

MINUTES
REGULAR MEETING OF THE PLANNING & LAND USE COMMISSION

Date: Wednesday, April 4, 2012

Time: 7:00 PM

Place: #2 CV Drive, Castle Valley Community Center

Present: Laura Cameron, Mary Beth Fitzburgh, Marie Hawkins, Tom Noce

Absent: None

Others Present: Ron Drake, Roger Knell, Bruce Millis, Jedd Morley, Susan Roche, Richard Williams

Clerk/Recorder: Faylene Roth

CALL TO ORDER: 7:02 P.M.

1. Open Public Comment.

None.

Laura motioned to suspend the order of business and move to Item 7. Tom seconded the Motion. Laura, Mary Beth, Marie, and Tom approved the Motion. The Motion passed unanimously.

NEW BUSINESS

7. Discussion and possible action re: an application to increase, expand or alter a noncomplying building and a nonconforming use by the LDS Project Maintenance Office (American Fork, UT) to add a steeple with either a maximum height of 47 feet, 1/4 inch or a maximum height of 49 feet, 7 1/2 inches to the existing church building on Lot 8 in order to take the place of the existing but damaged 48 foot high steeple that currently sits adjacent to the church building.

Mary Beth thanked Roger Knell, Architect, and Jedd Morley, Facilities Manager of the LDS Project Maintenance Office, for attending the PLUC Meeting and for their willingness to work with the PLUC in designing a steeple—to replace the current damaged steeple—that will fit within the local community's wish to protect its viewshed. She explained that, since the LDS church building was built before the Town was established, it is considered a noncomplying or “grandfathered” building. There is no policy for steeple construction or height included in any current Town Ordinances. However, the Town’s Zoning Ordinance does allow replacement of an existing but damaged nonconforming structure. The current steeple is damaged. The Town’s Zoning Ordinance also allows for the expansion and increase of a nonconforming use within an existing building or a lot upon approval by the Town Council (section 6.3.C of Town Ordinance 85-3). She expressed the PLUC's wish to reach an equitable agreement.

Roger Knell presented five steeple design options to the PLUC. Mary Beth noted that option 5 provided the narrowest and lowest version and considered it to offer the lowest impact on height and viewshed.

Laura wondered about communication between the Project Office and the local community about the steeple design and asked local church members who were present for their opinions about the proposal.

Richard Williams explained that the LDS Project Office assumes responsibility for all church facilities; they proposed this change because of structural damage to the current steeple. According to Richard, the steeple is 30 years old and the rebar in the concrete column has corroded, which will cause the concrete to spilt and fall away in pieces. They want to replace it before anyone is injured. According to Jedd Morley, Facilities Manager, the project was authorized in the Church's budget one year ago and is now scheduled to begin. Since the steeples also serve as lightning rods, they do not want to remove the damaged steeple before installing the new one. The new steeple will be structurally engineered with a metal framework covered with metal siding, according to Roger Knell, Architect. The color will be bone white.

Tom asked if the steeple height could be lowered to meet our building height and viewshed standard. Knell responded that such a low height—25 feet-- would not meet the LDS Church's standard for a steeple. He noted that the natural vegetation around the current building is as high or higher than the proposed steeple height and would provide some shielding of the steeple within the viewshed. Richard Williams thought that the lower height of option 5 might be acceptable to the church community, but Ron Drake went on record to say that the height of option 5 seemed “puny” to him compared to the size of the building. He did not think there would be that much impact to the viewshed. He mentioned other structures within the Town that impact viewshed, such as the solar panels at the Town Building, that have been allowed. He expressed his preference for option 1 because of its setback and its greater height. Bruce Millis agreed that the height of option 1 best fit the size of the building. Roger Knell said that an examination of the roof structure revealed that the best location for the steeple is reflected in option 5. He will submit a plan for option 1 that is located at the same position as the steeple in option 5.

In assessing the proposed options, PLUC Members responded as follows:

Laura: she wants to hear from members of the community—those within the church community, as well as other residents.

Mary Beth: she felt that a recommendation could be made to the Town Council to consider at their April 18, 2012, Meeting. The proposed steeple plans could be made available at the Town Office for public viewing and the community would then have the opportunity to provide input at the Town Council Meeting.

Marie: she expressed her feeling that the community will be in favor of the steeple addition and is willing to accept the design option chosen by church members.

Tom: he feels that the PLUC has a responsibility to work toward a compromise that reflects the height standards set in the Town Ordinance.

Roger Knell responded that option 5 was designed as a compromise after their meeting with the Town's Building Permit Agent.

Marie motioned to approve option 1 to recommend to the Town Council. Laura seconded the Motion. After discussion, Tom amended the Motion to approve both options 1 and 5 for consideration by the Town Council. Marie seconded the Amended Motion. Laura, Mary Beth, Marie, and Tom approved the Motion. The Motion passed unanimously.

Roger Knell will submit a new drawing of option 1 which puts it in the same position as option 5. Ron

Drake expressed his feeling that the appearance of the building will be enhanced, whichever option is chosen. Richard Williams noted that the effect of the higher steeple in option 1 would have less impact in the new position farther from the road. He noted the importance of the steeple as a statement that the building is a church.

APPROVAL OF MINUTES

2. Regular Meeting February 1, 2012.

Laura motioned to approve the Minutes of February 1, 2012, as written. Marie seconded the Motion. Laura, Mary Beth, and Marie approved the Motion. Tom abstained. The Motion passed with three in favor and one abstaining.

3. Joint Workshop & Regular Meeting March 7, 2012.

Laura motioned to approve the Minutes of March 7, 2012, as written. Tom seconded the Motion. Laura, Mary Beth, Marie, and Tom approved the Motion. The Motion passed unanimously.

