



AGENDA

PUBLIC HEARING ON THE PROPOSED FY 2025 BUDGET AND THE REGULAR TOWN COUNCIL MEETING

THURSDAY, JUNE 20th, 2024 AT 6:30 P.M.

CASTLE VALLEY COMMUNITY CENTER - 2 CASTLE VALLEY DRIVE

This meeting will be a hybrid meeting held electronically by Zoom and also in person at the anchor site the Town Building . If you have comments or concerns for the Council please attend or email them prior to the Meeting: townclerk@castlevalleyutah.com or call 259-9828 M-W 9AM-1PM. Thank you!

PLEASE NOTE: ** HOW TO JOIN THE ZOOM CONFERENCE CALL **

Meeting ID: 660 541 0108 Passcode: 84532

Option 1 Dial-in phone number (US): (253) 215-8782 follow prompts.

Option 2 Join the online meeting (must have computer speakers and microphone):

<https://zoom.us/j/6605410108?pwd=Q05sYm5qQ0lpNIY5TVp2bTU5VnZjQT09>

Call to order and Roll Call

PUBLIC HEARING

Public Hearing on the Proposed Budget for FY 2025

Public Comment:

Regular Town Meeting

1. Open Public Comment:
2. Approval of Minutes: Special Town Council Meeting May 28, 2024.
3. Executive Reports:
 - *Water Agent and Water Committee Report - John Groo/ CM O'Brien
 - *Road Department Report- Honer
 - *Planning & Land Use Commission-Faylene Roth
 - *Utah Renewable Communities-CM Gibson
 - *Fire District-M Duncan /Chief Drake
4. Correspondence: Resident's email
5. Administrative Matters & Procedures: Town letters, Grounds Keeper position.

NEW BUSINESS

6. Discussion and Possible Action re: Resolution 2024-5 Adopting the Certified Tax Rate.
7. Discussion and Possible Action re: Resolution 2024-6 Adopting the Proposed FY 2025 Budget.
8. Discussion and Possible Action re: Recommendation and Approval of Ryan Anderson to the Planning and Land Use Commission.
9. Discussion and Possible Action re: Review of Subdivision Code from Hansen Planning Group.
10. Discussion and Possible Action re: Commenting on the Dolores River Travel Plan.

UNFINISHED BUSINESS -none

10 Closed Meeting (If necessary)

11. Payment of the bills.

ADJOURNMENT

For Meeting Packets go to: <https://www.utah.gov/pmn/index.html> Government: select "Cites"

Entity: select "Castle Valley" Body: select "Town of Castle Valley "Select this meeting and click on "Download attachments"

SPECIAL TOWN COUNCIL MEETING MINUTES
TUESDAY MAY 28th, 2024 AT 6:30 P.M.
CASTLE VALLEY TOWN BUILDING - 2 CASTLE VALLEY DRIVE

****This meeting was a hybrid meeting held electronically by Zoom and also in person at the anchor site of the Town Building.**

Council Members Present: Mayor Duncan at the anchor site, Council Members Hill, Gibson and Holland on Zoom.

Absent: CM O'Brien

Others Present at Anchor Site: Colleen Thompson.

Others present on Zoom: Dorje Honer

Call to order and Roll Call

1. Open Public Comment: None

2. Approval of Minutes:

Special MBA Meeting, CDBG and Budget Public Hearings and Regular Town Council Meeting May 15, 2024.

CM Gibson moved to approve the Minutes from the Special MBA Meeting, CDBG and Budget Public Hearings and Regular Town Council Meeting May 15, 2024. CM Holland seconded motion passed unanimously.

NEW BUSINESS-None

ADJOURNMENT

CM Hill moved to adjourn, CM seconded, motion passed unanimously.

M Duncan adjourned the Meeting at 8:05 PM

Approved:

Attested:

Jazmine Duncan, Mayor

Jocelyn Buck, Town Clerk

Town of Castle Valley
Road Department
Monthly Report May 2024

Dorje Honer
June 19, 2024

ROAD MAINTENANCE

- Mowing/Vegetation Mitigation has Begun.
 - CVD was mowed two swaths wide.
 - E. Buchanan and E. Pace had an initial tumbleweed removal performed.
- Culvert clearing and drainage maintenance will continue over the coming months as weather and time permits.

PROJECTS

- Mower Repair/Redesign (See Below).
- Tar Trailer Deconstruction/retrofit.

MATERIALS

- Large material in the easement is planned to be recovered for large washout incidents.

REQUISITIONS

- Mower Hydraulic Lines.
- 525 Gallon Water Tank.

ACQUISITIONS

- Various mower parts.

EQUIPMENT

- NOTE: Unlisted are operational, but may have issues.
- Mower (Some fixes are planned temporary, full rebuild still planned)
 - Complete inspection of all mower parts completed.
 - Rewelded Cracks in Boom.
 - Main boom pin replaced.
 - Made and installed bushing for Boom to swivel Joint.
 - Boom attach point modified to allow more robust boom joints.
 - Boom unbent and restored to close to original condition.
 - Hydraulic Lines rerouted.
 - Oil Change completed.
 - Various small fixes and repairs.

FACILITIES

- Nothing to report at this time.

TRAINING

- Nothing to report at this time

BUDGET

- We are currently within our budget for the year.

INCIDENTS & ACCIDENTS

- Nothing to report at this time.

WORK SCHEDULE

- The road crew works a flexible schedule (usually Mondays & Tuesdays) based upon: resources available, prioritization of work, weather conditions, and the private schedule of its employees. The road crew currently does not work on Sundays except for emergencies.

