Truck Stop appeals:~~

- ~~• Commission voted to affirm that Love's is a proper land use applicant based on contractual property rights in February 2025.~~
- ~~• Ongoing debate over whether a truck stop qualifies as an automobile service station under the 2011 ordinance.~~
- ~~• Motion stating the use is not permitted and not in harmony and Love's needed a conditional use failed due to lack of a second.~~
- ~~• No consensus was reached; some believed it's a separate land use.~~

~~ALJ Creswell's Interpretation suggested that "automobile service stations have changed their services and support for the traveling customer" to encompass broader needs, potentially including what a modern travel stop offers. However, planning commission members pushed back, stating the 2011 ordinance cannot be reinterpreted to match 2025 needs.~~

~~Motion made by Commissioner Garcia to table the discussion until the next meeting date. Seconded by Commissioner Nielson.~~

~~Voting Yea: All in favor. Motion carries.~~

~~Discussion tabled until the next meeting.~~

BUILDING PERMITS & SUBDIVISION APPLICATIONS REVIEW

5. June & July Building Permits & Subdivision Applications

ADJOURNMENT

Time Stamp 4:54:00 (audio)

Motion made by Commissioner Nielson to adjourn. Seconded by Commissioner Garcia.

Voting Yea: All in favor. Motion carries.