

**MINUTES  
REGULAR MEETING  
PLANNING & LAND USE COMMISSION  
Wednesday, September 6, 2006  
Castle Valley Community Center**

Call to Order: **Chairperson, Michael Peck, called the meeting to order at 7:02 PM.**

**Commissioners Present:** Michael Peck, Vickie Kress, Marie Hawkins, Gil Gonzales.

**Absent:** none.

**Others present:** Mary Beth Fitzburgh, Leta Vaughn.

**1. Approval of Minutes: Special Meeting Minutes of August 1, 2006, Complaint/Enforcement Resolution Workshop.**

Vickie moved to adopt the minutes of the August 1, 4 PM, joint meeting between the TC & PLUC with the grammatical changes suggested by Vickie. Gil seconded. Motion passed with Michael and Vickie in favor. Gil & Marie abstained.

**2. Approval of Minutes: Special Meeting Minutes of August 1, 2006, General Plan Workshop I.**

Vickie moved, and Gil seconded, to approve the minutes as presented. Motion passed unanimously.

**3. Approval of Minutes: Regular PLUC Meeting Minutes of August 2, 2006.**

Vickie moved, and Marie seconded, to adopt the minutes of the August 2, 2006, PLUC meeting. Motion passed unanimously. Marie has non-substantive changes to suggest.

**4. Approval of Minutes: Special Meeting Minutes of August 15, 2006, General Plan Workshop II.**

Vickie moved to adopt the August 15, 2006, PLUC portion of the joint meeting minutes. Gil seconded. Motion passed with Michael and Marie in favor. Gil and Vickie abstained.

**5. Communications from the Public.** None.

**Reports**

**6. Building Permit Update.** Leta presented the building reports for July and August. No permits were issued in July. One electrical permit was issued in August to Lot 30. There is no building there yet.

**7. Town Council Information and Requests:**

The Town Council has given a directive to survey the public re: the 5-year General Plan review process. (copy included)

[Clerk note: the Commissioners moved to item 9 on the agenda, then back to item 8, then on to item 10.]

**New Business**

**8. Discussion & possible action re: CUP Application, Michael Peck, Lot 340, Castle Valley Property Management Service.**

Vickie commented that it seems ridiculous to have to have a permit for something with no impact. Discussion ensued with comments by Gil, Vickie, Rebecca and Michael. Concern was voiced on one hand that the process wastes Town and citizen time when something may be so low impact that the neighbors don't even know it is happening. Concern was voiced on the other hand that the CUP process may be the only control/protection the Town may have to regulate businesses that grow, and against undesirable businesses and/or commercial or spot zoning.

Suggestions for improvement included having everyone "register" their businesses with the Town and/or sign a statement that they will abide by the Town ordinances.

There was discussion of equal protection law and differential enforcement with comments by Marie and Rebecca. Discussion ensued about whether businesses would come up for review on a complaint-based vs. by action of the Town.

**Re: Michael Peck's current request for a CUP (to run a property management business from Lot 340):**

Michael recused himself from the discussion.

Vickie asked about impacts from delivery or freight traffic. Michael said he may have a flier shipped, or that he may buy something in bulk. Neighbors were notified (no comments came back). Michael stated that he has read (Land Use Ordinance 85-3) and understands the regulations.

**Marie motioned to recommend to the TC to pass this CUP application as noted that there is no impact. Gil seconded. Motion passed unanimously.**

**Michael will be at the TC meeting on September 20<sup>th</sup> for his CUP and will therefore also give the PLUC report to the Council.**

## **Old Business**

### **9. Discussion & possible action re: Reviewing the Castle Valley General Plan. (tabled)**

**Vickie motioned to un-table Item 9 retroactively. Gil seconded. Motion passed unanimously.**

Gil inquired about the process that the PLUC would now follow. Michael commented that Water was the chief issue, that a building moratorium has been suggested until the water quality study has been re-done, and that the General Plan should underscore those things.

Marie suggests a separate meeting on water issues.

Rebecca presented files on public hearings from previous processes and described the process as it appeared to have occurred in the past, i.e.,

- 1) the Planning Commission surveyed the public and/or held a hearing
- 2) recommendations were made to the Town Council based on the results
- 2a) a draft showing changes (strike-through format) may have been created at this stage
- 3) the TC worked with the draft/worked up a draft and held a hearing
- 4) the TC incorporated changes based on hearing input and adopted the new General Plan.

Mary Beth and Leta remembered a Castle Valley survey they thought was within the past five years where a University in SLC had done the survey questions.

**Michael outlined an action plan as follows: Rebecca will continue the search for past survey questions, and everyone will familiarize themselves with the current General Plan, the ULCT document on how to revise the General Plan, and whatever documentation can be found about what has been done in the past.**

**A Special Meeting was scheduled for Tuesday, September 19<sup>th</sup>, at 7:00 PM, at #2 CV Drive, to work on the General Plan.**

Discussion ensued about whether the PLUC felt comfortable making up its own survey questions or whether public opinion would indicate that surveys are an area that require established expertise.

**Rebecca will place this topic on the September 20<sup>th</sup> TC agenda.**

**Vickie moved to table this item. Gil seconded. Motion passed unanimously.**

**10. Discussion and possible action re: Update of Aquifer Protection Ordinance/Fuel Storage Ordinance. (tabled)**  
Item remained tabled.

**11. Discussion & possible action re: Update of Deer Fencing Ordinance. (tabled)** Item remained tabled.

**12. Discussion and possible action re: Town Council request to review all Town's Ordinances and Resolutions for consistency and effectiveness of all enforcement and penalty provisions. (tabled)** Item remained tabled.

## **Adjournment:**

**Vickie moved to adjourn. Marie and Gil seconded. Motion passed unanimously. Meeting adjourned: 8:02 PM.**

## **Attest:**

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**Rebecca Martin, Town Clerk**