**PENDING (1) MINUTES
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY
THURSDAY, JUNE 6, 2024**

This meeting was a hybrid meeting held electronically by Zoom and also in person at the anchor site of the Town Building.

Date: Thursday, June 6, 2024

Time: 6:30 P.M.

Place: #2 Castle Valley Drive, Castle Valley Community Center and via Zoom.

PLUC Members Present:

In person: Chair Ryan Anderson, Dorje Honer, Janie Tuft. By Zoom: Marie Hawkins

Absent: Jeff Whitney

Others Present: In person: Colleen Thompson. By Zoom: Jazmine Duncan and Kinde Nebeker

Clerk/Recorder: Faylene Roth

CALL TO ORDER REGULAR MEETING

Anderson Called to Order the Regular Meeting of the Planning and Land Use Commission (PLUC) of Castle Valley (CV) on Thursday, June 6, 2024, at 6:30 P.M.

1. Adoption of Agenda.

Honer moved to adopt the Agenda as presented. Hawkins seconded the Motion. Honer, Tuft, Hawkins, and Anderson voted aye. The Motion passed unanimously.

2. Open Public Comment – None.

3. Approval of Minutes: Regular Meeting of May 2, 2024.

Honer suggested a correction to the Pending Minutes, page 3, item 6, line 7, changing the phrase "whichever lower" to "whichever is lower". Members discussed and agreed to the correction. Honer moved to accept the Minutes as amended. Hawkins seconded the Motion. Honer, Tuft, Hawkins, and Anderson voted aye. The Motion passed unanimously.

4. Reports.

Correspondence – None.

Building Permit Agent (BPA) Report – Colleen Thompson (see meeting packet). Thompson reported that an older house was demolished on Lot 201 Shafer with a Grand County Demolition Permit and two shipping containers were granted zoning approval on Lot 408 Cliffview. Tuft asked whether shipping containers were included in total square footage per lot. Thompson confirmed they are included in the total. She said the only exemptions to total square footage are two (2) sheds that measure less than 120 S.F. each. Anderson inquired about the disposal of debris from the demolition site. She said that anyone disposing of demolition debris must show their Demolition Permit at the landfill. Thompson reported that she and Roads Manager Honer have been working on forms for Land Disturbance Activity which will be presented under Item 5. Amendments to 95-6 have established two tiers of disturbance; Thompson and Honer have created a Preliminary Questionnaire for applicants to complete to determine which tier applies. They will present the Preliminary Questionnaire and a Land Disturbance Activity Form A—REVIEW for the lower tier of disturbance later in the Meeting. Thompson added that she wants

to adapt the current Certificate of Land Use Compliance for Agricultural Use to accommodate other uses, such as zoning approval for shipping containers, for which there is currently no permit form. Anderson requested that she ask to add that to the list of forms under Item 5 when that discussion occurs.

Procedural Matters:

Meeting & Minutes Procedure – PLUC Clerk Roth. Roth reported that she will be presenting the final version of the meeting minutes for approval as **Pending Minutes** to align with language used in Utah State Code. According to Roth, Utah Code requires meeting minutes to be posted within 30 days of the meeting. This is what the Town Council does; although, in the past, PLUC procedure has been to make an earlier draft available to the public on the Town website. She asked commission members for their thoughts on continuing with this procedure. Tuft approved of this approach and no other objections were made. Roth will send a working draft of the minutes to PLUC members the week following the meeting for their review, comments, and corrections. These unapproved minutes serve as the PLUC Report to the TC Meeting, so PLUC Members should review the working draft minutes and return their suggestions for corrections and changes before that report is submitted. She will then post these unapproved minutes to the Town website. Anderson added that the meeting agenda will be sent to all PLUC members one week before the meeting along with Pending Minutes and upcoming meeting documents.

Website Update – Thompson. Anderson offered kudos to Thompson for her work on the Town webpage. Thompson explained that she is still working on it. Ordinances are now available on the website. The building permit forms page is usable but still needs to be updated. She welcomes feedback if any problems are discovered. Hawkins asked whether the forms are printable. Thompson confirmed they are printable. She added that currently meeting agendas, minutes and meeting packets are available for the last two years. Previous years will be added later. Meeting videos will also be added at a later date.

Town Survey Update – Anderson. Anderson distributed hard copies of three previous general plan surveys. He requested that PLUC Members review them using a SWOT Analysis. **S** – notate areas that are strong, as in questions, wording, particular sections. **W** - search for weaknesses, such as leading questions. **O** – look for opportunities, such as questions regarding Firewise practices, dark sky opportunities, etc. **T** - find threats, such as questions that could be misconstrued or threaten the survey results or the Town generally. Anderson also provided an introductory overview with suggestions for developing a good survey. He will contact PLUC Members to set up a separate workshop later this month.

New Business – None.

Unfinished Business.

5. Discussion and possible action regarding updates to land use application forms, in order to align them with changes in procedure and recent amendments to Ordinances 85-3 and 95-6 (tabled):

- **Septic Permit Application (approved 5.2.24)**
- **Electric Permit Application (approved 5.2.24)**
- **Routine Solar Energy System (SES) Permit Application (update)**
- **Nonroutine Solar Energy System (SES) Permit Application (update)**
- **Building Permit Information Sheet (update)**
- **Land Disturbance Activity Review (new)**
- **Land Disturbance Activity Permit (new)**
- **Internal Accessory Dwelling Unit Permit Application (new)**

Honer moved to untable Item 5 for discussion and possible action. Tuft seconded the Motion. Honer, Tuft, Hawkins, and Anderson voted aye. The Motion passed unanimously.

