

MINUTES
PUBLIC HEARING ON PROPOSED AMENDMENTS TO ORDINANCE 2006-3: AN
ORDINANCE ESTABLISHING THE PLANNING AND LAND USE COMMISSION
AND DESIGNATING LAND USE AND APPEAL AUTHORITIES
and
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION

Date: Wednesday, November 6, 2013
Time: 7:00 PM
Place: #2 CV Drive, Castle Valley Community Center

Present: Chair Mary Beth Fitzburgh, Vice-chair Marie Hawkins, Members Laura Cameron, Jen Goff, Bill Rau
Absent: None.
Others Present: Jazmine Duncan, Greg Nunn

PUBLIC HEARING

1. CALL TO ORDER.

Fitzburgh called the Public Hearing to order at 7:02 P.M.

2. PUBLIC HEARING ON PROPOSED AMENDMENTS TO ORDINANCE 2006-3: AN ORDINANCE ESTABLISHING THE PLANNING AND LAND USE COMMISSION AND DESIGNATING LAND USE AND APPEAL AUTHORITIES.

No comments from the public.

3. ADJOURNMENT.

Rau moved to adjourn the Public Hearing. Cameron seconded the Motion. Cameron, Goff, Fitzburgh, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

Fitzburgh adjourned the Public Hearing at 7:03 P.M.

REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION (PLUC)

CALL TO ORDER

Fitzburgh called the Regular Meeting to order at 7:03 P.M.

1. Open Public Comment.

Fitzburgh welcomed Jen Goff to the Planning and Land Use Commission as its newest member.

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She also expressed her thanks to Hawkins and Cameron for their past commitment to attend every PLUC Meeting in order to ensure a quorum prior to having Rau and Goff join the Commission.

APPROVAL OF MINUTES

2. Regular Meeting October 2, 2013.

Rau moved to approve the Minutes of October 2, 2013, as presented. Hawkins seconded the Motion. Fitzburgh, Goff, Hawkins, and Rau approved the Motion. Cameron abstained. The Motion passed with four in favor and one abstention.

REPORTS

3. Correspondence.

None.

4. Town Council Meeting – Chair.

Fitzburgh reported that the Town Council (TC) appointed Goff to the PLUC at their October Meeting. She also relayed the Town Council's decision to postpone approval of the Conditional Use Permit (CUP) for Dustin Grimm (Lot 441) to operate a mobile auto repair business. According to Fitzburgh, the TC changed the condition for annual inspections of the mobile repair trailer to quarterly inspections and asked for liability insurance in the amount of one million dollars per incident. She said that some members of the public expressed disapproval of the CUP, as well as surprise that mobile auto repair shops had not been prohibited when Ordinance 85-3 was amended to exclude on-site auto repair shops within Castle Valley. Fitzburgh said that the TC, members of the PLUC, or members of the Public could ask that the Town further amend Ordinance 85-3 to prohibit mobile auto repair businesses if there was a strong feeling within the community to do so. The TC tabled the CUP request.

Fitzburgh also reported that the TC adopted a new fee schedule. She said they considered different fees for non-habitable space land-use violations and habitable space land-use violations, but decided to retain the current fee of \$250 per incident per day for both types of land-use violations.

5. Permit Agent.

Roth submitted a report for October 2013 permit activity. One permit was issued for a temporary dwelling on Lot 284. She also informed PLUC members of a routine-CUP which she approved for Lot 117 for a home office for a refrigeration, heating, and air conditioning repair business.

6. Procedural Matters.

None.

NEW BUSINESS

7. Discussion and possible action re: Lot 306 Nonroutine Conditional Use Permit for small jerky and meat processing facility.

Fitzburgh reviewed general operating requirements in Ordinance 85-3 for home and premises occupations and the four specific conditions applied to the business, as follows:

1. Applicant will be compliant with all registrations, certificates, licenses and requirements from the Utah Department of Agriculture and Food (UDAF) regarding all business activities associated with this permit.
2. Applicant will provide the Town with a copy of all inspection reports from UDAF.
3. Bones and trimming produced by the business associated with this permit that are to be sold as dog food, must be stored and packaged in accordance with all applicable Federal, State and UDAF regulations.
4. Applicant may store animal waste on the property that is not to be sold as dog food, provided that it is properly contained so as to prevent odors, leaks, insects or animal infestations, or other hazardous conditions or nuisances.

Cameron said that she and Rau had made a site visit to Nunn's meat processing facility and reported that it was a clean, well-designed and well-planned facility. She said that the impact on the drains and septic had all been thought out.

