

AGENDA
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY
THURSDAY, MAY 7, 2026 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=Q05sYm5qQ0lpNlY5TVp2bTU5VnZiQT09>

CALL TO ORDER PUBLIC HEARING – regarding proposed amendments to Ordinances 85-3 and 95-6 to comply with Utah State HB48 regarding fire risks within designated Wildland Urban Interface areas with the Town Boundaries.

1. Roll Call
2. Open Public Comment
3. Adjournment

CALL TO ORDER & ROLL CALL

1. Adoption of Agenda
2. Open Public Comment
3. Approval of Minutes: April 2, 2026, Regular Meeting
4. Reports - Correspondence: TBA
 - Building Permit Agent (BPA) Report – Thompson
 - Water Advisory Committee (WAC) - Anderson
 - Procedural Matters: TBA

NEW BUSINESS – None

UNFINISHED BUSINESS.

5. Discussion and possible action regarding amendments to Ordinances 85-3 and 95-6 to comply with Utah State HB48 regarding fire risks within designated Wildland Urban Interface (WUI) areas within the Town Boundaries
6. Discussion and possible action regarding other amendments to Ordinances 85-3 and/or 95-6
7. Discussion and possible action regarding the 2026 General Plan
9. 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)**
- **Land Disturbance Activity Preliminary Questionnaire (added 5.7.26)**

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,

ORDINANCE 85-3

THE TOWN OF CASTLE VALLEY

(This Ordinance 85-3 dated March 19,2025 supersedes any earlier dated Ordinance 85-3)

AN ORDINANCE PROVIDING FOR LAND USE IN THE TOWN OF CASTLE VALLEY, UTAH.

Be it ordained by the Town Council of the Town of Castle Valley, Utah:

In order to provide for Land Use Regulation within the Town of Castle Valley this Land Use Ordinance of the Town of Castle Valley is enacted to read as follows:

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SURFACE WATER: streams, other Watercourses, lakes and reservoirs; or stormwater runoff, snow melt runoff, surface runoff, street waters related to street maintenance, infiltration and drainage.

TEMPORARY ACCESSORY DWELLING FOR MEDICAL PURPOSES (TAD): A recreational vehicle, park trailer, or HUD approved single-wide manufactured home to be used exclusively for immediate family members who are certified infirm, or for caregivers who are assisting the occupants of the main Dwelling who are certified as infirm.

TEMPORARY DWELLING: A manufactured mobile unit (other than a mobile home) designed and permitted by its manufacture as a temporary residence for travel, recreational, and vacation use, including recreational vehicles such as: travel trailers, park trailers, camp trailers, motor homes, truck campers and vans and installed as a Dwelling and occupied for any length of time, i.e. intermittent occupancy or long-term residency. A travel trailer shall not require special highway movement permits when towed on public highways, and shall not exceed eight (8) feet in width of forty (40) feet in length. A park trailer shall not exceed an area of 400 square feet. The unit must be self-contained or attached to a septic system approved by the Local Health Department. A Temporary Dwelling is considered a Dwelling. Only one Dwelling is permitted on a legally platted lot in the Town (except that an unused recreational vehicle may be stored while not in use).

TOWN COUNCIL: The Castle Valley Town Council, which includes the Mayor and Council members.

UNNECESSARY HARDSHIP: A general restriction placed upon a lot with respect to setback or area where, by reason of exceptional narrowness, shallowness, shape, land condition or topography of such lot, a literal enforcement of the general restrictions would result in an unfairness to the owner compared to the owners of other lots in the same zone and/or which literal enforcement would be unnecessary in order to achieve the intent of the zone. The hardship shall not have been created by an act of any property owner.

UPDES: The Utah Pollution Discharge Elimination System, which is the state/national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.

VARIANCE: A waiver or modification of a setback, an area requirement or height requirement of Town Land Use Ordinances, as distinguished from a conditional use, to be determined by the Appeal Authority.

WATERCOURSE: A permanent or intermittent stream or other body of water, either natural or manmade, which gathers or carries Surface Water, including catch basins.

WILDLAND URBAN INTERFACE: The zone where structures and other human development meets, or intermingles with, undeveloped wildland.

CHAPTER 5 BUILDING AND LOT REQUIREMENTS

5.0 WILDLAND URBAN INTERFACE ZONE

The Wildland Urban Interface (WUI) Zone includes all parcels and RG-15 lands within the Town Boundary that are subject to current Utah State WUI Building Code.

| <u>Parcel Number</u> | <u>CV Lot Number</u> |
|----------------------|----------------------|
| 09-0000-0367 | CVRR 360 and 370 |
| 09-0000-0446 | CVRR 372.3 and 371.4 |
| 09-00000369 | CVRR 371.3 |

Other
Range and Grazing (RG-15)

5.1 MINIMUM LOT SIZE

The minimum lot size for the RAR-1 Zone is five (5) acres, easements included.

The minimum lot size for the RG-15 Zone is fifteen (15) acres, easements included.

5.2 SETBACK REQUIREMENTS

The Land Use Authority may require an applicant to submit a topographical drawing prepared by a registered land surveyor or civil engineer identifying all property lines, road easements and required setbacks if deemed necessary to verify that the setback requirements in this section are met.