Thompson reviewed Ordinance 95-6, Section 1.3, which outlines the thresholds for review and permitting of Land Disturbance Activities. She and Honer presented a Preliminary Questionnaire (PQ) form (similar to what is currently used for distinguishing routine and nonroutine conditional use permits) which aids in determining the level of disturbance. Any earth moving or devegetation is subject to this process. Thompson explained that the intent is to prevent flooding of downhill neighbors or damage to any public infrastructure. Applicants with minimal disturbance may not need to proceed past the PQ. Higher levels of disturbance will require either a Land Disturbance REVIEW or a Land Disturbance PERMIT. The LD PERMIT could require a state-certified engineer or an UPDES permit from the State of Utah if certain volume or area thresholds are exceeded.. The Land Disturbance REVIEW, for the lower tier of disturbance as described in the BPA Report, is equivalent to the superseded Drainage Review and will be required for all building permits. A \$35.00 permit fee is charged unless the work is associated with a building permit application. The LD REVIEW expires after twelve (12) months if the activity has not begun.

Honer moved to approve both the Land Disturbance Preliminary Questionnaire and Form A: Land Disturbance REVIEW as presented. Tuft seconded the Motion. Honer, Tuft, Hawkins, and Anderson voted aye. The Motion passed unanimously.

Thompson reminded PLUC Members that the PLUC has the authority to approve forms and reports their actions to the TC. She will present the Land Disturbance Form B—PERMIT at next month's PLUC Meeting. Thompson explained that the Certificate of Land Use Compliance (CLUC) form she referred to in her BPA Report would expand the current CLUC for Agricultural Use to apply to other situations for which there is no CV permit form, such as installation of shipping containers, sheds under 120 S.F., and other situations that do not require a Grand County building permit. She requested that this form be added to the list of land use application forms being updated in Item 5.

Tuft moved to add the Certificate of Land Use Compliance to the list of land use application forms in Item 5. Honer seconded the Motion. Honer, Tuft, Hawkins, and Anderson voted aye. The Motion passed unanimously.

Honer moved to table the unfinished business in Item 5. Tuft seconded the Motion. Honer, Tuft, Hawkins, and Anderson voted aye. The Motion passed unanimously.

Closed Meeting - None.

ADJOURNMENT

Honer moved to adjourn. Tuft seconded the Motion. Honer, Tuft, Hawkins, and Anderson voted aye. The Motion passed unanimously.

Anderson adjourned the Meeting at 7:26 P.M.

TOWN OF CASTLE VALLEY UTAH
Land Disturbance Activity
Form A—Land Disturbance REVIEW

Lot # _____ Applicant (if different from owner) _____
Property owner _____
Mailing address _____
Phone _____ Cell _____ Email _____

OFFICE USE

Permit expires on date _____

☐ Fee Exempt (associated with Building Permit)

☐ Fee Paid \$ _____ # _____ date _____ rec'd by initials _____

Per Ordinance 95-6 section 1.3, Land Disturbance Activity (as defined in Ordinance 85-3) may require Town oversight, including such activity not associated with a Building Permit, to protect property from changes in drainage.

Any Building Permit application is required to have a Land Disturbance REVIEW by the Roads Manager or other designated official (this review replaces the former Drainage Review).

Any planned Land Disturbance Activity, including devegetation, that meets one or more specified thresholds requires an approved Land Disturbance REVIEW, or in the case of higher thresholds, a Land Disturbance PERMIT. See Ordinance 95-6 and/or the Land Disturbance Activity Info Sheet for details. If the approved project exceeds the projected scope of work, further review may be necessary.

Submission requirements

1. Attach plot plan showing entire lot with setback lines, existing structures including septic systems, and scope of proposed Land Disturbance Activity. Hand drawn OK. All distances must be clearly marked. Attach additional page zoomed with detail if necessary. If associated with a building permit, detail any planned Land Disturbance Activity which is not already included in the building plans (for example, a driveway). Note that earthmoving in the road right of way/easement area may also require a Right of Way Encroachment Excavation Permit.
2. List contractors, engineers, and any other involved professionals, with contact information. Attach additional page if necessary.

3. Any additional details or notes. Attach separate page if necessary

4. Applicant signature _____ date _____
(if different from property owner/s)

Property Owner 1 signature _____ date _____

Property Owner 2 signature _____ date _____

*The above signatories attest that the provided information is accurate and complete, to the best of their knowledge.
Permits issued on the basis of false or misleading information are void.*

Ordinance 85-3 Ch. 9.1.C: No license, building permit, or other Land Use Application Permit shall be issued by any official, employee, or agent vested with the duty and authority to issue licenses or permits which would not be in conformance with the provisions of Town Land Use Regulations in effect at the time of application. It shall be a violation of this land use ordinance for any official, employee, or agent to issue any permit or license in violation of Town Land Use Regulations. Any license or permit not in compliance with Town Land Use Regulations or issued on the basis of false or misleading information shall be void.

Determination

STAFF USE

☐ **APPROVED** Designated Authority signature _____ date _____

Lot # _____ has been reviewed for drainage impact and approved for proposed Land Disturbance Activity as detailed in the submitted information. A Land Disturbance Review shall expire after 12 months if

- (a) a completed building permit application is not submitted to the Town within that period, if this review is associated with a building permit; or
- (b) the approved activity has not been started

.....

☐ **NOT APPROVED** Designated Authority signature _____ date _____

It is the determination of the Roads Manager or other designated official as a result of this Land Disturbance Review that a Land Disturbance PERMIT should be required because of other circumstances directly relevant to the intent of protecting property from changes in drainage. Submit Form B—Land Disturbance Permit.

