

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

Date: Wednesday, October 5, 2011

Time: 7:00 PM

Place: #2 CV Drive, Castle Valley Community Center

Present: Mary Beth Fitzburgh, Laura Cameron, Eddie Morandi

Absent: Marie Hawkins

Others Present: None

Clerk/Recorder: Faylene Roth

CALL TO ORDER at 7:01 P.M.

1. Open Public Comment.

None.

APPROVAL OF MINUTES

2. Regular Meeting September 7, 2011.

Eddie motioned to table approval of the September 7, 2011, Minutes. Laura seconded the Motion. Laura, Mary Beth, and Eddie approved the Motion. The Motion passed unanimously.

REPORTS

3. Town Council Meeting – Chair.

Mary Beth reported that the Town Council, at their last Meeting, appointed Alice Drogin to fill the remainder of Aaron's term on the Town Council. In addition, she reported that Grand County had asked the Town of Castle Valley to review the Colorado River Road Management Plan (CRRMP) and to advise the County regarding what points should be included in the current revision of the Grand County General Plan. The Town drafted and sent a letter to the County recommending: first, that the whole document be included by reference; and, second, noting key points that should be included in the General Plan should the County decide to incorporate features of the CRRMP into the General Plan rather than retaining the Plan as an intact document. Recommendations from the Town earmarked about 90 percent of the document to be included in the General Plan. Mary Beth will send a copy of the Town's letter to PLUC members. She noted that the CRRMP has already been included in Grand County's land-use document. She encouraged Castle Valley residents to attend the Grand County Planning Commission Meeting on Wednesday, October 12, at 7:00 P.M. to support Castle Valley's recommendations.

Town Council members also queried Mary Beth about the PLUC's upcoming review of Castle Valley's General Plan. Mayor Erley would like to see questions regarding how proactive residents want the Council to be in addressing broader regional issues, such as the Green River nuclear plant. They also discussed the importance of formulating survey questions that do not

influence the response. Mayor Erley suggested that the Town fund up to \$500.00 to have the survey questions professionally reviewed.

#### 4. Building Permit Agent.

Faylene submitted a report showing that three separate permits for solar installations were issued, as well as a septic permit and an electrical permit, both for a single lot.

Members also discussed Jeff Whitney's concern about three properties on Taylor Lane that are or have been advertised for sale with ambiguous or misleading information about dwellings on the lots. Faylene reported that the information was turned over to Mayor Erley. She has not received any feedback.

Eddie asked about the status of permits on Lot 248. Faylene will check that file to see what structures have been permitted and put a note in the file for future reference.

#### 5. Procedural Matters.

Members reviewed causes for removal from the PLUC: missing three consecutive Meetings without notifying the Chair; absence from more than half of the Meetings; or an ethics violation. The commissioner may be asked to resign after being called before the Town Council if any of these conditions are met.

#### NEW BUSINESS

None.

#### OLD BUSINESS

#### 6. Discussion and possible action re: Grand County Animal Control Ordinance.

Since the last PLUC Meeting, Mary Beth had talked with Randy Zimmerman, Animal Control Supervisor for the City of Moab. She learned that animal control ordinances are not a land-use issue. It would be up to the Town Council to pursue an agreement between the Town of Castle Valley and the Animal Shelter. The Animal Shelter is run by the City of Moab, not Grand County. The County has an agreement with the City that includes a financial agreement to use the animal control shelter and animal control services. The County pays \$90.00 every time animal control takes an animal to the shelter that is found outside of the City of Moab on County land.

Randy suggested that Castle Valley's Animal Control Ordinance may have to be revised to match Grand County's Animal Control Ordinance in order to obtain animal control services. He noted that the primary difference may be the lack of a leash law in the Castle Valley's Ordinance. Members discussed the need for a leash law in Castle Valley, as well as the need for animal control services. Dealing with a dangerous dog was considered a primary safety concern.

Item 6 was not tabled and will be removed from the next Agenda.

7. Discussion and possible action re: General Plan Review.

Mary Beth asked Members to review the following documents provided in their notebooks before the next Meeting: (1) a General Plan Checklist; (2) a document titled "Planning Process and the General Plan." She also asked that they make the following evaluations after reviewing Castle Valley's 2007 Survey and General Plan: (1) which questions from the previous survey should be repeated and what new questions should be asked; (2) which elements of the 2007 General Plan have been accomplished and what new topics should be added.

She will send an e-mail with a reminder of these tasks before the next PLUC Meeting. Members agreed that further discussions regarding solar regulations should be postponed until more input is received from the upcoming questionnaire to property owners, with the exception to change Ordinance 85-3 to align setback distances for solar installations with setbacks for other structures.

Faylene will ensure that all Members have a copy of The 2007 General Plan for their notebooks by the next Meeting.

Laura noted that new census information should be updated in the 2012 General Plan revision.

Mary Beth summarized the goal of the General Plan. It provides long-term planning for the Town and forms the vision and legal basis for new laws and ordinances that need to be created. Members agreed that sustainable practices, watershed protection, septic system management, and consideration of solar installation regulations should be part of the upcoming revision. Mary Beth noted that all references to sustainability were deleted from the final version of the 2007 General Plan. Preliminary drafts of the 2007 Plan will be reviewed so that community support for sustainable practices can be reconsidered.

Eddie motioned to table Item 7. Laura seconded the Motion. Laura, Mary Beth, and Eddie approved the Motion. The Motion passed unanimously.

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

Eddie motioned to untable Item 8. Laura seconded the Motion. Laura, Mary Beth, and Eddie approved the Motion. The Motion passed unanimously.

Mary Beth summarized previous discussions with Brian Murray, Rob Soldat, and Bruce Keeler regarding issues related to solar installations. Members discussed what had been learned about some of the issues; such as, glare, size, height, maximum panel size, and use of Conditional Use Permits to regulate larger systems. Those present agreed that there is no intent to discourage residents from using solar power. No ordinance will be drafted until after the upcoming General Plan Survey, although the setback issue may be addressed before then.

Laura motioned to retable Item 8. Eddie seconded the Motion. Laura, Mary Beth, and Eddie approved the Motion. The Motion passed unanimously.

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

Laura motioned to untable Item 9. Eddie seconded the Motion. Laura, Mary Beth, and Eddie approved the Motion. The Motion passed unanimously.

Laura reported that she had e-mailed Dave Snyder about conducting a septic system workshop in Castle Valley on October 29 but has not yet received a reply from him. Members discussed alternative ways to communicate with property owners about proper septic maintenance. Ideas included: linking a Power Point presentation provided by Judy Sims to the Town's website; researching the availability of funding for septic pumping for low-income households; communicating through Ron Drake's "Castle Valley Comments" in the Moab Times-Independent. After discussing copyright issues, Laura agreed to check with Judy Sims for permission to use the Power Point presentation.

Laura motioned to retable Item 9. Eddie seconded the Motion. Laura, Mary Beth, and Eddie approved the Motion. The Motion passed unanimously.

Laura motioned to adjourn. Eddie seconded the Motion. Laura, Mary Beth, and Eddie approved the Motion. The Motion passed unanimously.

10. Closed Meeting (if needed).

None.

ADJOURNMENT: 8:50 P.M.

**APPROVED:**

**ATTESTED:**

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**Mary Beth Fitzburgh, Chairperson      Date**

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**Denise Lucas, Town Clerk      Date**