

MEETING MINUTES
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY

Date: Wednesday, May 3, 2023

Time: 6:30 PM

Place: CASTLE VALLEY COMMUNITY CENTER - 2 CASTLE VALLEY DRIVE

Hybrid Meeting Due to COVID-19:

**Due to concerns regarding the potential spread of COVID-19, this meeting will be a hybrid meeting held electronically by Zoom and also in person at the anchor site the Town Building with limited seating. If you have comments or concerns for the PLUC, please attend, email them prior to the meeting to jessicam@castlevalleyutah.com, or call 435-259-9828 M-W 9AM-1PM. Thank you!

PLEASE NOTE HOW TO JOIN BY ZOOM:

Meeting ID: 660 541 0108 Passcode: 84532

Option 1 Dial-in phone number (US): (253) 215-8782 follow prompts.

Option 2 Join the online meeting (must have computer speakers and microphone):

<https://zoom.us/j/6605410108?pwd=Q05sYm5qQ0lpNIY5TVp2bTU5VnZjQT09>

Call to order Regular Meeting, Determination, and Roll Call

Chairman Ryan Anderson called to order the Regular Meeting at 6:35 PM and issues the Hybrid Meeting Determination.

Commission Members Present: Ryan Anderson, Colleen Thompson, Jeff Whitney, Julie Baird, and Marie Hawkins

Clerk: Jessica Maw

Others Present: Jazmine Duncan, Adrian Washington, Linda Pollack-Washington

1. Adoption of Agenda – Whitney moves to adopt the agenda, Baird seconds. Colleen moves to change item 6 to read “Update to language in Definitions: Combined Square Footage...” Motion passes unanimously with change.

2. Open Public Comment - none

3. Approval of Minutes Regular Meeting 2.1.2023 & 3.8.2023 – Whitney moves to approve February 2023 minutes. Baird seconds. Colleen abstains. Motion passes unanimously. Baird moves to approves March 2023 minutes, Baird seconds. Colleen suggests change to BPA report regarding Lot 55. The TDP was *renewed*, not *reviewed*. Motion passes unanimously with changes.

4. Reports -

- Correspondence: None
- Town Council Meeting(s) – Thompson gives updates, included in meeting packet. Regarding public comment given at April regular town meeting, Jazmine suggested PLUC look at the issue of not having anything in the town’s ordinance giving oversight

to clearing of vegetation on neighboring properties. Ryan states PLUC will be looking at it soon. Jeff states the county has guidelines in place already, but points out the town doesn't have a lot of means to help with "disputes? What's the word I'm looking for" while the county has law enforcement. Right now, Castle Valley's ordinance only dictates on a building project that drainage to other lots can't be affected. Marie states the way it's written now is a bit ambiguous and the language could be tightened up. Ryan asks PLUC to review the current ordinance and bring any ideas/suggestions to the next meeting.

- Building Permit Agent Report – Thompson gives updates to March and April, included in meeting packet.
- Administrative & Procedural Matters:
 - Potential Update to Future Town Survey – Ryan asks for comments from PLUC after reviewing 2007, 2014, and 2019 surveys. Marie said it seemed like 2007 was more sophisticated, 2019 was more open ended, 2014 was more multiple choice. She says if we leave it more open ended, people may forget something important to them. Ryan asks if the first section should be "educational" and open ended towards the end.

Jeff asks if "educational" meant directed, because he felt the last survey was directing people towards the answer. Ryan says we should strive to create something that people felt like they had space to leave comments on the questions being asked, elaborating their thoughts. Jazmine elaborates on "education" vs "directed," it could be easy to become biased and still come off as directing. It may be helpful for an unbiased party to write or review the questions. Ryan states the open ended comments were time consuming for him and Colleen to combine and quantify on the last survey.

