



AGENDA
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY
THURSDAY, July 2, 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 & ROLL CALL

1. Adoption of Agenda
2. Swearing in of two open positions to the Planning and Land Use Commission - Buck
3. Open Public Comment
4. Approval of Minutes: June 4, 2026, Regular Meeting
5. Reports - Correspondence: TBA
 - Building Permit Agent (BPA) Report - Thompson
 - Water Advisory Committee (WAC) - Anderson
 - Procedural Matters: TBA

NEW BUSINESS

6. Discussion on a proposed farm stand on lot #161 and if it requires a Conditional Use Permit and, if so, whether it should be routine or non-routine
- UNFINISHED BUSINESS.**

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 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)
- Routine Solar Energy System (SES) Permit Application (approved 8.1.24)
- Land Disturbance Activity Review (approved 6.6.24)
- 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 (approved 6.2.26)

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,

**DRAFT MINUTES
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY
THURSDAY, JUNE 4, 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, Jeff Whitney
Present at anchor site: Colleen Thompson, Mayor Jazmine Duncan, Rebecca Martin, Nathan Whitney
Present on Zoom: Marie Hawkins, Faylene Roth, Egmont Honer
PLUC Clerk at anchor site: Debbie Testa

CALL TO ORDER & ROLL CALL FOR THE PUBLIC HEARING – GENERAL PLAN UPDATES

Anderson called the Public Hearing to order regarding proposed updates to the General Plan at 6:32 P.M. Testa called roll.

1. Open Public Comment

Mayor Duncan commented on adding the completion of the Castle Valley Creek culvert replacement project to the general plan.

Honer moved to adjourn the Public Hearing regarding proposed updates to the General Plan. Whitney seconded the motion. Honer, Whitney, Tuft, Hawkins and Anderson approved the Motion. The Motion passed unanimously. Public Hearing Adjourned at 6:34 PM

CALL TO ORDER & ROLL CALL FOR THE PUBLIC HEARING – ORDINANCE 95-6 AMENDMENTS

Anderson called the Public Hearing to order regarding proposed amendments to Ordinance 95-6 Section 1.3 Land Disturbance Activity, Review and Permit at 6:34 PM. Roll call stayed the same.

2. Open Public Comment

No comments were received.

Whitney moved to adjourn the Public Hearing regarding proposed amendments to Ordinance 95-6 Section 1.3 Land Disturbance Activity, Review and Permit. Honer seconded the motion. Honer, Whitney, Tuft, Hawkins and Anderson approved the Motion. The Motion passed unanimously. Public Hearing Adjourned at 6:37 PM

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 6:37 P.M. Roll call stayed the same.

1. Adoption of Agenda

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

2. Open Public Comment - None

3. Approval of Minutes: May 7, 2026, Regular Meeting

Tuft moved to approve the May 7, 2026 minutes. Honer seconded the Motion. Honer, Tuft, Whitney, and Anderson approved the Motion. Hawkins abstains. The Motion passed 4-1.

4. Reports

Correspondence: None

Building Permit (BPA) Report – Thompson

Colleen Thompson reported on various building permits in progress, including certificates of occupancy and septic system work. The following permits were approved during the month of May 2026: A residence certificate of occupancy for lot #193, an LDA Permit(major) for a pond on lot #430. The following permits are in process at the end of May 2026: a building permit for an addition to a residence on lot #351, a septic and building permit for a residence and outbuildings for lot #386, a building permit for a carport on lot #074

Water Advisory Committee (WAC) – Anderson

Anderson handed out summaries of the last WAC meeting on May 11, 2026. He said the Committee will meet again on Monday, June 8, 2026. WAC Minutes are available on the Town of Castle Valley website.

