

Final
PENDING MINUTES
REGULAR MEETING
OF THE PLANNING AND LAND USE COMMISSION

Date: Wednesday, July 1, 2020

Time: 6:30 PM

Place: Castle Valley Drive at picnic tables

Present: Ryan Anderson, Marie Hawkins, Bill Rau, Colleen Thompson, Stephen Curtis

Absent: None

Others Present: Jack Campbell, Jocelyn Buck

Clerk/Recorder: Susan Curtis

CALL TO ORDER REGULAR MEETING

Rau called the Public Hearing to Order at 6:30 P.M.

1. Open Public Comment

No public comment was received. The Town Clerk, Jocelyn Buck, attended the meeting and swore in new members to the PLUC, Anderson and Curtis.

2. Approval of Minutes

Regular Meeting of June 3, 2020

Thompson moved to approve the Minutes as presented. Anderson seconded the Motion. Anderson, Hawkins, Rau, and Thompson approved the Motion. The Motion passed unanimously.

3. Correspondence

- Ryland Freeman with AeonAI (formerly Geomancer) request for information – awareness only and no further action required
- Utah Special Session #5 - awareness only and no further action required
- ULCT Legislative Tracking HB374-Request for information – Thompson emailed ULCT for some clarifications before providing reports.

4. Town Council Meeting Report

- **6/17/2020 Town Council Meeting**
Administrative Matters & Procedures:

There will be a public hearing on the General Plan update that we submitted to the Council at their July meeting. Ryan Anderson and Stephen Curtis were appointed to the PLUC. We actually had three candidates for the slot Stephen filled. Thanks to those citizens for stepping up.

New Business: none

PLUC Discussion on Town Council Report: PLUC thanked new members for volunteering for PLUC roles

5. Building Permit Agent Report

- **Permit Activity:**

June

6/04	#415 Cliffview Drive, Thompson	electrical/replace svc box
6/30	#334 Keough, Wakely	garage/workshop

- **Updates on Recent Applications:**

June permits in progress

#045 Lazaris, Chonchon LLC
#046 Lazaris, Hutchinson

prepare for septic tanks and TDP
building permit for garage/shop/bathroom

#176 Shafer, Carpenter
#378 Homestead, Pearcy
#439 CV Drive, Walgren
#443 Firecliff, Ambrose

electric and well
preparing for septic and TDP; no well yet
redo electric to well
BP for shipping containers in discussion

6. Procedural Matters

a. Update on the Utah Land Use Legislative Update Webinar on June 4

Discussion:

June 4 Land Use Webinar: PLUC Clerk to send June 4 Land Use Webinar video information to Jocelyn to forward to Mayor Duncan and cc Gibson, might help with corner issue in front of town hall, presented information on same type problem on historic roads right of ways

b. Update on action items from the June 3 PLUC meeting, including Discussion re. Livestock Committee

Discussion:

Livestock Limits: Thompson summarized report created by committee, they understand the animal topic is often contentious and see need to simplify the ordinance. Team proposes to go back to first principles to start over, need an acceptable path to go between residential and agricultural land use. Team tried to define acceptable number of animals per lot using a defined formula and will continue to work on language, references, animal units, and updates to the ordinance.

Questions and Discussion:

- Anderson asked how many present owners would be impacted? Group discussed a few known residents with animals and Thompson referred to Grandfather issue and stated this would be need to be discussed later.
- Thompson did talk to local people who have animals/chickens and the numbers currently owned are in line with what they plan to propose. Curtis asked how the number of units was derived, Thompson stated in the team revision work they did not go by weight like state does, but created a formula resulting in lower numbers which will reduce impacts. Since enforcement of standards to prevent impacts and nuisances, such as loss of vegetation, odor, aquifer pollution, etc. is difficult or impossible, the goal is to make such impacts much less likely.
- From the survey, it's obvious the community considers commercial livestock operations inappropriate for Castle Valley. The team is looking to define agriculture as food crops, separate from livestock in the zoning ordinance. Other cities do this (Heber, Moab) and team proposes Castle Valley should define these as separate in both the General Plan and Town ordinances. Thompson would like to update General Plan about agriculture vs livestock wording and team plans to discuss updates with the council as work on the General Plan update progresses.
- Hawkins reflected on the past, including the 2014 General Plan, Castle Valley residents always said livestock were for personal use and family consumption; these proposed changes go along with that premise
- Hawkins also stated the primary focus should be protection of aquifer. A lot of animals polluting the aquifer affects property value and ability to sell property, as well as residents' health and welfare. A reference study showed that pigs create 8 times the waste of a human, and Hawkins pointed out their waste is not processed in a septic system.
- Campbell commented that the team worked to come up with reasonable animal numbers; today's permitted numbers don't support the values of a mostly residential community.
- Curtis provided information from fao.org that showed pigs can have 2 litters per year with average of 10+ piglets per litter and would need to address how to address piglet litters. Thompson pointed out that the proposal does not allow pigs, but if that changes, mammals are considered adult and subject to animal-unit limits as soon as they are

weaned (with possibly a grace period for sale, which will need to be a subject of discussion).

- Rau led discussion on next steps. All agreed water impacts were important focus of needed updates to the ordinance, both because water quality is of primary importance to residents according to all past surveys, and water quality protection has more legal muscle than other impacts. Team will focus on water, finer details like roosters and male goats, water studies, ordinance language, and authoritative sources for supporting documentation, including the two water studies Campbell has repeatedly referenced in the past.

Shipping Containers: PLUC continued discussion on shipping containers and current ordinances.

Discussion:

- Thompson reached out to the County Building Inspector (Cole Cloward) on how the county handles shipping containers in regard to building code and permits. Structural integrity is not in question so the county building department doesn't concern themselves, as long as it's not being converted to a residence. Thompson is of the opinion that if stacked, containers would have to comply with current height limits, but it's never come up. Rau asked about burying containers. Thompson only knows of one or two people who have done that and doesn't figure it's a separate or special problem.
- Thompson recommends to group shipping containers with things like portable sheds in the relevant ordinances.
- Curtis asked how containers would be handled if they transitioned from use as a storage to dwelling purposes for residence and Thompson stated county would become involved if that occurred; they already have procedures for that. From the Town's perspective, it would be no different from any other dwelling structure.

Summary/Action Items for July PLUC Meeting:

1. Thompson - draft language for shipping containers and livestock ordinance amendments.
2. Thompson and Curtis - provide coordination and facilitation to PLUC members' action/work items, Curtis also available to help with livestock numbers and strategy of presenting proposed changes.
3. Hawkins - document reference(s) to pig waste statistics.
4. Rau and Campbell - look for references on water and other environmental impacts of livestock. Thompson suggested looking for possible research equating livestock waste with septic tank capacity limitations for humans.
5. Anderson - help write introduction for livestock ordinance updates and rationale with focus on water impacts
6. PLUC Clerk - send June 4 Land Use Webinar video information to Jocelyn to forward to Mayor Duncan and cc Gibson, might help with corner issue in front of town hall, presented information on same type problem on historic roads right of ways

NEW BUSINESS

7. Discussion and recommendations on amendments re. fencing in ordinance 2003-3 and 85-3

Discussion:

Rau prepared a document with recommended language to remove references to commercial agriculture designation. However, the clerk failed to print for the meeting, so discussion was tabled on the new business until next meeting in August. Anderson made motion to table until next meeting and Thompson seconded, and this motion passed unanimously.

UNFINISHED BUSINESS – None.

CLOSED MEETING – None.

ADJOURNMENT

Curtis moved to adjourn the Meeting. Thompson seconded the Motion. Anderson, Hawkins, Rau, Curtis, and Thompson approved the Motion. The Motion passed unanimously.

Rau adjourned the Meeting at 8:02 P.M.

APPROVED:

Bill Rau
Bill Rau, Chairperson

8/8/2020
Date

ATTESTED:

Susan Curtis
Susan Curtis, PLUC Clerk

8/8/2020
Date