



STAFF REPORT

MEETING DATE: February 1, 2022

ITEM TITLE, PRESENTER: Consideration and Approval of a Request for Rezone, Monticello Development Company LLC, Scott Burton, San Juan County Planning and Zoning Administrator

RECOMMENDATION: Consideration

SUMMARY

Land History:

In 2007 The Ranches at Elk Meadows Subdivision was created and subsequently amended. The original plat included 126 lots on 661.49 acres. The 2007 amendment plat reduced the number of lots to 67 but increased the acreage to 751.61 acres. (See the attached plats for both the original and amended plats from 2007). Since the creation of the subdivision, roads have been cleared, and some water infrastructure has also been installed.

Regulation History:

The Zoning Ordinance was amended in 2011 which resulted in an Agriculture District and a Rural Residential District that essentially list the same permitted and conditional land uses. (See attached Chapter 11 of the Zoning Ordinance).

The Zoning Ordinance was also amended in 2019 to allow lot sizes as small as ¼ acre for all zoning districts with water and sewer approval by the County Board of Health. (See attached 2019 amendment)

Neighboring property status:

The Elk Meadows development is a separate development of residential parcels located just to the south of The Ranches at Elk Meadows Subdivision. Elk Meadows includes several built out gravel roads and homes in a residential development. Currently much of the property in the Ranches at Elk Meadows subdivision and surrounding land to the East and North is leased for cattle grazing.

Current Request:

Monticello Development Company LLC has requested to rezone 18.69 acres in the Ranches at Elk Meadows Subdivision from the A-1 zone to the RR-1 Zone. The developer is requesting the rezone based on discussions with the Planning Commission, that the zoning reflect the residential nature of the subdivision. The Monticello Development Company has also requested an amendment to the subdivision that would create 8 lots that range in size from just under 1/3 acre lots to just over ¾ acre lots, (see attached amendment plat) The smaller lot size allowed because of the 2019 amendment to the zoning allowing lot sizes down to ¼ acre lots in all county zones with approval of onsite waste water systems referenced above. The proposed subdivision amendment is what led to the suggestion by the Planning Commission that the property be rezoned to reflect its actual residential use.

Bearing in mind the above history the Board of County Commissioners should consider the following:

1. Clustering of housing which allows for fewer wells and smaller infrastructure requirements for roads, and better protects the water table.
2. If his proposal proves to be economically successful it will lead to a natural progression of increased housing density in this area, and the already subdivided lots will follow suit.
3. Even if the rezone request is denied, the requested subdivision amendment can still be applied for under the A-1 Zone (see the above regulation history) Approval or denial of the rezone request does not necessarily stop the proposed project from proceeding.
4. The developer has been working with the San Juan County Health Department for approval of septic systems, and final approval will only be given when more detailed plans are provided.
5. Several neighbors to the south have expressed dissatisfaction with development taking place on the land to their north, and they may or may not have made public comment to the Board of County Commissioners with an explanation as to why they oppose the development.
6. Fire risk in this area is considered low to moderate under the Wildfire Risk Assessment by the Utah Department of Natural Resources.
7. Equal treatment of similarly situated land owners in that area.
8. Approvals have already been granted for subdivision to exist and they do exist in the area.

HISTORY/PAST ACTION

At their November meeting, the Planning Commission voted to recommend that the Board of County Commissioners approve the rezone request. See attached minutes from the November 18, 2021 PC Meeting.

At their December meeting, the Planning Commission conditionally approved an amendment plat for property in the boundary of the requested rezone area. The subdivision amendment is only approved with the approval of the rezone request. See attached minutes from the December 9, 2021 PC Meeting.

At the January 18 Board of County Commission Meeting, Commissioner Maryboy asked for the public comment period to remain open for the next two weeks. Comments received before the agenda submission deadline of 12:00 noon on January 27 are attached, any comments received after the deadline will be included as public comments at the meeting.