

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

TUESDAY, AUGUST 13, 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.

1. Call to Order

Anderson Called to Order the Workshop Meeting of the Planning and Land Use Commission (PLUC) of Castle Valley at 6:34 P.M. on Tuesday, August 13, 2024.

2. Adoption of Agenda

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

3. Roll Call

PLUC Members Present:

In person: Chair Ryan Anderson, Vice-Chair Dorje Honer, Members Janie Tuft and Jeff Whitney;

Via Zoom: Member Marie Hawkins

Absent: None

Others Present:

In person: Cody Shurtleff

Via Zoom: Pam Hackley, Peggy Llewellyn, Kinde Nebeker, and Colleen Thompson (joined after roll call).

Clerk/Recorder: Faylene Roth

4. Discussion Regarding Development of a General Plan Survey

Anderson provided a summary of the process ahead:

He noted the breadth and depth of past Castle Valley General Plan Surveys, which are designed to assess residents' thoughts and feelings about Castle Valley: what we value, what we hope to keep, what we might need to adapt or change. The surveys are used to update the General Plan in five year iterations. Past surveys have revealed consistent themes and values, as well as concerns and possible weak points to address to improve the general welfare and well-being of residents. The surveys can also help recognize potential areas of opportunity or reveal possible threats that the community may face in the future.

Anderson proposes examining past surveys with a S.W.O.T analysis technique: S= strengths; W = weaknesses; O= opportunities; T = Threats. He proposed that they begin to draft the next survey by reviewing past surveys and marking them up with notes, comments, changes, and ideas for future reference. He said this is a team effort and added that Town Council Member Bob O'Brien has offered to do the data analysis.

Whitney commented that he had sat with friends to go through the last two surveys and their consensus was that the surveys contained many questions that depended on the demographics of the respondent—full-time or part-time residents, rim side or valley floor, purely residential or agriculturally oriented. He said that making policy by the numbers in the survey does not truly address the issues. He asked how to adjust for that.

Members began with the most recent 2019 survey, saying it would be most reflective of current priorities and may not need as much tweaking. Honer added that he thought the response gradients ranging from Strongly Favor to Strongly Against used in the 2007 survey provided a better view of sentiment than strictly yes/no responses. Tuft asked whether Accessory Dwelling Units (ADU) should

be addressed in the upcoming General Plan. Whitney noted that it had already gone through the ordinance process.

Peggy Llewellyn asked whether questions are screened to be in compliance with Utah State Laws; for example, some people may not favor ADUs, but they are now allowed by State Law. Whitney added that State Laws remove the option of having an opinion, so there is no reason to ask residents about what cannot be changed.

Whitney observed that the 2019 survey posed a lot of essay questions which are difficult to analyze. Anderson noted that he and Colleen Thompson had devised a way to organize them by reading the comments into a computer which printed out the responses. Cody Shurtleff added that essay questions are a good way draw out deeper input.

Members discussed the options of a print or digital survey. Most Members favored a digital survey which would be more easily analyzed but noted that a print version would have to be provided for those who did not use computers. A digital version would reduce the paper and mailing costs of a printed survey. They discussed issues regarding privacy, anonymity, and how to prevent duplicate responses. Anderson noted that in some online surveys, you are locked out once you have taken the survey.

Hawkins noted that could be overcome by using another IP address. Colleen Thompson explained that the PLUC decided to go with a print survey in 2019 because they couldn't solve the issue of duplicate voting and didn't have the technical staff for it; plus, she said, they wanted to provide the opportunity for a second person in the household to respond.

Tuft asked if Survey Monkey would be appropriate for the survey. Shurtleff replied that it had limited function. He was aware, though, of a Utah State University well-being study that was done digitally and faced these same issues. They used data fields that that sorted different demographics which might be useful to prevent duplicate survey takers.

Shurtleff (who is the Moab City Planner) asked whether PLUC Members were starting with a vision and forming questions that would help them reach this vision or were they gathering data and then looking for a vision. Whitney rejoined that the group he had gone through the previous surveys with had felt manipulated by some of the questions, meaning that there was no good way to answer the question. Anderson added that they had received criticism about these kinds of push-pull questions in the last survey, especially regarding livestock numbers.

Hawkins responded to Shurtleff's question saying that the General Plan should reflect the outcomes of the survey. Shurtleff reaffirmed the need to look for data then design the vision. He warned against being backed into corners or pulled into policy that is being designed out of context. Or having a vision then asking questions to support it. Noting his own bias in favor of livestock, he suggested you would first ask "*Do you believe agriculture should be allowed?*" and then ask how many livestock.

Anderson suggested looking back at each General Plan to see how it aligns with the survey results and also to look for some consistency of vision that residents have for the valley and then look at those themes first for a residential vision to use to help create the survey.

Shurtleff suggested saying: *We've been consistently going in this direction. Do we want to continue this direction? Does that vision still make sense? Then create new questions to determine "is this good" or "has this been good?"*

Anderson asked PLUC Members to review the past General Plans before the next workshop and look for consistent threads in their visions. Shurtleff suggested to then determine which threads have continued and/or what diversions have occurred.

PLUC Members then began to review the questions within each section of the 2019 survey. A working document showing revisions, additions, and deletions will be available for the next Workshop.

Section A-Community Profile

Members discussed whether to add additional information to A1 regarding the demographics of property owners; such as, location (*cliff side, valley floor, up valley, down valley*) and how the property is utilized (*residential only, agricultural use*) and intention (*to retire here, become full-time at a later date*). They decided to leave it as is. No other changes were made to Section A.

