



# STAFF REPORT

## PLANNING & ZONING DEPARTMENT

### GRAND COUNTY, UTAH

**DATE:** June 16th, 2022  
**TO:** Grand County Commission  
**SUBJECT:** Final Plat of Davis Minor Subdivision

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**PROPERTY OWNERS:** Mark J. Davis & Christine D. Davis

**PROP. OWNER REP:** Mark J. Davis

**PROPERTY ADDRESS:** 2880 Rimrock Road Parcel No. 02-0020-0054  
2880 South Roberts Drive Parcel No. 02-0020-0036

**SIZE OF PROPERTY(S):** 2.4 acres, 2.4 acres

**EXISTING ZONE:** Rural Residential

**EXISTING LAND USE:** Vacant, Single Family Residential

**ADJACENT ZONING AND LAND USE(S):** Rural Residential

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**APPLICATION TYPE:**

Final Plat of Minor Subdivision

**STAFF RECOMMENDATION:** Approve

**APPLICATION PROCEDURE:**

*Decision Type:* Administrative

*Public Notices:* Public Meeting at:  
Planning Commission  
County Commission

Public Hearing at:  
Planning Commission  
County Commission

**ATTACHMENTS**

- Agenda Summary
  - Proposed Resolution
  - Final Plat
  - Drainage Waiver approval
  - Title Report (Available Upon Request)
  - Tax Certificates (Available Upon Request)
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**SUMMARY OF REQUEST**

The applicants are requesting approval of the Final Plat for a 3-lot minor subdivision on two adjacent parcels between Rimrock Road and Roberts Drive.

This submission is a Minor Subdivision Final Plat, processed within Grand County Land Use Code Article 5 Lot Design

Standards, Article 7 Subdivision Standards, and Article 9.3 Minor Subdivisions. The approved application would enlarge Lot 1 located at 2880 Roberts Drive by .40 acres by moving the rear lot line to the east. The application would also subdivide the lot fronting on Rim Rock Rd into two lots (Lot 2 & Lot 3), each measuring 1 acre in size.

### **PROPERTY HISTORY**

The properties have existed as residential lots: one vacant and the other containing one dwelling unit and an accessory structure (detached personal shop).

### **SITE IMPROVEMENTS / ADDITIONS / CHANGES**

The applicant's property(s) are located along County roads that are currently developed to County Standards. Roadway dedications are being recorded on both Rimrock Road and Roberts Drive as a part of this subdivision. A drainage waiver has been approved by the County Engineer and no additional site improvements are required.

### **FINDINGS OF FACT**

#### **Consistency with the General Plan**

1. **FINDING:** The proposed subdivision is in conformance with the 2030 General Plan's Future Land Use Section insofar as providing opportunities for housing and being consistent with the maximum density permitted of the Rural Residential Future Land Use designation. However the application is not consistent with the Future Land Use section in that it does not provide open space, fee-in-lieu or affordable housing.
  - a) **EVIDENCE:** The property is located within the Rural Residential Future Land use designation, which accommodates agriculture and single-family residential uses (1 dwelling unit per acre base density and up to 1.6 dwelling units per acre with a 50% open-space set-aside or fee in lieu and 25% affordable housing units or fee in-lieu).
  - b) **EVIDENCE:** The Final Plat demonstrates a net density of 1.6 units per acre (3 units per 4.8 acres)
  - c) **EVIDENCE:** The Final Plat does not provide open space, fee-in-lieu or an affordable housing proposal.
2. **FINDING:** The project is in conformance with the Ridgeline Protection Area in the 2030 General Plan's Future Land Use Map.
  - a) **EVIDENCE:** The subject parcel is within the Ridgeline Protection Area identified in the 2030 General Plan's Future Land Use Map and as such new structures, buildings, fences, or walls proposed on the subject property shall be located so that they do not visually disrupt ridgelines as seen from specific public roads in Spanish Valley.

#### **Conformance with the Grand County Land Use Code**

1. **FINDING:** The proposed subdivision application qualifies as a minor subdivision
  - a) **EVIDENCE:** The subdivision application meets the criteria for Minor Subdivisions as defined in LUC Section 9.3.1.B. With no public improvements required, an SIA is not necessary.
2. **FINDING:** The proposed subdivision is in conformance with Grand County Land Use Code Article 5 – Lot Design Standards
  - a) **EVIDENCE:** The proposed subdivision will create three lots; each 1 acre or more with the required frontage along existing County Roads.
  - b) **EVIDENCE:** The boundary line adjustment results in Lot 1 containing 2.80 acres, and Lots 2 & 3 containing 1 acre.
3. **FINDING:** The proposed subdivision is in accordance with Land Use Code Article 7 - Subdivision Standards.

- a) **EVIDENCE:** The proposed subdivision provides the required utility easements per section 7.6.3 of the LUC. An existing legally non-conforming shop exists on lot 1 which, if ever destroyed or demolished would be required to be rebuilt outside the PUE area and also meet the sideyard setback requirements at that time.
- a) **EVIDENCE:** The proposed subdivision meets the requirements for drainage per section 7.7.1. of the Land Use Code by way of County Engineer approved Drainage Waiver as described in section II.E.1.
- 4. **FINDING:** The proposed subdivision is in accordance with the Land Use Code Article 9, Administration and Procedure, including Section 9.5 Final Plat.
  - a) **EVIDENCE:** The applicant submitted documents for review and approval per requirements in the LUC Article 9.1.3., Minimum Submission Requirements and Article 9.5.1, Final Plat Submittal Requirements
  - b) **EVIDENCE:** Final Plat application was determined complete on June 10<sup>th</sup>, 2022.
- 5. **FINDING:** The shop existing on Lot 1 within the side yard setback requirements and within the utility easement is legally non-conforming and permitted to remain. Per LUC section 1.10.7 Destruction - If this legally nonconforming structure is destroyed by fire, the elements or other cause, it may not be rebuilt except to conform to the provisions of this LUC.
  - a) **EVIDENCE:** The Grand County Building Department confirmed that this structure's erection occurred prior to September 18th, 1978 and as such, pre-exists the enactment of the Land Use Code and did not require a building permit.

**APPLICATION MATERIALS for APPROVAL**

- Final Plat (Sig)
- Proposed Resolution (Sig)

**Vicinity Map**

