

Town of Castle Valley
ORDINANCE 2019-1

A TEMPORARY LAND USE REGULATION (MORATORIUM) REGARDING THE PROVISIONS OF NON-ROUTINE CONDITIONAL USE PERMITS ORDINANCE 85-3 SECTION 4.10 FOR INCREASING THE NUMBER OF LIVESTOCK ABOVE THE LEVEL PERMITTED IN ORDINANCE 85-3 SECTIONS 4.9-4.9.4

WHEREAS, the residents of the Town of Castle Valley draw their drinking water from the shallow aquifer beneath the Town, and

WHEREAS, the aquifer has been found by the Utah Geologic Survey to be an “unconfined aquifer” that allows surface contaminants to percolate into the ground water, and

WHEREAS, the Federal EPA has declared the Castle Valley aquifer to be a “sole source aquifer” for the residents of the Town of Castle Valley, and

WHEREAS, certain activities involving the use of livestock have the potential to degrade the quality of the aquifer used by the residents of the Town of Castle Valley, and

WHEREAS, the General Plan of the Town of Castle Valley, adopted on March 19, 2014, emphasizes the protection of the quality of the Castle Valley aquifer as the highest priority for the community, and

WHEREAS, the Town of Castle Valley Planning Commission is currently conducting an update to the General Plan and surveys show public interest in limiting current number of allowed livestock and public interest is shown in removing the conditional use permit for extra livestock units, and

WHEREAS, the Town Council and Planning Commission have found the current ordinance to be too broad and unenforceable pertaining to mitigation of potential ground water contamination from livestock operations.

THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE VALLEY, UTAH THAT:

- 1) The Town Council of the Town of Castle Valley finds that there is a compelling, countervailing public interest in enacting a temporary land use regulation limiting any increased number of livestock through the conditional use process.
- 2) For up to a period of six (6) months from the date of the adoption of this ordinance, no new conditional use permit applications increasing the number of livestock above the level permitted in sections 4.9 – 4.9.4 of Ordinance 85-3 will be accepted, processed or approved by the Town of Castle Valley.
- 3) The Town Council of the Town of Castle Valley finds that it is necessary for the health, safety, and welfare of the residents of the Town of Castle Valley to adopt this temporary ordinance to allow the Planning and Land Use Commission to review and recommend modifications or removal of the Conditional Use Permit for extra animal units in the livestock regulations of Ordinance 85-3 Section 4.10. to better protect the Town’s drinking water aquifer.

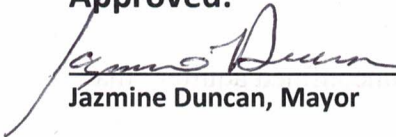
Passed, Adopted and Approved by the Town Council of the Town of Castle Valley, Utah in open session the 23rd of August 2019, by the following vote:

Those Voting Aye: Mayor Duncan, Council Members Hill and Holland

Those voting Nay: None

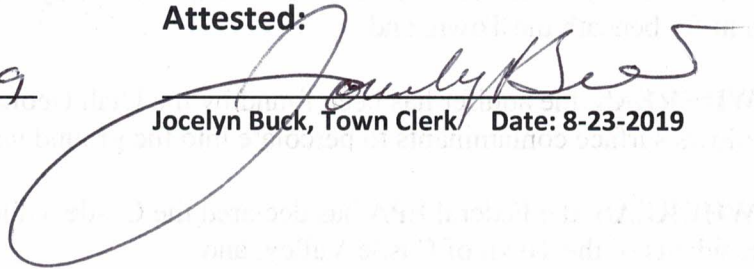
Those Absent: Council Members Drogin and O'Brien

Approved:


Jazmine Duncan, Mayor

8/23/2019
Date: 8-23-2019

Attested:



Jocelyn Buck, Town Clerk/ Date: 8-23-2019