

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

Date: Wednesday, July 10, 2013

Time: 7:00 PM

Place: #2 CV Drive, Castle Valley Community Center

Present: Chair Mary Beth Fitzburgh, Vice-Chair Marie Hawkins, Member Laura Cameron

Absent: None

Others Present: Bill Rau, Jayne May

Clerk/Recorder: Faylene Roth

**CALL TO ORDER**

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

1. Open Public Comment.

None.

**APPROVAL OF MINUTES**

2. Regular Meeting June 5, 2013.

Cameron motioned to approve the Minutes of the Regular Meeting of June 5, 2013, rescheduled to June 12, 2013, as presented. Hawkins seconded the Motion. Cameron, Fitzburgh, and Hawkins approved the Motion. The Motion passed unanimously.

**REPORTS**

3. Correspondence.

None.

4. Town Council Meeting – Chair.

Fitzburgh reported that the Town Council discussed the need for a key policy to manage access to the Town Building and to maintain security of Town files. Roth said that she and the Town Clerk plan to schedule a time for the locksmith to return and replace any file cabinet locks that are not working properly.

5. Permit Agent.

Roth submitted a permit report for June 2013. It includes a copy of the Certificate of Occupancy form used for the Town's final inspection of Michael Dunton's workshop on Lot 413 which was

approved as part of a conditional use permit. Fitzburgh suggested that regular annual inspections by the Town and the Fire Chief be included in his conditional use permit renewal.

Roth also reported that she, Fire Chief Ron Drake, and Mayor Dave Erley conducted an inspection of the Castle Valley Inn on Monday, July 8, 2013. Roth will prepare a report for the Town Council. Roth also said that she had met with Orion Rogers, the Utah District Sanitarian, to explain the septic system application process within the Town of Castle Valley and to discuss how it fits into the District approval process. She will be making minor changes to the Castle Valley septic application form and expects the application process to work smoothly between the two offices.

#### 6. Procedural Matters.

PLUC Members agreed to reschedule the September 4, 2013, PLUC Meeting to September 11, 2013. Roth will post the change of Meeting date.

The Utah League of Cities and Towns Land Use Training on Thursday, July 11, 2013, at 6:30 P.M. will be attended by Fitzburgh, Cameron, and Roth. Mayor Erley, Councilmember Duncan, Town Clerk Ali Fuller, and resident Bill Rau also plan to attend.

#### NEW BUSINESS

#### 7. Discussion and possible action re: Temporary Dwelling Permit Renewal on Lot 90.

PLUC Members reviewed the Temporary Dwelling Permit Renewal for the Park Trailer on Lot 90. Roth reported that the property owners live out of state and normally use the property once a year. She said the owners have been diligent about renewing the permit every two years as required. The property is currently for sale. Hawkins moved to renew the Temporary Dwelling Permit. Cameron seconded the Motion. The Motion passed unanimously.

#### 8. Discussion regarding results of the General Plan Survey.

A conversation between the PLUC and members of the public took place.

In a discussion of process, Fitzburgh explained that upcoming PLUC Meetings will provide a forum for further public input as the PLUC amends the 2007 General Plan. Once a draft of the revised plan is prepared, the PLUC will hold a Public Hearing to solicit further public comment. After the Public Hearing, the PLUC will consider public input before voting on a final version of the General Plan to submit to the Town Council.

In discussion of changes over time within the Castle Valley community, it was noted that concerns about commercial development in the Town have been expressed since the Town began. It was observed that issues have changed as the demographics change. May gave the example that temporary dwellings were very common during the early years of development as compared to now. Another point she made was the intention that the Town—as an entity—remain as small as possible.

Further discussion considered the inclusion within the General Plan of issues related with enforcement or ordinance violations, reconsideration of livestock limits, and emphasis of residential quality and family farming over commercial farming. The value of informing the neighbors of conditional use permit holders when the permits are considered for renewal was also discussed as a tool to use in assessing the impacts of home and premises occupations. Annual inspections of livestock operations and requirement of conditional use permits for commercial agriculture operations were also mentioned.

Fitzburgh observed that support for no commercial development within Castle Valley remains at 76 percent which is about the same as in previous surveys. She also noted that about half the respondents to the General Plan Survey feel that agriculture and livestock contribute to the quality of life in Castle Valley. May stated that the Survey also showed support for a peaceful quality of life and protection of the watershed.

A change of zoning for Castle Valley was also discussed between the public and the PLUC. Less emphasis on agriculture and livestock was one reason given for making a zoning change. May observed that the effect of livestock on Castle Valley water quality was also a concern.

Other enforcement issues discussed included the difficulties of anonymity when a neighbor initiates a complaint. Also mentioned was the difficulty of consistent enforcement when it is complaint driven. Fitzburgh noted that residents have in the past expressed concerns about loss of privacy from Town inspections.

## UNFINISHED BUSINESS

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

Cameron motioned to untable Item 9. Hawkins seconded the Motion. Cameron, Fitzburgh, and Hawkins approved the Motion. The Motion passed unanimously.

Fitzburgh made the following suggestions in proceeding with revision of the General Plan. She wants to revise the Introduction. She also suggested that they ask John Groo, Greg Halliday, and Ron Drake to submit information regarding water issues, road issues, and fire issues, respectively. She asked Cameron to add a section to address septic issues. Fitzburgh also suggested deleting sections, such as concerns about house size, that have been successfully addressed. She mentioned watershed and fuel storage issues as important items to include.

Fitzburgh suggested a proposal be included in the General Plan to form a study group to examine the issues of a municipal well. Cameron ~~said she would like to see a study group examine a system of solar power for the Town of Castle Valley~~ stated a Town resident suggested the idea of the Town having its own solar power system as well as a municipal well. Citizen concerns revealed in the Survey about future solar installations in the Town will be addressed in the General Plan. A sewage treatment plant was also mentioned. PLUC Members agreed that the expense of such an effort would exclude it.

Fitzburgh will make some edits to the General Plan and send to Members via email. She asked that they review the draft before the next Meeting. She also suggested consulting with Judy Sims about septic-related regulations that would be appropriate for a Town of this size. Cameron will report at the next Meeting on her research of septic issues and how to present them in the General Plan. Fitzburgh suggested that it might be best to include any new septic regulations in Ordinance 85-3 rather than in the Watershed Ordinance. According to Fitzburgh, the Town's Watershed Recharge Area Map is currently recorded with Grand County as part of the current Watershed Ordinance. She recalled a conversation with former Town Attorney Gerry Kinghorn in which he indicated the County might no longer recognize this map if a new ordinance were written. Hawkins expressed concern that Item 4 in the Water section of the General Plan was not strong enough to protect the Town's watershed from drilling and/or fracking. Fitzburgh responded that she felt it was important to keep the item in the General Plan so that the Town would be involved in reviewing any future development plans.

PLUC Members will read through the General Plan before the next Meeting in order to make suggestions about what to add, delete, or change.

Hawkins motioned to retable Item 9. Cameron seconded the Motion. Cameron, Fitzburgh, and Hawkins approved the Motion. The Motion passed unanimously.

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

Left tabled.

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

Left tabled.

12. Closed Meeting (if needed).

#### ADJOURNMENT

Cameron motioned to adjourn the Meeting. Hawkins seconded the Motion. The Motion passed unanimously.

Fitzburgh adjourned the Meeting at 8:44 P.M.

**APPROVED:**

**ATTESTED:**

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**Mary Beth Fitzburgh, Chairperson**    **Date**

\_\_\_\_\_  
**Alison Fuller, Town Clerk**                      **Date**