

MINUTES  
REGULAR MEETING OF THE PLANNING & LAND USE COMMISSION

Date: Wednesday, December 7, 2011  
Time: 7:00 PM  
Place: #2 CV Drive, Castle Valley Community Center

Present: Laura Cameron, Mary Beth Fitzburgh, Marie Hawkins  
Absent: Eddie Morandi  
Others: None  
Clerk/Recorder: Faylene Roth

CALL TO ORDER: 7:04 P.M.

1. Open Public Comment.

None

APPROVAL OF MINUTES

2. Regular Meeting November 2, 2011.

Two minor grammatical errors were corrected in Item 7.

Marie motioned to approve the Minutes of November 2, 2011, as amended. Laura seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

REPORTS

3. Town Council Meeting – Chair.

Mary Beth reported that Grand County did not include the recommendations from Castle Valley regarding the Colorado River Road Management Plan and protection of Castle Valley's watershed in its General Plan Update. The one small concession, she said, were the words "at a minimum" which were included in a previous draft for the strategy to remap the Watershed Protection overlay zoning district. The newest draft has stricken these words from that strategy so that the Watershed Protection Overlay zone will be applied **only** (instead of "at a minimum) to state-approved drinking-water source protection zone boundaries. Castle Valley will not qualify for such state protections zones because we do not have a public water system. The Grand County Planning Commission has transferred responsibility for protection of our watershed with the Moab Watershed Protection Group who will be responsible for creating an overlay district for Castle Valley's watershed. Map the Watershed Protection Overlay zoning district to include all state-approved drinking-water source protection zone boundaries

4. Building Permit Agent.

Faylene presented the Building Permit Agent Report for November 2011. One building permit for an unattached garage was issued.

## 5. Procedural Matters.

PLUC Members considered the amount of detail that the Minutes should record. Members requested that the Minutes track general questions, topics, overview, and key points that are discussed;

**Comment [MBF1]** : The comment I made here referred to all discussions, not just this one.

Faylene reported that the Town has installed a server and two new computers for the office. She said that Jil Kulander, Town Clerk, has reorganized the office and all resource documents and reference books will now be stored in the bookcase in the Conference Room.

Mary Beth reported that Eddie had informed her that he may resign from the PLUC. There was a discussion of whether there would be a quorum of members available for the January 2012 and February 2012 Meetings. Mary Beth encouraged current PLUC members to actively recruit for the vacant position. Interested persons should submit a letter of interest to the Mayor. The Mayor then interviews candidates and presents a nomination to the Town Council for approval. Mary Beth stressed that it is important to have diversity amongst PLUC members and to find someone who understands the issues within Castle Valley. There is a one-year residency requirement.

## NEW BUSINESS

### 6. Discussion and possible action re: approval of CUP and Business License Renewals for 2012.

Faylene reviewed the Reports for renewals of Conditional Use Permits and Business Licenses. Thirty-two CUPs and twenty Business Licenses were renewed for 2012. A correction was made on the Business License Report to indicate that the lines in bold type referred to the business licenses that were first issued during the 2011 calendar year.

Marie motioned to approve the CUP and Business License Reports as amended. Laura seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. The Motion passed unanimously.

Mary Beth will pass the recommendations to the Town Council for their approval.

## OLD BUSINESS

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

Laura provided 2010 census data regarding population demographics in Castle Valley. Mary Beth reported that the Grand County General Plan predicts a small amount of growth in Castle Valley during the next few years. PLUC Members discussed whether these projections conducted by the State and State demographers were realistic as they may not have taken into account Castle Valley's unique conditions such as not allowing subdividing of lots and the low population of residents under the age of 18.

Laura noted that there was no information about income levels included in the census report. She said that income information would be important if the Town were to apply for any block grants or programs that depend on income levels. The Town Clerk will be consulted to determine if income distributions for Castle Valley were included in the 2010 Census Report.

Members agreed to draft a question for the General Plan Survey that would allow property owners to indicate their income levels within designated ranges.

