

MINUTES
THE REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY
THURSDAY, SEPTEMBER 5, 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 (PLUC) of Castle Valley at 6:32 P.M. on Thursday, September 5, 2024.

PLUC Members Present:

In person: Chair Ryan Anderson, Vice-Chair Dorje Honer, Jeff Whitney

Via Zoom: Marie Hawkins

Absent: Janie Tuft

Others Present: In person: Colleen Thompson, Jason Matz

Clerk/Recorder: Faylene Roth

1. Adoption of Agenda

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

2. Open Public Comment – None.

3. Approval of Minutes:

8.1.2024 Regular Meeting

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

8.13.2024 Workshop Meeting

Whitney moved to approve the Minutes. Honer seconded the Motion. Whitney, Honer, Hawkins and Anderson approved the Motion. Hawkins expressed her gratitude for an “amazing job on the Minutes.” She said they were detailed and helpful. Anderson agreed.

4. Reports - Correspondence – Roth reported that one email was received in response to the PLUC’s earlier invitation to submit suggestions for the upcoming General Plan Survey Workshop. The email will be presented at the upcoming Workshop along with earlier suggestions that were submitted last month.

Building Permit Agent Report (BPA) – Thompson. Thompson submitted the August Building Permit Report for one Certificate of Occupancy, two Certificates of Land Use Compliance, one residential building permit, and one electrical service application. The report is attached.

Procedural Matters: Town Survey Update - PLUC Chair-Anderson. Members selected Thursday, September 26, 2024, at 6:30 P.M. for their next Workshop Meeting.

NEW BUSINESS

5. Discussion and Possible Action regarding approval of a Nonroutine Solar Energy System on Lot 387.

Applicant Jason Matz was present. PLUC Members reviewed the application.

Whitney moved to approve the application. Honer seconded the Motion.

Whitney commented that the Town has expressed its desire to become more energy efficient by 2030;

so, he said, the PLUC should consider raising the amount of allowed kilowatts because that goal cannot be reached with the current 10kw limit. BPA Thompson agreed that the Town's regulations are dated considering the increase in electric cars as one example. She suggested that the Town should focus on zoning and visual impact concerns and leave the size and technical details to Rocky Mountain Power (RMP) and the Grand County Building Department. There was general agreement that 25kw is the maximum size permitted by RMP. Matz agreed, citing their reasons for needing a larger system: losing production hours to compensate for early loss of the sun in winter, purchase of an electric car, plans to switch some of their heating and cooling to electric, and their reliability on the use of electric pumps. Mitigation for glare was discussed. The applicant and contractor have confirmed that the panels are low glare. They are black on black panels, rather than earlier panels which used a blue backing that contributed to glare. Anderson requested that Matz ensure that his neighbors are aware of this mitigation. The application is attached.

Whitney, Honer, Hawkins and Anderson approved the Motion. The Motion passed 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):

- Nonroutine Solar Energy System (SES) Permit Application (update)
- Building Permit Information Sheet (update)
- 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)
- Agricultural Exemption Form (added 8.1.24)
- Septic Permit Application (approved 5.2.24)
- Electric Permit Application (approved 5.2.24)
- Land Disturbance Activity Review (approved 6.6.24)
- Routine Solar Energy System (SES) Permit Application (approved 8.1.24)

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

Thompson developed the Certificate of Land Use Compliance form to cover structures that don't require a Grand County Building Permit. They range from small 8 ft. x 10 ft. sheds up to large barns with agricultural exemptions. These structures must still comply with our zoning regulations and may require Grade Reviews or Land Disturbance Activity applications. A fee of \$40 is collected with the exception of agricultural buildings which are exempted by State Law. Thompson plans to adapt the State Agricultural Exemption Form for use by the Town. Members discussed how a structure less than 8 ft. x 10 ft. should be managed. The general consensus was that these lot owners should be informed that they must be in compliance with the Town's zoning regulations and that no fee would be charged. Thompson noted that the Town ordinances do allow charges to be imposed when excessive time is required. A draft of this application is attached.

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

Thompson presented the Land Disturbance Activity Form B- Land Disturbance Permit Application. She explained that this form is required for the higher threshold of disturbance than is allowed by the Land Disturbance Activity Review (Form A). She reminded PLUC Members that there is a Preliminary Questionnaire that precedes both these land disturbance forms. In this application, pages 1 and 2 will

cover most situations. Page 3 covers more extensive disturbances that may require mitigations and/or additional conditions. Honer added that the third page was left free form because mitigations and other conditions are likely to be site specific. Members discussed whether photographs of pre-existing conditions would be helpful but generally agreed that three dimensional conditions are difficult to represent in two dimensional photographs and that topographical maps would be cost prohibitive. Thompson noted that Ordinance 95-6 does allow the Town to ask for any other information considered necessary. Members requested that the initialing required on page 3 be changed to signature lines. They also agreed to change the titles of both Land Disturbance forms to indicate “major” or “minor” disturbance in the title. A draft of the form is attached.

Honer moved to approve the Land Disturbance Activity Form B with the word “major” added in parentheses to the title and to change the lines for property owners’ initials to signature lines. Whitney seconded the Motion. Whitney, Honer, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

In addition, Honer moved to change the Land Disturbance Activity Form A to include the word “minor” in parentheses in its title. Hawkins seconded the Motion. Whitney, Honer, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

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

CLOSED MEETING – None.

ADJOURNMENT

Whitney moved to adjourn. Honer seconded the Motion. 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

Attachments follow:

BPA Report

Nonroutine Solar Energy System on Lot 387

CLUC Application

LDA Form B-Permit