

AGENDA
THE REGULAR TOWN COUNCIL MEETING

WEDNESDAY, AUGUST 18 th, 2021 AT 6:30 P.M.

****Due to concerns regarding the potential spread of COVID-19 this meeting will be held electronically by Conference Call. If you have comments or concerns for the Council please email them prior to the Meeting: townclerk@castlevalleyutah.com or call 259-9828 M-W 9AM-1PM. Thank you!**

Electronic Meeting Determination

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), Jazmine Duncan, Mayor of the Town of Castle Valley issues this Determination supporting the decision to convene electronic a meeting of the Council via Conference Call without a physical anchor location. Due to the COVID-19 pandemic Meetings at the anchor site may present substantial risk to public health and safety. Taking into consideration public health orders limiting in-person gatherings, the average "at risk" age of Town residents and the limited space in the Town Building, the Town of Castle Valley will continue to hold meetings by electronic means. This determination expires 30 days after the day on which the Mayor has made the determination. The public can join the Conference Call Meetings or submit comments through emails

**** HOW TO JOIN THE CONFERENCE CALL ***

Option 1 Dial-in phone number (US): (978) 990-5000 follow prompts Access code: 895972#

Option -2 Join the online meeting (must have computer speakers and microphone):

<https://join.freeconferencecall.com/townclerk58> Online meeting ID: townclerk58*After callers login into the Meeting press *5 to mute, the call Host will unmute the Council when the meeting is to begin and unmute when the Mayor will roll call for Public for Comments.

Call to order/ roll call

Regular Town Meeting

1. Open Public Comment
2. Approval of Minutes: Regular Town Council Meeting July 21, 2021.
3. Executive Reports:

- *Water Agent and Water Committee Report - John Groo
- *Roads Committee- M Duncan
- *Planning & Land Use Commission-Colleen Thompson
- *Community Renewable Energy Act-CM Gibson
- *Solid Waste District- Diane Ackerman

- *EMS District- Ed Weeks
- *Fire District-M Duncan /Chief Drake
- *Housing Task Force- M Duncan
- *County Economic Advisory Board-M Duncan
- *Dark Sky Team- Buck

4. Correspondence: Taylor Lane
5. Administrative Matters & Procedures: Town letters, Naming Town Lot.

NEW BUSINESS

6. Discussion and Possible Action re: Building Permit Agent request for clarification of "dwelling".
7. Discussion and Possible Action re: Consideration of Legal aid agreement.

UNFINISHED BUSINESS- None

8. Closed Meeting (If necessary). Utah State Code 52-4-205 To discuss character, professional competence of an individual.
9. Payment of the bills. Cottonwood tree removal

ADJOURNMENT

For Meeting Packets go to:

<https://www.utah.gov/pmn/index.html>

Government: select "Cites"

Entity: select "Castle Valley"

Body: select "Town of Castle Valley" Select this meeting and click on "Download attachments"



DRAFT MINUTES
THE REGULAR TOWN COUNCIL MEETING
WEDNESDAY, JULY 21, 2021 AT 6:30 P.M.

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

Absent: None

Others Present: Duncan Fuchise, Ron Drake, Colleen Thompson, John Groo, Ryan Anderson, Marie Hawkins, Russ Cooper and Carly Webster

Clerk: Jocelyn Buck

M Duncan called the Meeting Order at 6:30 PM and delivered the Electronic Meeting Determination Roll Call

1. Open Public Comment: None

2. Approval of Minutes: Public Hearings on the Tentative FY2022 Budget, Mayors Compensation Ordinance and Regular Town Council Meeting June 16th, 2021.

CM Gibson motioned to approve the Minutes as corrected from June 16th 2021, CM O' Brien seconded motion passed unanimously

