

MEETING MINUTES
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY

Date: Wednesday, June 7, 2023

Time: 6:30 PM

Anchor Site: CASTLE VALLEY TOWN BUILDING - 2 CASTLE VALLEY DRIVE

** Due to concerns regarding the potential spread of COVID-19, this was a Hybrid Meeting, held electronically by Zoom and also in person at the anchor site, the Town Building with limited seating.

Chairman Ryan Anderson read the determination and called the Regular Planning and Land Use Commission Meeting to order at 6:34 PM

PLUC Members present: Ryan Anderson, Colleen Thompson, Jeff Whitney and Julie Baird.

PLUC Members Absent: Marie Hawkins

PLUC Clerk Jessica Maw

Others present: Jazmine Duncan, Faylene Roth and Jocelyn Buck

1. Adoption of the Agenda

Whitney motioned to adopt, Thompson seconded motion passed unanimously.

2. Open Public Comment: None

3. Approval of the Minutes

Thompson motioned to approve the Minutes from May 5, 2023, Whitney seconded motion passed unanimously.

4. Reports:

Correspondence: None

Town Council Meeting- Thompson reported that through a joint Grant from the National Water Monitoring Network the Town will get enough funds for 3 more water monitoring transducers. The Water Advisory Committee will be looking to update the Town's Watering Ordinance. With the PLUC report the Council had briefly discussed how to account for the square footage regarding cantilevers / open parking areas under a house, both CM Hill and CM Gibson stated they thought that square footage should be counted. This is item 6 on our Agenda. Fire District report the Burn window will/ has closed May 31st. The Council decided that an amendment to remove orphaned language about extra livestock from the Fee Schedule was administrative. Item 8 Discussion regarding a letter to Grand County regarding the Small Area Plan (SAP) as it could be related to the Under Canvas (UC) development .Marybeth Fitzburgh presented on behalf of the LaSal Mountain Alliance which has been working with the County on planning tools as it relates to any large developments near our Town. A SAP could put a pause on any overnight accommodations developments until land use impacts have been evaluated. Other tools could be a Future Land Use Plan and/or an Eligibility Map. Grand County has wanted to define campgrounds in Land Use code and would also like input from the Town. The letter asks

to have the Town included in the Land Use and/or SAP process. The Council approved the letter. Another Letter was approved regarding comments to LaSal Manti Forest regarding enlarging the campground at the CV overlook.

Building Permit Agent- Thompson report provided 6 permits issued.

Administrative & Procedural Matters: Discuss Updates to Future Town Survey

Thompson asked if the survey should include questions on house size limits and heights as it has done on previous surveys but reformat the questions phrasing. Whitney commented against too restrictive Land Use Ordinances and spoke to the history of height limitations. Thompson added that it is a fine line between keeping regulations minimal without impinging on neighbors. And the point of the survey is to find out and reaffirm what residents want. Anderson and Baird added that how the questions are crafted is important, there should be a combination of multiple choice and open ended questions. Discussion continued on how to send out the survey and getting help with the survey results statistical analysis.

New Business

5. None

Unfinished Business

6. Discussion & Possible Action: Update to Language in "Definitions: Combined Square Footage "

Thompson as the Building Permit Agent asked for clarification of the ambiguous language in Ordinance 85-3 on how to count square footage under the second floor of a house i.e a carport area or potentially under a deck that has a roof over it. Whitney added the County would count from the outside face of the supporting post to the building. M Duncan cited state code - square footage is the area of any portion of building which is directly under a roof except the exterior area below a roof can only be counted once. Thompson stated that is the ambiguous issue the parking area can be exterior and directly below the roof underneath a house. Should that be counted? Can useable space under a cantilever be counted? Buck commented that if useable space under a structure or cantilever is not counted in the planning stages what is to stop residents from at a later date closing it in and then they would be potential over the allowed square footage. Roth added some history on counting footage from the eaves; it was because of concerns for the potential negative effects on view sheds. Some plans could have had huge covered outdoor areas. If there were 2 stories then only one would be counted. Thompson added that a true cantilever does increase the overall size of a house. The Ordinance does state that if a resident does enclose an area it does increase the square footage and it would also need a building permit. How would we define useable vs unusable space under a building as it may pertain to the slope a house is built on? Buck added that as with all Town Ordinances they should be written so they are enforceable and not so ambiguous that they can't be understood or enforced. Thompson suggested parking or useable space under a supporting structure will be counted. Whitney added that the useable space should be counted if it is at less than a 6% grade. Anderson liked aligning language with State code. Whitney continued that if we adopt the Wildland Urban Interface (WUI) code you can't have an open deck or cantilever especially on a hillside because of the potential fire hazard. Roth added that the height and length of the overhang of the open area should be defined in consideration for how the square footage should be counted. Thompson, Whitney and Roth will get together create and send language to the Council.

Whitney motioned to table Item 6, Thompson seconded motion passed unanimously.

7. Potential Informational Updates on FEMA Flood Insurance.

Anderson reminded members of a FEMA training on flood mapping on Zoom next week.

Whitney reiterated that once the FEMA flood mapping is done some people may not be able to get flood insurance and that also means banks won't want to lend money to finance houses without flood insurance. Anderson does want to plan a Fall FEMA information session for the public with Tracie Harrison.

8. Potential Update on Dark Sky Application

Buck explained that after our Application was submitted the International Dark Sky Association (IDA) their review had come back with further requirements/ changes we needed to make to our Dark Sky Ordinance in order to comply with the IDA. Roth, Thompson and Buck explained some of the changes throughout the old Ordinance these changes will be formalized for the PLUC Public Hearing next month. A whole new section has been added to incorporate Public Buildings and Parking lots; they are allowed to have more lumens than the residential limits. IDA required timers to be changed from 10 minutes to 5 minutes. We had to clarify streetlights and lighting on playing fields/courts was a prohibited use. Several of the Ordinance sections will be re-numbered to incorporate changes and additions. Buck encouraged finishing the amendments to the Ordinance for the PLUC Public Hearing in July and then have it ready for the Town Council Meeting in July and re-submit the Application to the IDA in August.

9. Closed Meeting not necessary

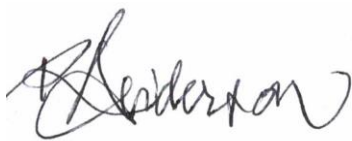
Adjournment

Anderson asked for a final motion to adjourn. Thompson so moves, seconded by Whitney. Vote to adjourn was unanimous. Meeting was adjourned at 8:12 PM.

Minutes submitted by Jocelyn Buck

APPROVED:

ATTESTED:



Ryan Anderson, Chairperson

12.6.2023

Date



Jocelyn Buck, Town Clerk

Date 12.6.2023