

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

Date: Wednesday, April 6, 2016

Time: 6:30 P.M.

Place: #2 Castle Valley Drive, Castle Valley Community Center

Present: Jocelyn Buck, Marie Hawkins, Bill Rau

Absent: Mary Beth Fitzburgh, David Harris

Others Present: Guido Smith

Clerk/Recorder: Faylene Roth

**CALL TO ORDER**

Rau called the Regular Meeting of the Planning and Land Use Commission (PLUC) to Order at 6:31 P.M.

**1. Open Public Comments** – None.

**2. Approval of Minutes.**

**Regular Meeting of March 2, 2016.**

Buck moved to approve the Minutes as presented. Hawkins seconded the Motion. Buck, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

**3. Reports.**

**Correspondence.**

Roth presented two letters. One from PLUC Member David Harris stating he would not be able to attend upcoming PLUC Meetings because his work schedule had changed with the beginning of the tourist season. PLUC Members discussed whether the letter was proposing a temporary suspension of activity or was a resignation. Roth said she had emailed Harris to ask him that question and suggested in the email that Harris talk with Rau about the alternatives. The second letter was from The Church of Jesus Christ of Latter-Day Saints reminding the Town to notify them within 48 hours of any significant hazardous materials incidents on roadways or nearby properties that might jeopardize the well protection zone established in their Drinking Water Source Protection Plan. Roth noted that the Town and the Roads Committee have received copies of the letter.

**Town Council Meeting-Fitzburgh.**

Rau postponed the report from the last Town Council Meeting to the next PLUC Meeting when Fitzburgh will be present.

**Permit Agent.**

Roth reported that one Certificate of Land Use Compliance (CLUC), one electrical permit, and two building permits (one addition and one new construction) were issued in March. She noted that the building permit for new construction on Lot 415 includes a Decommissioning Contract which will be recorded at the County Recorder's Office tomorrow and included in next month's activity report.

**Procedural Matters.**

Roth reported that Town Clerk Ali Fuller had recently attended a Clerk's training where she learned that some of our recent ordinance revisions may require re-numbering to reflect the revisions. Fuller plans to talk with an attorney from Utah League of Cities and Towns to determine what we need to change and how to go about it.

**NEW BUSINESS**

**4. Discussion and possible action re: approval and recommendation of a nonroutine Conditional Use Permit (CUP) Application on Lot 124.**

Buck asked whether all business is done online. Guido Smith, present on his wife's behalf, confirmed that it is. Hawkins said that it seems to be a low-impact business. Roth explained that Smith uses a studio work space—outside the residence—which requires approval by the PLUC.

Hawkins moved to recommend approval of this nonroutine CUP to the Town Council. Buck seconded the Motion. Buck, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

Rau reminded Guido Smith that the recommendation will be considered at the next Town Council Meeting in two weeks.

#### **UNFINISHED BUSINESS**

**5. Discussion re: future amendments to Ordinance 85-3 (tabled).**

Left tabled.

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

Hawkins moved to untable Item 6. Buck seconded the Motion. Buck, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

PLUC Members reviewed a new draft of suggested revisions provided by Fitzburgh. Rau said that he has not yet talked with Jeff Whitney (Grand County Building Inspector) about who would be responsible for the expense of removing unused solar equipment that was considered unsafe (Section 4.15.1(3)).

Rau also reported that the Town Council had expressed concern about the effect of snow on a roof-mount solar assembly. Rau said that the roof would have to be able to hold both snow load and panel weight before being approved. Roth presented an image of a roof-mount system that she received for a solar permit application currently in process. The image shows a low profile and represents a standard system. Rau will consult with the Building Inspector about this when he talks with him about removal of unsafe equipment.

Rau observed that he was not comfortable with the height allowance of 25 feet for a ground-mount system (Section 4.15.2(2)). Roth noted that the panels at the goat dairy are about 25 feet high and are set against a back drop of tall conifers. She also said that a recent application for a ground-mount system is set at 15 feet and that the system at the Town Building is 15 feet. The information that Fitzburgh obtained from Kevin Hansen (American Solar Power) suggested that 9 feet would be adequate for most installations unless safety reasons suggested otherwise.

Hawkins noted her concerns about the vagueness of the phrase “reasonably feasible” used in Section 4.15.2(1). Roth said that Fitzburgh had based that language on ordinances from other towns that wanted to encourage solar energy without being too restrictive. The phrase is also used in Sections 4.15.1(1) and (2).

Hawkins asked about their ability to monitor glare from the panels. She wondered if all solar permits should be considered nonroutine and reviewed by the PLUC. Rau responded that glare had been discussed at the last Meeting. The general feeling was that it was intermittent, changed with the seasons, and came from a variety of sources other than solar panels. Hawkins observed that glare could become a nuisance issue and that it might be best to deal with it ahead of time.

Roth will save grammatical/word usage edits for the next Meeting.

Buck moved to retable Item 6. Hawkins seconded the Motion. Buck, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

**7. Closed Meeting – None.**

#### **ADJOURNMENT**

Hawkins moved to Adjourn the Meeting. Buck seconded the Motion. Buck, Hawkins, and Rau approved the Motion. The Motion passed unanimously.

Rau adjourned the Meeting at 7:02 P.M.

**APPROVED:**

**ATTESTED:**

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Bill Rau, Chairperson

Date

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Faylene Roth, PLUC Clerk

Date