

MINUTES
REGULAR MEETING
PLANNING & LAND USE COMMISSION

Date: Wednesday, April 9, 2008

Time: 6:30 PM

Place: #2 CV Drive, Castle Valley Community Center

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

Others Present: Elizabeth Cate, Egmont Honer, Jack Campbell, Damian Bollerman, Jim Lindheim

CALL TO ORDER by Marie at 6:37 pm

1. Election of new Chairperson:

A chairperson must be elected to replace Karen Nelson. Marie motioned to nominate Mary Beth, Dave 2nd the motion. All aye.

Mary Beth accepted the chairman position. Mary Beth asked Marie to continue chairing meeting.

2. Communications from the Public

Approval of minutes:

3. Regular meeting of March 5, 2008 no minutes were presented.

REPORTS

4. Building Permits Update by Mayor Damian Bollerman

PLUC chairman will do building permits until an agent is hired.

NEW BUSINESS

5. Discussion and possible action re: Housing Decommissioning Contract, Lot 153

Owner Egmont Honer asked why a decommissioning contract was needed when they applied for a recent building permit? They applied for a temporary dwelling permit when they placed the trailer on their property previously. Their plans are to remove the trailer once the house is built. Marie told them they are covered with the Temporary dwelling permit. Mary Beth motion to accept the decommissioning contract and pass it on to the Town Council Dave 2nd the motion. All aye
the contract needs to be notarized by PLUC chair and owner. Elizabeth Cate has her contract notarized.

6. Discussion and possible action re: time limits on building permits

Currently Castle Valley has no time limits for building permits, Grand County does have limits. Dave asked Jim and Damian what Town Council would like to see for limits. Damian mentioned the interlocal agreement Castle Valley has for services with Grand County has to be followed. It would be foolish not to have Jeff Whitney's opinion on this. Someone from PLUC should meet with Jeff to ask what limits he would encourage. Jim Lindheim said he has spoken with Jeff, Grand County has a 6 month limit whereas the builder must show progress on the property, he says is it now running about 8 months. The Grand County building Department has had permits roll over & over for many years.

Mary Beth said Castle Valley needs an ordinance to be set before a time limit can be required on building permits. Mary Beth would like to have Town Council look into a reasonable time limit. Mary Beth says the builder could bring a signed building permit from the County inspector to show compliance. Dave wants to make it proactive. Marie feels 6 months is too short of a limit. One year is more realistic for Castle Valley.

Mary Beth wants to look at if the builder is showing due diligence. Mary Beth asked that once Grand County's permit has lapsed, then Castle Valley's permit will have too? Jack mentioned that every six months can be regulated especially if the zoning changes. Dave will talk to Jeff Whitney. Mary Beth wants first to see what Jeff suggests before PLUC sets the limit. Jim Lindheim mentioned he had started on an ordinance and will send on what he has. Jim also mentioned Castle Valley does not want to renegotiate their interlocal agreement.

Dave asked Elizabeth and Egmont as new home builders what would they suggest. Elizabeth agreed with the one year.

Dave motion to table, Greg 2nd All Aye

7. Discussion and possible action re: processes and procedures for reviewing building permits by the Building Permit Person and for the PLUC to operate under, including communication channels to forward information to the TC.

Mary Beth had heard from Karen that a procedure needs to be in place in case any one from PLUC needs to do a permit.

Discussion was held on who may be willing to be trained, and the drainage review process. Dave asked how the drainage review is done, have we asked for legal advice, if the drainage review is denied or not done. Damian has only seen one that may have their permit denied. Greg mentioned if we have someone is certified to do the review, we are in a better position.

Mary Beth sees a need to rethink the drainage review issue. Damian wants PLUC to review 95-6 for it may have it covered already. Jim states that procedures must be in place. To change an ordinance a workshop must be held, two week notice given and hold a public hearing before it can be changed. Mary Beth noted we need to have a clause that would allow us to update building permit forms without having to go through a formal resolution, that this can be modified. Jim says this can be an administrative clause. Dave sees the need to revamp it too, Jack asked the PLUC to check with your state rules, you may not need the public hearing. What you are doing is fine tuning an ordinance, it is not a huge issue as in changing zoning. Mary Beth wants this to be done right away and have on the next agenda.

Mary Beth motioned to table until next meeting Dave 2nd the motion All aye.

OLD BUSINESS

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

Dave motioned to untable Mary Beth 2nd All aye

Town Council asked PLUC to contact Craig Call about Conditional Use Permit Applications. Mary Beth is contact person and will get with Craig Call. Dave asked for Mary Beth to start at ground zero. From what Dave and Damian heard at a training in St George they are worried Castle Valley is in noncompliance. We need to find out if the CUP is running with the land and 2nd what about low or no impact businesses. Can we have the two versions of our CUP application? Damian wants PLUC to work with Craig to know what is correct for us. PLUC can tell Craig what Castle Valley has now and wants. Jack asked about the review process. Mary Beth answered that there is a set of rules for every CUP. Dave says we must keep the conditions consistent. Dave motioned to table Greg 2nd the motion All aye.

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

Left tabled

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

Mary Beth motioned to untable Dave 2nd All aye.

Mary Beth sees this is another question for Craig Call, also that Karen had spoke with Dave Church about this earlier. Damian suggested PLUC contact Lance Christie as a person with knowledge of having an appeal authority. Greg feels an attorney from SLC would be best instead of having the Board of

Adjustments. Dave stated he has some consternation about Town Council giving PLUC all the control on this issue. Marie says one person is not democracy, three people would be more comfortable, Mary Beth will ask Craig Call how to change our Board of Adjustments to three people serving. Dave brought up the fact that currently three are already on the Board of Adjustments: Robert Soldat, Mark Webster, and Jennifer Mengel.

Dave motioned to table, Greg 2nd All aye

11. Discussion and possible action re: reorganization and revision of Zoning Ordinance

85-3, tabled

Left Tabled

Discussion on changing time to 7:00 PM starting at next meeting in May. All agreed, Denise will be notified.

Applications for Building Permit Agent were reviewed, Greg, Mary Beth and Damian are the hiring committee and will set up interviews. Evenings okay. Mary Beth wants the agent to have some construction background. Greg asked that they be contactable with working phone and physically able to visit the site. Dave asked that the person needs to be able to measure and know some construction.

Dave motion to adjourn the meeting, Greg 2nd All aye.

ADJOURNMENT at 7:58 by Marie Hawkins

Attest

Approved

Town Clerk

PLUC Chairman