REPORTS

4. Town Council Meeting – Chair.

Mary Beth reported that Mayor Erley had met with Donna Metzler, City Manager for the City of Moab. According to Donna Metzler, Castle Valley residents, as Grand County residents, are entitled to use of the City Animal Shelter. Mayor Erley is still negotiating with Grand County to determine if Grand County Sheriff services for animal pickup are available to Castle Valley residents. Once specific policies are clarified, the information will be made available to Castle Valley residents.

5. Building Permit Agent.

Faylene reported that a septic permit and a building permit for a residence were issued for Lot 267 (Pope). She also received a CLUC for a chicken coop and a hoop house on Lot 180 (Shafer). She noted that Grand County requires a CLUC for permanent structures only. They do not consider a hoop house to be a permanent structure; but, since Castle Valley tracks square footage of all structures with a roof, a CLUC is required for hoop houses. There was some discussion of whether a minimum size should be set on agricultural structures that would require a CLUC.

Mary Beth also asked Faylene to include a copy of the Grand County Building Permit with the Castle Valley Building Information Packet.

6. Procedural Matters.

Mary Beth reviewed basic operating procedures for motions, discussions, and voting which are used in conducting PLUC Meetings. Meetings are conducted according to Robert's Rules of Order.

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UT) to add a steeple with either a maximum height of 47 feet, 1/4 inch or a maximum height of 49 feet, 7 1/2 inches to the existing church building on Lot 8 in order to take the place of the existing but damaged 48 foot high steeple that currently sits adjacent to the church building.

Discussion recorded above after Item 1.

OLD BUSINESS

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

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

Mary Beth presented the latest working draft of the Castle Valley General Plan Survey to PLUC Members. She proposed a timeline as follows: current Meeting—review latest changes to the working draft; May 2, 2012, Meeting—host a visioning process to receive input from Castle Valley residents to help create a broader view about what the community wants Castle Valley to be like in five years; June 6, 2012, Meeting—prepare final draft for submission to a consultant for review; July 11, 2012, Meeting—prepare final version of the Survey to be released to residents.

After discussion of the merits of a visioning process, with comments from the audience, PLUC Members decided to further discuss the visioning process at the May 2, 2012, Meeting.

Mary Beth reported that questions in this draft that had begun “Would you favor/support...” have been changed to “Do you favor/support...,” except where the reference is to future events. Responses will be Yes/No or a gradient; such as: strongly favor, favor, neutral, do not favor, strongly do not favor. As agreed to at the March 7, 2012, Workshop with the Town Council, a statement will be added at the beginning of the Survey which states that the purpose of the survey is to gather information from the community about their visions for Castle Valley but to be aware that not all topics inquired about will be achievable in the next 5 years, even though some things may not be attainable.

PLUC Members agreed that the intent in Section A – Water & Septic is to determine how many residents have wells on their lots, how many have to treat their well water to make it potable, how many treat their well water for other reasons than potability, and what kinds of water treatments are in use. There was concern that the questions did not reflect whether residents were choosing to treat all water or drinking water only and whether water was being treated to produce potable water or for personal preference. Information gained from these questions will help the Town determine the potential contamination to the Valley water table from the various types of water treatment being used by residents, as well as the potential need for a community well to provide potable drinking water to residents with or without wells.

There was further discussion about the purpose and need for monitoring holes at the end of septic drain fields. Laura will contact a person she knows who inspects septic systems for the State of Utah to get additional information about the value of this type of monitoring. She will also talk with Ron Mengel, Water Agent, to clarify his reasons for supporting this measure. Members decided to retain the question for now but thought the requirement should be restricted to new construction.

A statement will be added at the beginning of this section noting that septic systems pose the greatest threat to Castle Valley's water quality so that residents are aware why these questions are being asked.

In Section B – Roads & Drainage, a spelling error was corrected, and it was decided to move question 5 about noxious weed education and removal to Section D – Other Health and Safety. In Section C, Mayor Erley had requested the addition of questions about community support for the livestock limits set in the last revision of Ordinance 85-3. PLUC members agreed to delete these questions based on their original premise of not including issues that had been thoroughly addressed during the previous five years. It was noted that residents who are dissatisfied with the livestock limits have the opportunity to record their concerns in a later question (in Section G) which asks which, if any, ordinances they disagree with and how they would change it. No new changes were made to Sections D and E. A few grammatical changes were made in Section “F.” No further changes were made to Section G. In Section H – Community Life, the question regarding Smart Meters was rephrased to say, “Do you favor the Town taking an active role to help residents opt out of having 'Smart Meters' installed on their properties?” The question regarding cell phone service in the Valley will be reviewed after Laura researches options available to improve cell phone service in the Valley. The question regarding some type of health clinic in the Valley will be moved to Section J. Section J will be renamed “Housing & Zoning.” In Section K – Government, there was some concern that the question asking for suggestions to improve the Town's Enforcement policy would be better phrased as “Do you have any suggestions.... If so, ...” However, it was retained as is. The question regarding support of Town resolutions on national issues was reworded to say, “Would you favor the Town passing any future resolutions that support a political point of view on national issues.” In Section L – Let Your Voice Be Heard, a typographical error was corrected and the line for “Zoning” was deleted.

Mary Beth will research questions about Capital Expenditures. She asked PLUC Members to review questions L2 through L5 and Section M before the next Meeting.

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

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

Left tabled.

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

Left tabled.

11. Closed Meeting (if needed).

None.

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

ADJOURNMENT: 9:24 P.M.

APPROVED:

ATTESTED:

Mary Beth Fitzburgh, Chairperson Date

Jil Kulander, Town Clerk Date