- A. For all buildings, including municipal buildings, water wells, solar energy systems and other alternative energy structures, above ground water cisterns, above ground metal shipping containers, portable sheds, and septic systems, setbacks shall be fifty (50) feet from a platted public street easement line.
- B. The setbacks for solar energy systems and other alternative energy structures, above-ground water cisterns, above-ground metal shipping containers, portable sheds, and all buildings (except for those listed in subsection E below), including municipal buildings, shall be thirty (30) feet from the side property line or back property line.
- C. Water wells shall be located at least fifty (50) feet from the property line between contiguous lots and at least 100 feet from any existing septic system.
- D. Septic systems shall be located at least fifty (50) feet from the property line between contiguous lots and at least 100 feet from any existing water well.
- E. Barns, corrals, pens, coops, sheds, and other Accessory Structures for the keeping of livestock shall be located at least 70 feet from property lines between contiguous lots and a least 100 feet from any existing Dwelling on a neighboring lot or parcel.

5.3 BUILDING AREA AND HEIGHT LIMITS

**April 17, 2024 TOWN OF CASTLE VALLEY, UTAH
ORDINANCE 95-6 AMENDED**

**AN ORDINANCE OF THE TOWN OF CASTLE VALLEY REGARDING THE
BUILDING PERMIT AND OTHER LAND USE PERMIT PROCESSES**

**(This Ordinance dated April 17, 2024 amends and supersedes
any earlier dated Ordinance 95-6)**

WHEREAS, the Town of Castle Valley (“the Town”) has an Interlocal Agreement with Grand County (“the County”) regarding Building Inspection Services wherein the Town reviews and approves building plans, electrical system plans, and solar energy system plans for their compliance with the Town’s zoning regulations before the County can issue a building permit for such plans, and

WHEREAS, the Town also has legal and liability issues in relationship to property owners who construct buildings, electrical systems, and solar energy systems on their lots, and

WHEREAS, changes to washes, drainages, or Watercourses on individual lots may adversely impact Town roads, other public infrastructure, and neighboring properties, and

WHEREAS, the Town has occasion to change its zoning regulations, and must also make changes in its regulations and forms in order to remain in compliance with changes in County law, Utah State law, and case law relating to zoning and building, and

WHEREAS, the Town needs to have a building and land use permit process which is clear and effective in meeting all these needs; therefore

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

SECTION 1: SIGNED FORMS AND AGREEMENTS REQUIRED: The Town will have a Castle Valley Building Permit Information Sheet and other Land Use Applications which specify the submissions, forms, and agreements which the Town requires in order to grant Town Zoning Approval on the Grand County Building Permit Application form for submission to the County, to grant zoning approval for other structures or improvements that do not require a Grand County building permit but are subject to Town land use regulations, or to oversee Land Disturbance Activity that might affect drainage of Surface Water (as defined in Ordinance 85-3).

1.1 Building Permits. Unless determined inapplicable by the Designated Land Use Authority, the signed documents and information listed below are required in order to attain Town zoning approval for a building permit to construct, repair, reconstruct or alter any building, to move any building onto a lot, or for any other project that requires a

Grand County Building Permit. Required submission documents and information may be determined inapplicable by the Designated Land Use Authority only if deemed unnecessary in order to properly evaluate and ensure a Land Use Application's compliance with Town Land Use Regulations and its impact on the zone in which the land use will be located.

Property within the Wildland Urban Interface (WUI) Zone, as described in Ordinance 85-3, is subject to current Utah State WUI Building Code.

- a. A Castle Valley Building Permit Information Sheet (initialed and signed by applicant).
- b. An approved Septic Application signed for the Town of Castle Valley.
- c. Building plans with all the information specified in the Castle Valley Building Permit Information Sheet except for those items determined to be inapplicable by the Designated Land Use Authority for the Land Use Application being applied for (signed by property owner, and, if relevant, the building contractor).
- d. An Acknowledgement of One Dwelling Per Platted Lot (signed by applicant).
- e. An Acknowledgement of Short-Term Rentals Prohibited (signed by applicant).
- f. A Geologic Hazards Release Agreement (signed by applicant).
- g. Land Disturbance Review as described in Section 1.3 of this Ordinance (signed by the Roads Manager or other designated official) that shall expire after 12 months unless a complete Building Permit Application is submitted to the Town within that period.
- h. (Where applicable) An Acknowledgment and Release Agreement for lots without legal access (signed by applicant).
- i. (Where applicable) A Temporary Dwelling Permit.
- j. (Where applicable) A Decommissioning Contract. No portion of the decommissioned unit or building shall be buried on the property or elsewhere within the Town as further provided for in Ordinance 96-1 Watershed Protection, and Ordinance 85-3, as amended. All decommissioned material shall be properly stored on the property or shall be promptly removed from the property to a place of safe and legal disposal, after which the site and/or building, as applicable, must be returned to its preexisting condition.
- k. (Where applicable) An approved Right of Way Encroachment Permit signed by the Roads Manager or other designated official.
- l. (Where applicable) A Grade Review to determine Existing Grade prior to any earth-moving, signed by the Building Permit Agent or other designated official, as described in Ordinance 85-3 Chapter 5.7.B, and Section 5 of this Ordinance.
- m. (Where applicable) A topographical drawing prepared by a registered land surveyor or civil engineer if deemed necessary by the Designated Land Use Authority to determine compliance with setbacks or to determine Existing Grade or an estimation of pre-development topography.

