

**CASTLE VALLEY PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
FEBRUARY 9, 2005**

COMMISSION MEMBERS PRESENT: Richard Schwartz, Chairperson; Rick Lamb, Michael Peck, Pam Hackley, Board members.

AUDIENCE PRESENT: Jennifer Mengel, Clerk; Jack Campbell

MEETING CALLED TO ORDER AT 7:09 PM

APPROVAL OF MINUTES OF PRIOR MEETINGS: November 10, 2004, minutes were approved as presented.

REPORTS:

BUILDING PERMIT UPDATE – Richard Schwartz discussed the report submitted by Ron Mengel. The Commission reviewed the report and discussed the issue relating to Jeff Whitney’s question of issuing building permits for home repairs. Rick Lamb’s experience indicated that if a contractor is hired to perform work, then a building permit must be issued; however, if a homeowner performs their own repair, then no permit is likely to be requested. The consensus was that unless directed by the Town Council, the Commission would not recommend requiring a permit for home repairs. **Richard indicated he would contact Ron regarding safety specific examples of home repair which might require permitting.**

TOWN COUNCIL INFORMATION AND REQUESTS – The Commission reviewed the Annexation Policy Plan public hearing excerpt from the January 13, 2005, Town Council meeting minutes

UNPLATTED LAND ISSUES – No report.

OLD BUSINESS:

1. Rick Lamb moved to take discussion of the Fence Ordinance revision off of the table. Pam Hackley seconded the motion and it passed unanimously. The Commission reviewed the public hearing report held on December 8, 2004. Richard suggested reviewing the Ordinance in two parts; first, commercial agriculture use and second, the Ordinance in general. Pam suggested that the commercial agriculture section of the Ordinance would require a definition of terms section. The Commission discussed various options for defining commercial agriculture in terms of; “(a crop) raised for sale to someone other than the owner” or “growing something for monetary return”. Also discussed was the implication of the word, “proof”. Richard suggested that the reference be changed to “demonstrated by documentation from the Town of Castle Valley,

Irrigation Company or a personal water right". Editorial changes to the Ordinance in general and clarifications in the types of permitted fences were also discussed. Pam Hackley moved to forward Ordinance 2003-3, with the incorporated changes, to the Town Council with a recommendation of approval. Michael Peck seconded the motion and it passed unanimously. A copy of the proposed Ordinance is attached to the minutes of this meeting.

2. Pam Hackley moved to take fuel tank storage standards off the table for discussion. Michael Peck seconded the motion and it passed unanimously. Richard Schwartz reviewed the history of the effort to create standards for fuel storage. The Commission considered the possibility of incorporating other contaminants besides gasoline; such as, pesticides or other chemicals. The Commission also considered the possibility of crafting the ordinance to refer to drinking water quality thus making the ordinance more overreaching. Richard pointed out that it has been difficult to craft the proposed Ordinance thus far and that more restrictions will decrease the likelihood of adopting a fuel storage ordinance. Michael stated that he believes that gasoline seems to be the greatest problem in the valley. **Rick Lamb moved to table fuel storage standards for further review. Michael Peck seconded the motion and it passed unanimously.**

NEW BUSINESS:

6. Item 6 was postponed to the end of the Agenda.

7. The Commission reviewed the conditional use permits of those owners who had not responded to the renewal letter dated November 19, 2004. Members of the Commission were able to identify some owners who had moved and cancelled those permits. **The Clerk was instructed to contact the owners of lots 313/314, 89 and 328 to verify their intention to cancel their permits.**

8. The Commission addressed the request for a boundary adjustment by the property owners of lots 154 and 155. Richard provided a history of the boundary adjustment request. The first request, reorienting the lots, was denied following public comment and the Commission's opinion. The Commission expressed concern that approving any boundary adjustment which inherently creates a variance requirement was not a proper action from Planning & Zoning standards. In addition there was consensus that changing lot lines might set an undesirable precedent. The Commission agreed that they should meet at the property in question to better understand the building envelope for lot 155 and potential impacts on existing lots. **The Clerk was instructed to send a letter to the owners of lots 154 and 155 informing them of the Commission's attention to their request and notification of the issue as an agenda item in March, 2005.**

6. The Commission reviewed the conditional use permit request of Gil Gonzales, lot 186. **Following discussion of the difference between a business and a hobby, the Commission agreed that unless Gil receives money from purchasers or advertisers, he does not need a conditional use permit. The Clerk was instructed to send a letter to Gil informing him of the Commission's opinion.**

OPEN PUBLIC COMMENT PERIOD – Jack Campbell recalled that a previous boundary adjustment request had been addressed by the Town of Castle Valley. That request skewed a lot line in a minor way to establish the required building set-backs.

Pam Hackley questioned the need to publish the yearly Planning & Zoning meeting schedule in the Times Independent. Also discussed was the possibility of moving the date of Planning & Zoning meetings. The members agreed that the meeting dates should remain as established.

ADJOURNMENT – Rick Lamb moved to adjourn the meeting at 8:30 PM. Michael Peck seconded the motion and it passed unanimously.

ATTEST:

APPROVED:

Richard Schwartz, Chair
