



PLANNING COMMISSION MEETING
117 South Main Street, Monticello, Utah 84535. Commission Chambers
October 09, 2025 at 6:00 PM

MINUTES

GENERAL BUSINESS

Welcome / Roll Call

Planning Commission Vice-Chairman Lloyd Wilson called the meeting to order at 6:00 pm.

PRESENT:

Vice-Chairman Lloyd Wilson
Commissioner TC Garcia
Commissioner Shea Walker
Commissioner Melissa Rigg
Commissioner Ann Austin
County Administrator Mack McDonald
Deputy County Attorney Jens Nielson
Building Official
Southeastern Utah Regional Development Planner Todd Thorne

Pledge of Allegiance

The Planning Commission conducted the Pledge of Allegiance.

Approval of Minutes

1. Approval of Planning Commission Meeting Minutes from August 14, 2025

Time Stamp 0:00:10 (audio)

Commissioner Rigg commented that the August 14th minutes were a little rough, nothing substantively off, but they were more lines of thought and back and forth conversation and the discussions of how you got to what you got to at the end of the day. Commissioner Austin notes that one quote in the minutes kept saying "inappropriate" when it really should have been two words: "in appropriate locations". The incorrect term is found on page 18 of the minutes. The word "inappropriate" is found three times in the document. Commissioner Rigg commented that the text is found on page 18 of the minutes, page 20 of the packet. It is proposed to amend the minutes and approve as amended.

Commissioner Vice-Chairman Wilson noted to fix "Mexican cat" to "Mexican Hat". Commissioner Austin turned the discussion to a mention of someone named "Smith" on page 12. It is noted that Bart Coons prepared the staff report, leading to confusion over the mention of Smith.

Commissioner Walker made a motion is made to approve the minutes from August 14th as amended

Commission Austin Seconded the motion.

Voting Yea: Commissioner TC Garcia, Commissioner Shea Walker, Commissioner Melissa Rigg, Commissioner Ann Austin, Commission Vice-Chairman Lloyd Wilson.

Motion carries.

2. Approval of the planning commission meeting minutes for September 11, 2025

Time Stamp 0:07:29 (audio)

Commissioner Walker made a motion to approve the minutes from September 11, 2025

Commission Rigg Seconded the motion.

Voting Yea: Commissioner TC Garcia, Commissioner Shea Walker, Commissioner Melissa Rigg, Commissioner Ann Austin, Commission Vice-Chairman Lloyd Wilson.

Motion carries.

PUBLIC COMMENT

Time stamp 10:05 (audio)

Marjorie Storland addresses misgivings about a survey her citizens committee conducted earlier this year, the results of which were presented to the county commission in May. The committee included Marjorie, her husband, Shannon and Julia Brooks, Dave and Sarah Goodman, Wes and Solah Hunt, and volunteers from Banding, Eastland, and La Sal.

- The survey targeted the unincorporated areas regarding the 2025 plan.
- The group put in hundreds of hours and approximately \$500 of their own money.
- They used grassroots volunteers to deliver print surveys, asking them to stay in the homes while the surveys were filled out and collect them to prevent duplication or misrepresentation.
- The process took several months, yielding 236 responses.
- Key findings: Residents want the rural definition to be clear as intentional self-reliance with low population or large acreage homesteads, viewing urban areas as having clustered infrastructure, and rejecting the idea of rural land as merely pre-urban.
- Residents also felt a crisis of representation and that communication was a big problem.
- She confirms the full results will be sent through Mack.

She confirms the results will include the questions. The effort was a hard, good faith effort with no cost to the county.

ADMINISTRATIVE ITEMS

3. Land Use Ordinance Discussion and Direction

Time Stamp 0:16:53 (audio)

Administrator McDonald opens the Land Use Ordinance (LUO) discussion. He notes that many people want to fix the General Plan (GP) and LUO in tandem. He asks for clarification on next steps: should they go back to the 2011 ordinance and start over or keep chipping away at the 2025 version?

- He notes the public sentiment is to "keep it simple as possible." The current agenda packet is thicker than the entire 2011 ordinance.
- The 2022 starting point was a modification of 2011 to add legal language, which led to the 2025 version.
- He suggests taking the 2011 LUO, adding legally required sections (state code compliance), adding missing items (glamping, overnight rentals), and keeping the definitions. Commissioner Garcia indicated that he liked the 2025 definitions and thought that was important to keep updated.
- He also suggests developing a process for adding missed uses so that "all things aren't prohibited".
- He suggests carving out the agricultural protection zone into a different standalone ordinance/process. Commissioner Rigg questioned about whether the 2011 LUO is stricter and what would happen to the Spanish Valley (SV) issues under 2011.