Procedural Matters: None

NEW BUSINESS

5. Discussion and possible action regarding proposed updates to the General Plan

The commission then discussed final updates to the general plan, including adding information on the completion of the Castle Creek culvert replacement project to the accomplishments section; removing the first bullet under goals on page 13; and replacing “Design Craft” with the word “Create” in the second bullet regarding building requirements. A comment was also received regarding the appendix maps not being included in the draft general plan, and it was noted that the appendices and maps will be included in the final version. Honer moved to add language stating we completed the culvert replacement project and to send the updated General Plan to the Town Council. Whitney seconded the Motion. Honer, Whitney, Tuft, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

Honer moved to replace the words Design Craft with Create and remove the first bullet point from goals on page 13 of the General Plan. Tuft seconded the Motion. Honer, Whitney, Tuft, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

Honer moved that we send the General Plan to the Town Council with the addition of the amended changes just made. Tuft seconded the Motion. Honer, Whitney, Tuft, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

6. Discussion and possible action regarding proposed amendments to Ordinances 95-6 Section 1.3 Land Disturbance Activity, Review and Permit

The commission and Colleen Thompson/BPA discussed amendments to Ordinance 95-6, Section 1.3, regarding land disturbance activity, which includes a preliminary questionnaire to determine the level of oversight required and one or more follow-up inspections to ensure satisfactory progress and/or completion.

Honer moved to approve amendments as presented to ordinance 95-6 Section 1.3 Land Disturbance Activity, Review and Permit. Tuft seconded the Motion. Honer, Whitney, Tuft, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

7. #157 Johnston/Martin Nonroutine Solar application

Whitney raised questions about the inverter, switch and battery specifications.

Whitney moved to approve the Johnston/Martin Nonroutine Solar Application. Honer seconded the Motion. Honer, Whitney, Tuft, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

UNFINISHED BUSINESS.

8. 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 95-6 (tabled):

Honer moved to untable item #8, 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 95-6. Whitney seconded the Motion. Honer, Whitney, Tuft, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

The discussion focused on updates to the Land Disturbance Permit Application Major Form B to align with the LDA updates to Ordinance 95-6. Thompson noted the proposed changes improve procedural tracking of follow-up inspections.

Honer moved to approve the two forms pending council approval of changes to language in section 1.3 of 95-6. Whitney seconded the motion. Honer, Whitney, Tuft, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

Honer moved to retable item #8. Whitney seconded the Motion. Honer, Whitney, Tuft, Hawkins and Anderson approved the Motion. The Motion passed unanimously.

- Nonroutine Solar Energy System (SES) Permit Application (update)
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- **Land Disturbance Activity Preliminary Questionnaire (added 5.7.26)**

CLOSED MEETING - If Needed

ADJOURNMENT

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

Anderson declared the Meeting adjourned at 7:03 P.M.

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

APPROVED:

ATTESTED:

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

Debbie Testa, PLUC Clerk Date

BPA Report as of June 30, 2026

Building permits approved									
date	lot#	road	owner	type	purpose	description	height	sf <=19	sf >19
6/5/2026	74	Bailey Lane West	Holland, Harry & Deb	Building	Accessory Bldg	carport	7.5	252	0
6/5/2026	351	Taylor Lane	LLC, Castle Valley Uta	Building	Residence Addn	Addn to prev unpermitt	18	531	0
6/20/2026	161	Buchanan Lane West	Diggs, Orville & Dunc	CLUC	Accessory Bldg	Animal pen + cowshad	7	288	0
6/26/2026	151	Buchanan Lane East	Smouse, Jim & Valli	Building	Certificate of Occupancy	CO for studio addition	0	0	0
6/30/2026	302	Holyoak Lane West	Viola, Gerald & Peiko	Electrical	Shed	Elec svc to shed	0	0	0
Building permits in progress									
Start date	lot#	road	owner	type	purpose				
5/1/2026	386	Homestead	Craig Jones	Building	Residence and outbuildings	Revising			
5/1/2026	386	Homestead	Craig Jones	Septic	Septic				
6/1/2026	157	Buchanan	Johnston/Martin	NR solar					
6/26/2026	137	CVD	Elliot	Building	Barn remodel	Abandoned			

Question about whether a proposed farm stand requires a conditional use permit, and if so, whether it should be routine or nonroutine.