3. Executive Reports:

* Utah Division of Forestry, Fire and State Land-Duncan Fuchise the Wildland Urban Interface Coordinator. Fuchise presented his area covers from Carbon County down to San Juan County. Castle Valley has a high potential for fire danger. FireSense is the Divisions current prevention campaign that they are using to educate residents on the importance of having defensible space in terms of reducing vegetation up against and around houses. Come Fall residents are encouraged to reduce fuels around their houses. A defensible space goal would be, could your house survive fire if a firetruck was not nearby and resources are all tied up. The Castle Valley Fire Department is working with the Division to offer fire wise lot assessments to residents. Appointments for assessments can be made through the CV Fire Department. Fuchise's Division also offers Chipper days to help residents reduce fuels, Leta Vaughn coordinates Chipper Days. Things learnt from the Pack Creek Fire was how fast embers can spread fire, he also showed a video of how high and intense the flames could be from burning Pinyon and junipers. Fuchise recommended <https://utahfiresense.org> as a good resource for fire wise information. Currently he is working on a grant proposal to fund fire mitigation work on private properties in Castle Valley. If they get this Catastrophic Fire Prevention funding it would not be available until next summer. Contact info for Fuchise 435-210-4328 dfuchise@utah.gov

*Water Agent and Water Committee Report - CM O'Brien reported the Water Advisory Committee has been working on their strategy for their meeting August 18th with Marc Stilson and Teresa Wilhelmsen of the State Division of Water Rights. They will discuss what would be necessary in order to close our aquifer to further appropriations. He pointed out that we need the volume of water flowing through the Valley aquifer in order to maintain the aquifer's hydrostatic pressure that keeps down the bad/hard water. The Committee also discussed getting another monitor well, they are waiting to get pricing from Danny Prickett. Some of the funding could come from MAWP or maybe ARPA funds. Groo added that with the statewide drought the Committee would like to work on updating/amending the Watering Ordinance 2002-1 it needs some measure or trigger points to initiate water restrictions and a methods of enforcement.

*Roads Committee- M Duncan-Minutes and Database Reports provided. CM Holland thanked CM Gibson for her work on the database reports.

*Planning & Land Use Commission-Colleen Thompson- Minutes and reports provided. CM Holland asked if Storage containers count towards the total lot square footage. Thompson clarified we do include that

square footage. Grand County does not require building permits for storage containers but the Town can require a zoning permit.

* Community Renewable Energy Program CM Gibson reported the first in person official Board of Directors meeting was held last month to appoint the Chair and Secretary. The first members meeting was this past Tuesday and they scheduled monthly meetings for the first Tuesday of the month at 9 AM. Castle Valley is one of the seven anchor Communities. Next work will begin on how the program will operate.

*Solid Waste District- Diana Ackerman- not present

*EMS District- Ed Weeks- not present.

*Fire District-Chief Drake reported the phones were out overnight last Wednesday and they set up a command post at the Town Building. The Fire District received a State grant for \$9000.00 that they will use to buy some equipment.

*Housing Task Force- M Duncan- nothing to report

*County Economic Advisory Board-M Duncan reported the Board is putting together the next grant application forms.

* Dark Sky Team – Buck reported they have finished work on the Draft Lighting Ordinance and it has been sent on to the PLUC. There will be a public hearing on that Ordinance this Fall. CM Holland is still collecting letters of support. Tom Noce has provided a map of the monitoring sites and Buck is still getting monthly night sky readings. Tania Kincaid has a friend that studies the effects of dark night skies; she will be coming to the Valley to give a presentation in October. The Team will meet next week and plan out work on the other areas of the IDA application. CM Holland will write the letter of support on behalf of the Town Council.

4. Correspondence: None

5. Administrative Matters & Procedures: CM Hill updated Council on the Book Cliff's Highway; the Seven County Coalition has not applied for a new EIS from the BLM this has to happen before the project can be considered again. So the group that is against the highway will wait to meet with the BLM. They are working with Congressman De Fazio who is concerned it would be a misuse of infrastructure funds to finance this highway. CM O'Brien will send out the information on the Manti-LaSal National Forest Restoration and Fuels Reduction Prescribed Fire project and the Council should send a letter of comment on the project. A draft letter will be sent around to the Council for approval by email.

NEW BUSINESS

6. Discussion and Possible Action re: Road Manager (Administrative only) job description.

M Duncan explained this was approved by the Road Committee as an option to hire someone for the administrative part of the Supervisor position. Potentially someone that does not have the experience on the equipment required for the current Road Supervisor position. This position would be for only 4 hours per week and the Equipment Operators 1 and 2 positions would do the actual road work. CM Hill suggested removing #9 language "hiring and firing" responsibilities as those duties fall to the Mayor in the other job descriptions. Council agreed.