Reason _____

TOWN OF CASTLE VALLEY UTAH
Land Disturbance Activity
PRELIMINARY QUESTIONNAIRE

Lot # _____ Applicant (if different from owner) _____
Property owner _____
Mailing address _____
Phone _____ Cell _____ Email _____

OFFICE USE rec'd by _____ date _____

☐ No further review needed ☐ Form A–Land Disturbance REVIEW ☐ Form B–Land Disturbance PERMIT

Per Ordinance 95-6 section 1.3, Land Disturbance Activity (as defined in Ordinance 85-3) may require Town oversight, including such activity not associated with a Building Permit, to protect property from changes in drainage.

Any Building Permit application is required to have a Land Disturbance Review by the Roads Manager or other designated official (this review replaces the former Drainage Review).

Any planned Land Disturbance Activity, including devegetation, that meets one or more specified thresholds requires an approved Land Disturbance Review, or in the case of higher thresholds, a Land Disturbance Permit.

This questionnaire is used to determine whether a proposed project requires no further review, a Land Disturbance Review (Form A), or a Land Disturbance Permit (Form B).

Please provide the following information.

Planned disturbance extent and other factors regarding the proposed project

1. My project is/was an emergency activity, or a previously permitted agricultural activity:
a. ☐ no b. ☐ yes (provide details and documentation on add'l sheet)
2. My project is associated with a building permit:
a. ☐ no b. ☐ yes
3. Proposed area of disturbance (including devegetation, and storage and refuse piles):
a. ☐ <½ acre b. ☐ ½ to <1 acre c. ☐ 1 to 2 acres d. ☐ >2 acres
4. Proximity to a Watercourse (as defined in Ordinance 85-3):
a. ☐ >10' b. ☐ 10' or less c. ☐ engaging (crossing or changing)
5. Volume of material to be moved or disturbed:
a. ☐ <50 yd³ b. ☐ 50 to <100 yd³ c. ☐ 100 to 2000 yd³ d. ☐ >2000 yd³
6. Planned disturbances in property line setback or road easement setback areas:
a. ☐ no b. ☐ yes

Return this questionnaire to the Building Permit Agent or Roads Manager to determine the next step in your application.

TOWN OF CASTLE VALLEY - Building Permits Report

Approval Date Between 5/1/2024 And 6/15/2024

Approval	Lot	Road	Owner	Type	Purpose	Description	Height	Sq Ft <=19	Sq Ft >19
5/7/2024	201	Shafer Lane East	LLC, 550 Riverside &	Building	Other	Demo existing residenc	0	-2340	0
5/21/2024	408	Cliffview Drive	Cooley, Kirk	Other	Accessory B	2024--2 shipping contai	0	320	0

Subject **Noise / construction ordinances?**

From **Nathan Ament** <nate8188@yahoo.com>

To townclerk@castlevalleyutah.com <townclerk@castlevalleyutah.com>,
Chloe Hollis <hollischloe@gmail.com>

Date 2024-06-14 15:08



Hi Jocelyn,

Hope you are well, that was me waving to you on my bike yesterday.

A few quick questions for you:

1. As you know multiple new houses have been constructed near us on Lazaris since 2019. Does the town or county have any ordinances regulating the hours of the day that mechanized construction machinery can be used? Since last summer we have had many days where dirt moving machinery is started at 6 AM (including back up beepers), and has sometimes been in use until 10 PM. Most construction crews work 7 days a week. We have talked to work crews and in some cases the home builder/owner as well. If there was any kind of code, ordinance, or regulation we could reference, that would be really helpful.
2. If the construction equipment is being run up and down a town road daily, is there any requirement for them to do some sort of dust mitigation on the road?
3. How does one get included in the Castle Valley Facebook group?

I've looked through the town ordinances, but didn't find what I was looking for. We're generally pretty patient and tolerant people, but are growing weary of the practices of out-of-town second home builders superseding our full-time residents' rights to quiet mornings and evenings, and dust-free air.

On a lighter note, we are thrilled with the efforts of the CV and Moab to prioritize dark night skies. Well done, Castle Valley!

Thanks for your help and understanding,
Nate Ament

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Utah State Tax Commission - Property Tax Division Resolution Adopting Final Tax Rates and Budgets	Form PT-800 Rev. 02/15
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County: **GRAND**Tax Year: **2024**

It is hereby resolved that the governing body of:

CASTLE VALLEY TOWNapproves the following property tax rate(s) and revenue(s) for the year: **2024**

1. Fund/Budget Type	2. Revenue	3. Tax Rate
10 General Operations	134,585	0.000865
	\$134,585	0.000865

This resolution is adopted after proper notice and hearing in accordance with UCA 59-2-919 and shall be forwarded to the County Auditor and the Tax Commission in accordance with UCA 59-2-913 and 29-2-920.

Signature of Governing ChairSignature: _____ Date: 6.20.2024Title: Mayor-Town of Castle Valley

Those voting Aye:

Those Voting Naye:

Absent:

Attested

Jocelyn Buck

Town Clerk

6.20.2024

Resolution 2024-6
A RESOLUTION ADOPTING THE
FISCAL YEAR 2025 BUDGET

BE IT RESOLVED by the Town Council, Town of Castle Valley that the attached budget for fiscal year 2025 (Attachment A) is the true and correct budget approved by the Town Council.