Administrator McDonald responds that SV came along in 2019. Incorporating SV into the 2011 ordinance would allow for one countywide ordinance and close discrepancies (e.g., conditional use process).

- The 2025 version "had more regulatory items" and was stricter.
- The 2011 LUO is really easy to apply and utilize. The goal should be a middle ground: simple, easy to apply, but compliant with required State Land Use Code and incorporating the process for overnight rentals.

Commissioner Austin brought up a concern that turning 2011 into 2026 by adding regulations and definitions will just amount to the current 2025 draft. Commissioner Garcia mentioned that 2011, while simple, has led to a "handful of lawsuits or litigation" based on broken processes. Administrator McDonald indicated that many lawsuits stem from the incomplete adoption of the Spanish Valley draft ordinance. Since it was incomplete (like conditional use), people had to revert to 2011. Definitions like accessory dwelling units and overnight rental had to be added in 2024 to curb legal battles.

It is suggested that going from 2011 and adding is easier than taking 2025 and stripping it. The 2011 LUO is criticized as being hard to determine direction from, similar to the incomplete 2019 draft. It shouldn't take five different attorneys to interpret the ordinance.

Direction was provided to take the 2011 ordinance, incorporate the use table and definitions and add the necessary processes. Commission Vice-Chairman indicated that this approach avoids the "never ending circle" of stripping down 2025. The public sentiment is clear: "we do not live in a city. Quit trying to make us live in a city".

The discussion turns to the number of zones, which need consolidation, and how to incorporate Spanish Valley. The suggestion is to treat Spanish Valley the same as everybody else but address mapping later.

Commissioner Rigg added that Agriculture is again highlighted as problematic because the General Plan relates agriculture to food production, while the use table includes uses like a yoga studio. It is noted that this makes the Agriculture zone "Very broad" and essentially multi-use.

Commissioner Austin mentioned that the County Commission wants collaboration and public input on the process, rather than necessarily going through 2025 chapter by chapter. She expresses concern that incorporating Spanish Valley into a countywide ordinance is difficult because SV's development is largely driven by SITLA land. SV is urbanizing (due to sewer and water), and the needs are opposite to the rest of the unincorporated areas that want protection for agricultural land. Commission Vice-Chairman Wilson mentioned comparing it to Grand County's blanket ordinance: Commissioner Walker recommended to keep one county ordinance but have a couple more zones (like multi-use one or two) for the denser populated areas like SV and La Sal to cover specific aspects the rest of the county doesn't need.

Commissioner Rigg asked about the timeline? Administrator McDonald says he needs direction to go forward. The public message in 2025 was "try again".

Commission Vice-Chairman proposed that a blank use table be sent out so board members so they can individually determine appropriate zones for uses before the next meeting to speed up discussion.

Administrator McDonald highlights the 2011 control districts which allow the Planning Commission to approve uses that are "in harmony" with the zone, reducing reliance on a comprehensive use table. Commissioner Austin objects, stating that "in harmony" is subjective and depends on the interests of the current commission members, and they want a black and white process. Commissioner Walker agreed that definitions are critical to help clarify subjective terms like "harmony". It is suggested that instead of trying to predict every future use, new uses should be addressed as they come, and then made part of the law. Commission Vice-Chairman Wilson indicated that standard things (like yoga studios) should be on the use table from the beginning. It is proposed to start with the 2025 use table.

The consensus plan is to mesh 2011 and 2025. The need for transparency is stressed: a working document should be online for the public to see changes in real time, using color coding (like blue for state-required changes, orange for administrative changes).

Summary of Direction: Take definitions and the use table from 2025 and mesh them with the 2011 ordinance, including Spanish Valley. Then, look at mapping (what fits where) later.

Need to bring over necessary regulations from 2025 (roads, ADUs, RVs, manufactured homes, air transportation/airport overlay zone). Commissioner Austin recommended adding the document to a website to show changes as they are made throughout time.

Administrator McDonald confirms the next meeting will bring in draft ideas based on this direction.