Suggestions from Colleen Thompson
April 17, 2024 TOWN OF CASTLE VALLEY, UTAH
ORDINANCE 95-6 AMENDED

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WHEREAS, the Town also has legal and liability issues in relationship to property owners who construct buildings, electrical systems, and solar energy systems on their lots, and

WHEREAS, changes to washes, drainages, or Watercourses on individual lots may adversely impact Town roads, other public infrastructure, and neighboring properties, and

WHEREAS, the Town has occasion to change its zoning regulations, and must also make changes in its regulations and forms in order to remain in compliance with changes in County law, Utah State law, and case law relating to zoning and building, and

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1.1 Building Permits. Unless determined inapplicable by the Designated Land Use Authority, the signed documents and information listed below are required in order to attain Town zoning approval for a building permit to construct, repair, reconstruct or alter any building, to move any building onto a lot, or for any other project that requires a

Grand County Building Permit. Required submission documents and information may be determined inapplicable by the Designated Land Use Authority only if deemed unnecessary in order to properly evaluate and ensure a Land Use Application's compliance with Town Land Use Regulations and its impact on the zone in which the land use will be located.

Property within the Wildland Urban Interface (WUI) Zone, as described in Ordinance 85-3, is subject to current Utah Wildland Urban Interface Code adopted as a construction code under the Utah State Construction Code (pursuant to Utah Code Title 15A.

- a. A Castle Valley Building Permit Information Sheet (initialed and signed by applicant).
- b. An approved Septic Application signed for the Town of Castle Valley.
- c. Building plans with all the information specified in the Castle Valley Building Permit Information Sheet except for those items determined to be inapplicable by the Designated Land Use Authority for the Land Use Application being applied for (signed by property owner, and, if relevant, the building contractor).
- d. An Acknowledgement of One Dwelling Per Platted Lot (signed by applicant).
- e. An Acknowledgement of Short-Term Rentals Prohibited (signed by applicant).
- f. A Geologic Hazards Release Agreement (signed by applicant).
- g. Land Disturbance Review as described in Section 1.3 of this Ordinance (signed by the Roads Manager or other designated official) that shall expire after 12 months unless a complete Building Permit Application is submitted to the Town within that period.
- h. (Where applicable) An Acknowledgment and Release Agreement for lots without legal access (signed by applicant).
- i. (Where applicable) A Temporary Dwelling Permit.
- j. (Where applicable) A Decommissioning Contract. No portion of the decommissioned unit or building shall be buried on the property or elsewhere within the Town as further provided for in Ordinance 96-1 Watershed Protection, and Ordinance 85-3, as amended. All decommissioned material shall be properly stored on the property or shall be promptly removed from the property to a place of safe and legal disposal, after which the site and/or building, as applicable, must be returned to its preexisting condition.
- k. (Where applicable) An approved Right of Way Encroachment Permit signed by the Roads Manager or other designated official.
- l. (Where applicable) A Grade Review to determine Existing Grade prior to any earth-moving, signed by the Building Permit Agent or other designated official, as described in Ordinance 85-3 Chapter 5.7.B, and Section 5 of this Ordinance.
- m. (Where applicable) A topographical drawing prepared by a registered land surveyor or civil engineer if deemed necessary by the Designated Land Use Authority to determine compliance with setbacks or to determine Existing Grade or an estimation of pre-development topography.

- n. (Where applicable) An approved Internal Accessory Dwelling Unit (IADU) Permit, as described in Ordinance 85-3 Section 5.10, if applying for a building permit to construct, or remodel to create, an IADU.
- o. Any additional information and signed documents deemed necessary in order to properly evaluate and ensure a Land Use Application's compliance with Town Land Use Regulations and its impact on the zone in which the land use will be located.

1.2 Electrical and Solar Energy System Permits. Electrical Permits are necessary only when no other construction work is being done. Otherwise, they are included as part of a building or remodel permit and not independent of it. Solar Energy System Permit Applications must always be submitted independent of construction work being done.

Unless determined inapplicable by the Designated Land Use Authority, the signed documents and information listed below are required in order to attain Town Approval for an Electrical Permit Application or a Solar Energy System Permit Application. Required submission documents and information may be determined inapplicable by the Designated Land Use Authority or the Building Permit Agent only if deemed unnecessary in order to properly evaluate and ensure a Land Use Application's compliance with Town Land Use Regulations and its impact on the zone in which the land use will be located.

- a. A completed Castle Valley Electrical Permit Application or Solar Energy System Permit Application along with submission of all information specified in the Application. If electricity (including solar electricity) is being installed or upgraded to supply an existing building for the first time, a statement of change of use may be required if deemed applicable by the Designated Land Use Authority.
- b. Electrical system Applicants must submit 3 complete copies of the Electrical Plan as submitted to the Grand County Building Department.
- c. Solar Energy System Applicants must submit approval of an interconnection agreement from the local electric utility company to the Town in order to gain Town approval on systems connected to the grid.
- d. Solar Energy System Applicants must submit 3 complete copies of the Grand County Residential Solar Photovoltaic (PV) System Plan Review as submitted to Grand County Building Department with the attachments as listed on the Town's Solar Energy System Permit Application.
- e. (Where applicable) A Grade Review to determine Existing Grade prior to any earth-moving signed by the Building Permit Agent or other designated official.
- f. (Where applicable) a Land Disturbance Review performed by the Roads Manager or other designated official.
- g. Any additional information and signed documents deemed necessary in order to properly evaluate and ensure a Land Use Application's compliance with Town Land Use Regulations and its impact on the zone in which the land use will be located.

