

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

Date: Wednesday, May 7, 2014

Time: 6:30 PM

Place: #2 CV Drive, Castle Valley Community Center

Present: Laura Cameron, Jen Goff, Marie Hawkins, Bill Rau

Absent: Mary Beth Fitzburgh

Others Present: Jack Campbell

Clerk/Recorder: Faylene Roth

1. CALL TO ORDER

Cameron called the Meeting to order at 6:33 P.M.

Open Public Comment: Jack Campbell commented on recent helicopter activity around Castle Rock. Although he did not think it offensive at this level of activity, he noted that it has been a problem in the past during commercial filming activity which is permitted by the Bureau of Land Management (BLM). Campbell said that the protocol in the past was for the Mayor or someone else to call the BLM office so that the BLM would realize that it impacted local residents. He said that in the past he had asked the BLM to post something at the entrance to Castle Valley regarding upcoming helicopter activity.

Rau replied that the BLM posts on its website all applications for any kind of activity on BLM land. Cameron reported that she has heard there is commercial tour activity out of Fruita, CO. Rau also commented on the recent increase of small plane activity over the Valley airspace from an unknown source.

Campbell said that he plans to relay this information to the Town Council at its next Meeting. Cameron encouraged him to do so.

2. APPROVAL OF MINUTES

Regular Meeting April 2, 2014: Hawkins noted that the date of the Town Council Meeting referred to in the last paragraph of Item 11 should be changed from May 16, 2014, to April 16, 2014.

Goff moved to approve the Minutes of April 2, 2014, as amended. Hawkins seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

3. REPORTS

Correspondence: none.

Town Council Meeting – Chair: Cameron gave a brief report on budget issues and the vote-by-mail proposal currently under discussion by the Town Council.

Hazard Mitigation Committee – Rau: Rau reported that the HMC is currently discussing whether to require property owners to reduce fire risks on their properties. He said the Town plans to send a notice to all property owners about their need to control tumbleweed and cheat grass and to follow the Firewise clearing guidelines in order to protect their properties, as well as their neighbors' property, and firefighters from fire danger.

Permit Agent: Roth reported one building permit issued for an addition on Lot 33 (Rim Shadow) and an electrical permit for a well pump on Lot 189.

Procedural Matters: Cameron explained that the Public Hearing scheduled for this Meeting did not occur because the arrangements for publishing the notice for the hearing, during the PLUC Clerk's absence, did not take place as planned. If the PLUC is asking the Town Clerk to post a notice with the Times Independent the PLUC Chair should follow-up on this, or other such matters with the Town clerk, to ensure that plans proceed as expected. Cameron also encouraged PLUC Members to call on David Church, legal consultant for the Utah League of Cities and Towns, whenever questions arise regarding topics before the Planning Commission.

#### NEW BUSINESS

4. Discussion and possible action re: amendments to Ordinance 85-3 related to large-scale beekeeping operations, conditional uses, permitted livestock requirements, setback requirements for wells and septic systems, and definitions.

Cameron reviewed the current draft of amendments to Ordinance 85-3 prepared by Fitzburgh which includes changes approved at the April 2014 PLUC Meeting.

In Section 4.5.F Rau questioned whether the number of children allowed in day-care nurseries should be restricted. After some discussion, Members thought the number would be self-limiting and would also be controlled by the limits imposed on the number of vehicles per day allowed on the lot.

In Section 4.7.4(c) Rau noted that "sufficient utility and infrastructure capacity" was not quantified. He asked how the PLUC would determine what would be "sufficient." Cameron replied that it would be addressed and determined when the Conditional Use Permit (CUP) application was considered. Roth confirmed that it has not been an issue to date on any of the current CUPs.

PLUC Members discussed the meaning of the "Town's drinking water supply" in Section 4.7.4(d). They agreed that it referred to all properties collectively, not just the Town.

Hawkins suggested that the use of space for a home occupation described in Section 4.8.3(2) was too restrictive. Rau viewed these standards as norms set as guidelines for people to follow. Roth suggested interpreting space for storage as separate from space required for the actual operation

of the business. Cameron suggested waiting to address these issues at a later time when a more comprehensive review of CUPs is made as indicated in the General Plan.

Rau suggested that Section 4.8.3(15) presented a contradiction with its restriction of “magnetic or electrical interference, or other similar impacts.” He asked if this meant that the Town could put in a cell tower but a home occupation would not be allowed to do so. Hawkins stated that there were known health concerns about the presence of cell towers and suggested that residents be allowed to vote on whether they wanted one. PLUC Members decided to wait for comments from the public when the Public Hearing is held.

In Section 5.7.B the title “Roads Supervisor” was changed to “Roads Manager” to align with the current title used on the Town’s web page.

Rau moved to accept the draft amendments to Ordinance 85-3 with the change in wording from Supervisor to Manager in Section 5.7.B so that they can be presented to the public for review at a Public Hearing. Goff seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

Cameron announced that the Public Hearing will be held at the June 4, 2014, PLUC Meeting.

The Item was left untabled.

#### UNFINISHED BUSINESS

5. Discussion and possible action re: amendments to Ordinance 95–6 Amended, An Ordinance of The Town of Castle Valley Regarding the Building Permit Process and approval of a form acknowledging Castle Valley's prohibition of short term rentals.

Rau motioned to untable Item 4. Hawkins seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

Cameron reviewed the draft prepared by Fitzburgh of amendments agreed to at the last Meeting.

In addition, PLUC Members agreed to change “Building Information Sheet” to read “Building Permit Information Sheet” where it appears in Section 1: introductory paragraph and in 1.a and 1.d. They also agreed to change “Roads Supervisor” to “Roads Manager” where it appears in Sections 1(h), 1(k), and Section 4, line 4. In Section 5.d the first line was revised to read “A valid building permit can be issued only after... .”

Hawkins moved to accept this draft of Ordinance 95-6 from 4-7-14 with changes as noted and to hold a Public Hearing at the next PLUC Meeting. Rau seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

A Public Hearing on amendments to Ordinance 95-6 will be held on June 4, 2014.

The Item was left untabled.

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

Left tabled.

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

Left tabled.

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

Left tabled.

9. Closed Meeting (if needed).

None.

#### ADJOURNMENT

Rau motioned to adjourn the Meeting with thanks to Fitzburgh for submitting all the changes. Goff seconded the Motion. Cameron, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

Cameron adjourned the Meeting at 8:27 p.m.

**APPROVED:**

**ATTESTED:**

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**Laura Cameron, Chairperson**                      **Date**

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**Alison Fuller, Town Clerk**                      **Date**