Final Homework Clarification: Board members are to take the 2025 use table, blank out the approvals (P's and C's), and assign uses to zones they deem appropriate, or suggest new uses/zones.

The expected result is a few restrictive zones (like SV residential) and two or three less restrictive zones for the rest of the county, ensuring the plan is functional for the entire county.

4. General Plan Discussion and Direction

Time Stamp 0:59:55 (audio)

Administrator McDonald starts the General Plan (GP) discussion, focusing only on the Land Use section, which requires four minimum items by state code (Utah Code provided): 1. Designate long-term goals and proposed location of land uses (housing, business, agriculture, etc.). 2. Statement of projections for population density and building intensity. 3. Coordinate land-use with water use and preservation (a newly added piece). 4. Account for the effect of land-use categories on water demand. Administrator McDonald explains the importance of water integration as a separate section, noting that allowing high density zones could be detrimental if infrastructure or water availability is lacking.

He suggests modifying language on tourism to reflect that it is not necessarily negative, while noting that overnight rentals take away from the affordable housing stock. The general plan aims to focus development closer to municipalities with infrastructure (Monticello and Blanding annexation plans).

He proposes using Marjorie's recent public survey data to replace the outdated 2018 survey data. The Higher Points housing survey indicated that the county faces a risk of population loss if the affordable housing issue is not addressed.

Commissioner Rigg suggests the County consider taxing short-term rentals and offering a credit/incentive for long-term rentals. (Short-term rentals already pay a Transient Room Tax (TRT)). Commissioner Rigg mentioned there should be some type of incentive to promote long-term rentals.

Commissioner Garcia raised that the GP's land use designations (Industrial, Commercial, Multi-use, Agriculture) are confusing because they are not one-to-one with the LUO zones. Consistency is needed. Administrator McDonald points that the GP is meant to be overarching and brief, while the ordinance is the detail and the larger focus is to promote growth into the transitional areas of the Cities and Towns. An emphasis to have density towards those areas that have infrastructure.

Commissioner Rigg indicated that the definition of Agriculture in the GP is inconsistent with what the zoning ordinance (e.g., yoga studios) and we need to make them consistent. Commissioner Austin pointed out that agriculture is shrinking and requires more water availability. Administrator McDonald clarifies that much of the agricultural land in the County is dry farming (non-irrigated). Commissioner Austin asked how much do we protect agricultural lands from being encroached upon by development. Administrator McDonald pointed out that overall, the State is concerned about development consuming agricultural lands and pushes for agriculture protection zones (APZs) and conservation easements. Administrator McDonald pointed out that greenbelt status requires that if the agricultural land is sold and loses its greenbelt status, the county receives funds (5 years of back taxes), which must be placed in an account for agriculture preservation. Commissioner Garzia pointed out that APZs are typically restrictive for 20-25 years.

Administrator McDonald points out that the GP draft needs to incorporate a section on affordable housing and the required water use and preservation piece. Staff decided against hiring a consultant for the GP land use section. They will use the community group for public feedback and Todd (a planner from Southeastern Council of Government, funded by the State) for technical assistance, especially on the substantial water use piece.

Administrator McDonald indicated that Todd is tasked with determining the capacity of every special service district (SSD), creating a future growth model, and integrating this plan with the land use

ordinance. The goal is to avoid over-capacity issues, as seen in Spanish Valley (Hansen study) and Iron County (aquifer depletion). Administrator McDonald indicated that the State expects this water element to be done by the end of December/January. Water availability could dictate where density is placed on the map. In Spanish Valley, despite having the ability to access 5,000 acre-feet of Colorado River water, they are currently limited to 500 shares due to lacking infrastructure. Commissioner Vice-Chairman Wilson noted that the water model does not apply to areas like La Sal with independent, unmetered wells. There may be a future push to get residents off private wells and onto public water systems. The Division of Drinking Water is helping provide checklists and examples (like Garfield and Kane Counties) for the water integration process.

Commissioner Austin asked about the timeline for GP: The Attorneys and Commissioners have prioritized getting the GP done quickly. Administrator McDonald hopes to get Planning Commission feedback in November and start the public process (hearing) in December/January. He notes a conflict: he needs the water use element results before dictating final densities.

The map included in the packet is wrong, showing most of San Juan County as "multiple use".

5. Consideration and Approval of Plan Unit Development (PUD) for the Homes at Wilson Arch Development Located on Parcel H and I of the Wilson Arch Resort Community Phase I Amended with the Highway Commercial CDh Zone.

