

**Dec 5, 2007 MINUTES**

**REGULAR MEETING**

**PLANNING & LAND USE COMMISSION**

Date: Wednesday, Dec 5, 2007

Time: 6:30 PM

Place: #2 CV Drive, Castle Valley Community Center

**Present: Karen Nelson, Mary Beth Fitzburgh, Greg Halliday, Marie Hawkins**

**Absent: Dave Erley**

**Others: Laura Cameron, Jack Campbell,**

**CALL TO ORDER at 6:35 pm by Karen Nelson**

1. **Communications from the Public** Laura Cameron asked what is going on with the moratorium on house limits; Mary Beth gave an update that the Town Council has made a resolution for 6 months, which is to expire in March. Approx 3/15/08. Town Council is to consult w/ an attorney. She asked if it's Kinghorn. Mary Beth answered no it is someone w/ experience in City land use issues.

**Approval of minutes:**

**2. Workshop meeting of June 8, 2007** not complete yet

**3. Regular meeting of Nov. 7, 2007** waiting for corrections

**REPORTS**

**4. Building Permits Update –**

Jeff Anderson Lot 230 Miller- Building Permit to enclose porch

Jay Ogilvy Lot 419 Cliffview- Building Permit for addition to existing home

Rick Wolcott Lot 250 Miller-Building Permit for Carport addition to garage

**NEW BUSINESS**

**5. Discussion and possible action re: Annual update requests for Conditional Use Permits**

In an email Dave Erley requested keeping letter's language simple to use every year. Use correct dates, 3<sup>rd</sup> line- Instead of a dedicated date use "First business day following the New Year". Strike line on complaints this year. First Paragraph- Change P& Z to PLUC, Last paragraph- Attach the questionnaire. Instead of Jan 9 must be in by the last business day of January 2008.

Strike earlier appreciated. Strike Rebecca Martin to Debra Officer, and title. The questionnaire will need correct dates, and add PLUC not P& Z

Go through each file to send to current CUP letter by Dec 15 Mary Beth motioned to approve letter and questionnaire with corrections. Greg 2<sup>nd</sup> All Aye

#### **6. Discussion and possible action re: Land exchange between lots 261 and 262**

Karen did lot visit, and read the Petition to amend Subdivision aloud. (Attached) Property Owners must present the petition to PLUC to see if there are any foreseeable problems before proceeding. PLUC does not see any problem with the exchange. Greg motion to table until survey is complete. Marie 2<sup>nd</sup> All Aye

#### **OLD BUSINESS**

#### **7. Discussion and possible action re: reorganization and revision of Zoning Ordinance 85-3**

PLUC was told by Jim L, Town Council has plans to work on this, Will keep tabled

#### **8. Discussion and possible action re: Decommissioning of second dwellings. (Ranna), tabled**

Mary Beth did bring up Ranna had suggested going back and checking second dwellings periodically. Once the certificate of occupancy is received and the 30 days has past, do inspection. If in noncompliance after passing inspection, move to nuisance committee.

Laura asked about the problem of others having 2<sup>nd</sup> dwellings now. That at resale this should be checked into. A house on Keogh had advertised a guest home. Karen said that is separate issue not what we're discussing now.

Karen sees a need for definition of second dwelling included on contract.

Discussion followed on subject of second dwellings and definition of such.

Karen assigned Deb to do revisions and have out within 2 weeks.

Greg motioned to put back on table, Mary Beth 2<sup>nd</sup> All Aye.

#### **9. Report, discussion and possible action re: updating the Deer Fencing Ordinance (Greg Halliday), tabled**

Mary Beth motion to take off, Greg 2<sup>nd</sup> All Aye

Dave emailed this definition to PLUC to be read by Karen

A suggested definition of Commercial Agriculture: Land devoted to the raising of useful plants with a reasonable expectation of profit, including:

(i) forages and sod crops;

(ii) grains and feed crops;

(iv) trees and fruits; or

(v) vegetables, nursery, floral, and ornamental stock; or

any activity which requires the filing of schedule F as part of the owners' or operators' federal income tax return shall constitute a commercial operation.

Some discussion on definition followed.

Mary Beth comments from 2003-3 ordinance, the property owner must apply through PLUC for CU for exclusionary fencing. Get designation of commercial agriculture.

Marie suggested when the property owner demonstrates the need for fencing; they must have adequate water, and meet commercial agriculture definition.

All members are agreeable with definition from Dave, and the 2003-3 ordinance draft. The Commission will work on having the two documents combined into one good ordinance.

Marie motion to table Greg 2<sup>nd</sup> All aye.

**10. Discussion and possible action re: Town Council's request to review all Town Ordinances for consistency and effectiveness of all enforcement and penalty provisions, tabled**

**Adjournment** by Karen at 8:10 Greg motioned to adjourn Marie 2<sup>nd</sup> All Aye

Approved:

\_\_\_\_\_  
Karen Nelson PLUC Chair

\_\_\_\_\_  
Date

Attested:

\_\_\_\_\_  
Denise Lucas Town Clerk

\_\_\_\_\_  
Date