CM Hill motioned to approve the Road Manager (Administrative only) job description with that change; CM O'Brien seconded motion passed unanimously

7. Discussion and Possible Action re: Road Closure Ordinance. Utah Code: 72-5-105 (3) (4) (5)

M Duncan explained this situation came up when we wanted to close Castle Creek Lane because of the hazardous dead cottonwood tree. Apparently we need an official Ordinance in order to close a public road. It was agreed that more information was needed and an Ordinance will be written. Item dropped.

8. Discussion and Possible Action re: Tom Noce's garden shelf

Buck explained Tom Noce would like to build a small shelf/ shed out front by the bicycle rack for people to donate/trade fruit and vegetables. Council only concern was that the shed be monitored for produce going bad and compost removed off site. Council thought it was a great Community resource and gave their permission.

9. Discussion and Possible Action re: Update on Upper 80/BLM fire break project

CM Holland explained the fire break project is about 9 acres just southeast of the green gate beyond the Upper Eighty. Jason Kirks crew have done a 1 acre experimental plot, they took out some trees and limbed up a lot junipers. They mulched up the limbs with the chipper truck and will be offering to the bigger limbs to the public for firewood. Kirks has the budget to work within 50 feet of the BLM fence line into private property (with property owner's permission). The planned fire break will be 50' to 100' out from the fence line and they will only cut junipers 4' in diameter or less. Work will continue as long as the crew is not called out to a fire. Council was encouraged to go look at the experimental acre.

UNFINISHED BUSINESS- None

10. Closed Meeting Utah Code 52-4-205 (a) Discussion of the character and professional competence of an Individual (not necessary).

11. Payment of the bills.

CM Hill commented that the Actual Budget for FY2021 was closed out and overall we did very well considering we did not know how COVID would affect revenue and expenses.

CM O'Brien motioned to pay the bills, CM Holland seconded, motion passed unanimously.

ADJOURNMENT

CM Hill motioned to adjourn, CM O'Brien seconded, motion passed unanimously.

M Duncan adjourned the Meeting at 7:40 PM

Approved:

Jazmine Duncan, Mayor

Date:

Attested:

Jocelyn Buck, Town Clerk

Date:

DRAFT MINUTES
CASTLE VALLEY ROAD COMMITTEE MEETING
TUESDAY, July 20th, 2021 at 4:30 P.M.
CASTLE VALLEY COMMUNITY CENTER
2 CASTLE VALLEY DRIVE

Due to the potential spread of COVID this meeting was held outside in the Town Pavilion. Masks and social distancing were required.

Members Present: Jazmine Duncan, Pamela Gibson, Glen Wilson and Jeff Whitney.

Members Absent: None.

Recorder: J Buck

Public Present: Colleen Thompson and Ron Mengel

Roads Department: Mingo Gritts

Call to Order

M Duncan (acting Chair) called the Meeting to order at 4:40 PM

Call to Order

1. Open Public Comment: None

2. Approval of Minutes of Road Committee Meeting May 18th 2021.

Gibson motioned to approve Minutes from May 18th 2021, Wilson seconded motion passed unanimously.

Approval of Minutes of Road Committee Meeting June 15th 2021.

Whitney motioned to approve Minutes from June 15th 2021, Wilson seconded, motion passed unanimously.

3. Executive Report:

Monthly Road Report and Road Manager's timeline-Mingo Gritts

Gritts reported that almost all the roads have been graded. Whitney suggested having the water truck do a pass after the grading to help reduce the dust and help to pack down the dust/fluff. Gritts explained they have not graded the roads the fiber optics crews are still working on. The Road crew will not be mowing as conditions are too dry. The crew has installed warning/hazard signs down on Castle Creek Lane and Triassic will be here August 9th to remove the large dead cottonwood tree. Repairs included replacing the fuel tank hose.

4. Correspondence: None

5. Administrative: Database reports included year end FY2021 Reports. That information could help estimate the costs of having some of the road work contracted out. Whitney had asked Bill Jackson, if Grand County Road Department would be interested in doing the Town's annual grading. They were not interested, but may furnish us with some private contractor's contacts that might. The Creekside Lane Cottonwood removal is scheduled for Monday August 9th.

New Business

6. Discussion and Possible Action re: Job Interview panel and questions.

The Road Committee and Gritts will all participate in the interview for the Equipment Operator 2 position and they will come up with their own questions as needed. Duncan added that they should stress the need for flexibility in the position. Buck will co-ordinate with the Applicant and the Committee for the interview.