Copies of these forms and agreements as they exist at the time of this Ordinance are attached to this Ordinance for information purposes.

1.3 Land Disturbance Activity, Review and Permit

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. A Preliminary Questionnaire shall determine the level of oversight required.

Land Disturbance Review. Any Building Permit application is required to have a Land Disturbance Review by the Roads Manager or other designated official. Any other planned Land Disturbance Activity that meets one or more of the following thresholds is required to have a Land Disturbance Review by the Roads Manager or other designated official:

- a. Area of ½ acre (21,800 square feet) or more.
- b. Within a 10-foot proximity of a Watercourse (as defined in Ordinance 85-3).
- c. Moving or disturbing 50 cubic yards of material or more.
- d. Planned disturbances in setback areas.

Submission requirements for a Land Disturbance Review shall include:

- a. Plot plan showing entire lot with setback lines, existing structures including septic systems, and proposed land disturbance activity (separate page zoomed with detail if necessary.)
- b. List of any thresholds expected to be triggered, with details.
- c. In the case of a Land Disturbance Review associated with a building permit, detail any planned land disturbance activity which is not already included on the building plans.
- d. List contractors, engineers, and any other involved professionals.
- e. Any additional details or notes.
- f. Payment of Land Disturbance Review fee (waived for building-permit-associated projects.)

Upon completion of the Land Disturbance Review, the Roads Manager or other designated official may determine that a Land Disturbance Permit is required.

Land Disturbance Permit. Every person or entity shall be required to obtain a Land Disturbance Permit if the planned Land Disturbance Activity meets one or more of the following thresholds:

- a. Land Disturbance of 1 acre or more; Utah licensed engineering required if greater than 2 acres. Approval is contingent on notification of the State under UPDES (as defined in Ordinance 85-3).
- b. Engaging (crossing or changing) a Watercourse.

- c. Moving or disturbing 100 cubic yards of material or more; Utah licensed engineering required if greater than 2,000 cubic yards.
- d. If in the determination of the Roads Manager or other designated official at the Land Disturbance Review a permit should be required because of other circumstances directly relevant to the intent of protecting property from changes in drainage.

Mitigations or other conditions may be imposed by the Roads Manager or other designated official as part of the Land Disturbance Permit, which may include, but not limited to:

- a. Revegetation of disturbed areas.
- b. Riprap/armoring on erosion prone areas.
- c. Silt fencing or other silt retention methods.
- d. Timeframe for mitigations.
- e. One or more followup inspections to ensure satisfactory progress and/or completion.

Exemptions from the Land Disturbance Permit requirement:

- a. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
- b. Pre-existing agricultural operations conducted as an allowed use.

SECTION 2: The content of the forms and agreements listed in Section 1 may be amended as deemed necessary by the Planning and Land Use Commission to keep them compatible with Town Land Use Regulations, Grand County regulations, Utah state law, and evolving case law. Changes in content will be reported to the Town Council.

SECTION 3: Additional forms and agreements may be required as directed by the Town Council or as deemed necessary by the Planning and Land Use Commission to assure compliance with Town Land Use Regulations, and Grand County regulations, Utah state law, and evolving case law. Such additional forms and agreements will be reported to the Town Council.

SECTION 4: All road easement encroachments must receive written approval by the Town prior to any work being done within a Town road easement. Town approval of road easement encroachments shall take the form of the signature of the Town's Roads Manager on the Right of Way Encroachment Permit application. Town zoning approval for a new building or addition may be denied if any changes have already been made to any wash, drainage, or Watercourse on the lot in a way that affects the exit point of surface water or the concentration of discharge at that point, as determined by a Land Disturbance Review.

SECTION 5: A Grade Review shall determine and establish existing grade prior to earth-moving processes used to prepare a site for future construction or moving a

structure on to a lot (see Ordinance 85-3 Definitions, and Illustrations for Definitions C1 and C2; and Section 1.1.1 of this Ordinance).

SECTION 6: APPROVAL OF BUILDING PERMIT APPLICATIONS, ELECTRICAL OR SOLAR ENERGY SYSTEM APPLICATIONS AND OTHER LAND USE APPLICATIONS:

- a. The Town Building Permit Agent is the Designated Land Use Authority for approving routine Building Permit Applications, routine Electrical and Solar Energy System Permit Applications, and other routine Land Use Applications as designated in Ordinance 85-3, as amended and shall consider approval for a complete application. The Building Permit Agent shall determine if an application is complete and determine applicable submission requirements prior to review. Town approval of a routine Building Permit Application, a routine Electrical or Solar Energy System Permit Application, and other routine Land Use Applications shall take the form of the signature of the Town Building Permit Agent on the Grand County Building Permit application form.
- b. The Castle Valley Planning and Land Use Commission is the Land Use Authority for approving nonroutine Building Permit Applications, nonroutine Solar Energy System Permit Applications, and other Land Use Applications as designated in Ordinance 85-3, as amended, and will consider approval of a complete application at their next regularly scheduled meeting. If determined nonroutine by the Building Permit Agent, the Building Permit Agent shall also determine if an application is complete and determine applicable submission requirements for the Planning and Land Use Commission and their review of the Land Use Application. Town approval for Land Use Applications for which the Planning and Land Use Commission is the Land Use Authority shall take the form of the signature of the Planning and Land Use Commission Chair on the appropriate Land Use Application Permit form after an affirmative majority vote by the members of the Planning and Land Use Commission present at an Open Public Meeting.
- c. The Town Council is the Land Use Authority for approving Building Permit Applications related to noncomplying buildings, nonconforming uses and Temporary Accessory Dwellings for Medical Purposes and other Land Use Applications as designated in Ordinance 85-3, as amended, and will consider approval of a complete application at their next regularly scheduled meeting after a recommendation for action from the Planning and Land Use Commission. The Building Permit Agent shall determine if an application is complete and determine applicable submission requirements for the Town Council's review, prior to the Planning and Land Use Commission's initial review of the Land Use Application and their recommendation for action to the Town Council. Town approval for Land Use Applications for which the

Town Council is the Land Use Authority shall take the form of the signature of the Mayor on the appropriate Land Use Application Permit form after an affirmative majority vote by the members of the Town Council present at an Open Public Meeting.

- d. Unless a specific requirement is determined inapplicable by the Designated Land Use Authority, a valid Building Permit or other Land Use Application Permit can be issued only after the completion of all requirements as specified in the Building Permit Information Sheet, all requirements as specified on the Application form for the specific Land Use Permit being applied for, the payment of all required fees, and the approval by the Designated Land Use Authority. The Building Permit Agent shall, in a timely manner, determine whether the Land Use Applications listed in this Ordinance are complete for the purposes of subsequent, substantive land use authority review. After a reasonable period of time to allow consideration of a Land Use Application, the Land Use Authority shall approve or deny each complete Land Use Application with reasonable diligence.

SECTION 7: REVOCATION OF TOWN BUILDING PERMIT APPROVALS:

- a. Grand County Building Permit Application forms must be signed by the Designated Castle Valley Land Use Authority and then the Grand County Building Department (also by the Local Health Department if there is a septic system) to be a complete and valid permit.
- b. Town Approval of a Building Permit Application, an Electrical System Permit Application, or a Solar Energy System Permit Application will be revoked and become invalid if, within six months of receiving Town approval, the Applicant has not received a completed Building Permit, Electrical Permit or Residential Solar Photovoltaic System Plan Review (PV Plan Review) from the Grand County Building Department with all fees paid. If the Town's approval is revoked on this basis, the fee paid to the Town will not be refunded. If the applicant wishes to start the application process again, new forms must be filed and a new fee must be paid.
- c. If the County revokes a completed Building Permit, Electrical Permit or PV Plan Review for any reason, the Town's Approval is also revoked. If the applicant wishes to revive such an application, the applicant must begin anew the application process with the Town. In such an instance, the original fee will not be refunded and new forms must be filed and a new fee must be paid.
- d. The applicant may extend the Town's approval for an additional six months with no additional fee as long as: no changes have been made to the applicant's proposed building, addition, electrical system, or solar energy system; no changes have occurred in the Town's Land Use Regulations since the applicant's original approval by the Town that would affect the application; the request is made before the expiration date of the permit; and the

Town's approval has not been revoked for any reason. If any of the above have occurred, the applicant must begin anew the application process with the Town.

SECTION 8: SEVERABILITY: If any provision of this ordinance or any application thereof to any person(s), entity, or circumstance is held invalid, the remaining provisions of this ordinance and applications thereof to other person(s), entities, or circumstances shall not be affected thereby.

SECTION 9: PENALTIES AND FINES:

Criminal Penalty and Imprisonment: Every person who violates this Ordinance is guilty of a Class B misdemeanor and may be punished by a criminal penalty not to exceed the maximum class B misdemeanor fine under Utah Code §76-3-301 or a term of imprisonment up to six (6) months, or both.

Civil Penalty: Alternatively, the Town Council may impose an appropriate civil penalty for each violation of this Ordinance by a fine not to exceed the maximum class B misdemeanor fine under Utah Code § 76-3-301, which civil penalties the Town Council shall specify and adopt under its authority herein and as granted by law with a minimum fine as established by resolution.

SECTION 10: EFFECTIVE DATE: This ordinance will become effective immediately upon passage by the Town Council of the Town of Castle Valley with regard to all building permit applications made after this date.

PASSED, ADOPTED AND APPROVED by the Town Council of the Town of Castle Valley, Utah in open session the 17th day of April, 2024, by the following vote:

Those Voting AYE: Mayor Duncan, Council Members Hill, Gibson, and O'Brien.

Those voting NAY: None.

Those ABSENT: Council Member Holland.