Background:

Jazmine Duncan, Lot 161, has for several years been operating a farm stand on her property. She asks "I have a question about what kind of permit I would need in order to allow other farmers to participate in my farm stand. I'm thinking of a conditional use permit, but it couldn't be limited to 5 customers by appointment only because farm stands aren't that way. For instance if I wanted to let my next door neighbor put her eggs in my porch fridge, or if someone else was helping me with Saturday produce days and they could also bring produce from their property. And what if we could also include homemade food items such as baked goods?"

Relevant parts of 85-3:

For complete information see CHAPTER 4 PERMITTED AND CONDITIONAL USES

- §4.2.D (Permitted Uses) One stand for the display and sale of agricultural and livestock products raised on the premises.
- §4.8.3 (General Operating Requirements for Conditional Use Permits)
 - 9) Customers or business invitees coming to the home or premises occupations shall have appointments to conduct business with those operating the occupation and the occupation shall not be conducted so as to provide services to "drop in" customers.
 - 12) If the home or premises occupation provides services to customers who come to the home or premises to utilize those services, the hours that customers may come to the home or premises shall be between 8 am and 9 pm. No more than 5 vehicles per day shall be allowed on the lot for business purposes, excluding delivery vehicles.

This particular circumstance is not clearly addressed by Ordinance 85-3. Per Utah Code §10-20-901, where local land-use regulations are ambiguous and do not plainly prohibit a proposed use, the Commission/staff must interpret them in favor of the landowner's application; any reasonable interpretation favoring allowance of the use must be adopted.

There are four possible paths:

1. As an allowed use per §4.2.D (farm stand), and per Utah Code §10-20-901, no CUP is required.
2. Routine CUP.
3. Non-routine CUP with the imposition of one or more conditions.
4. Denial (by state law under LUDMA* only allowed if the anticipated impacts are considered unmitigable).

Points to consider:

1. This is essentially a *shared* farm stand. §4.2.D allows farm stands with the caveat of being produced "on the premises", which implies a CUP is required.

2. The nature of a farm stand is to allow drop-ins.
- 3 . The address in question is on Castle Valley Drive involving *extremely minimal* travel on the dirt side road Buchanan Lane.
4. A weekly farm stand has operated for several years at this location, with the recent addition of a self-service refrigerator for dairy products and eggs.
5. Encouraging local agriculture is a feature of the General Plan.
6. No commercial delivery traffic is anticipated.

Question to ponder:

What if a resident decided to buy or lease another lot and produce things on it as well? It seems like that would be another situation where the allowed use is overly restrictive. People do share gardens out here too, what if they wanted a farm stand on their residential lot but grew the food on a lot with better water?

BPA opinion:

Were it not for §4.8.3 regarding the prohibition of drop-ins, as BPA I would unhesitatingly judge this to be a Routine application. On one hand, the ordinance allows farm stands, which by nature cater to drop-ins. On the other hand, the ordinance forbids drop-ins for conditional use permit businesses. It seems obvious that the reason for this is to limit traffic and associated impact on neighbors. That's not likely to be an issue here, partly because of the location. And perhaps the state rule that ambiguity in an ordinance should be decided in favor of the landowner should apply.

The ordinance gives the BPA initial authority to classify as Routine (§4.7.1). However, §4.7.2 provides an appeal path to the PLUC, which can ratify the routine determination/ approval or deem it nonroutine and forward to the Town Council for final action. In practice, consulting the PLUC on borderline cases fits the spirit of shared review, especially if the BPA is uncertain. The PLUC could conceivably resolve it without escalating to the Town Council.

*Utah's Land Use, Development, and Management Act (LUDMA) framework and state guidance/training.