

MINUTES
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION

Date: Wednesday, October 7, 2015
Time: 6:30 PM
Place: #2 CV Drive, Castle Valley Community Center

Present: Jocelyn Buck, Mary Beth Fitzburgh, Jen Goff, Marie Hawkins, Bill Rau
Absent: None
Others Present: None

CALL TO ORDER

Rau Called the Meeting to Order at 6:32 P.M.

1. **Open Public Comment** - None
2. **Approval of minutes.**

Regular Meeting of September 2, 2015.

Fitzburgh moved to approve the Minutes of September 2, 2015, as presented. Goff seconded the Motion. Buck, Fitzburgh, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

3. **Reports.**

Correspondence – None.

Town Council Meeting – Fitzburgh.

Fitzburgh reported that the Town Council (TC) unanimously passed the recommended changes to Electrical Ordinance (92-1) with the recommendation that they establish a policy for determining when and where electrical installations should be put within the Town road easements. According to Fitzburgh, she suggested they write the policy as a Town Resolution and also update the road encroachment form to include the policy used by the Town to make their determinations and the procedure to be followed, such as: complete form, obtain private or Town easements, create plan with Rocky Mountain Power (RMP), present to Roads Manager for approval or further negotiation with RMP.

Fitzburgh explained that the review and approval of the Drainage Review later in the Meeting was at the request of the Town to be in compliance with Ordinance 95-6 which requires the Planning and Land Use Commission (PLUC) to approve any changes to existing forms listed in Ordinance 95-6.

Fitzburgh also reported that Mayor Erley expressed concern about the definition in Ordinance 85-3 for a dwelling as “any place you live.” He was concerned this could allow someone to sell the space as a dwelling even though it is not legally considered to be such. She said that she explained that it was necessary to include this aspect in the definition of a dwelling—as either the place lived in or a structure with specifically designed features. She noted that the Town Ordinance requires that any new construction for living space must include these specific features in order to meet current building code.

Hazard Mitigation Committee (HMC)– Rau.

Rau reported that the HMC will hold a Public Hearing on its draft plan at its October 14, 2015, Meeting scheduled for 6:00 P.M. at the Town Building. He encouraged PLUC Members to attend or submit comments to if there was not sufficient time during this PLUC Meeting to address their concerns.



Permit Agent.

Roth reported issuance of a building permit and septic permit for Lot 124 Pace and a Certificate of Occupancy for Lot 246 Miller.

Fitzburgh requested that the Town website, the Building Permit Agent Procedures Document, and the Building Information Sheet be updated to reflect recent changes made in ordinances and procedures. She also asked Roth to ensure that a copy of the amended Electrical Permit approved at the last PLUC Meeting was forwarded to the Town Council.

Procedural Matters.

Fitzburgh asked PLUC Members to think ahead about who will serve as PLUC Chair in 2016.

Rau announced that Goff had notified the Town that she will be moving away from Castle Valley within the next few months and has submitted her resignation from the PLUC. This will be her last Meeting as a PLUC Member. He thanked her for her service to the PLUC, especially noting her role in developing the honey bee protections in the current ordinance. Goff said that Castle Valley's adoption of these protections was the first in the nation, soon followed by adoption in Grand County.

Rau asked Roth to consult with the Town Clerk regarding recruitment of a replacement member. Goff's term expires June 30, 2016.

NEW BUSINESS

4. Discussion and possible action re: feedback on the Draft Hazard Mitigation Plan.

Rau provided a list of proposed risk assessments and mitigation strategies included in the draft HMC plan to address the following identified hazards that the Town potentially faces: fire, flood, severe weather, communications, rockfall, earthquake. He asked for comments from PLUC Members about the impacts on Town ordinances. Rau will present their comments to the HMC. A brief summary of comments follows:

Fire – To reduce vegetative fuel, #9 (firebreaks), #13 (targeted education), #15 (private burns with appropriate education) are more feasible strategies than #2 (blanket enforcement). Confirm that #5 (reduction of fuel around power poles) is responsibly undertaken by RMP. #11 (use of sheep and goats) preferable to #4 (large-scale controlled burns) which seem risky; although use of animal herds have practical implementation hurdles. Continued use of #8 (siren) could be combined with a relay system. Structural inspections outlined in #12 not practical for residential structures.

Flood – Most of the solutions are not cheap. #10 is currently addressed through Hazard Release form and drainage reviews. Further refinement on recommendations of best practices could be considered.

Severe Weather – No comment.

Communication/Power Outages – Contact person for RMP should be closer than Blanding. #6 (MOUs) requires clarification.

Rockfall – There is no current procedure for #2 (hazard information) which allows us to provide information to buyers and renters. Our building permit process provides this information when applicant applies. #5 (rock fall hazard) is currently provided in the above process.

Drought – no comment.

Water Contamination – some support for #9 (resources for cleaning up contamination). Wellhead protection zones about what can happen within a specific radius from a well head could be established by ordinance.

Earthquake – no specific comment.

5. **Discussion and possible action re: Amendments to the Town Drainage Review form.**

PLUC Members discussed amendments to this form by the Roads Committee and current procedure which addresses changes to drainages that might affect the Town roads or neighboring properties. Current policy states that no change can be made to a drainage that affects the exit point on the property and the form ensures that this policy is implemented. The Roads Committee would like to add a disclaimer that approval of the form does not guarantee or warrant "that the property will be protected from storm or flood waters entering the property."

Fitzburgh moved to approve changes to the Drainage Review form as presented. Buck seconded the Motion. Buck, Fitzburgh, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

Fitzburgh asked Roth to send a note to the Town Council that the changes were approved.

5. **Discussion re: upcoming conditional use permit (CUP) and business license renewals.**

PLUC Members edited the CUP renewal letter and form to reflect current state law on issuance of business licenses. Roth will prepare renewal letters for mailing on October 16. Returns will be requested by November 20, 2015. A preliminary review of renewal applicants is scheduled for the November 4, 2015, PLUC Meeting and recommendations for approval to the Town Council is scheduled for December 2, 2015.

UNFINISHED

6. **Discussion re: future amendments to Ordinance 85-3 (tabled).**

7. **Discussion and possible action re: regulations for solar panels, windmills, and other alternative energy structures (tabled).**

8. **Closed Meeting (if needed).**

ADJOURNMENT

Hawkins moved to adjourn the Meeting. Fitzburgh seconded the Motion. Buck, Fitzburgh, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

Rau adjourned the Meeting at 8:12 P.M.

APPROVED:

ATTESTED:

Bill Rau, Chairperson

Date

Faylene Roth, PLUC Clerk

Date