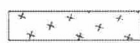
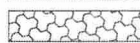
APPROVED:

Jazmine Duncan, Mayor

ATTESTED:

Jocelyn Buck, Town Clerk

LEGEND

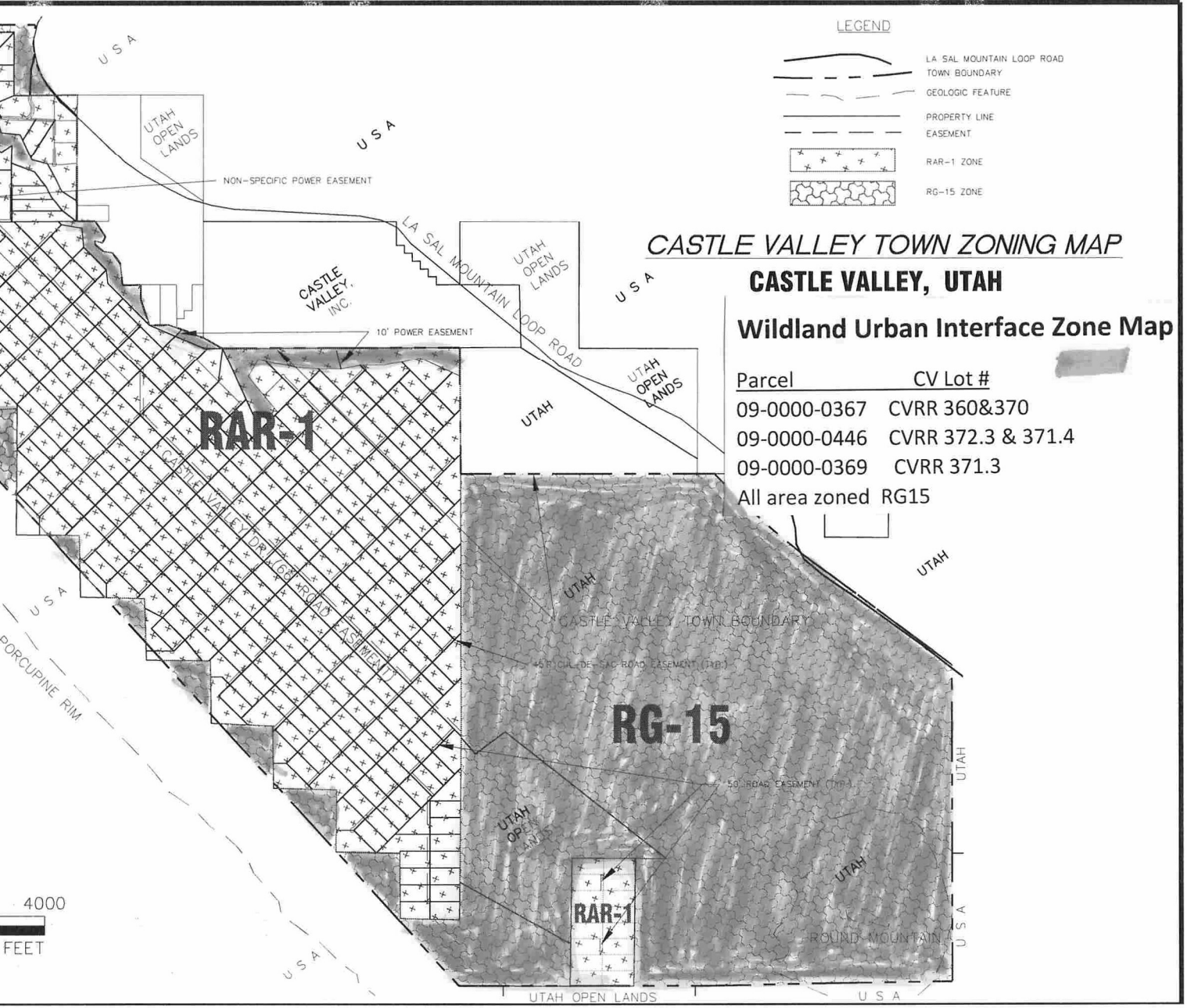
-  LA SAL MOUNTAIN LOOP ROAD
-  TOWN BOUNDARY
-  GEOLOGIC FEATURE
-  PROPERTY LINE
-  EASEMENT
-  RAR-1 ZONE
-  RG-15 ZONE

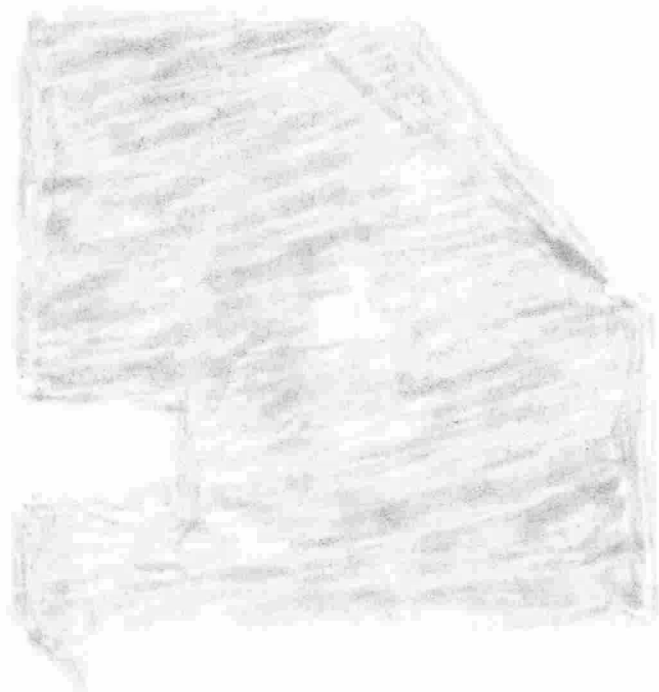
CASTLE VALLEY TOWN ZONING MAP

CASTLE VALLEY, UTAH

Wildland Urban Interface Zone Map

| Parcel | CV Lot # |
|---------------------|--------------------|
| 09-0000-0367 | CVRR 360&370 |
| 09-0000-0446 | CVRR 372.3 & 371.4 |
| 09-0000-0369 | CVRR 371.3 |
| All area zoned RG15 | |