Section B-Water & Septic

Discussion focused on questions B5 and B6 which ask when the septic system was installed and when it was last pumped. Tuft pointed out that the frequency of pumping depends on whether residents are full-time or part-time, so what information do we gain from this question. Whitney added that at some point it was learned that some septic systems in the valley had never been pumped and that someone came up with the recommendation that they be pumped every five years. But, technically, it's not tanks, he said, that go bad; it is the leach field. He suggested asking instead whether there is a state-approved septic system for the number of bedrooms on the lot. They recognized that if someone answered "no" to this question there would be nothing the Town could do. However, Whitney said that knowing could influence the General Plan. He also added that the ordinance (85-3) already requires a state-approved septic system, so the question may not be necessary. All agreed that knowing the location of the septic system was important.

Accessory Dwelling Units were brought up, but Whitney said that the ordinance addresses them. Some thought that the ages of the septic systems around the valley could provide useful information. There was additional discussion regarding whether there was any move by the Town to replace older systems. The consensus was no, but Whitney added that the State now requires engineered systems.

Thompson noted that there are some lots without houses that do have installed septic systems which may indicate that the owners plan to build or to use a temporary dwelling at some point. She said that comments from the last survey also indicated that many did not know the size of their septic tanks.

Members decided that question B7 did not belong under Aquifer Protection. Since part of the motivation behind this question revolved around the effect of synthetic pesticides on bees, it was suggested that this question be moved to the agriculture section. Shurtleff said this question moves away from information gathering and switches to regulatory inquiries. He suggested phrasing it as: *Should the Town establish an ordinance regarding the use of pesticides and herbicides?* Honer suggested this question would be a good candidate for a scaled response. Whitney commented that the use of pesticides by large scale agriculture is the concern. He questioned whether spraying an ant hill would affect aquifer protection. There was discussion concerning the use of Roundup, 2,4-D, and organics; but, it was noted that even the use of nicotine on plants can kill chickens. The question of the difficulty in enforcing ordinances was also considered.

The discussion moved to other issues that would impact aquifer protection, such as septic systems and uncapped or improperly sealed wells or projects like the proposed Under Canvas development. Whitney referred to a comment from an official who said that adhering to State guidelines for one septic system per one acre would protect the aquifer. Tuft added that it is important for the Town to let people know that old wells may need attention to ensure the quality and quantity of water. She wondered whether the Watershed Protection Ordinance sufficiently protects the Town.

No changes were made to Section B.

Section C – Livestock

Discussion revealed that many of the questions in this section were addressed in the last General Plan. Members agreed to delete questions C3, C6, and C6a. They agreed to alter the first question to reflect the current numbers of livestock allowed. Shurtleff observed that the questions in this section were not objective. It was not asked: *Do you have livestock?* Just: *Do you have a problem with your neighbor*

who has livestock? He added that when you use terms like “maximum numbers,” the survey taker will imagine that everyone will have those numbers. It is better, he said, to use a more dynamic number or to refer to the matrix scale of appropriate animal units. Anderson noted this section was definitely criticized for using push/pull questions.

Anderson requested that Shurtleff, Whitney and others in the community re-write this question. Hawkins suggested replacing the word “consistent” in C2 with “appropriate.” Members agreed to retain the other questions.

Section D – Ordinances & Enforcement

Anderson suggested that question D1 might be a candidate for a scaled response. Honer suggested rephrasing the question to say and ask: *This is the way we do it. Do you feel we need different ordinance enforcement?*

Shurtleff commented that the first two questions are asking what kind of complaint resolution the community is comfortable with, but it is up to the Town. It depends on the expense. He recommended that the question should not set up expectations that cannot be implemented. The question could say: *What would you be comfortable with? Dealing directly with a neighbor, etc.* Anderson replied that question D1a was intended as an educational piece. Shurtleff said that it does work in that sense.

Anderson will consult with Mayor Duncan on this section. He and staff explained that the complaint-driven approach began with a signed letter from someone to the Mayor who selects a complaint resolution team who then negotiates with both parties for a resolution.

Honer suggested using a more general approach with the question: *How do you feel about (or) Are you satisfied with how the Town has been dealing with complaints.* Then leave the options up to the Town to determine through public meetings for input.

Whitney suggested deleting D1 and changing D1a to include a list of options. Hawkins said that some people were concerned that a Town-initiated approach would have the Town driving around looking for violations. Whitney noted that the Town-initiated approach can preserve anonymity of the complainant. Anderson asked: Who is the “Town?” The Mayor? The Clerk? The conflict resolution team?

Members discussed D4 and D5 related to the Town’s Lighting Ordinance. It was agreed that there might be some maintenance issues required for the Lighting Ordinance, so they agreed to change the word “strengthening” to “maintaining.” They agreed to drop D5 because the Town has achieved recognition as a Dark Sky Community. Town Clerk, Jocelyn Buck, will be consulted about future needs for fulfilling and maintaining the current ordinance.

Anderson reported that there were a few comments submitted from the public for future input. He did not have an opportunity to read them aloud. Whitney suggested addressing concerns about the Town’s approach to measuring square footage and building height, especially for construction on a slope. Anderson said that viewshed was the concern in developing this approach. He asked Members to consider survey questions that would address property owners’ right to viewshed and needed changes to the ordinance.

A date for the next workshop will be selected at the September 5 PLUC Meeting.

5. 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 Workshop at 8:45 P.M.

APPROVED:

ATTESTED:

Ryan Anderson, Chairperson

Date

Faylene Roth, PLUC Clerk

Date