Fitzburgh observed that Nunn's business will not depend upon inspections by the Town since food businesses are highly regulated and highly inspected by the Utah Department of Agriculture and Food. She informed Nunn that if his State license were suspended or revoked, the CUP would revert to the same status.

Cameron moved to recommend approval to the Town Council for a nonroutine Conditional Use Permit on Lot 306 for a small jerky and meat processing facility. Rau seconded the Motion. Cameron, Fitzburgh, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

Fitzburgh informed Nunn that final approval is required from the Town Council which will consider his request at their November 20, 2013, Meeting.

8. Discussion re: upcoming conditional use permit and business license renewals.

Roth presented a list of current Conditional Use Permits and Business Licenses that are under consideration for renewal at the December 4, 2013, PLUC Meeting. She asked PLUC Members to review the list before the December Meeting and to inform her if they want additional information or conditions on any of the businesses. After reviewing the list, PLUC Members asked that Roth request a fire department inspection for Lot 299.

Roth also asked for guidance from the PLUC regarding which Conditional Use Permits require a business license from the Town. PLUC Members decided to establish an inactive status for business owners who want to retain their CUP but that are currently inactive as these permit holders may not require a business license. It was agreed to inform these permit holders that should they want their business to become active, they would be required to obtain a business license from the Town or the County first.

Cameron questioned whether the Business License for the Castle Valley Inn should be renewed without resolution of their current Contract negotiation with the Town. Fitzburgh will include this concern in her PLUC Report to the Town Council.

Fitzburgh reported that Roth had asked whether the Town should request copies of professional licenses, when issued, from applicants. Fitzburgh noted that she had never been asked for a copy of her license when obtaining a Business License from any municipality where she has worked. Roth also noted that she had since learned that the City of Moab does not require applicants to submit copies of their professional licenses. PLUC Members agreed that this request was not necessary.

9. Meeting Dates for 2014.

PLUC Members agreed to meet on the first Wednesday of our every month for the 2014 calendar year with the exception of January 2014 when they will meet on the second Wednesday of the month due to the New Year's Day holiday. Members also agreed to change the Meeting time from 7:00 P.M. to 6:30 P.M. beginning with the December 2013 Meeting.

Roth will post the necessary reschedule notices for the December 2013 Meeting and will ensure that no newspaper notice is required for the time change.

UNFINISHED BUSINESS

10. Discussion and Possible Action re: establishing written rules of procedures for PLUC Meetings (tabled).

Hawkins moved to untable Item 10. Rau seconded the Motion. Cameron, Fitzburgh, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

PLUC Members approved some minor grammatical and formatting edits to the written rules of procedures for PLUC Meetings. They also discussed inclusion of a brief summary of Meeting rules at the bottom of each Agenda. Cameron described the Grand County Council footnote which includes information about the public's right to add items to its agenda. Most PLUC Members felt that the public was aware of the opportunity to speak during the Open Public Comment period and during discussion of Agenda items. Members did agree that a short statement of the rules and procedures would be appropriate at the bottom of the Agenda as long as it did not extend the length of the Agenda to two pages.

Cameron moved to approve the meeting rules and procedures for PLUC Meetings as amended. Rau seconded the Motion. Cameron, Fitzburgh, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

11. Discussion and possible action re: amendments to Ordinance 2006-3: An Ordinance Establishing the Planning and Land Use Commission and Designating Land Use And Appeal Authorities.

Fitzburgh explained that this item was retained on the Agenda so that a Public Hearing could be held at this Meeting on the changes to Ordinance 2006-3.

Rau moved to approve amendments to Ordinance 2006-3 as presented. Cameron seconded the Motion. Cameron, Fitzburgh, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

12. Discussion and possible action re: General Plan Review (tabled).

Cameron moved to untable Item 12. Rau seconded the Motion. Cameron, Fitzburgh, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

PLUC Members reviewed the most recent draft of the General Plan and agreed to minor changes, deletions, and additions which will be presented in a revised draft at the December 4, 2013, PLUC Meeting. Goff will improve language in item 5 of the Land Use Policies section and submit to Fitzburgh by email for inclusion in the next draft. Rau will review language used in item 6 of the Fire Protection and Emergency Preparedness Policies section. After discussion, PLUC Members decided not to expand the appendices to the General Plan, primarily in order to keep the report under 15 pages.

Fitzburgh asked PLUC Members to consider the overall structure of the General Plan Report before their next Meeting. She suggested holding a Public Hearing on the revised General Plan at the January 2014 PLUC Meeting. She will ask Ron Drake to invite Castle Valley residents in his column to both the December 2013 and January 2014 PLUC Meetings for public input.

Rau moved to retable Item 12. Goff seconded the Motion. Cameron, Fitzburgh, Goff, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

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

Left tabled.

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

Left tabled.

