



AGENDA

REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION

TOWN OF CASTLE VALLEY

THURSDAY, AUGUST 7, 2025 AT 6:30 P.M.

CASTLE VALLEY TOWN BUILDING - 2 CASTLE VALLEY DRIVE

This meeting will be a hybrid meeting held electronically by Zoom and also in person at the anchor site at the Town Building. If you have comments or concerns please attend or email them prior to the Meeting: planningclerk@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 & ROLL CALL

1. Adoption of Agenda
2. Open Public Comment
3. Approval of Minutes: July 10, 2025 Regular Meeting
4. Reports - Correspondence: TBA
 - Building Permit Agent Report - Thompson
 - Procedural Matters: TBA

NEW BUSINESS

5. Discussion and possible action re: Non-Routine Electric Installation Application from Rocky Mountain Power

UNFINISHED BUSINESS

6. Discussion and possible action re: 2025 General Plan Survey

7. 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)
- Internal Accessory Dwelling Unit Permit Application (added 6.6.24)
- 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)
- Land Disturbance Activity Permit (approved 9.5.24)
- Certificate of Land Use Compliance (CLUC) Form to replace CLUC for Agricultural Use (approved 9.5.24)
- Agricultural Exemption Form (approved 3.6.25)
- Certificate of Occupancy Review form (added 5.8.25)
- Temporary Dwelling Permit Application form (approved 6.13.25)
- Temporary Dwelling Permit Renewal form (approved 6.13.25)
- Fulfillment of Decommission Contracts (added 5.8.25) (approved 4.3.25)
- Three Acknowledgments – Geologic Hazard, Short Term Rentals, One Dwelling Per Lot (approved 5.8.25)
- Temporary Accessory Dwelling Permit Application form (added 6.13.25)

CLOSED MEETING - If Needed

ADJOURNMENT

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

Government: select "Cities", Entity: select "Castle Valley", Body: select "Town of Castle Valley", select this meeting and click on Meeting Packet to download.

PENDING MINUTES
REGULAR MEETING
OF THE PLANNING AND LAND USE COMMISSION

TOWN OF CASTLE VALLEY

THURSDAY, JULY 10, 2025 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 at the Town Building.

PLUC Members Present at anchor site: Co-chairs Ryan Anderson, Dorje Honer, PLUC Member Janie Tuft

PLUC Members Present on Zoom: Marie Hawkins

PLUC Members Absent: Jeff Whitney

Present at anchor site: Building Permit Agent (BPA) Colleen Thompson, Mike Carlyle, Egmont Honer

PLUC Clerk: Faylene Roth present at anchor site

CALL TO ORDER & ROLL CALL

Anderson called to order the Regular Meeting of the Planning and Land Use Commission (PLUC) of the Town of Castle Valley (CV) at 6:31 P.M. Roth called roll.

1. Adoption of Agenda

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

2. Open Public Comment – None.

3. Approval of Minutes: June 5 2025 Regular Meeting

Anderson corrected the time of Jeff Whitney's arrival at 6:35 PM, not 8:35 PM.

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

Approval of Minutes: June 13 2025 Regular Meeting

Tuft moved to approve the Minutes as presented. Honer seconded the Motion. Honer, Tuft, and Anderson approved the Motion. Hawkins lost contact. Her vote was not recorded. The Motion passed with three in favor.

4. Reports - Correspondence: Roth reported receipt of an email from Canyonlands Copy Center which will be considered with Item 5.

Building Permit Agent Report – Thompson: permits for a carport on Lot 358; a re-roof on Lot 300; an addition to a remodel on Lot 420; a shed with utilities on Lot 302; and land-disturbance activity for drainage and repair work on Lot 141. Permits in process include septic permits on Lots 367 and 404; roofing and siding on Lot 19; solar on Lots 111 and 46; and an addition on Lot 151. Thompson reported that a survey will be required for Lot 151 since the addition is close to the property line.

Procedural Matters: Roth reported that Egmont Honer arrived after roll call.

NEW BUSINESS – None.

UNFINISHED BUSINESS

5. Discussion and possible action re: 2025 General Plan Survey

Honer moved to table Item 5. Tuft seconded the Motion. Honer, Tuft, Hawkins, and Anderson approved the Motion. The Motion passed unanimously.

PLUC Members reviewed the draft of the 2025 General Plan Survey approved by the Town Council at its June Meeting. They decided formatting issues and changed instructional language within

the survey. The only content addressed was uncertainty about the phrasing of Question D4 regarding the impact of weeds on neighboring lots. Anderson will contact Town Council Member Tory Hill for clarification. Roth will complete the final formatted version of the survey. Honer will complete the online version this weekend and email it to PLUC Members. Roth has purchased the stamps and received a quote from Canyonlands Copy Center (CCC) for printing and related mailing costs. She will consult with Mayor Duncan and Town Clerk Buck to determine whether to handle the mailing process in-house or with CCC.

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)
- Internal Accessory Dwelling Unit Permit Application (added 6.6.24)
- Septic Permit Application (approved 5.2.24)
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- Certificate of Land Use Compliance (CLUC) Form to replace CLUC for Agricultural Use (approved 9.5.24)
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- **Certificate of Occupancy Review form (added 5.8.25)**
- **Temporary Dwelling Permit Application form (added 5.8.25)**
- **Temporary Dwelling Permit Renewal form (added 5.8.25)**
- Fulfillment of Decommission Contracts (approved 4.3.25)
- Three Acknowledgments – Geologic Hazard, Short Term Rentals, One Dwelling Per Lot (approved 5.8.25)

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

Thompson presented a revised application for Nonroutine Solar Energy System (SES) Permits to align it with other applications and to accurately specify the kilowatt capacity.

