



MINUTES
REGULAR MEETING OF THE PLANNING AND LAND USE COMMISSION
TOWN OF CASTLE VALLEY

Date: Wednesday, November 10, 2021^[L]_[SEP]

Time: 6:30 PM^[L]_[SEP]

Place: Electronic Meeting Due to COVID-19

Electronic Meeting Determination

Consistent with provisions of the Utah Open and Public Meetings Act, Utah Code Ann. § 54-2-207(4), Ryan Anderson, Chairman of the Town of Castle Valley Planning and Land Use Commission issues this Determination supporting the decision to convene an electronic meeting of the Planning and Land Use Commission 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 Planning and Land Use Commission will continue to hold meetings by electronic means. This determination expires 30 days after the day on which the Chairman has made the determination. The public can join the Conference Call Meetings or submit comments through emails.

Commission Members Present: Ryan Anderson, Marie Hawkins, Julie Baird, Jeff Whitney, and Colleen Thompson

Absent: None

Others Present: Mayor Duncan, Kinder Nebeker, Jocelyn Buck, and Carol Drake

Clerk: Jessica Maw

CALL TO ORDER REGULAR MEETING

Chairman Ryan Anderson called the Meeting to order at 6:35 PM and delivered the Determination. Maw took roll call.

1. Adoption of Agenda:

Thompson moves to strike agenda item #6 as it was resolved during October's meeting. Baird seconds. Motion passes unanimously.

2. Open Public Comment: None

3. Approval of Minutes from September 1, 2021:

Thompson states agenda item #6 was passed, incorrect language on Motion. Thompson moves to approve minutes with corrections. Hawkins seconds, Whitney abstains. Motion passes unanimously.

4. Reports:

- Correspondence: None
- Town Council Meeting(s) - Thompson gives report for November 17, 2021 Town Council meeting included in meeting packet.
 - Building Permit Agent Report - Thompson gives report included in meeting packet. Ryan asks regarding the cabin kit seeking a permit, if the cabin kit's size

fits within the overall square footage. Colleen advises it does after the owner had it reduced in size and height to comply with Town ordinances, specifically the 5000SF limit over 19’.

- Permit Activity - Ryan asks regarding the cabin kit seeking a permit, if the cabin kit’s size fits within the overall square footage. Colleen advises it does after the owner had it reduced in size to comply with Town ordinances.
- Updates on Recent Applications

NEW BUSINESS

5. Discussion and Possible Action re: Dark Sky Ordinance:

Colleen covers proposed changes to language presented at last month’s PLUC meeting, included in meeting packet. Ryan asks if lowering color temperature (kelvins) from 3000k to 2700k makes the light more yellow. Colleen clarifies that it is a slightly warmer color, and is recommended by scientific research as was reported on the recent Dark Sky event at the fire dept. building. Jessica questions how to measure objectionable light between properties. Colleen explains exterior light is labeled with lumens by the manufacturer. Jeff says we could only measure someone’s light from off of their property. Ryan discusses previous complaints between neighbors that have come up and how it was resolved. Colleen sees no reason to go inside someone’s house. Interior lights shouldn’t be shining out onto neighboring trees. Jocelyn was able to resolve a previous complaint by talking to the neighbors who made a small, but impactful change to the lighting.

Committee would like PLUC feedback on lumens, color, string lights, flood lights.

Kelvins is the color of the light, lower is warm vs. higher is cold. We propose 2700K over 3000K, which would be slightly warmer. Thompson moves to change part of section G to adopt 2700K instead of 3000K. Baird seconds. Motion passes unanimously.

Baird motions to accept deleting sentence in Section C III. Whitney seconds. Motion passes unanimously.

Jocelyn explains information on Prohibited Lighting is now in both sections III and VII to make sure it’s clear. Thompson motions to accept changes as proposed. Hawkins seconds. Motion passes unanimously.

Section IV covering lot maximum lumens, as an example, Jocelyn’s floodlight on her property is 960 lumens, rough equivalent of 75 watts. Marie asks Jeff what light is adequate for agricultural use. Jeff explains 100 watts is appropriate. Colleen explains there is also a section for agricultural exceptions that covers when a person is actively caring for their livestock. Jeff says residences are required to have an exterior light at all entrances, and holiday lights are only allowed for 90 days of the year due to potential fire hazards. Jocelyn indicates we are proposing 60 days.

Thompson motions to accept the proposed Dark Sky ordinance as presented with the changes that were discussed tonight. Whitney seconds. Motion passes unanimously.

7. Discussion and Possible Action re: Update to Building Permit Information sheet to comply with updates previously made to Ordinance 85-3 as required by HB 82. Whitney motions to untable from last month’s meeting. Thompson Seconds. Motion passes unanimously.

Colleen explains suggested changes included in meeting packet. This is not an ordinance, so PLUC votes on the changes and advises the Town Council. She suggests we put discussions regarding septic on hold until we’re able to discuss it further, with the exception of what is proposed in the packet. She explains all permit applicants are required to sign the Building Permit Information sheet. There was discussion at last meeting about some of the wording matching the ordinance, but Colleen believes this language keeps it understandable to the

layman. Jeff and Julie agree. Julie believes the red lines are good edits to the document. Julie asks Colleen if she anticipates having conversations about the Dwelling language with applicants. Colleen doesn't believe so. Town Council have previously decided that a kitchen is a distinguishing feature of a Dwelling. As long as the Building Permit Information sheet language agrees with 85-3 and is understandable, that's most important. Ryan says keep it simple.

Colleen asks if PLUC wants to accept current redline edit to part A on septic permits, or leave it totally as is; discussion at a later meeting to clarify septic permit situation would take place either way.

Jeff explains Demolition permits are mainly for property tax purposes, and asbestos is a concern that the Division of Air Quality wants to manage. Describes recent example on Shafer which prompted Colleen to discuss it with County Building Dept. The BPIS is an informational document for building applicants, which is why Colleen added demo permit info. Colleen says she was told if a large load of demolition debris is taken to the dump, the dump will turn them away if they don't have the proper paperwork; Jeff explains this resulted from a recent fire on Mill Creek that destroyed some homes.

Julie asks to explain why section B requiring applicants to acquire SEUHD signature on County building permit application is removed. Colleen states this is to be more in-line with the current process of getting approvals from SEUHD, and the Town doesn't need to insert itself into that process because the County gets it anyway. Colleen says she has access to County records in order to verify what was submitted to the Town matches.

Jeff says State requires timeliness in reviewing permits, we want to avoid any steps that increase the time in review. Colleen explains that actually the County told her a couple of years ago that they can deal with SEUHD signature, and suggested we don't need to.

Baird moves to accept proposed revisions to the Building Permit Information sheet. Whitney seconds. Motion passes unanimously.

8. Discussion and possible Action re: Approval of 2022 Meeting Dates

Thompson moves to accept as presented. Baird seconds. Motion passes unanimously.

UNFINISHED BUSINESS

8. None

CLOSED MEETING

9. If Necessary

ADJOURNMENT

Whitney moves to adjourn, Hawkins seconds. Motion passes unanimously

Ryan Anderson (Chairman) adjourned the Meeting at 8:05 PM