Passed, Adopted, and Approved by the Town Council, Town of Castle Valley in open session on the **20th day of June, 2024** by the following vote:

Those voting AYE:

Those voting NAY:

Absent:

APPROVED:

ATTESTED:

Jazmine Duncan, Mayor

Jocelyn Buck, Town Clerk

Mayor Duncan and members of the Castle Valley Planning Commission:
(c/o townclerk@castlevalleyutah.com)

June 17, 2024

RE: INITIAL REVIEW OF CASTLE VALLEY'S SUBDIVISION CODE

Thank you for partnering with our firm to update your subdivision code. My team has completed its initial audit of Castle Valley's subdivision ordinances. While many existing provisions are well designed and relevant, others have fallen out of compliance with state law (specifically with Utah Code §10-9a-6). Still other provisions could be adjusted to enhance administrative efficiency.

The major issues and opportunities for improvement are as follows:

- **Add a new subdivision application review process for 1-2 family residential use.** SB174 (the 2023 bill requiring state-wide subdivision ordinance updates) and HB476 (the 2024 update) introduce a new review and approval process for subdivision applications involving one- or two-family residential development. The Town's code will need a new section to implement this process. Key points to keep in mind are these:
 - Add a new subdivision application review process for 1-2 family residential use. SB174 introduces a new review and approval process for subdivision applications involving one- or two-family residential development. The Town's code will need a new section to implement this process. Key points to keep in mind are these:
 - The Town Council can no longer be the subdivision land use authority for either preliminary or final applications (but it can be the appeal authority). The reason for this is that the state is trying to make reviewing and approving subdivision applications an administrative, not legislative process. For the same reason, the Planning Commission can no longer be the decision maker for final applications (but can for preliminary applications). Although these bodies are restricted from making some approval decisions, they can still be involved on the back end in the review process. The Town can therefore continue to consider comments from the Mayor, Town Council, and Planning Commission at all stages in the process. If it's important to the Town that members of the Planning Commission still make final approval decisions, a potential workaround would be to create a "Subdivision/Development Review Committee" that includes members of the Planning Commission and other Town staff. Ideally, this committee would be filled with individuals who have relevant technical backgrounds.
 - The Town needs to describe an expedited timeline for review and approval. The Town's current code does not provide a maximum timeframe to review and approve preliminary and final applications. Under the new state law, the Town is

required to complete an initial review of 1-2 family residential applications within **30 business days** after the developer submits a “complete” application. The Town can require modifications but can take no longer than **120 business days** total to review applications that involve subdivision improvement plans.

- The new law permits only one public hearing in the preliminary review process (and none in the final review process). The Town’s code does not directly require a public hearing for subdivision approval, but it does require a public hearing for the “master development plan.” Because a master development plan is a prerequisite for subdivision approval, the Town should be aware of this limitation.
 - The new law restricts the Town to considering subdivision improvement plans (including construction drawings) in *either* the preliminary *or* final applications. Many municipalities prefer to consider them in the preliminary phase, as that is when the Planning Commission can be involved. But it’s also possible to delegate this responsibility to the Town Engineer, staff, or a “Subdivision/Development Review Committee.” Another workaround would be to combine the preliminary and final applications into one application.
 - The new law gives the Town a maximum of four “review cycles” when considering improvement plans for 1-2 family residential subdivisions. This restriction would cover any review conducted in the master development plan process, as that process is a prerequisite to subdivision applications.
 - The new law provides potential subdivision applicants the right to a pre-application meeting with the Town. The Town’s current “pre-sketch plan conference” (as required for master development plans) will work, but the new law requires that such a meeting be *optional* and be scheduled within 15 days after the applicant requests it.
 - The new law requires the Town to approve subdivision applications for 1-2 family residential use if those applications “check all the boxes” and are compliant with local ordinances. This would replace the Town’s discretion to approve with conditions or deny applications in some cases. The solution is to make sure that the Town’s land use ordinances and technical subdivision requirements are thorough and up to date.
- **Combine the Master Development Plan requirements with the subdivision application.** Applicants are currently required to obtain a Master Development Plan approval *before* applying to subdivide, regardless of whether a rezoning is required. To prevent conflict with the subdivision title and the potential of noncompliance with state law, the Town should combine

many of the MDP requirements into the subdivision application requirements or, at a minimum, restrict the MDP process to applications for rezoning.

- **Add definitions to the subdivision title.** The Town's subdivision title appears to rely on definitions found in its land use title. This should be explicitly stated, or else definitions should be added to the Town's subdivision title.
- **Adapt the Town's land use appeal process for subdivisions.** The Town's ordinances currently do not specify how subdivision appeals should be handled. The state allows for flexibility on this point, but requires municipalities to have a process in place.
- **Clarify and improve plat requirements.** The Town code is relatively thorough in this area, but it is missing a few plat requirements, and a few other requirements could be clarified to guarantee state compliance.
- **Add a requirement for the Town to notify water conveyance facilities and the Utah Geospace Resource Center.** At various points in the subdivision proposal, review, and approval processes, Utah Code §10-9a-603 requires the municipality to notify various entities and receive feedback from them on specific timelines.
- **Add language around performance guarantees, standards, and required improvements.** The Town needs to specify the improvements that a subdivider must build, the specifications to which those improvements must be built, and the amount and forms of performance guarantees (e.g., bonds) the subdivider is required to put up until the improvements are complete.
- **Acknowledge and incorporate the state-wide plat exemption for agricultural land** as found in Utah Code §10-9a-605(2). This exemption allows agricultural land to be subdivided without a plat and with fewer restrictions as long as the land's use will remain agricultural.
- **Explain the requirements for minor subdivision approval.** State law permits minor subdivisions applications to proceed without a plat. Making this exception available in Castle Valley is optional. The benefit is that it would make it less expensive for residents to split a lot into up to 10 parcels (less if the Town wants to limit it). A downside is that this exception could become a loophole for developers.
- **Describe the subdivision amendment process.** The Town's code does not specify how existing subdivision plats may be amended. The Town may require amendments to go through the same process as new subdivisions or may specify a more streamlined approach. While the state law gives municipalities flexibility in how they design their subdivision process, the Town must hold a public hearing within 45 days after the day on which a petition to amend a subdivision is submitted unless certain exceptions are met.
- **Add a small section addressing condominiums.** State code (§10-9a-603(8)) requires that subdivision plats for "condominiums" contain additional elements. Stating these in the code will

help both the Town and developers comply. (Note: this does not mean that the Town has to change its zoning to permit condos or other multi-family development.)