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

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

CLOSED MEETING - None

ADJOURNMENT

Honer moved to adjourn. Tuft seconded the Motion.

Anderson adjourned the Meeting at 8:58 P.M.

APPROVED:

Ryan Anderson Co-Chair
Dorje Hone, Co-Chair

Date

ATTTESTED:

Faylene Roth, PLUC Clerk

Date

TOWN OF CASTLE VALLEY - Building Permits Report

Approval Date Between 7/1/25 And 7/31/25

Approval	Lot	Road	Owner	Type	Purpose	Description	Height	Sq Ft <=19	Sq Ft >19
7/7/2025	357	Castle Valley Drive Upp	Broadwell, Jane	Building	Residence A	Add to res LR and carp	25.5	0	1100
7/7/2025	166	Buchanan Lane West	LLC, Proper Sequence	Building	Other	Cert of Occupancy on 2	0	0	0
7/7/2025	408	Cliffview Drive	Cooley, Kirk	Building	Other	Cert of Occupancy on	0	0	0
7/7/2025	363	Castle Valley Drive Upp	Lauer, Jaclyn & Halfor	Septic	Residence	Septic	0	0	0
7/14/2025	019	Chamisa Lane West	Lickstein, David & Lis	CLUC	Residence	Windows in residence	0	0	0
7/16/2025	111	Hooley Lane	Webster, Carly	Electrical	Solar	7.47 kW rooftop	0	0	0

**AN ORDINANCE ENTERING INTO AN AGREEMENT
GRANTING AN ELECTRIC UTILITY FRANCHISE
AND GENERAL UTILITY EASEMENT
TO
ROCKY MOUNTAIN POWER**

WHEREAS, Rocky Mountain Power (or "Company"), is a regulated public utility (also known as an "energy supplier") that provides electric power and energy to the citizens of the Town of Castle Valley (the "Town") and other surrounding areas;

WHEREAS, providing electrical power and energy requires the installation, operation and maintenance of power poles and other related facilities to be located within the public ways of the Town;

WHEREAS, the Town, pursuant to the provisions of Utah Code Ann. § 10-8-21 has the authority to regulate power line facilities within public ways and to grant to Rocky Mountain Power a general utility easement for its use;

WHEREAS, the Town desires to set forth the terms and conditions by which Rocky Mountain Power shall use the public ways of the Town;

NOW, THEREFORE, be it ordained by the Town that it enters into the following agreement with the Company:

SECTION 1. Grant of Franchise and General Utility Easement. The Town grants to Rocky Mountain Power the right, privilege and authority to construct, maintain, operate, upgrade, and relocate its electrical distribution and transmission lines and related appurtenances, including underground conduits and structures, poles, towers, wires, guy anchors, vaults, transformers, transmission lines, and communication lines (collectively referred to as "Electric Facilities") in, under, along, over and across the present and future streets, alleys, and rights-of-way, not including Town parks, buildings or other spaces not associated with Town-owned rights-of way (collectively referred to as "Public Ways") within the Town, for the purpose of supplying and transmitting electric power and energy to the inhabitants of the Town and persons and corporations beyond the town limits.

SECTION 2. Term. The term of this agreement granting a franchise and general utility easement is for (20) years commencing on the date of acceptance by the Company as set forth in Section 3 below.

SECTION 3. Acceptance by Company. Prior to the Town presenting this Ordinance to the Town Council, Rocky Mountain Power shall sign this agreement. The Town, upon passage of the Ordinance, shall file the Ordinance with the Town Recorder otherwise the Ordinance and the rights granted in it shall be null and void.

SECTION 4. Non-Exclusive Franchise. The right to use and occupy the Public Ways of the Town shall be nonexclusive and the Town reserves the right to use the Public Ways for itself or any other entity that provides service to Town residences; provided, however, that such use shall not unreasonably interfere with Rocky Mountain Power's Electric Facilities or Rocky Mountain Power's rights as granted herein.

SECTION 5. Town Regulatory Authority. In addition to the provision contained in this Ordinance, the Town reserves the right to adopt such additional ordinances and regulations as may be deemed necessary in the exercise of its police power for the protection of the health, safety and welfare of its citizens and their properties or exercise any other rights, powers, or duties required or authorized, under the Constitution of the State of Utah, the laws of Utah or Town Ordinance.

SECTION 6. Indemnification. The Town shall in no way be liable or responsible for any loss or damage to property or any injury to, or death, of any person that may occur in the construction, operation or maintenance by Rocky Mountain Power of its Electric Facilities. Rocky Mountain Power shall indemnify, defend and hold the Town harmless from and against claims, demands, liens and all liability or damage of whatsoever kind on account of Rocky Mountain Power's use of the Public Ways within the Town, and shall pay the costs of defense plus reasonable attorneys' fees for any claim, demand or lien brought against the Town. The Town shall: (a) give prompt written notice to Rocky Mountain Power of any claim, demand or lien with respect to which the Town seeks indemnification; and (b) permit Rocky Mountain Power to assume the defense of such claim, demand, or lien. If such defense is not assumed by Rocky Mountain Power, Rocky Mountain Power shall not be subject to liability for any settlement made without its consent. Notwithstanding any provision in this agreement to the contrary, Rocky Mountain Power shall not be obligated to indemnify, defend or hold the Town harmless to the extent any claim, demand or lien arises out of or in connection with any negligent or willful act or failure to act of the Town or any of its officers or employees.

