

MINUTES
PUBLIC HEARING ON AMENDING THE TOWN OF CASTLE VALLEY ORDINANCE
#95-6 REGARDING THE BUILDING PERMIT PROCESS AND FORMS
AND
REGULAR MEETING
PLANNING & LAND USE COMMISSION

Date: Wednesday, July 9, 2008

Time: 7:00 PM

Place: #2 CV Drive, Castle Valley Community Center

Present: Mary Beth Fitzburgh, Greg Halliday, Dave Erley, Marie Hawkins

Others Present: Jack Campbell, Ken Johnson, Mark Friese, Damian Bollerman

Public Hearing

1. Call to Order at 7:04 PM by Mary Beth

2. Open Public Hearing re: Amendment of Town of Castle Valley Ordinance #95-6 regarding the Building Permit Process and Forms.

Jack Campbell is in favor of setting a time limit on applying for a building permit from the County, once Castle Valley has approved their application.

3. Adjournment of Public Hearing. Dave motioned to adjourn the Public Hearing. Greg seconded the Motion. Dave, Greg, Marie and Mary Beth all approved the Motion. The Motion passed unanimously.

Adjournment of Public Hearing At 7:05 PM

Regular Planning and Land Use Commission Meeting

1. Call to Order at 7:05 PM

2. Communications from Public. There where no comments.

APPROVAL OF MINUTES

3. Approval of Minutes: Regular meeting of May 7, 2008. Mary Beth asked members to review revised minutes. She will use strike out for changes, underline for additions. Changes will be made and reviewed at the next meeting.

Dave motioned to table the approval of May 7 minutes. Marie seconded the motion. Dave, Marie, Mary Beth and Greg all approved the motion. The motion passed unanimously.

REPORTS

4. Building Permits Update

NEW BUSINESS

5. Discussion and possible action re: Mark Friese Lot 428 Conditional Use Permit Application

Discussion was held on Mark Friese application to construct an eight foot fence along the property line adjoining Tom Henry's property. He will grow hops to sell for beer making. Questions were asked of Mark concerning the starting point of the fence and where it will end and if he is planning to enclose the entire lot. Mark showed a copy of the plot plan showing his plans for the fencing along one side of his property. Mary Beth reminded him the County does require a permit for fences over 6 feet. She told Mark that he may want to check with the Grand County Building Inspector.

Mark was asked what his hours of operation are and will he be using any equipment? He said that as an agriculture project it is a 24/7 operation but he will not have customers coming to his home. He will be working typically during daylight hours. The only equipment used will be typical gardening tools, snips and a ladder. Dave asked if he has any concerns about deer eating his Hops and if he anticipates needing to enclose a greater area in the future. Mark is aware of this and with an open weave fence, the Hops will be susceptible. He would come back to revisit this if needed. Mary Beth said the fence ordinance is to let the deer move safely through the Valley. Commercial Agriculture designation is not needed now. Mark would need to meet certain requirements if enclosing more than one acre of land.

Greg motioned to approve Mark Friese Conditional Use Application with conditions set in Ordinance 85-3. Dave seconded the motion. Greg, Dave, Marie, and Mary Beth all approved the Motion. The Motion passed unanimously.

OLD BUSINESS

6. Discussion and possible action re: reviewing and amending 95-6 (Building Permit Process)

Discussion was held on the Building Permit Process and two minor changes will be made before recommending the document to the Town Council.

Greg motioned to recommend passing on the Building Permit Process (95-6) with the proposed changes to the Town Council. Dave seconded the motion. Greg, Dave, Marie, and Mary Beth all approved the motion. The motion passed unanimously.

7. Discussion and possible action re: reviewing and amending our Conditional Use Permit rules (Mary Beth), tabled

A discussion was held as each member reviewed the draft copy of the Conditional Use Permit Rules from Ordinance 85-3. Mary Beth read the draft and comments from attorney Craig Call with his recommendations.

Members discussed having separate routine and non routine CUP applications. All members agreed that the document must have the correct use of language to designate what is currently being done in practice. It was suggested to put out a list for residents on the Town website simplifying which Land Use Authority reviews and approves each land use application.

Suggestions made were that both a routine or non routine Building Permit can be appealed. Mary Beth recommends a 45 days limit for an appeal. Dave recommends 60 days. Greg would like it to be 60 calendar days, in case of holidays.

Jack asked if there is anything the applicant signs that shows they must meet zoning? Mary Beth told him there is the information form and it must be signed by the applicant. The time limit for an appeal would begin when the clerk approves a routine permit. Marie asked if the PLUC Clerk could email members when a routine conditional use permit is approved so the PLUC could challenge it by their next meeting.

Greg asked if we have a definition of livestock overcrowding, seeing that the Town already has lots that have been denuded. Dave asked for a per 5 acre lot limit on the number of livestock allowed. Mary Beth asked for this to be a separate agenda issue. Greg was asked to do research on this for the next meeting. A discussion was held suggesting that a conditional use permit could be granted allowing for a greater number of livestock per lot as long as specific conditions can be set to mitigate any negative impacts.

Discussion ended at the bottom of page 11 and will continue at the next meeting.

Dave motioned to table the discussion. Greg seconded the motion. Dave, Greg, Marie, and Mary Beth all approved the motion. The motion passed unanimously

8. Discussion and possible action re: reviewing and amending our definition and language for second dwellings, tabled

Dave motioned to untable the discussion. Greg seconded the motion. Dave, Greg, Marie, and Mary Beth all approved the motion. The motion passed unanimously

Mary Beth will work with Attorney Craig Call to do more research, and asked members to think about what is it you do not want to allow and what do you want to allow. Greg asked for a correct definition of dwelling. Dave supports having more input and researching what other Town's are doing.

Greg motioned to retable the discussion. Marie seconded the motion. Dave, Greg, Marie, and Mary Beth all approved the motion. The motion passed unanimously

9. Discussion and possible action re: replacing the Board of Adjustments with a single appointed person as our "appeal authority", tabled

Dave motioned to untable the discussion. Greg seconded the motion. Dave, Greg, Marie, and Mary Beth all approved the motion. The motion passed unanimously.

Mary Beth wants to recommend a three member board of adjustments to the Town Council with two members from Castle Valley's current Board of Adjustments, Jennifer Mengel and Robert Soldat, and one from Grand County's Board of Adjustments, Lance Christie. Discussion was held on whether or not Lance will require compensation. Dave does not know and will do research on this and write of draft using the proper language.

Greg motioned to retable the discussion. Marie seconded the motion. Dave, Greg, Marie, and Mary Beth all approved the motion. The motion passed unanimously.

10. Discussion and possible action re: updating the Deer Fencing Ordinance (Greg Halliday), tabled

Left tabled

11. Discussion and possible action re: reorganization and revision of Zoning Ordinance 85-3, tabled

Left tabled.

Dave motioned to adjourn the meeting. Greg seconded the motion. Dave, Greg, Marie, and Mary Beth all approved the motion. The motion passed unanimously.

ADJOURNMENT AT 8:58 PM by Mary Beth

Approved

Attest

PLUC Chairman

Town Clerk