PENDING MINUTES
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY
THURSDAY, APRIL 2, 2026, 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 (PM) Present at anchor site: Ryan Anderson, Dorje Honer, Janie Tuft,

PLUC Members Present on Zoom: Marie Hawkins

PLUC Members Absent: Jeff Whitney

Present at anchor site: Colleen Thompson (BPA), Mayor Jazmine Duncan, Egmont Honer

Present on Zoom: Tory Hill, Jason Blauch

Town Clerk at anchor site: Jocelyn Buck

PLUC Clerk on Zoom: Faylene Roth

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 (TCV) at 6:32 P.M. Buck called roll.

1. Adoption of Agenda

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

2. Open Public Comment – None.

3. Approval of Minutes

March 5, 2026, Regular Meeting

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

Correspondence – None.

Building Permit Agent – Thompson

Thompson reported that the following permits were approved during the month of March 2026: Demolition permit for a 1970s house on Lot 33; a Land Use Disturbance Preliminary Questionnaire for dirt work on Lot 185; a Land Use Disturbance-A Review for a driveway on Lot 401; an electrical permit to install service on Lot 251; and a Building Permit for a porch roof extension on Lot 153. In addition, a Routine Temporary Dwelling Report was renewed on Lot 378.

Thompson also reported the following permits in process at the end of March: She is still pursuing a Building Permit violation for installation of a mini-split on Lot 216 (violation initiated by Grand County Building Department; a Building Permit for a garage/studio on Lot 250 which has since been approved; a Certificate of Land Use Compliance for a shipping container and a greenhouse on Lot 378; a Land Use Disturbance-A permit for a driveway, pond, and irrigation work on Lot 430.

Water Advisory Committee (WAC) – Anderson

Anderson handed out summaries of the last WAC meeting. He said the Committee will meet again on Monday, April 6, 2026. WAC Minutes are available on the Town of Castle Valley website.

Procedural Matters – Buck announced that Debbie Testa, a Castle Valley resident had applied for and been hired as PLUC Clerk. She said Testa has lots of relevant experience clerking for local special service districts. Roth will provide training.

NEW BUSINESS

5. Discussion and possible action regarding amendments to Ordinances 85-3 and 95-6 to comply with Utah State HB48 regarding fire risks within designated Wildland Urban Interface (WUI) areas within the Town Boundaries.

PLUC Members agreed to amend the Definition Section of Ordinance 85-3 using the Utah State Code definition of “wildland urban interface.” They also agreed to add a new section to 85-3, Chapter 5, that designates a WUI Overlay Zone that includes Parcel 09-0000-0367 (CVRR Lots 360 and 370), 09-0000-0446 (CVRR Lots 371.4 and 372.3), 09-0000-369 (CVRR Lot 371.3) and all of the land in the RG-15 Zone. Any building constructed in these parcels and the RG-15 zone will be subject to current State WUI Code.

Ordinance 95-6 will be amended by adding a new paragraph at the end of Section 1.1: Building Permits. It will state that “parcels subject to the WUI Overlay Zone must conform to current State WUI Building Codes as described in Ordinance 85-3.”

A Public Hearing will be held at the May 7, 2026, PLUC Meeting.

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

6: Discussion and possible action regarding other amendments to Ordinances 85-3 and/or 95-6.

Honer suggested amending the Land Disturbance section of Ordinance 95-6 to allow a sign-off for tracking completion of some of the larger land disturbance projects. Thompson said that changes to the permits might be adequate. She suggested using the conditions and mitigations line of the Land Disturbance-B permit to add a follow-up inspection requirement. She added that it may require an update to Ordinance 95-6. The details of tracking were discussed including a requirement for a follow-up inspection within thirty days of completion. The complications of that were discussed. Honer suggested using the “Office Only” block of the permit, leaving a space for “Completion Review Done” followed by a signature and date line.

PLUC Members decided that Honer and Thompson would draft language for updating Ordinance 95-6 and include it with the WUI amendments for the upcoming Public Hearing on amendments to Ordinances 95-6 and 85-3 to be held at the May 7, 2026, PLUC Meeting.

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

UNFINISHED BUSINESS

7. Discussion and possible action regarding the 2026 General Plan

Hill explained her preference for using a five-year average over a one-year total in the budget information included in Section 8: Town Government. She said the average smooths out the ups and downs in year-to-year budgets due to different capital projects each year. PLUC Members agreed.

In Section 6, Existing Conditions: Fire Department—the following changes were made: Paragraph 3 - the date of the last Community Wildfire Protection Plan (CWPP) update will be corrected. Roth will check the Castle Valley Fire Department (CVFD) website to determine whether there is a link to the CWPP. This paragraph will be updated to indicate that TCV has assumed responsibility for the CWPP. Honer added that the Town is meeting its WUI requirements through a Memorandum of Understanding (MOU) with the CVFD and a Cooperative Agreement with the Utah Division of Forestry, Fire, and State Lands (FFSL).