SECTION 7. Annexation.

7.1 Extension of Town Limits. Upon the annexation of any territory to the Town, the rights granted in this agreement shall extend to the annexed territory to the extent the Town has such authority. All Electrical Facilities owned, maintained, or operated by Rocky Mountain Power located within any public ways of the annexed territory shall be subject to all of the terms of this agreement.

7.2 Notice of Annexation. When any territory is approved for annexation to the Town, the Town shall, not later than ten (10) working days after passage of an ordinance approving the proposed annexation, provide by certified mail to Rocky Mountain Power: (a) each site address to be annexed as recorded on county assessment and tax rolls; (b) a legal description of the proposed boundary change; and (c) a copy of the Town's ordinance approving the proposed annexation. The notice shall be mailed to:

Attn: Annexations
P.O. Box 400
Portland, Oregon 97207-0400

With a copy to:

Rocky Mountain Power
Attn: Office of the General Counsel
1407 West North Temple, Room 320
Salt Lake Town, UT 84116

SECTION 8. Plan, Design, Construction and Installation of Company Facilities.

8.1 All Electrical Facilities installed or used under authority of this agreement shall be used, constructed, and maintained in accordance with applicable federal, state and town laws, codes and regulations.

8.2 Except in the case of an emergency, Rocky Mountain Power shall, prior to commencing new construction or major reconstruction work in the Public Ways, apply for any permit from the Town as may be required by the Town's ordinances, which permit shall not be unreasonably withheld, conditioned, or delayed. Rocky Mountain Power will abide by all applicable ordinances and all reasonable rules, regulations and requirements of the Town, and the Town may inspect the manner of such work and require remedies as may be reasonably necessary to assure compliance. Notwithstanding the foregoing, Rocky Mountain Power shall not be obligated to obtain a permit to perform emergency repairs.

8.3 All Electric Facilities shall be located so as to cause minimum interference with the Public Ways of the Town and shall be constructed, installed, maintained, cleared of vegetation, renovated or replaced in accordance with applicable rules, ordinances and regulations of the Town.

8.4 If, during the course of work on its Electrical Facilities, Rocky Mountain Power causes damage to or alters the Public Way or public property, Rocky Mountain Power shall (at its own cost and expense and in a manner reasonably approved by the Town) replace and restore it in as good a condition as existed before the work commenced.

8.5 In addition to the installation of underground electric distribution lines as provided by applicable state law and regulations, Rocky Mountain Power shall, upon payment of all charges provided in its tariffs or their equivalent, place newly constructed electric distribution lines underground as may be required by Town ordinance.

8.6 The Town shall have the right without cost to use all poles and suitable overhead structures owned by Rocky Mountain Power within Public Ways for Town wires used in connection with its fire alarms, police signal systems, or other public safety communication lines used for governmental purposes; provided, however, any such uses shall be for activities owned, operated or used by the Town for a public purpose and shall not include the provision of CATV,

internet, or similar services to the public. Provided further, that Rocky Mountain Power shall assume no liability, nor shall it incur, directly or indirectly, any additional expense in connection therewith, and the use of said poles and structures by the Town shall be in such a manner as to prevent safety hazards or interferences with Rocky Mountain Power's use of same. Nothing in this agreement shall be construed to require Rocky Mountain Power to increase pole size or alter the manner in which Rocky Mountain Power attaches its equipment to poles, or alter the manner in which it operates and maintains its Electric Facilities. Town attachments shall be installed and maintained in accordance with the reasonable requirements of Rocky Mountain Power and the current edition of the National Electrical Safety Code pertaining to such construction. Further, Town attachments shall be attached or installed only after written approval by Rocky Mountain Power in conjunction with Rocky Mountain Power's standard pole attachment application process. Rocky Mountain Power shall have the right to inspect, at the Town's expense, such attachments to ensure compliance with this Section 8.6 and to require the Town to remedy any defective attachments.

8.7 Rocky Mountain Power shall have the right to excavate the Public Rights of Ways subject to reasonable conditions and requirements of the Town. Before installing new underground conduits or replacing existing underground conduits, Rocky Mountain Power shall first notify the Town of such work by written notice and shall allow the Town, at its own expense, (to include a pro rata share of the trenching costs), to share the trench of Rocky Mountain Power to lay its own conduit therein, provided that such action by the Town will not unreasonably interfere with Rocky Mountain Power's Electrical Facilities or delay project completion.

8.8 Before commencing any street improvements or other work within a Public Way that may affect Rocky Mountain Power's Electric Facilities, the Town shall give written notice to Rocky Mountain Power.

SECTION 9. Relocations of Electric Facilities.

9.1 The Town reserves the right to require Rocky Mountain Power to relocate its Electric Facilities within the Public Ways in the interest of public convenience, necessity, health, safety or welfare at no cost to the Town. Within a reasonable period of time after written notice, Rocky Mountain Power shall promptly commence the relocation of its Electrical Facilities. Before requiring a relocation of Electric Facilities, the Town shall, with the assistance and consent of Rocky Mountain Power, identify a reasonable alignment for the relocated Electric Facilities within the Public Ways of the Town. The Town shall assign or otherwise transfer to Rocky Mountain Power all right it may have to recover the cost for the relocation work and shall support the efforts of Rocky Mountain Power to obtain reimbursement.

