

MINUTES
REGULAR MEETING OF THE PLANNING & LAND USE COMMISSION

Date: Wednesday, January 6, 2010

Time: 7:00 PM

Place: #2 CV Drive, Castle Valley Community Center

Present: Lou Taggart, Marie Hawkins, Mary Beth Fitzburgh, Laura Cameron

Absent: None

Others Present: Mary Rees

CALL TO ORDER 7:03 P.M.

1. Open Public Comment.

Mary Beth welcomed Laura Cameron as a new member to the PLUC. Laura stated that she looks forward to being on the Committee and has been impressed with the work being done by the PLUC.

APPROVAL OF MINUTES

2. Regular Meeting of December 2, 2009.

A punctuation error in Item 8 was corrected.

Lou motioned to accept the Minutes of December 2, 2009, as amended. Marie seconded the Motion. Lou, Marie, and Mary Beth approved the Motion. Laura abstained. The Motion passed with three in favor and one abstaining.

REPORTS

3. Town Council Meeting – Chair.

Mary Beth reported that the Town Council approved with amendments Ordinance 2006-3: A Resolution Establishing the Planning and Land Use Commission and Designating Land Use and Appeal Authorities at their December, 2009, meeting. The Council added a stipulation that one member of the Board of Adjustments have expertise in Land Use law and changed the section on compensation to read that compensation would not be given unless the Town Council decided to do so. Jim Lindheim wanted to go to a one-person appeal authority instead of the three-person Board of Adjustments outlined in the Ordinance. Mary Beth asked him not to make that change unless someone has been found to fill the position. The Town Council agreed. The BOA currently has two members. A third member will be sought. Suggestions of people with the necessary expertise for the position were made by Town Council members.

Marie felt strongly that the three-person board was preferable to a one-person appeal authority. Lou wondered how restrictive the requirement of legal expertise would be.

4. Building Permit Agent.

No activity in December, 2009.

NEW BUSINESS

5. Discussion and possible action re: annual election of chair and vice-chair.

Marie nominated Mary Beth to continue as chair of the PLUC for the year 2010. Lou seconded the Motion. Lou, Marie, Mary Beth, and Laura approved the Motion. The Motion passed unanimously.

Lou nominated Marie to continue as vice-chair of the PLUC for the year 2010. Laura seconded the Motion. Lou, Marie, Mary Beth, and Laura approved the Motion. The Motion passed unanimously.

6. Discussion and possible action re: application to revise non-routine CUP on Lot 52.

Mary Rees was present for discussion of her application to revise her non-routine CUP on Lot 52. Mary's request for revision was to allow people to come to the native plant garden on her property to purchase plants and to install a sign at the end of her driveway to identify her location.

According to the PLUC Clerk, all neighbors were contacted with information regarding Mary's request, and no negative comments were received.

Mary Beth informed Mary that the associated buildings used in her native plant garden meet the Town's square footage requirements and that the following conditions will apply to her revised CUP:

Business traffic:

Business traffic restricted to no more than 5 vehicles per day.
Hours of business restricted to 8:00 am-9:00 pm.

Sign restrictions:

No more than eight square feet in size.
No lighting.
Top of sign can be no more than six feet above natural grade.

Marketing:

Advertising of the business may include phone number but may not list the street address.

Faylene will make a copy available to Mary Rees of the section of Ordinance 85-3 that deals with conditional use permits.

Mary inquired whether a one-day open house event to display spring blossoms in the native plant garden would be allowed. Mary Beth said that a one day event would be okay.

Marie motioned to approve changes to the CUP on Lot 52 as presented. Lou seconded the Motion. Lou, Marie, Mary Beth, and Laura approved the Motion. The Motion passed unanimously.

OLD BUSINESS

7. Discussion re: reviewing and amending town ordinances that limit the number of livestock which can be kept on five acres of land (tabled).

Left tabled.

8. Discussion and possible action re: reorganization and revision of Zoning Ordinance 85-3 (tabled).

Marie motioned to take Item 8 off the table. Lou seconded the Motion. Lou, Marie, Mary Beth, and Laura approved the Motion. The Motion passed unanimously.

Mary Beth reviewed the PLUC's plan to change Ordinance 85-3 to a Land Use Code. She presented members with a list of all current Ordinances in effect in Castle Valley. Members read through the list as Mary Beth indicated which ordinances were likely candidates to include in the comprehensive Land Use Code. The PLUC will need to review each ordinance to check for redundancies and to determine which are outdated. In a conversation with David Church, Mary Beth learned that old ordinances do not need to be repealed before being combined into a single document. Some sections of 85-3, TADs and noncomplying structures, for example, will be amended as previously discussed.

The plan is to go through the list of current ordinances a few at a time and move them into Ordinance 85-3 with a table of contents. Lou volunteered to meet with Mary Beth to begin an initial review of the list of ordinances. Lou will look for any redundant or unnecessary ordinances in the list. The Committee will also need to review resolutions issued by the Town Council so that any that pertain to land use can be included in the Land Use Code. All ordinances and resolutions are kept in binders at the Town Office and can be reviewed by anyone.

Laura asked about Section I.8.1.C in Ordinance 85-3 pertaining to burying fuel tanks which could pose a threat to the Castle Valley watershed. Marie agreed that watershed protection was an issue that should be receive close examination and should be a priority for the Committee to review. The Committee agreed that, without good water, Castle Valley property values are affected. If the PLUC does not establish standards, to protect the watershed, then there is no way to prevent hazards to the watershed. The Committee also felt that it was necessary to protect the surrounding watershed

from commercial interests that might take place outside the boundaries of Castle Valley.

Ordinance 96-1 already addresses watershed protection. Mary Beth will add a discussion of this ordinance to next month's agenda. The focus will be to control activities, including livestock, that might affect our aquifer. She will invite Bob Lippman, who has been working with Grand County on watershed protection, to make a presentation to the PLUC. Red Rock Forest is another group that could be helpful in revising the CV watershed ordinance. RRF worked with the City of Moab and Grand County to help them create ordinances regarding fuel storage issues, evaporation ponds, etc.

Faylene will make copies of Ordinance 96-1 available to everyone to read before the next meeting. Mary Beth will prepare a draft outlining the organizational changes of Ordinance 85-3.

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

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

ADJOURNMENT: 8:04 P.M.

APPROVED:

ATTESTED:

Mary Beth Fitzburgh, Chairperson Date
Planning and Land Use Commission

Denise Lucas, Town Clerk Date