7. Discussion and Possible Action re: Consideration for where Emery needs to repair damage by the fiber install.

Gritts has assessed areas that need materials and restoration. He is estimating 1700 tons of road bases to fix all the trouble spots on about 21 roads. He is basing this on where they removed material or mixed material with dirt and therefore lost material as well as filling in big divots and other places they just tore up. His list is tentative because lots of places maybe fixed just by

grading. Cliffview needs to have the missing road base the landowner had purchased replaced. . Gritts still needs to find out how/who will be doing the repairs and if the Town Road Department is going to be doing the work how the Town will be reimbursed for that expense. The VmCo subcontractors are saying they will be done in 2 weeks so Gritts will have a better idea of restoration needs and documentation when they are finished and Gritts can finish grading.

8. Discussion and Possible Action re: Easements ongoing roles and responsibilities.

Gritts explained that the utility easements along the roads are the Town's maintenance responsibility and if a landowner puts/plants something in the easement we can require them to remove it at their expense. Gibson while living in Colorado had been required to remove a tree from the easement. She wondered what the difference was here and should the Town pay to remove the tree if we do not have to? Whitney pointed out that on our tax notices we are not taxed for the easement and therefore do not own it. In Moab there is an Ordinance that requires citizens to maintain the easement. There was further discussion and need for some clarification on the types of easements and how they apply to Castle Valley. The meeting conversation went into chaos with everyone expressing their own opinions on the details of the Shafer Lane extension easement.

9. Discussion and Possible Action re: Road Closure Ordinance requirements.

Gritts explained that it states in Utah code that we must have a Road Closure Ordinance in order to close a road even in an emergency. There was discrepancy in the discussion as to whether the Ordinance should cover a list of situations that could require a road to be close or whether the Ordinance had to be for a specific road/ situation. So we need to clarify and do some research on Grand County and Moab Ordinances for examples.

Unfinished Business

10. Discussion and Possible Action re: Consideration of out sourcing road grading work (tabled).Left tabled

11. Discussion and Possible Action re: Approval of Standard Operating Procedures. (tabled). Left tabled

12. Road's Budget- Year end. The FY2021 money allocated for road base was moved to the new FY2022 Budget when the FY 2021 Budget was amended. The Committee agreed to go ahead and order the road base now and stockpile in behind the road shed. Travel time for delivery is most of the cost and it could/should be less now in the summer before SR128 tourist traffic and travel time picks up in the fall.

13. Emergency Planning- Evacuation Planning

14. Closed session (if needed)

Adjournment

Whitney motioned to adjourn, Gibson seconded motion passed unanimously.

Duncan adjourned the Meeting at 5:32 PM

Approved:

Acting Chair Mayor Duncan:

Attested:

Jocelyn Buck, Town Clerk:

(Date)

Town of Castle Valley
Road Work - Employee Summary
Between 7/1/2021 and 7/31/2021

EMPLOYEE: 003 / Mingo Gritts

Grading Total Hours:	26.5	
Drainage Maintenance Total Hours:	3.5	
Signing Total Hours:	3	
Water Road Surface Total Hours:	7	
Brush Removal Total Hours:	4	
Equipment Repair Total Hours:	2	
Road Inspection Total Hours:	3.5	
Drainage Review Total Hours:	1	
Road Meeting Total Hours:	1.5	
Administration Total Hours:	6	
Mingo Gritts Total	58	\$1,883.26

EMPLOYEE: 004 / Mike Souza

Drainage Maintenance Total Hours:	3.5	
Signing Total Hours:	3	
Water Road Surface Total Hours:	19.5	
Brush Removal Total Hours:	2.5	
Equipment Repair Total Hours:	2	
Road Inspection Total Hours:	3.5	
Parts / Supplies Travel Total Hours:	1.5	
Mike Souza Total	35.5	\$710.00
Report Total	93.5	\$2,593.26