- **Add a provision noting that the Town may void transfers of land not done in accordance with a valid subdivision plat.** State law provides this remedy. Currently, the penalty under the Town's land use ordinance is a Class B misdemeanor.
- **Update application forms.** Once we have completed the amendment to the Town's subdivision code, we will adjust the Town's application forms to match.
- **Clarify roles and expectations throughout.** While the Town's existing code contains many elements required by state law, many sections could benefit from more explicit language about the Town's limitations and powers and what applicants are expected to do.
- **Specify recording responsibilities.** The Town's code does not currently specify timelines for recording or who should record. This should be updated to match state law.
- **Edit for "plain language" throughout.** In addition to the material changes suggested above, more minor edits throughout could increase readability in the Town's code.

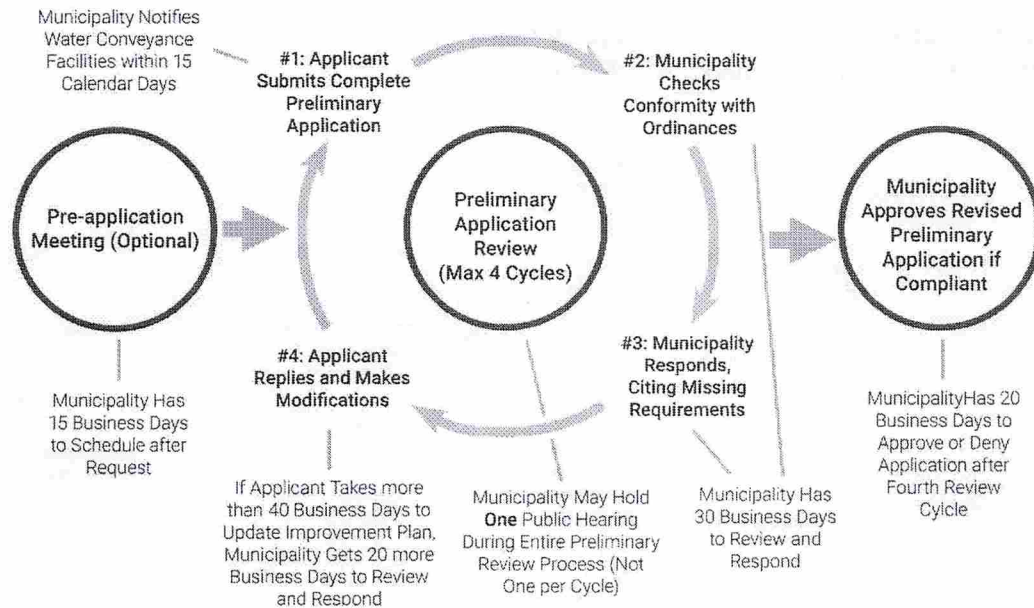
A Note on the New Review and Approval Process for Small Residential Applications:

The Utah Legislature designed the SB 174 (and the recent HB 476) process to streamline development. The law does this by (1) limiting the Town to four "review cycles" with a developer when considering subdivision improvement plans and one public hearing in the preliminary review phase, (2) instituting review deadlines, (3) prohibiting the Town from considering subdivision improvement plans in both "preliminary" and "final" application phases, (4) making subdivision decisions administrative, and (5) requiring the Town to approve applications that are compliant with local ordinances.

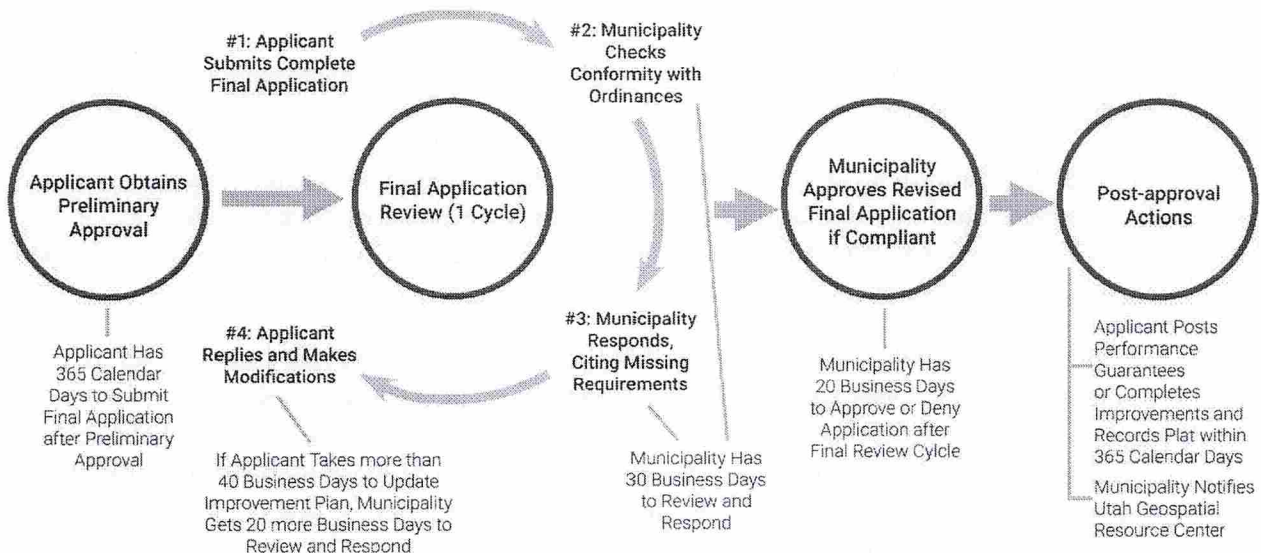
Castle Valley's current ordinances use a two-phase review process for residential subdivisions: an applicant must get both a preliminary approval and a final approval. This is a common approach. One way the Town could become compliant with the new law is to adapt its current approach to reviewing 1-2 family residential subdivision applications to match the process described in the following flowcharts.