9.2 Rocky Mountain Power shall not be obligated to pay the cost of any relocation that is required or made a condition of a private development. If the removal or relocation of facilities is caused directly or otherwise by an identifiable development of property in the area, or is made for the convenience of a customer, Rocky Mountain Power may charge the expense of removal or relocation to the developer or customer. For example, Rocky Mountain Power shall

not be required to pay relocation costs in connection with a road widening or realignment where the road project is made a condition of or caused by a private development.

SECTION 10. Subdivision Plat Notification. Before the Town approves any new subdivision and before recordation of the plat, the Town shall obtain Rocky Mountain Power's approval of Electrical Facilities, including underground facilities to be installed by the developer, and associated rights of way depicted on the plat. A copy of the plat shall be mailed for approval to Rocky Mountain Power:

Rocky Mountain Power
Attn: Estimating Department
400 N 100 W
Moab UT 84532

SECTION 11. Vegetation Management. Rocky Mountain Power or its contractor may prune all trees and vegetation which overhang the Public Ways, whether such trees or vegetation originate within or outside the Public Ways to prevent the branches or limbs or other part of such trees or vegetation from interfering with Rocky Mountain Power's Electrical Facilities. Such pruning shall comply with the *American National Standard for Tree Care Operation (ANSI A300)* and be conducted under the direction of an arborist certified with the International Society of Arboriculture. No vegetation inhibitor will be used within Town limits without notifying the Town prior to use. Nothing contained in this Section shall prevent Rocky Mountain Power, when necessary and with the approval of the owner of the property on which they may be located, from cutting down and removing any trees which overhang streets.

SECTION 12. Renewal. At least 120 days prior to the expiration of this agreement, Rocky Mountain Power and the Town either shall agree to extend the term of this agreement for a mutually acceptable period of time or the parties shall use best faith efforts to renegotiate a replacement agreement. Rocky Mountain Power shall have the continued right to use the Public Ways of the Town as set forth herein in the event an extension or replacement agreement is not entered into upon expiration of this agreement.

SECTION 13. No Waiver. Neither the Town nor Rocky Mountain Power shall be excused from complying with any of the terms and conditions of this agreement by any failure of the other, or any of its officers, employees, or agents, upon any one or more occasions to insist upon or to seek compliance with any such terms and conditions.

SECTION 14. Transfer of Franchise. Rocky Mountain Power shall not transfer or assign any rights under this agreement to another entity, except transfers and assignments by operation of law, or to affiliates, parents or subsidiaries of Rocky Mountain Power which assume all of Rocky Mountain Power's obligations, unless the Town shall first give its approval in writing, which approval shall not be unreasonably withheld, conditioned or delayed; provided, however, Rocky Mountain Power may assign, mortgage, pledge, hypothecate or otherwise transfer without consent its interest in this agreement to any financing entity, or agent on behalf of any financing entity to whom Rocky Mountain Power (1) has obligations for borrowed money or in respect of guaranties, (ii) has obligations evidenced by bonds, debentures, notes or similar instruments, or

(iii) has obligations under or with respect to letters of credit, banker's acceptances and similar facilities or in respect of guaranties.

SECTION 15. Amendment. At any time during the term of this agreement, the Town through its Town Council, or Rocky Mountain Power may propose amendments to this agreement by giving thirty (30) days written notice to the other party of the proposed amendment(s) desired, and both parties, through their designated representatives, will, within a reasonable time, negotiate in good faith in an effort to agree upon mutually satisfactory amendment(s). No amendment or amendments to this agreement shall be effective until mutually agreed upon by the Town and Rocky Mountain Power and formally adopted as an ordinance amendment, which is accepted in writing by Rocky Mountain Power.

SECTION 16. Notices. Unless otherwise specified in this agreement, all notices from Rocky Mountain Power to the Town pursuant to or concerning this agreement shall be delivered to the Town Recorder's Office. Unless otherwise specified in this agreement, all notices from the Town to Rocky Mountain Power pursuant to or concerning this agreement shall be delivered to the Regional Business Management Director, Rocky Mountain Power, 1438 West 2550 South, Ogden, Utah, 84401, and such other office as Rocky Mountain Power may advise the Town of by written notice.

SECTION 17. Severability. If any section, sentence, paragraph, term or provision of this agreement is for any reason determined to be illegal, invalid, or superseded by other lawful authority including any state or federal regulatory authority having jurisdiction or unconstitutional, illegal or invalid by any court of common jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such determination shall have no effect on the validity of any other section, sentence, paragraph, term or provision, all of which will remain in full force and effect for the term of this agreement or any renewal or renewals.

SECTION 18. Governing Law.

This agreement shall be interpreted, construed and governed both as to validity and to performance of the parties in accordance with the laws of the State of Utah. Legal actions concerning any dispute, claim or matter arising out of or in relation to this proposal shall be instituted in the Superior Court of the County of Grand, State of Utah, or any other appropriate court in such county, and the parties covenant and agree to submit to the personal jurisdiction of such court in the event of such action. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the District of Utah, Tenth Circuit. Additionally, any documents provided to the Town are governed by the Utah Government Records Access and Management Act.

SECTION 19. No Waiver of Governmental Immunity.