Town of Castle Valley

Road Work - Equipment Summary

Between 7/1/2021 and 7/31/2021

EQUIPMENT: /

Drainage Maintenance Total Hours: 3.5

Signing Total Hours: 6

Equipment Repair Total Hours: 4

Road Inspection Total Hours: 7

Drainage Review Total Hours: 1

Road Meeting Total Hours: 1.5

Parts / Supplies Travel Total Hours: 1.5

Administration Total Hours: 6

Total Hours: 30.5

EQUIPMENT: 001 / 1984 Crafcro 670A Motor Grader

Grading Total Hours: 26.5

1984 Crafcro 670A Motor Grader Total Hours: 26.5

EQUIPMENT: 003 / 1998 GMC C6500 Dump Truck

Water Road Surface Total Hours: 26.5

Brush Removal Total Hours: 2.5

1998 GMC C6500 Dump Truck Total Hours: 29

EQUIPMENT: 007 / 2019 John Deere 310S Backhoe

Drainage Maintenance Total Hours: 3.5

Brush Removal Total Hours: 4

2019 John Deere 310S Backhoe Total Hours: 7.5

Report Total Hours: 93.5

Town of Castle Valley
Road Work - Roads Summary
Between 7/1/2021 and 7/31/2021

ROAD: /

Employee Total \$594.58

Total \$594.58

ROAD: 002 / Bailey Lane East

Employee Total \$314.82

Equipment Total \$1,230.00

Material Total \$0.00

Bailey Lane East Total \$1,544.82

ROAD: 004 / Buchanan Lane East

Employee Total \$708.35

Equipment Total \$2,767.50

Material Total \$0.00

Buchanan Lane East Total \$3,475.85

ROAD: 006 / Castle Creek Lane

Employee Total \$157.41

Castle Creek Lane Total \$157.41

ROAD: 007 / Castle Valley Drive

Employee Total \$179.88

Equipment Total \$427.50

Castle Valley Drive Total \$607.38

ROAD: 034 / Shafer Lane East

Employee Total \$454.58

Equipment Total \$1,435.00

Material Total \$0.00

Shafer Lane East Total \$1,889.58

ROAD: 038 / Castle Valley Drive Upper 80

Employee Total \$183.65

Equipment Total \$210.00

Castle Valley Drive Upper 80 Total \$393.65

Report Total \$8,663.26

Town of Castle Valley

Work Log - Work Type Detail

Between 7/1/2021 and 7/31/2021

WORK TYPE: 001 / Grading

Employee Totals: 26.5 Hours	\$860.46
Equipment Totals: 26.5 Hours	\$3,445.00

Grading Total \$4,305.46

WORK TYPE: 004 / Drainage Maintenance

Employee Totals: 7 Hours	\$183.65
Equipment Totals: 3.5 Hours	\$210.00

Drainage Maintenance Total \$393.65

WORK TYPE: 008 / Signing

Employee Totals: 6 Hours	\$157.41
--------------------------	----------

Signing Total \$157.41

WORK TYPE: 015 / Water Road Surface

Employee Totals: 26.5 Hours	\$617.29
Equipment Totals: 26.5 Hours	\$1,987.50
Material Totals:	\$0.00

Water Road Surface Total \$2,604.79

WORK TYPE: 019 / Brush Removal

Employee Totals: 6.5 Hours	\$179.88
Equipment Totals: 6.5 Hours	\$427.50

Brush Removal Total \$607.38

WORK TYPE: 026 / Equipment Repair

Employee Totals: 4 Hours	\$104.94
--------------------------	----------

Equipment Repair Total \$104.94

WORK TYPE: 090 / Road Inspection

Employee Totals: 7 Hours	\$183.65
--------------------------	----------

Road Inspection Total \$183.65

WORK TYPE: 091 / Drainage Review

Employee Totals: 1 Hours	\$32.47
--------------------------	---------

Drainage Review Total \$32.47

WORK TYPE: 093 / Road Meeting

Employee Totals: 1.5 Hours \$48.71

Road Meeting Total \$48.71

WORK TYPE: 097 / Parts / Supplies Travel

Employee Totals: 1.5 Hours \$30.00

Parts / Supplies Travel Total \$30.00

WORK TYPE: 998 / Administration

Employee Totals: 6 Hours \$194.82

Administration Total \$194.82

Report Total \$8,663.26

Moab Area Housing Task Force

July 2021 Meeting Minutes

Thursday, July 8th, 2021 at 11:00AM

Join Zoom Meeting: <https://us02web.zoom.us/j/84165931853>

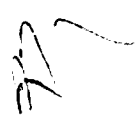
Meeting ID: 841 6593 1853

Type of Meeting: Monthly MAHTF Meeting

Meeting Facilitator: Jenna Whetzel, Chair

Attending: Jenna Whetzel, Joseph Bondi, Chellie Williamson, Rikki Epperson, Kaitlin Myers, Kalen Jones, Katie Minehart, Ellie Grosse, John Guenther, Ben Riley, Mary McGann