SUBDIVISION APPLICATION FOR 1-2 FAMILY RESIDENTIAL PRELIMINARY REVIEW PROCESS

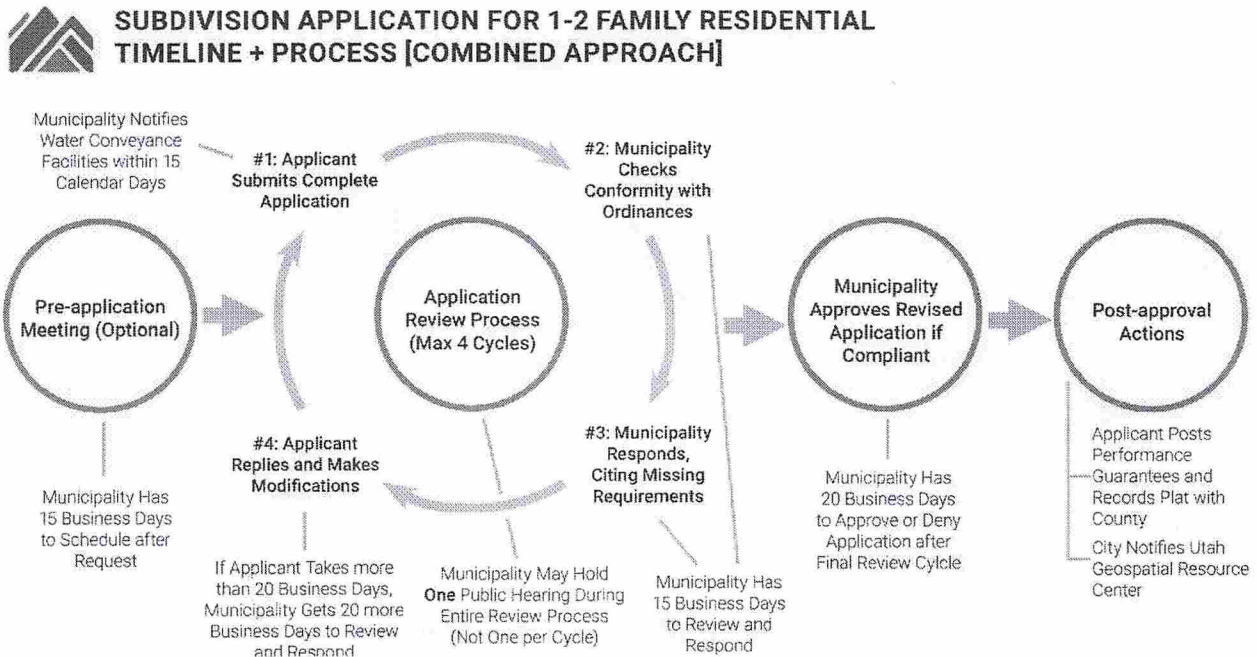


SUBDIVISION APPLICATION FOR 1-2 FAMILY RESIDENTIAL FINAL REVIEW PROCESS



Another option authorized by the new law is to combine the preliminary and final processes into one. We think this process would be beneficial for the Town to consider because it simplifies the process for

everyone involved and gives the Town maximum flexibility with the limited review cycles. The following flowchart shows an example of how this combined process could work.



Before my team and I proceed with our edits, *please let us know your preferences on the following:*

1. Whether you would like to proceed with a two-phase or a combined approach for 1-2 family residential subdivisions.
2. If you prefer to stick with the two-phase approach, please let us know whether you would like to review subdivision improvement plans in preliminary *or* final phases. Note that the Planning Commission cannot be the land use authority for the final phase. Given this, many municipalities choose to review improvement plans in the preliminary phase.
3. Whether you would like the process we develop to apply only to applications for 1-2 family residential use, or whether you would like all subdivisions in the Town to follow the same process. If you prefer having one process for all applications, then we can lengthen the review timeline and allow for more review cycles and/or hearings for applications that are not for 1-2 family residential use. We can also make the Planning Commission or Town Council the land use authorities for other applications.

My team will soon begin drafting an amendment to the Town's subdivision ordinances based on your feedback.

Respectfully,

A handwritten signature in black ink, appearing to read 'MHansen'.

Mike Hansen, Hansen Planning Group

Bureau of Land Management
Moab Field Office
Attention: David Pals
82 East Dogwood
Moab, UT 84532

Dear David,

Here are Grand County's preliminary comments on the Dolores River travel planning process.