The Town advises that it is a governmental entity in the State of Utah and is bound by the provisions of the Utah Governmental Immunity Act (Title 63G, Chapter 7, Utah Code Annotated, 1953, as amended) and does not waive any procedural or substantive defense or benefit provided or to be provided by the Governmental Immunity Act or comparable legislative

enactment, including without limitation, the provisions of Section 63G-7-604 regarding limitation of judgments. Any indemnity and insurance obligations incurred by the Town under this proposal are expressly limited to the amounts identified in the Act. Further, nothing in this cooperative agreement shall be deemed to abrogate or waive any immunity possessed by the Town, including immunity under the Utah Governmental Immunity Act, U.C.A. § 63G-6-101, et seq., or other applicable law.

Signed by Rocky Mountain Power

Printed Name: _____

Title: _____
Rocky Mountain Power

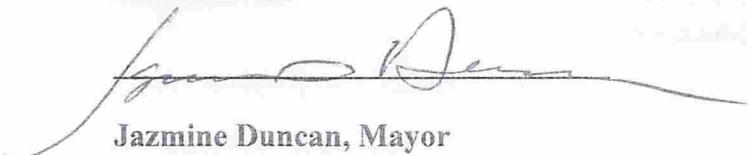
Date: _____

PASSED, ADOPTED AND APPROVED by the Town Council of the Town of Castle Valley Utah this 21st day of December, 2022.

Aye: Mayor Duncan, Council Members Gibson, Hill, Holland and O'Brien

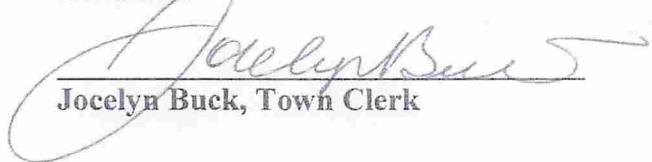
Nay: None

Absent: None



Jazmine Duncan, Mayor

ATTEST:



Jocelyn Buck, Town Clerk



70 North 2nd East
American Fork, Utah 84003

January 4, 2023

To the Honorable Mayor and
Town Council
Castle Valley, Utah

Gentlemen/Ladies:

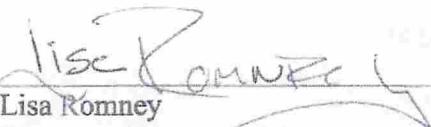
This is to advise Town of Castle Valley, Utah, that on February 1, 2023, ROCKY MOUNTAIN POWER hereby accepts the terms and provisions of Franchise Ordinance passed by your Honorable Body on December 22, 2022, granting a Franchise Ordinance to ROCKY MOUNTAIN POWER for a period of twenty (20) years entitled:

**"AN ORDINANCE GRANTING AN ELECTRIC UTILITY FRANCHISE AND
GENERAL UTILITY EASEMENT TO ROCKY MOUNTAIN POWER"**

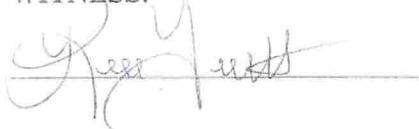
And files this, its written acceptance in accordance with all requirements of said ordinance.

Very truly yours,
Rocky Mountain Power

By:


Lisa Romney
Director, Commercial Accounts
& Community Relations

WITNESS:



Ex. 3-2042

TOWN OF CASTLE VALLEY ORDINANCE 92-1

Electric Utility Installation Requirements

An Ordinance regulating the installation of electrical utility service within the boundaries of the TOWN OF CASTLE VALLEY.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE VALLEY:

1.0 PURPOSE AND SCOPE

1.1 PURPOSE: This ordinance is intended to protect and enhance both the property values and the quality of life of the residents of the Town of Castle Valley, by requiring that new electrical utility service be installed underground. The visual environment of the Town of Castle Valley is a major component of both the property values and the quality of life of the residents. All other utilities, except electrical, are presently installed underground, and do not detract from the visual environment.

1.2 SCOPE: This ordinance is intended to regulate any new installation of electrical utility service, including both primary distribution branches and residential connections to the primary system, within the geographical boundaries of the Town of Castle Valley. This ordinance is not intended to regulate existing installations, except at the end of the service lives of these installations.

2.0 ELECTRIC UTILITY INSTALLATION REQUIREMENTS

2.1 All new electrical service connections shall be installed underground except as noted in section 3.1 and 3.2.

2.2 All new extensions, re-routings, additions to, or major replacement of the primary distribution grid shall also be installed underground, except as noted in section 3.3

2.3 No new electrical supply lines shall be strung across or in front of another property owner's lot, nor shall any new electric utility power poles be erected.

2.4 Electrical service installations shall be made as if the Town of Castle Valley were converting to an underground electrical utility system in the future.

2.5 Replacement of existing overhead power lines at the end of their service lives shall be performed as if these were new installations and shall be installed underground.

2.6 Extensions of or additions to the primary electrical supply system shall be installed within the easements of the Town roads.

3.0 EXCEPTIONS

3.1 Where existing overhead service already exists on, or within the property lines of a lot on which electrical service is requested, and where either of the following two conditions exist, electrical service may be installed overhead.

a) The connection is to a temporary dwelling or structure which

will not be the connection point when the permanent dwelling is constructed.

b) The present underground installation would be incorrectly located if future underground primary service were to be installed in that portion of the Town of Castle Valley.

3.2 Above ground electrical service may be installed between buildings on a single lot, if such overhead installation does not require the erection a new power pole.