PLUC Members reviewed a list of suggestions submitted by Jim Lindheim for consideration in development of the General Plan Survey. He suggested clarifying respondent status by using three categories: permanent resident, part-time resident, or non-resident property owner. He also suggested providing a wider range of responses to topical questions; such as, high priority, spend more, spend less, etc. Topics that he thought should be included in the Survey were related to: water quality, Town budget, property taxes, regulation of solar installations, sustainability, cell phone service, current limits on construction, enforcement of ordinances, communication within the Town, and water rights. He proposed formatting the Survey to provide information to property owners as well as to canvas them for their opinions. For example, the enforcement section would first explain how enforcement works through the complaint process and resolution process, then ask whether this is satisfactory or should be more strict or less strict. Another example was to first explain the current limits on building size and height, then ask if people are satisfied or want to change it.

PLUC Members discussed where and how these suggestions fit in the Survey. Questions about water quality and solar panel regulation have already been considered and will be included. Members generally discussed what questions might be asked about Town and property taxes and how specific they should be. There was a consensus to include questions about sustainability and to address issues of sustainability within the General Plan. Cell service within the Valley was briefly discussed. Members agreed that improvement in cell service was directly related to location of a cell tower. PLUC members discussed drafting a section of the Survey that would canvas how property owners felt about individual ordinances. They agreed that the same approach could be taken with enforcement issues. Specific questions could be drafted, like: "Have you filed a complaint?" "Was the complaint resolved to your satisfaction?" "What Town Ordinance did it involve (lighting, animal control, housing, fencing)?"

They also favored including questions about how residents get news about Town decisions in order to improve communication between the Town and residents.

Mary Beth also relayed a request from the Town Council to canvas property owners about Smart Meters and whether the Town should work with Rocky Mountain Power to find an alternative to future use of Smart Meters within the Town.

PLUC Members reviewed the "Let Your Voice Be Heard" section in the last Survey. They discussed better phrasing of response options in the headings and clarification of when questions related to the individual and when they related to the community. Some suggestions were: "check if you think the Town should make this issue a priority," "is important to you," or "do you want the Town to act on this." Jim Lindheim's suggestions could be applied here. Members also thought it would be good to ask, "if you think the Town should make this issue a priority or should act on this issue tell us how," and "if you think this issue needs improvement, tell us how it could best be improved".

Members favored keeping most of the questions in this section. It was decided, however, to delete queries about water rights since the transfer of water rights to the Town has since occurred. Mary Beth has asked Ron Mengel for input regarding issues related to the transfer of water rights to the Town. It was also decided to remove the question about a valley trail system since there is no public land available for one within the Town. Members discussed whether

questions regarding road quality and road improvement were redundant. They postponed further consideration of this topic until getting input from the Roads Committee and Roads Manager.

Some questions were marked for revision. Members thought that the query regarding concerns about zoning was unclear so they will reword it. They thought that the question regarding concerns about house types and sizes should be redirected to more general housing concerns, since the revisions to Ordinance 85-3 regarding this topic have been completed. Questions regarding housing needs for seniors will be added. Members reached no consensus about how to address concerns relating to trash and junk kept within the Town. Laura expressed concern that fluid leaks from old vehicles posed a hazard to the watershed.

Mary Beth asked PLUC Members to consider other topics to add to this section.

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

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

Left tabled.

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

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

Laura reviewed the hand-out on Rehabilitation and Repair. She has talked with Marilyn Vogrinec, of Southeastern Utah Association of Local Governments (SEUALG), who thought that their Housing Rehabilitation Program provided the best option for Town residents who needed financial assistance with septic tank problems. SEULAG pays for repairs and is directly available to qualifying individuals. Laura will get copies of the applications to determine if the program would be suitable for residents who have septic system problems. If determined to be suitable, PLUC Members discussed how to identify property owners who might need this program and how to communicate this information to them. Possibilities for communication included posting to Town website, posting in the Castle Valley Library, and a notice in Ron Drake's Castle Valley Comments column.

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

10. Closed Meeting (if needed).

None.

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

ADJOURNMENT: 9:14 P.M.

**APPROVED:**

**ATTESTED:**

\_\_\_\_\_  
**Mary Beth Fitzburgh, Chairperson    Date**

\_\_\_\_\_  
**Jil Kulander, Town Clerk            Date**