In Section 6, Emergency Preparedness the following changes were made: In Paragraph 2 retain the first and last sentence. Delete the rest. On page 21, paragraph 2, retain the first and last sentence. Delete the rest. On pages 21-22 delete the last two paragraphs beginning with “Communications...” and ending with “...emergency calls.”

In Section 6, Policies, Jocelyn will rewrite Policy #4. The first Policy #5 is deleted. The second Policy

#5 was rewritten to read, “The Town will provide information to property owners regarding emergency policies and procedures, evacuation routes, and safety zones as described in the current Emergency Operation Plan. Policy #6 will be deleted.

Honer requested that Roth convert the Google Doc into a final draft as a Word document, then send it to all PLUC members as a PDF for review. A Public Hearing will be held at the June PLUC Meeting.

Honer moved to table Item 7. Tuft seconded the Motion. Hawkins, Honer, Tuft, and Anderson approved the Motion. The Motion passed unanimously.

8. Discussion and possible action regarding creation of Wildland Urban Interface map(s) for the Town of Castle Valley in compliance with Utah State HB48 (Tabled) - to be removed from future agendas

Honer moved to untable Item 8. Tuft seconded the Motion. Hawkins, Honer, Tuft, and Anderson approved the Motion. The Motion passed unanimously.

This item has been replaced by Item 5. PLUC Members agreed to remove it from future agendas.

9. 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): Left 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 (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**

Item 8 was left tabled and there was no discussion, but Thompson reported that she will be updating all forms with the Town’s privacy policy to comply with a State-mandated requirement.

CLOSED MEETING - None

ADJOURNMENT

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

Anderson declared the Meeting adjourned at 8:33 P.M.

APPROVED:

ATTESTED:

Ryan Anderson Co-Chair Date
Dorje Honer, Co-Chair

Debbie Testa, PLUC Clerk Date

BPA Report as of April 30, 2026

| Building permits approved | | | | | | | | | |
|------------------------------|------|------------------------------|------------------------|--|-------------------------------|---|--------|---------|--------|
| date | lot# | road | owner | type | purpose | description | height | sf <=19 | sf >19 |
| 3/4/2026 | 396 | Castle Creek Lane | Scott & Mary Jean Pope | Certificate of Occupancy | Residence remodel | Missed on March BPA Report | | | |
| 4/1/2026 | 378 | Homestead Road | Anderson, Elizabeth | CLUC | Greenhouse | Greenhouse | 7.5 | 128 | 0 |
| 4/1/2026 | 378 | Homestead Road | Anderson, Elizabeth | CLUC | Accessory Bldg | Shipping container | 8.5 | 160 | 0 |
| 4/7/2026 | 357 | Castle Valley Drive Upper 80 | Broadwell, Jane | Building | Certificate of Occupancy | Addition | 0 | 0 | 0 |
| 4/9/2026 | 251 | Miller Lane West | Kaness, Steven | LDA | Other | Cistern & water lines | 0 | 0 | 0 |
| 4/10/2026 | 99 | Pace Lane West | Trenbeath, Eric | Septic | Residence | 2BR septic | 0 | 0 | 0 |
| 4/16/2026 | 99 | Pace Lane West | | Building | Garage | Garage-studio | 17 | 1764 | 0 |
| 4/16/2026 | 404 | Cliffview Drive | Rowe, Steven & Lynn | ROW Encroachment | Other | Elec svc entrance | 0 | 0 | 0 |
| 4/16/2026 | 430 | Rimrock Lane | Bellagamba, Sue | LDA | Other | Pond, provisional (requires final inspection) | 0 | 0 | 0 |
| 4/20/2026 | 176 | Shafer Lane West | Carpenter, Catherine | Building | Certificate of Occupancy | Addition | 0 | 0 | 0 |
| | | | | | | | | | |
| Building permits in progress | | | | | | | | | |
| Start date | lot# | road | owner | type | purpose | | | | |
| 2/18/2026 | 351 | Taylor | Jason Blauch | Building | Addition to unpermitted cabin | | | | |
| 4/3/2026 | 193 | Shafer Lane East | Stephen Mitchell | Certificate of Occupancy (approved 5/5/26) | Residence | | | | |
| 5/1/2026 | 386 | Homestead | Craig Jones | Building | Residence and outbuildings | | | | |
| 5/1/2026 | 386 | Homestead | Craig Jones | Septic | Septic | | | | |

2. List contractors, engineers, and any other involved professionals, with contact information. Attach additional page if necessary.

3. Check box if you expect to exceed any of these thresholds, and add a separate sheet with details:

- a. Land Disturbance of 1 acre or more; Utah licensed engineering required if greater than 2 acres.
Approval is contingent on notification of the State under UPDES (as defined in Ordinance 85-3).
- b. Engaging (crossing or changing) a Watercourse.
- c. Moving or disturbing 100 cubic yards of material or more; Utah licensed engineering required if greater than 2,000 cubic yards.

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

5. 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.

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 _____ <input type="checkbox"/> No further review needed <input type="checkbox"/> Form A–Land Disturbance REVIEW <input type="checkbox"/> 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. <1/2 acre b. 1/2 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

Signature _____ Date _____

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