3.3 Electrical service may be installed above ground in specific situations upon recommendation by the Planning Commission and approval by the Town Council in the following circumstances:

- a) Major technical problems make underground installation unsafe.
- b) Underground installation would jeopardize the reliability of the overall electrical system.

4.0 COSTS OF UNDERGROUND INSTALLATION

4.1 The cost of underground electrical connections shall be born by the individual property owner and is not intended to be born by the electrical utility company.

4.2 In the case of future realignment or replacement of the primary electrical supply system, the Town of Castle Valley and the electric utility company shall negotiate an equitable cost sharing basis if the Town of Castle Valley requires the primary power supply to be relocated underground.

4.3 The Town of Castle Valley may negotiate with the electrical utility company to have the branch primary lines installed underground.

4.4 Cost of underground installation shall not be considered a major reason for granting an exception to these requirements.

5.0 NOTICE REQUIRED

5.1 The electric utility company will give the Town of Castle Valley immediate notice of any plans to make major modifications to the primary electrical supply system, such as increasing the system capacity, relocation of the primary lines, or additional demands on the system which could affect the reliability of the system.

5.2 Notification of such major modifications shall be given to the Town of Castle Valley at least six months before such work shall commence, unless such requirement of notice is waived by the Town Council.

6.0 ENFORCEMENT

6.1 EFFECTIVE DATE: This ordinance shall become effective upon adoption by the Town Council and upon posting on the Town bulletin board at the entrance to the Town of Castle Valley. Notice of the adoption of an ordinance requiring the underground

installation of electric service shall be published in a local newspaper. The notice of adoption of this ordinance shall include instruction on how a resident may obtain a copy of this ordinance. Notice of adoption of this ordinance and a copy of this ordinance shall be conveyed to the office of the local electric utility company.

6.2 SEVERABILITY: This ordinance and the various parts, sections and clauses are declared to be severable. If any part, section, paragraph, sentence, clause or phrase is judged to be unconstitutional or invalid, it is hereby declared that the remainder of this ordinance shall not be affected thereby.

6.3 EACH DAY A VIOLATION of this ordinance is committed or permitted to continue shall constitute a separate offence and shall be punishable as such.

6.4 VIOLATIONS OF THIS ORDINANCE shall be prosecuted as a class B misdemeanor in a court of competent jurisdiction.

6.6 RECOVERING COSTS: At the direction of The Town Council an action may be brought in the name of the Town to enjoin a violation of this ordinance, to require compliance therewith and to recover all costs of such action including court costs and reasonable fees to reimburse the Town for the services of legal counsel and other necessary expenses.

PASSED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE VALLEY
THIS OF 1 DAY OF JULY, 1992

TOWN OF CASTLE VALLEY GENERAL PLAN SURVEY

Thank you for taking the time to complete this survey. The Planning and Land Use Commission has the responsibility for preparing a survey to gauge owners' and residents' perspectives and to use that information to draft the General Plan. The purpose of the survey is to gather information from the community to help update the Town's General Plan, which is done every five years. The General Plan is prepared to reflect property owners' and residents' feelings, ideas, and views for the future of the Town. The Town will hold a public meeting to discuss the results of the surveys.

Your answers are a crucial part of this process. Not all questions need be answered. On each question please fill in your answer or **circle your answer for multiple choice and yes/no questions**. You may include one extra sheet for additional comments. Please number the question to which you are responding. Specific ideas and suggestions are the most helpful for the Town's planning.

If a second adult in the household wishes to complete a separate survey, contact the Town office for a copy. If you own more than one property and your answers for the other property would be substantially different, enter those comments on the extra sheet. Do not photocopy this form. The Town tracks the number of survey forms that are sent out and returned. **To protect your confidentiality, please do not put your name or lot number on the survey.**

**MAIL THE SURVEY IN THE ENCLOSED STAMPED ENVELOPE
POSTMARKED ON OR BEFORE SEPTEMBER 24, 2025,
OR RETURN IT TO THE TOWN OFFICE BY SEPTEMBER 24, 2025.
THERE IS A BLUE DROP BOX NEAR THE FLAGPOLE.
IF YOU RETURN THE SURVEY TO THE OFFICE OR TO THE BLUE BOX,
PLEASE DO NOT SEAL THE RETURN ENVELOPE.**

**HC64 Box 3713
Castle Valley, Utah 84532-9608
435-259-9828
*castlevalleyutah.com***

SECTION A—COMMUNITY PROFILE

A1 Are you a (*circle all that apply*)

Full-time Resident? *Part-time Resident?* *Renter?* *Non-Resident Property Owner?*

A2 Number of people in your Castle Valley household? _____

A3 How old is each person in your household? Please list all ages. _____

A4 Number of years you have owned land in Castle Valley? _____

A5 How many lots do you own? _____

A6 Number of years you have been residing in Castle Valley? _____

A7 If you are a registered voter is Castle Valley your registered voting address? Yes No

A8 Are you currently renting out a home that you own in Castle Valley? Yes No

A9 At what stage of development is your property? (*circle all that apply; use line for additional lots*)

Permanent Housing *Temporary Housing* *Actively Building* *Vacant*

A10 If you do not currently have permanent housing, or if you own additional lots, do you plan to build a residence in (*circle one; use line for additional lots*)

