MINUTES
THE REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY
THURSDAY, AUGUST 1, 2024 AT 6:30 P.M.

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

CALL TO ORDER & ROLL CALL
Anderson Called to Order the Regular Meeting of the Planning and Land Use Commission of Castle Valley at 6:32 P.M. on Thursday, August 1, 2024.

PLUC Members Present:
In person: Chair Ryan Anderson, Dorje Honer, Janie Tuft, Jeff Whitney; Via Zoom: Marie Hawkins
Absent: None
Others Present: In person: Colleen Thompson, Mayor Jazmine Duncan
Clerk/Recorder: Faylene Roth

1. Adoption of Agenda
Tuft moved to accept the Minutes. Whitney seconded the Motion. Tuft, Whitney, Honer, Hawkins and Anderson approved the Motion. The Motion passed unanimously.
2. Open Public Comment – None.
3. Approval of Minutes:
1.4.2024 Regular Meeting
Honer moved to approve the Minutes. Tuft seconded the Motion. Tuft, Whitney, Honer, Hawkins and Anderson approved the Motion. The Motion passed unanimously.
6.6.2024 Regular Meeting
Tuft moved to approve the Minutes. Whitney seconded the Motion. Tuft, Honer, Hawkins and Anderson approved the Motion. Whitney abstained. The Motion passed four in favor and one abstention.
4. Reports - Correspondence – None.
Building Permit Agent Report – Thompson. Thompson reported four building permits issued in July: 1) Certificate of Land Use Compliance for a hay barn on Lot 55, Lazaris; 2) Electrical Permit for a future residence on Lot 146, Buchanan; 3) Residential building permit on Lot 303, Holyoak; 4) Building Permit for a garage on Lot 408, Cliffview. In addition, two Temporary Dwelling Permits (TDP) were renewed: (1) Lot 121, (2) Lot 303-past due renewal and current renewal. Lot 303 was also issued a Decommissioning Contract for his temporary dwelling in conjunction with his building permit. Four TDPs were decommissioned which fulfilled their Decommissioning Contracts. Their compliance was recorded and filed at the Grand County Recorder's Office: (1) Lot 20, (2) Lot 45, (3) Lot 118, (4) Lot 153. Tuft asked Thompson about demolition taking place on Lot 117 (Pace). Thompson said she is working with the owner but has not seen evidence of a Demolition Permit with the County. Whitney added that the owners will continue to be taxed on the property if they do not obtain a Grand County Demolition Permit.

Thompson reported that she has talked with the Grand County Building Inspector about how Castle Valley should handle agricultural exemptions, which exempts the building from Grand

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County building inspections. Whitney added that the agricultural exemption informs the Assessor's Office that the building should be taxed in the future. Thompson will adapt the State Agricultural Exemption form to Castle Valley's needs, as Grand County did. Thompson also asked PLUC Members to consider whether Castle Valley should change our minimum square footage for a building permit from 120 S.F. to 200 S.F. to match Grand County's 200 S.F. minimum for structures that require a building permit, although plumbing and electrical services to these structures do require a permit regardless of size. That leaves Castle Valley applicants with a gap between structures of 120 S.F. and 200 S.F. where a permit and fee of $40.00 is still required by the Town. These structures, such as small sheds or shipping containers, still require zoning approval from the Town to ensure they meet our setback requirements and some may require drainage reviews. Whitney explained that the 1997 Uniform Building Code used a 120 S.F. minimum for building permit applications. In 2000 the International Building Code raised the minimum to 200 S.F. and Grand County changed their minimum to match that. He reiterated that any electrical or plumbing added to a small structure does require a permit and inspection for those features. Thompson said that the only references she could find regarding CV's 120 S.F. minimum for a building permit was in Ordinance 85-3's discussion of total square footage on a lot and on the Town's fee schedule. Whitney noted that a code compliant house could be built with a minimum 200 S.F. structure. PLUC Members generally agreed that requiring a permit for structures between 120 S.F. and 200 S.F. is a good way to let people know that setbacks do need to be met. Thompson said that information might also be relayed via email to lot owners. Thompson thought that this was addressed in Ordinance 85-3, Section 5.7:

> *A. All buildings constructed in, reconstructed in, altered in, or moved into the Town, whether for Dwelling or accessory use including metal shipping containers and portable sheds, and unless exempted from building permit requirements under the provisions of state statutes related to buildings that are not located in residential areas and which are used solely in conjunction with agriculture use, and not for human occupancy, must have land use approval from the Town Designated Land Use Authority and, if required, a permit from the Grand County Building Inspector before commencing the construction or moving process.*

Mayor Duncan and PLUC members agreed that this paragraph clarified the uncertainty around the 120-200 S.F. gap. They agreed that a fee is appropriate for structures within this range because they still need to show setback compliance and may need a drainage review.

