

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

Date: Wednesday, February 2, 2011

Time: 7:00 P.M.

Place: #2 CV Drive, Castle Valley Community Center

Present: Laura Cameron, Mary Beth Fitzburgh, Eddie Morandi

Absent: Marie Hawkins

Others Present: Dave Erley

CALL TO ORDER at 7:00 P.M. by Mary Beth Fitzburgh

Call to Order: 7:00 P.M.

1. Open Public Comment.

None.

**APPROVAL OF MINUTES**

2. Regular Meeting December 1, 2010.

Members agreed to three minor changes in wording in Item 5.

Eddie motioned to approve the December 1, 2010, Minutes as amended. 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 will hold a Public Hearing on changes to Ordinance 85-3 at their February Meeting.

4. Building Permit Agent.

Faylene reported that one building permit was issued in January 2011 for a deck with roof on Lot 76. No activity occurred in December 2010.

Dave asked for input from PLUC members about developing a list of ongoing building permits. Members agreed and asked Faylene to assemble a spreadsheet to cover permit activity over the last three years which will be updated annually.

5. Procedural Matters.

Laura expressed her hope to find another member to fill the PLUC vacancy. Faylene reported a conversation she had with Skip Ambrose in which choosing a representative from the "Ditch Committee" was discussed. Members agreed to search for possible candidates.

NEW BUSINESS

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

Laura motioned to nominate Mary Beth as chair of the PLUC and Marie as vice-chair of the PLUC for 2011. Eddie seconded the Motion. Laura, Mary Beth, and Eddie approved the Motion. The Motion passed unanimously.

7. Discussion and possible action re: future agenda items.

Mary Beth expressed the importance of addressing the fence ordinance during the upcoming year. She also wants to add a summary of zoning issues to the front page of the Town website and to issue a summary of the zoning issues to real estate agents. Faylene reported that Flora Najafi had suggested to her that the Town issue letters to newcomers in Castle Valley to inform them of zoning issues. PLUC members noted the difficulty of knowing when newcomers arrive or purchase land in Castle Valley. Dave asked to work with the PLUC on wording for the website revision.

This item will remain on upcoming Agendas.

8. Discussion regarding: enforcement sections of land use ordinances.

Mary Beth explained that the Mayor and the Town Council are in charge of enforcement for the Town of Castle Valley. They write the conflict resolution and nuisance ordinances, whereas the PLUC writes enforcement policy in the enforcement sections of land use ordinances. She noted some differences in enforcement timelines between the proposed enforcement section of Ordinance 85-3, Town Resolution 96-3 (a Resolution establishing procedures for violations of the Town of Castle Valley Ordinances) and the Town's Complaint Resolution Process (Ordinance 2008-2). PLUC members agreed to propose two changes to the current proposal to amend Ordinance 85-3: (1) make reference in Ordinance 85-3 to the complaint process outlined in Ordinance 2008-2, and (2) change the timeline set in the enforcement section of Ordinance 85-3 to 30 days to align it with Ordinance 2008-2. PLUC plans to review all enforcement ordinances and resolutions during the upcoming year to ensure that they are all in agreement.

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

## OLD BUSINESS

9. Discussion and possible action re: amending Ordinance 2007-5 to adopt the 2009 International Building Code, etc. (tabled).

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

Members discussed the need for the Uniform Code for the Abatement of Dangerous Building and A117.1-2003. Jeff Whitney had told Mary Beth that he did not feel it was necessary for Castle Valley.

After discussion, members decided to adopt the 2009 building codes for residential, mechanical, electrical, plumbing, fuel gas, energy conservation, and fire code without the code for abatement of dangerous buildings. A Public Hearing on this Ordinance is scheduled for the March 2, 2011, PLUC Meeting.

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

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

Eddie motioned to untable Item 10. Laura seconded the Motion. Laura, Mary Beth, and Eddie approved the Motion. The Motion passed unanimously.

Dave addressed the PLUC Meeting in response to a request from Laura that he outline his concerns and describe the challenges he sees in updating the Watershed Protection Ordinance.

According to Dave, septic systems, abandoned wells, and junk vehicles have been identified as major threats to the Castle Valley watershed, as well as potential mining, drilling, grazing, and fires that might occur within the CV watershed. To address these threats, he spoke of memorandums of understanding that Colorado communities have achieved with the Forest Service and the Bureau of Land Management that have outlined what restrictions these agencies will support on adjacent lands under their supervision. He suggests that Castle Valley begin by working with the FS and BLM to develop memorandums of understanding with them regarding our watershed protection. Grand County has jurisdiction over private landowners within the watershed.

Dave, Laura, and Mary Beth will form a committee to begin studying these issues. They plan to meet during the upcoming month.

Laura motioned to table Item 10. Eddie seconded the Motion. Laura, Mary Beth, and Eddie approved the Motion. The Motion passed unanimously.

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

Adjournment: 9:17 P.M.

**APPROVED:**

**ATTESTED:**

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**Mary Beth Fitzburgh, Chairperson    Date**

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**Denise Lucas, Town Clerk    Date**