Julie likes Marie's comment and likes multiple choices with the option to comment. Asking one question a different way could give it different context, which is where multiple choice could be helpful. Marie was pleasantly surprised how many questions became moot over the years, because it showed there's been progress. There will always be perennial questions such as dark skies, water, septic, etc. We should ask questions about how many people are taking advantage of ordinances that have been recently put into place, such as IADUs. Ryan says as PLUC looks these over, we should look at what we keep, what we throw out, what PLUC bring back from past years, and how to organize it. PLUC should look at topics each person may be strongest in formulating questions but come back at the end so the voice of the survey is cohesive.

Ryan would like the bulk of the work to be done outside of PLUC meetings, so the survey isn't being formalized during PLUC meetings, but are being fine-tuned and finished at commission meetings. Marie suggests working with the Town Council on the survey. Jazmine suggests if you are passionate about a certain topic, you should not be the one writing the question but providing your expertise. Colleen says last time the group was broken out into groups of two to rough draft the questions, then came back to the group to refine. FEMA flood insurance

should be included in the survey. Jazmine suggests including a link to additional information on the flood insurance along with the question on the survey as not all pertinent info could possibly be included on the survey. Marie says not everybody uses a computer, so an extra sheet in the survey could be helpful. Ryan and Jazmine suggest leaving the brochure and information in the town building, and still include a link in the survey.

New Business

5. Discussion & Possible Action re: Update to Fee Schedule – Colleen saw we forgot to update the language on item 13, we should remove “livestock in excess of permitted use” as it no longer pertains to the rest of our ordinance. She points out that by state law, any fees the town charges cannot be in excess of administrative costs and other town expenses. Jazmine says procedurally, PLUC would recommend it to the Town Council for approval. Thompson moves to amend the fee schedule item 13 to remove “livestock in excess of permitted use” in order to be consistent with our amended ordinance, and recommend that change to the Town Council. Whitney seconds. Motion passes unanimously.

6. Discussion & Possible Action re: Update to Language in Chapter 1.2 of Ordinance 85-3
Jeff explains: It’s not a cantilever, it’s post and beam structure. Building code doesn’t measure under overhang unless there’s less 52” height under the overhang. That square footage is counted, but it’s counted at a different rate. Building permit fee is rated differently than enclosed residence. It’s called “Open Porch” or “Carport.”

Colleen says this is different from our zoning and how we calculate square footage. The purpose of that measurement in the building code is different than the combined square footage definition in the town’s ordinance, introduced in 2008 in order to protect view sheds. As BPA, she was unsure how to count that space. According to our current language, it wouldn’t be counted. Jeff says we should be measuring eaves, so this space should also be counted. Colleen is requesting for the language in the ordinance to be clarified. Precedent didn’t count that space, but the language seems to indicate it should.

Marie states Colleen was told by Mary Beth it was an oversight in the past that it was not counted.

Jeff suggests Colleen come back with some suggested language for us to discuss. She asks if Jeff would be willing to give input. Jazmine offers to help Colleen with the language as well.

Jeff motions to table this issue, Baird seconds. Motion passes unanimously

Unfinished Business

7. Potential Informational Updates on FEMA Flood Insurance – Jeff states county flood administrator has people call because they’re not able to get flood insurance. Jeff suggests to have town residents call the town so the town could gauge public interest. Jessica mentions there may be some confusion about the payout from FEMA, that when talking about the average payout, it didn’t seem like there was a cap. Maybe it was just an average based on damage done.

Jazmine suggests the town has a public meeting with the NFIP folks joining us so the public can ask questions they may have. Ryan will arrange it and it will be on June's agenda.

8. Potential Update on Dark Sky Application – Don Montoya's talk and public outreach at the trash cleanup are two events that could be added to the Dark Sky application.

Closed Meeting

8. None

Adjournment – Whitney moves to adjourn. Meeting is adjourned at 7:41.

For Meeting Packets go to: <https://www.utah.gov/pmn/index.html>

Government: select "Cities," Entity: select "Castle Valley,"