1. Chair Jenna Whetzel called the meeting to order at 11:03.
2. Jenna entertained motions to approve June minutes. Kaitlin motioned to approve, Kalen seconded the motion, and the minutes were approved.
3. Agency Updates
 - a) Moab City Update (Kaitlin & Kalen)
 - i. The City had a special meeting last week with the City Council about the builder (Indie Dwell) for Phase 1 of Walnut Lane. Construction has been put on hold for now and the City will reevaluate in August how best to move forward.
 - ii. Working on Land Use code changes to better support deed restricted housing and identify how to provide employee housing for businesses. Working with Laura about evaluating projects and policies with the Council in order to identify how the City wants to move forward with emergency housing. Highlighted amendments made to other communities' building codes in order to spur emergency housing developments to address housing crises.
 - b) Grand County Update (John & Mary)
 - i. John Guenther, new Director of Planning and Zoning, is reviewing the Land Use Code formatting and identifying gaps in the Code.
 - ii. Currently in talks with a developer for higher density, long-term rentals.
 - iii. Conducting interviews with community housing partners in order to amend and rewrite the General Plan.
 - iv. Addressing gaps in the Housing Continuum, including a lack of shelters, supportive or transitional housing, cooperative housing, and rental properties in general.
 - v. Proposed density transfers for land in the Moab area to City and County in order to develop more affordable housing.
 - vi. The Planning Department will be fully staffed as of next month (they are done recruiting).
 - vii. Just signed off on the final plat at Arroyo Crossing.



- viii. Met with the Economic Diversification Department about housing.
- c) MACLT Update (Katie)
 - i. The amended plat was approved last Thursday for Arroyo Crossing.
 - ii. Working through some insurance issues and then will be ready to sign development agreements with HASU and Community Rebuilds for the first 9 self help homes, hopefully followed quickly by several more.
 - iii. Possibly closing on the first nine by the end of July.
 - iv. It looks like a Low Income Housing Tax Credit (LIHTC) apartment complex will go in next, for 25 rental units. Won't know if that is funded until early 2022.
 - v. Need help pulling tumbleweeds.
- 4. Local Housing Updates
 - a) HASU (Ben & Jenna)
 - i. Hoping to start building at Arroyo Crossing by the end of July. Submitting an application for 25 apartments at Arroyo Crossing. Trying to avoid an HOA. May shift some previous plans to town homes.
 - ii. Development agreements are almost done.
 - iii. 5 mutual self-help homes left at Wingate Village. Hoping to have an open house soon. 6 people have moved into Wingate Village (out of 22 units) so far.
 - iv. Working on HDHO administration with the County.
 - v. Working on PAD administration with the City.
 - b) Community Rebuilds (Ellie, Joe, & Rikki)
 - i. Waiting on the go-ahead to start building at Arroyo Crossing.
 - ii. Hosted an open house for their Strawburb Homes out in Spanish Valley.
 - c) Grand Oasis (Chellie)
 - i. No update.
- 5. Communications Committee Update
 - a) Conducting preliminary research on an Emergency Home Repair Fund. Looking for \$5,000 to start a fund. It will be housed and run by the Multicultural Center.
 - b) Hope to host an event at Arroyo Crossing once development starts
 - c) Planning to host a USDA home loans event, tying that in with financial literacy, in a few months
 - d) Waiting to hear back from Matthew (tech guy at the County) to see if we can use moabhousing.com as the domain for the affordable housing website.
- 6. Advocacy Committee
 - a) Have been looking at County zoning in order to identify barriers to addressing affordable housing
 - b) Working on mapping pre-1976 trailers in Moab (which are considered a liability)
 - i. CR wants to do trailer replacements, replace the aging housing stock, and develop sustainable housing
 - ii. Looking into density bonuses in order to develop twin homes on lots previously occupied by pre-1976 trailers
 - iii. Asked for feedback on this idea

- a) Kalen said City has previously tried to implement a similar program
 - 1. Rikki pointed out that the definitions of terms change frequently with new County and City employees; these terms need to be clarified
 - iv. Looking for more members to join Advocacy Committee
- 7. New Agenda
 - a) Plan for an hour and a half long meeting next week
 - i. Come prepared to brainstorm ideas and conduct a work session about how different housing organizations can work together to address housing needs
 - a) Next meeting will be in-person/hybrid
 - b) Inviting MAHTF members and Planning Commission members
 - ii. Jenna will send out a doodle poll to decide on the date/time and will send out an outline for the meeting

Meeting adjourned at 12:05 PM.