1-4 years? *5 years?* *10 years?* *Never?* *Depends?*

SECTION B—WATER & SEPTIC

Water source

The Town of Castle Valley recently approved a Water Management Plan (WMP). This document will guide the Town's policies and actions to protect our water rights and water quality for our Sole Source Aquifer. The Town works closely with the Utah Division of Water Rights and other entities to achieve these goals. As we know, water in the west is scarce, and likely to become more so. Factors such as drought and climate changes will continue to impact water supply. Please answer the following questions to help guide and support the Town's ongoing efforts to secure our water. These topics are detailed in the WMP, pp 2-5:

<https://castlevalleyutah.com/Documents/Administration/Water/250319%20CV%20Water%20Management%20Plan.pdf>

B1 Do you have a well? (*circle one; use line for additional lots*) Yes No

B2 If yes, has the quality or quantity of your well water changed within the past three years? (*circle one; use line for additional lots*) Yes No Don't know

B2a If yes, what has changed? _____

B3 If you do not have a well, why not? (*circle all that apply; use extra line for additional lots*)

Poor water quality *Lack of water availability* *Cost of drilling* *Property undeveloped*

Other _____

B4 If you do not have a well, do you have a cistern? Yes No

B4a What size? _____

B4b Do you have water commercially delivered? Yes No

B4c If not commercially delivered, what is the primary source of your water? (circle all that apply)

Moab

Castle Valley neighbor

Rooftop

Many Town lots cannot produce a well yielding an adequate quantity or quality of potable water. The WMP identifies several options for providing water to those lots. One option is a dedicated well with a small treatment facility that supplies a “filling station” where residents could fill their own containers with potable water. A second option is use of a Town water truck to deliver non-potable water to cisterns on individual lots. Another option is researching the feasibility of installing a well for any and all residents to get water for a small fee. See WMP pp 4-5:

<https://castlevalleyutah.com/Documents/Administration/Water/250319%20CV%20Water%20Management%20Plan.pdf>

B5 Do you support the Town continuing research on options to provide residents whose lots produce little or no water and/or poor quality water with

5a non-potable water? Yes No

5b potable water? Yes No

B6 The Town has historically been concerned with aquifer and surface water protection and management. Would you support further restrictions and lot mitigations? (circle one) Yes No

Comments _____

B7 Do you support putting more money towards our water infrastructure? Yes No

Comments _____

Septic systems

Septic systems pose one of the biggest potential threats to our aquifer. Please help us learn more about existing systems and whether or not you favor certain septic monitoring practices.

B8 If you have a septic system, when was it installed? In the last (circle one; use line for additional lots)

0-5 years

5-10 years

10 – 15 years

Over 15 years

Don't Know

B9 When was your septic system last pumped? In the last (*circle one; use line for additional lots*)

0-5 years 5-10 years 10-15 years Over 15 years Never Don't Know

SECTION C—ORDINANCES & ENFORCEMENT

C1 Currently, Castle Valley regulates height and square footage to protect viewshed, drainage, and rural character. Are the current regulations (*circle one*)

Satisfactory? Too stringent? Too lenient?

C2 Enforcement of Town ordinances is primarily handled through the Formal Complaint Process. Do you favor the Town investigating other means to enforce ordinances? *Yes No*

C2a If yes, please identify specific mechanisms that might be considered. (*circle all that apply*)

Complaint-driven Town can initiate Hire code enforcement officer

Other _____

C3 Are there any Town ordinances you especially appreciate?

C4 Are there any ordinances you disagree with?

SECTION D—COMMUNITY LIFE

D1 Currently the Town allows home and premises businesses. Do you think the current level of allowed commercial activity is

Satisfactory? Too stringent? Too lenient?

Comment _____

D2 In a rural community that allows livestock and agriculture as a part of its community character, what positive effects, if any, seem to increase quality of life?

D3 In a rural community that allows livestock and agriculture as a part of its community character, what negative effects, if any, seem to reduce quality of life?

D4 Controlling and/or eradicating migrating noxious weeds and other non-native invasive species from Castle Valley is an ongoing challenge for all property owners. Please rate impact of weeds on your property.

Minimal impact

Moderate impact

Severe impact

Comment _____

D5 The median age of residents in Castle Valley is 68.9 years as of the July 1, 2024, U.S. Census Bureau update. How concerned are you about your ability to remain living in your home as you get older or if you have a health challenge at any age? (circle one)

Not concerned

Low concern

Medium Concern

High concern

D6 As people grow older, they may need services not usually required for younger people. On a scale of 1-5, with 1 being little interest/support and 5 being substantial interest/support, do you think the Town should:

A _____ Explore the costs, benefits, practicality, and likely usage of a regular transportation service to Moab?

B _____ Explore options for a visiting nurse to come to CV on a regular basis?

C _____ Explore senior housing for seniors/caretakers other than the currently allowed temporary accessory dwelling units and internal accessory dwelling units?

Comment _____

SECTION E—GOVERNMENT

E1 How do you receive news about the Town government? (circle all that apply)

A—Town Website

D—Email

G—TI's Castle Valley Comments

B—Attending Meetings

E—Bulletin board

H—Unofficial Castle Valley Facebook Page

C—Word of Mouth

F—Town Mailings

I—Other

Comment _____

E2 If you use the Town website (*castlevalleyutah.com*), do you find it easy to use, with useful information? (circle one) Yes No

E2a Please suggest changes that will assist your use of the website. _____

E3 Are you on the Town email list? (circle one) Yes No
(If you wish to be on the Town email list, send a request to *townclerk@castlevalleyutah.com*.)

