

**MINUTES**  
**REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION**

Date: Wednesday, February 5, 2014  
Time: 6:30 PM  
Place: #2 CV Drive, Castle Valley Community Center

Members Present: Laura Cameron, Jennifer Goff, Marie Hawkins, Bill Rau  
Absent: Mary Beth Fitzburgh  
Others Present: None  
Clerk/Recorder: Faylene Roth

**REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION**

CALL TO ORDER

Cameron called the Meeting to Order at 6:32 P.M.

1. Open Public Comment.

None.

APPROVAL OF MINUTES

2. Regular Meeting January 15, 2014.

Rau moved to approve the Minutes from the Meeting of January 15, 2014. Goff seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

REPORTS

3. Correspondence.

None.

4. Town Council Meeting – Chair.

Cameron said she was unable to attend the January Town Council Meeting but has reviewed the Draft Minutes from the Meeting to prepare a summary of actions and discussions by the Council. She reported that (1) the Hazard Mitigation Planning (HMP) Committee will be holding a Meeting on February 12, 2014, with John Crofts (Utah's flood insurance coordinator for the Federal Emergency Management Agency [FEMA]); (2) Mayor Erley is working with Frontier Communications and Sheriff White to find a 911 alternative for Castle Valley residents to use when Castle Valley telephones are not working; (3) the Council discussed creation of a hot spot or booster in the Valley to enable cell phone use which could be used for emergency calls; (4)

SITLA easements have been received by the Town and are under professional review before Mayor Erley signs them; (5) the Town Council voted to send a letter to the U.S. Forest Service regarding its concern about the use of water troughs in the Castle Valley watershed. The Council suggested the use of native plants to prevent spreading of cheat grass; (6) Council Members made a few changes to the draft of the Public Lands Initiative letter to the Grand County Council. Council Members and PLUC Members were invited to sign it before it was sent; (7) Council Members approved placement of the Utah Count My Vote Initiative in the Town Office for local signatures; (8) the Town learned it cannot use Community Impact Board (CIB) grant money for the purchase of road equipment.

#### 5. Permit Agent.

Roth reported that a Business License was issued to Living Traditions Farm, 180 Shafer. Since it is a permitted agricultural activity, no Conditional Use Permit was required. Roth also reported that she and Mayor Erley inspected the work vehicle that Dustin Grimm, Straight Edge Auto, will use in his mobile auto repair business. She also said that Grimm has provided proof of insurance coverage to the Town and has begun business activity in the Valley. She informed PLUC Members that Grimm has applied for a modification to his Conditional Use Permit to include welding and fabrication services as part of his mobile automotive repair business. His application will be reviewed at the March PLUC Meeting.

#### 6. Procedural Matters.

Cameron reported that the Town Clerk will send copies of the Draft Minutes from the Town Council to interested PLUC Members. Anyone interested should inform the Town Clerk. Cameron also requested that PLUC Members inform her or the Committee when they are unable to attend a PLUC Meeting.

Roth informed new PLUC Members that they should transfer any Meeting documents that they want to keep to the back of their binders at the end of each Meeting.

#### NEW BUSINESS

7. Discussion and possible action re: request from property owner of Lot 408 to move three cargo container units onto property for a period of approximately three years to be used for storage of personal property.

Roth presented history of the request from the property owner. Cameron visited the site and reported that the surrounding lots were mostly undeveloped or had small structures (a cabin, a hogan, the house in the rocks) which most likely are used only on an occasional basis by the owner or other visitors.

Roth relayed comments from Fitzburgh made by email about whether the Flood Insurance Ordinance under consideration by the PLUC might potentially prohibit container units of this type. PLUC Members concluded that Lot 408 was unlikely to be included in a high risk flood area so would not be affected by future decisions on the Flood Insurance Ordinance.

PLUC Members generally agreed they would prefer the owner to build a garage for storage; but, since there is nothing in the Land-Use Ordinance or Grand County Building Code to prohibit use of container units, they concluded that no action was required. Roth will inform the property owner of their decision.

## UNFINISHED BUSINESS

8. Discussion re: flood damage prevention sample ordinance from John Crofts, Utah FEMA National Flood Insurance Coordinator (tabled).

Rau moved to untable Item 8. Goff seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

PLUC Members confirmed that the sample ordinance is a template provided by FEMA. Jazmine Duncan, HMP Committee Chair, created the preliminary adaptation of the Ordinance for Castle Valley that is included in the PLUC binders.

Rau reported that Fitzburgh has submitted nine questions for the HMP Meeting with Crofts on February 12 and he has submitted two additional questions. Questions concern cost, variances, and Town responsibilities.

Cameron reported that she had spoken with Mary Hofhine, Planning and Engineering Secretary For Grand County, and with Summer Johnson, Moab City Planning Clerk and Flood Plain Administrator. According to Johnson, the City of Moab participates in the FEMA flood plain insurance program. Moab has flood plain benchmarks posted on their website. When someone wants to build a new structure, the contractor must review the website to obtain specific information for the building site. Johnson said that she relies on Moab city engineers to assist with permit requests. If Castle Valley were to participate in the FEMA program, then anyone requesting a permit and/or construction loan to build in a high risk area would be required to purchase flood insurance. Cameron asked that a question concerning FEMA requirements for existing housing be added to the list for Crofts. Rau responded that this question is already on the list.

Hofhine informed Cameron that Grand County opted out of the FEMA flood insurance program because the County would be responsible for any properties along Mill Creek and other creeks within the County. As a result, the County would be required to obtain insurance for the greenbelt land they owned along the creeks.

Hofhine relayed to Cameron an example from her own experience. She owns property within the City of Moab with a low-risk designation. She was informed, however, that she would have to purchase flood insurance at about \$500 per year in order to get a home equity loan.

According to Cameron, a high risk designation for some properties could prohibit building on a particular lot. This kind of restriction could impact some lots in the Town. She noted that lot owners in Castle Valley most likely assume they will be able to build on their lots.

Rau observed that some people may want flood insurance, but he noted that actual damages in Castle Valley have never been quantified.

Roth relayed a statement from Jeff Whitney, Grand County Building Inspector, that flood insurance is currently available through Jim Engelbright, Insurance Agent in Moab.

Hawkins moved to retable Item 8. Rau seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

9. Discussion and possible action re: General Plan Review (tabled).

Hawkins moved to untable Item 9. Rau seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

PLUC Members reviewed changes made to the General Plan draft at their last Meeting. They agreed to the changes and made a few minor grammatical and formatting corrections. Roth will make the corrections in the document prepared for presentation to the Town Council and create a clean copy for Rau to format. She will email the two versions to PLUC Members for a final review. Cameron asked that PLUC Members provide feedback regarding the documents before Roth forwards them to Town Council Members.

Rau moved to recommend approval of revisions to the General Plan as presented in the draft titled "General Plan Update Meeting Books Draft 2.5.14" and as amended this evening. Goff seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

Goff moved to retable Item 9. Hawkins seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

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

None.

11. Discussion and possible action re: reviewing and amending Ordinance 96-1: Watershed Protection Ordinance (tabled).

None.

12. Closed Meeting (if needed).

Not needed.

ADJOURNMENT

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

Cameron adjourned the Meeting at 8:08 P.M.

**APPROVED:**

**ATTESTED:**

\_\_\_\_\_  
**Laura Cameron, Chairperson**

**Date**

\_\_\_\_\_  
**Alison Fuller, Town Clerk**

**Date**

APPROVED