Procedural Matters: Upcoming Public Hearing - PLUC Clerk-Roth. Roth informed PLUC Members that Utah State Code requires changes to the Town's Subdivision Ordinance. Mayor Duncan added that the State has paid for a third-party to update our Ordinance. Once it is returned, the PLUC will need to hold a Public Hearing. Roth said that she will send background information to PLUC Members when the time approaches.

Town Survey Update - PLUC Chair-Anderson. Anderson asked PLUC Members to select a date for a workshop session later this month. He would like to open it up to the public for input on changes they would like to see in the survey. Tuesday, August 13, at 6:30 P.M. was chosen for the workshop meeting.

NEW BUSINESS

5. Discussion and Possible Action re: Appointing PLUC Chair

Mayor Duncan reported that since Anderson began a new term of office on July 1, 2024, he must be re-elected as Chair.

Tuft nominated Anderson to continue to serve as Chair. Anderson replied he was willing to continue with a vice-chair or co-chair. Whitney seconded the nomination. Tuft, Whitney, Honer, Hawkins and

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Anderson voted aye. The nomination was approved unanimously.
Honer said he was willing to serve in a secondary role.
Tuft nominated Honer as Vice-Chair. Tuft seconded the nomination. Tuft, Whitney, Honer, Hawkins and Anderson voted aye. The nomination was approved unanimously.

UNFINISHED BUSINESS

6. 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 (approved 6.6.24)
    - Land Disturbance Activity Permit (new)
    - Internal Accessory Dwelling Unit Permit Application (added 6.6.24)
    - Certificate of Land Use Compliance (CLUC) Form to replace CLUC for Agricultural Use (added 6.6.24)

Thompson reminded PLUC Members that their role is to approve new or revised forms. She presented supporting documents from Ordinance 85-3 and Ordinance 95-6, and a copy of the previous Routine Solar Energy System (R-SES) application form plus the revised Routine Solar Energy System (R-SES) application form which includes an SES Information Sheet. She believes the revised form is more user friendly than the previous form. It does not ask for all the technical data that the Grand County Building Department (GCBD) requires because the Town will receive a copy of the technical data as submitted to GCBD. The application form requests a plot plan detailing existing structures, proposed structures, setback lines, and all dimensions clearly marked. The plot plan no longer has to be to scale since most submissions are now done digitally. The rest of the information is reorganized, and she removed the specific fee amount so that the Form does not have to be revised every time the fee amount is changed.

Thompson said she had consulted the GC Building Inspector regarding the measurement of height of adjustable tilt panels on a roof-mounted system. CV restricts the maximum distance between solar panels and the roof below so that the panels will not extend above the ridgeline when at maximum height, but the County does not have those rules. Whitney clarified that County rules are based on best performance. Their setback for roof-mounted solar panels is three (3) feet from the ridgeline. Whitney added that changes in tilt of solar panels occur primarily with ground-mount systems. He said variable-tilt roof mount systems are vanishingly rare. Thompson agreed, but said she needs to keep the application aligned with the Ordinance.

She added that there were no substantial changes in the Approval Section. A two-page Information Sheet will be attached to the application form. She noted that the new revised Info Sheet did not use bold highlighting like the old form, but Anderson and Duncan both thought the bold print was helpful. Tuft asked what "proposed structures" in 1.d of Submission requirements referred to? Thompson said it refers to building structures such as the building on which the SES will be installed or any accessory shed or building. Tuft asked whether most applicants could fill in this form on their own. Thompson said that anyone installing their own system should be able to do so, but that most SES applications were filed by the solar contractor. For plot plans, she said that many applicants use marked-up Google Earth printouts.

Honer suggested a formatting change to align the yes/no responses on page 2 in a column on the

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side to make it easier for the applicant and reviewer to see the responses. Hawkins agreed. Thompson agreed to change the yes/no formatting and to reinstate the bold type on the Info Sheet from the previous version as detailed above. She also added a reference/link to the Fee Schedule on the Town's web site.

Whitney moved to accept the Routine-Solar Energy System Permit Application form as amended. Tuft seconded the Motion. Tuft, Whitney, Honer, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

Anderson asked for a Motion to add an Agricultural Exemption form to the list in Item 6.

Honer moved to add an Agricultural Exemption form to Item 6. Whitney seconded the Motion. Tuft, Whitney, Honer, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

Anderson asked for a Motion to table Item 6.

Honer moved to table Item 6. Whitney seconded the Motion. Tuft, Whitney, Honer, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

CLOSED MEETING – None.

ADJOURNMENT

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

Anderson adjourned the Meeting at 7:32 P.M.

APPROVED: **ATTESTED:**

_____ _____

Ryan Anderson, Chairperson **Date** **Faylene Roth, PLUC Clerk** **Date**

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