E4 The Town has several part-time employees. It relies on volunteers to fill positions on the Town Council, the Planning and Land Use Commission, and other ad hoc committees. Would you consider serving in the Town government? (circle one) Yes No Maybe

E5 The Town operates on a relatively small operating budget excluding capital projects. The Town received only 9.2% of your total County property taxes in 2024. This portion of the County property tax is the primary source of Town revenue. The Town's property tax rate was last raised in 2016. Do you favor raising the Town's portion of property taxes, as needed? (circle one) Yes No

E6 Do you favor increasing Town property taxes to hire more staff and/or increase the hours and/or pay of current staff? (circle one) Yes No

E7 Are there any important issues that the Town government is not addressing? _____

SECTION F—FIRE AND FIRE PREVENTION

F1 Castle Valley properties are vulnerable to wildfire because of the extensive vegetation on most properties. Cheatgrass, dead tumbleweeds and other weeds, dead sage, and trees are highly flammable. The Castle Valley Fire Department, and other agencies, encourage making your property Firewise safe, that is defensible against fire. See the Town and Fire Department websites on preparing fire defensible properties. (*castlevalleyfire.org*)

A Has the Castle Valley Fire Department conducted a free Firewise inspection of your lot in the (circle one) *past 5 years?* *past 10 years?* *Never?*

B The Castle Valley Fire Department conducts these wildfire hazard lot assessments by request. Would you use the service? (circle one) Yes No Maybe

C Would you be willing to hire people to clear vegetation around your property if the service was available? (circle one) Yes No Maybe

D The Fire Department members are all volunteers. Do you have suggestions on how the department can recruit and retain new and younger members?

SECTION G—CAPITAL IMPROVEMENT PROJECTS & INFRASTRUCTURE

G1 How do you feel about the condition/maintenance of the road you live on? (circle one)

Very satisfied

Satisfied

Dissatisfied

Very dissatisfied

G1a Do you have any suggestions for improvement? _____

G2 Should the Town explore improved cell phone coverage? (circle one)

Yes *No*

G3 Please prioritize the following projects that may require additional taxes or fees. Rate each with 0-3:

0 = Do Not Favor 1 = Low Priority 2 = Medium Priority 3 = High Priority

A _____ Side road improvement beyond what is currently budgeted

B _____ Drainage work beyond what is currently budgeted

C _____ Purchase of additional needed equipment for the Town Road Department

D _____ Water monitoring wells for quantity/quality

E _____ Suggest other improvements (*prioritize*) _____

SECTION H—LET YOUR VOICE BE HEARD

H1 Which community values and policies do you believe the Town should continue to protect and maintain? Please prioritize the following community values by rating each with 0-3:

0 = Do Not Favor 1 = Low Priority 2 = Medium Priority 3 = High Priority

A _____ Water Quality

H _____ Dark Skies

B _____ Air Quality

I _____ 5-Acre Minimum Lot Size

C _____ Protection of Aquifer

J _____ Single Family Dwelling per Lot

D _____ Scenic Views

K _____ Renewable Energy Technologies

E _____ Open Space

L _____ Sustainable Community Activities

F _____ Tranquility/Silence

M _____ Sustainable Agriculture

G _____ Wildlife Habitat

N _____ No Commercial Development Beyond What's Currently Allowed

Other (*prioritize*) _____

H2 Which issues do you believe the Town should make a high priority to develop or improve upon? Please prioritize the issues below by rating each with 0-3:

0 = Do Not Favor 1 = Low Priority 2 = Medium Priority 3 = High Priority

A _____ Fire Prevention

D _____ Emergency Preparedness

B _____ Evacuation Policies and Plans

E _____ Road Improvements

C _____ Animal Control

Other (prioritize) _____

H3 Please share any additional concerns or suggestions to help address any issues that you indicated in H1 and H2 above:

H4 What do you like best about life in Castle Valley?

H5 What do you like least about living in Castle Valley?

H6 Please tell us about your vision for the Valley. What would you like to have stay the same? What would you like to have change?

H7 Is it important that this survey be anonymous in the future? (circle one) Yes No

If you would like to be contacted or receive more information regarding volunteer opportunities with the Town, please go to the Town website (castlevalleyutah.com) and fill out the Volunteer Information Form (Forms button on home page).

Refer to page 1 Introduction for return instructions.

**TOWN OF CASTLE VALLEY UTAH
Volunteer Information Form**

Lot # _____ (if applicable)

Name _____

Mailing address _____

Phone _____ Cell _____ Email _____

Return to: townclerk@castlevalleyutah.com • HC 64 Box 2705, Castle Valley UT 84532 • #2 Castle Valley Dr.

OFFICE USE

Received by _____ date _____

The Town has several part-time employees. It relies on volunteers to fill positions on the Town Council, the Planning and Land Use Commission, and other ad hoc committees. Would you consider serving in the Town government or in some other volunteer capacity? Please check areas of interest. Feel free to suggest ideas, or add comments or qualifications. Thank you for your help!

Volunteer opportunities

- Town Council**—elected position; requires minimum one year full-time residence in Castle Valley; 4-year term.
- Planning and Land Use Commission (PLUC)**—appointed by the Mayor with the advice and consent of the Town Council; requires minimum one year full-time residence in Castle Valley; 4-year term. See Ordinance 2006-3 at castlevalleyutah.com.
- Ad hoc committee**—occasional, varied subjects.
- Groundskeeping and building maintenance**—until this job opening is filled, help is welcome with weeding, mowing, building maintenance, and janitorial tasks.
- Miscellaneous**—suggestions welcome.