Public lands in Grand County, and more specifically in the Dolores River area, offer a wide variety of recreational opportunities, as well as important wildlife habitat. We think the top priority for the future travel plan is to make sure that there is a fair allocation of recreational opportunities amongst various groups, even as use numbers increase.

We hope that in the future, hikers, bikers, jeepers, UTVers, river rafters, equestrians, and others will all have ample recreational opportunities in the Dolores River area. This will not happen by accident. It will require that BLM adopt a travel plan that minimizes user group conflicts both now and in the future.

In particular, it is important to provide opportunities for quiet forms of recreation, out of earshot of motorized trails, which is also imperative for the health of wildlife populations. We think the travel plan should ensure that a reasonable percentage of the planning area is more than half a mile from a road or motorized trail.

The present road network is not the result of a careful planning process that kept recreational opportunities in mind. Rather, it is largely the result of historical accident, with the location of mineral exploration and livestock production routes from decades ago playing a dominant role in where motorized routes are located today. The current planning process is an opportunity for BLM to implement a more rational travel plan that will serve us well decades into the future.

Here are some principles we hope the BLM will keep in mind when constructing the future travel plan. We realize that in some cases these principles will conflict.

- ☐ We would like to see a wide variety of motorized recreation opportunities available in the future.
- ☐ We would also like to see a wide variety of non-motorized recreational opportunities available in the future. Areas where quiet recreation is emphasized should be separated from (i.e. out of earshot of) motorized routes.

- There are very few riparian areas in this semi-desert area, and we don't think it makes sense to place motorized routes in riparian areas.
- Areas important to wildlife should be protected.
- Areas with important archeological and cultural resources should be protected.

It is our understanding that with the current travel plan roughly 95% of the planning area is within half a mile of a motorized route and less than 1% is more than a mile from a motorized route. This does not seem balanced to us. We hope the new travel plan will result in 15% of the area more than a mile from a motorized route and 30% more than half a mile from a motorized route. We also request that each alternative be evaluated by this metric. In other words, for each alternative studied in detail the BLM should disclose what percentage of the planning area is more than 0.5, 1, or 2 miles from a motorized route. This will help the public and Grand County determine how well each alternative is doing in terms of a balanced allocation of recreational opportunities.

Grand County prides itself in offering a wide variety of public lands recreation opportunities. With careful travel planning, this wide variety can be preserved, despite rising use levels. At low use levels, hikers, bikers and jeepers can all use and enjoy the same trail. The users are not separated in space, but they are separated in time and rarely cross paths. At high use levels this sort of trail sharing no longer works and it becomes necessary to separate different types of use in space rather than time. In other words, it becomes necessary to "zone" the backcountry into non-motorized and motorized areas. If this is done carefully and fairly, then we can look forward to a future where Grand County continues to offer a wide variety of recreational opportunities.

Sincerely,

Jacques Hadler
Chair, Grand County Commission

Town of Castle Valley

6/19/2024 9:33 AM

Register: 1300 · General Accounts Unrestricted:Zions Operating

From 05/18/2024 through 06/21/2024

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
05/22/2024	9941	<i>Building loan</i>	1100 · CV Municipal ...	Funds Transfer	6,625.00			6,634.35
05/30/2024			-split-	Deposit		X	135.00	6,769.35
05/31/2024			5100 · Administration:...	Service Charge	3.00	X		6,766.35
05/31/2024	eft	Zions Bank Liabilities	-split-	87-0483404 F...	1,804.38			4,961.97
05/31/2024	9936	Zions Bank	2000 · Accounts Payable	<i>mower parts</i>	733.02			4,228.95
05/31/2024	9947	Colleen R Thompson	-split-	<i>Shop sups</i>	858.35			3,370.60
05/31/2024	9948	Dorje Honer	-split-		2,353.62			1,016.98
05/31/2024	9949	Faylene Roth	-split-		411.60			605.38
05/31/2024	9950	Janet M Gregory	-split-	<i>Pay roll</i>	132.06			473.32
05/31/2024	9951	Jasmine A Duncan	-split-		907.50			-434.18
05/31/2024	9952	Jocelyn F. Buck	-split-		1,967.24			-2,401.42
05/31/2024	9953	Mike Souza *	-split-		774.35			-3,175.77
06/01/2024	9954	Emery Telcom	2000 · Accounts Payable		179.80			-3,355.57
06/01/2024	9955	John W. Groo	2000 · Accounts Payable		481.25			-3,836.82
06/01/2024	9956	Kilgore Companies L...	2000 · Accounts Payable	<i>Cold Patch</i>	2,676.07			-6,512.89
06/01/2024	9957	McMaster-Carr	2000 · Accounts Payable	<i>Welding stock</i>	276.88			-6,789.77
06/01/2024	9958	Moab Times Indepen...	2000 · Accounts Payable	<i>Public hearing</i>	69.80			-6,859.57
06/01/2024	9959	Napa Auto Parts	2000 · Accounts Payable	<i>Mower Sops</i>	485.40			-7,344.97
06/01/2024	9960	Rhinehart Oil	2000 · Accounts Payable	<i>Diesel</i>	1,159.67			-8,504.64
06/01/2024	9961	Rocky Mountain Po...	2000 · Accounts Payable		29.41			-8,534.05
06/01/2024	9962	Solid Waste Special ...	2000 · Accounts Payable		66.00			-8,600.05
06/01/2024	9963	Walker's True Hardw...	2000 · Accounts Payable	<i>maintenance sups</i>	18.48			-8,618.53
06/01/2024			1300 · General Accoun...	Funds Transfer		X	15,000.00	6,381.47