Time Stamp 1:53:03 (audio)

Administrator McDonald presents the application for a PUD request. The PUD requests short-term rentals and higher density. A will serve commitment was received from the Special Service District (SSD) for 18 Equivalent Residential Connections (ERCs)—9 for H and 9 for I. Overnight rentals typically involve less water consumption than long-term residential use. The original intent (pre-2025) for these lots was Commercial (I) and Multi-family Housing (H). The concept plan shows 18 residential units, a swimming pool, cabana, fire pits, and grills. The developer will need to pursue subdivision approval for the smaller lot sizes (1/3 or 1/2 acre). Highway Commercial permits motels. The key determination is whether short-term rentals are "in harmony" with the commercial zone. Hotels are overnight accommodation, which aligns. The PUD process allows flexibility and exceptions to requirements like lot size, provided the use is allowed within the underlying zone.

Historically, this development faced restrictions due to lack of water and fire protection. The SSD has since invested about \$1.5 million to improve infrastructure, add storage (110,000 gallons), and combine both sides of the development.

Craig Simpson with the Wilson Arch Special Service District was online and spoke to the water availability: The SSD took over 3 years ago and wants to see complete buildout of the 57 lots in Phase 1. Commissioner Rigg indicated that all of the residential is for short-term rentals. Simpson indicated that their primary concern is ensuring enough water and sewage capacity for full buildout (57 families/renters, 24/7). Commission Vice-Chair Wilson asked if there was an HOA there. The commercial lots (including H and I) are allowable for short-term rental/lodging under the CCNRs (since 2007). However, Craig noted the developer told the HOA they would be individual residential lots for permanent residents, which causes concern regarding sustained water use. Commission Vice-Chair pointed out that the feasibility study shows that there is water available. Simpson noted that he does not know if there will be enough water available for full build-out.

Curtis Wells, the Applicant indicated and confirmed the concept plan density conforms to the conservative ERC calculation (18 units) provided by the water district. The HOA prefers this proposal over a higher-density hotel or condo building. This proposal is a more compatible use of lodging. ERC stands for Equivalent Residential Connection. Commission Vice-Chair Wilson clarifies that the higher charge for overnight accommodations (1.2 ERCs/connection) reflects an increase in price, not actual water use. A discussion took place regarding the residential and commercial uses, water and the subdivision itself. Commissioner Austin mentioned a concern about traffic. Commission Vice-Chair Wilson indicated that they would have to work with UDOT on traffic.

Commissioner Rigg expressed concern that every project presented so far has been short-term rental/market-rate housing and not affordable housing, which is needed given the county's low affordability rates (only 40% of households can afford average priced homes). Curtis replies that this land is Highway Commercial and was intended for revenue-generating lodging, not affordable housing.

Lloyd Wilson comments that this entire situation speaks to the "brokenness" of the existing 2011 ordinance and Spanish Valley ordinance, forcing decisions in a "gray area". Commissioner Austin mentioned that the community really needs to control the development through CC&R's if they want to protect encroachment.

Craig, from the SSD, reiterates that the Wilson Arch community is a retirement community, not a resort community, focused on community and safety.

Commissioner Walker made a motion to approve the PUD for the fact that it is more in harmony with the uses discussed. He finds that because of the will-serve letter provided and where the developer is working with the community it is in harmony with what their plans are for the area and that the developer will be working through the PUD process for subdivision approval.

Commissioner Garcia seconded the motion.

Voting Yea: Commissioner TC Garcia, Commissioner Shea Walker, Commissioner Melissa Rigg, Commissioner Ann Austin, Commission Vice-Chairman Lloyd Wilson.

The motion carries.

BUILDING PERMIT(S) REVIEW

6. October Building Permits

Time stamp 2:59:06 (audio)

Commissioner Rigg asked about the "eating shelters". The October building permit review is briefly discussed, Corey Coleman discussed six 16x16 eating shelters (pavilions) at Bull Hollow church camp.

ADJOURNMENT

Time stamp 3:00:24 (audio)

Motion to adjourn was made by Commissioner Rigg.

Seconded by Commissioner Walker.

Voting Yea: Commissioner TC Garcia, Commissioner Shea Walker, Commissioner Melissa Rigg, Commissioner Ann Austin, Commission Vice-Chairman Lloyd Wilson.