Item 6

Requesting that the Town Council make a determination clarifying "Dwelling" to help the Building Permit Agent when there is a question about a separate bedroom or a guestroom as part of a building permit.

The SEUHD, both defines a dwelling (<https://www.seuhealth.com/whats-new>) as

5. DWELLING: Shall mean a building or structure that is used, rented, leased, let or hired out for human habitation.

6. DWELLING UNIT: Shall mean a single habitable unit in a Dwelling which provides independent living facilities. A dwelling unit includes space for living and sleeping and may provide access to shared space for personal hygiene and/or cooking and eating.

The Residential Code 2015 of Utah defines a dwelling (<https://up.codes/viewer/utah/irc-2015/chapter/2/definitions#2>) as

[RB] DWELLING. Any building that contains one or two dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

[RB] DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Our Ordinance 85-3 defines dwelling as

DEFINITIONS—DWELLING: Any building or structure that is used and occupied as a residence regardless of the type of building, facilities it contains, or intended future use. Residing in additional structures, such as but not limited to accessory buildings, Temporary Dwellings and other temporary structures that cannot be given building permits such as Yurts and Teepees, is not permitted if another structure is being used as a residence. A dwelling is also defined as any building or portion of a building that includes all of the following: facilities for living/sleeping, food preparation, bathing, and sanitation (toilet, sink, and approved wastewater disposal system.) Only one structure is allowed per legally platted lot that contains all of these facilities. Only one kitchen as defined in this Land Use Ordinance is allowed per legally platted lot. Additional kitchens may be allowed in a separate building through an approved conditional use permit. Yurts, teepees and other temporary structures that cannot be given building permits are considered dwellings if used and occupied as a residence.

DWELLING, SINGLE-FAMILY: A dwelling designed for or occupied by no more than one (1) family.

FAMILY: An individual or group of people, not to exceed four (4) nonrelated persons and maintaining a common household. The term family shall not be construed to mean a group of nonrelated individuals such as a fraternity, club, or institutional group.

Section 5.5—Residing in additional structures, such as but not limited to, accessory structures, Temporary Dwellings and other temporary structures that cannot be given building permits such as Yurts and Teepees, are not permitted if another structure is being used as a residence. Only one structure is allowed per legally platted lot that contains all of the following: facilities for living/sleeping, food preparation, bathing and sanitation (toilet, sink, and approved wastewater disposal system). Yurts, teepees and other temporary structures that cannot be given building permits are considered dwellings if used and occupied as a residence. Only one kitchen as defined by this Land Use Ordinance is allowed per platted lot. Additional kitchens may be allowed in a separate building through an approved conditional use permit. The intent of the regulations in this section is to prevent guest houses, apartments, duplexes, mother-in-law apartments or other construction creating more than one dwelling per legally platted lot and to prevent short-term overnight rentals, all of which are prohibited.

My problem as the BPA is what to tell people who want to build a separate structure containing a bedroom with or without bathroom, and no kitchen. Our definition of Dwelling above can be seen to have conflicting information. First it defines the dwelling as *any* structure that someone is residing in. Then it says a dwelling is a structure that has all the independent living facilities.

Both of the state definitions listed above do the same thing, though I think the inclusion of "dwelling unit" was meant to apply to things like apartment buildings. But it makes comparison to our definition more complicated.

Additional comments:

- According to the ULCT commentary about the recent HB 82, we can still forbid separate buildings with "complete living facilities" which could be used as an accessory dwelling unit (ADU).
- According to the ULCT commentary about the recent HB 82, we can still prohibit short term rentals whether an IADU or an ADU.
- There are already a number of separate guest houses in Castle Valley, variously called studios, workshops, or built into garages.
- HB 82 also removes our ability to require residents of the dwelling to be related family members.