



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

**Date:** Wednesday, December 1, 2021<sup>[[L]]</sup><sub>[[SEP]]</sub>

**Time:** 6:30 PM<sup>[[L]]</sup><sub>[[SEP]]</sub>

**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, Julie Baird, Colleen Thompson, Jeff Whitney

Absent: Marie Hawkins (absent for Public Hearing, attended Regular Meeting)

Others Present: Jocelyn Buck, Faylene Roth, Jazmine Duncan, Mary Wakeley

Clerk: Jessica Maw

**CALL TO ORDER PUBLIC HEARING** – Dark Sky Ordinance draft language

Chairman Ryan Anderson called to order the Public Hearing and delivered the Determination at 6:35 PM. Jessica Maw took Roll Call

1. Open Public Comment: Faylene says as most of you know, she has worked with Jocelyn and Colleen to put this draft Dark Sky lighting ordinance together. Castle Valley already had a pretty strong lighting ordinance, but their goal with doing this is to bring it up to date with current Dark Sky requirements including warmth and kelvins, and having a cap on the total amount of lumens anyone would have on a particular lot. Also, the ordinance will show what the town's responsibility is, in addition to property owners' responsibilities.

Jocelyn would like to add that this entire thing came about because of the town's general survey, which the results showed there was a lot of interest in becoming an International Dark Sky community. This created an impetus to update the ordinance from what was already a very good ordinance from 1991. Updating the lighting ordinance is just one of the requirements for becoming Dark Sky certified, that our ordinance conforms to Dark Sky requirements.

Jocelyn goes on to state there is one typo, in section IV-G, it talks about max color temp measured in kelvins. Second line says "should not exceed three thousand kelvins (2700 kelvins)". "Three thousand" needs to be changed to "two thousand seven hundred." Only other thing Jocelyn would like to add is, she would very much like the ordinance to be called "Town of Castle Valley Dark Sky Lighting Ordinance" to make sure "Dark Sky" stays in the title.

Julie would like to say for the record to Faylene, Jocelyn, and Colleen that their efforts were great and very much appreciated.

## ADJOURNMENT

Thompson moves to adjourn the Public Hearing on draft lighting ordinance language, Baird seconds. Motion passes unanimously. Public hearing adjourns at 6:44 pm.

## CALL TO ORDER REGULAR MEETING -

Chairman Ryan Anderson called to order the Regular Meeting at 6:44 PM. Marie Hawkins is added to the roll.

### 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 Regular Meeting 11.10.2021: Baird moves to approve as amended in the meeting packet with comments from Thompson, Whitney seconds. Motion passes unanimously.

### 4. Reports:

- Correspondence: Jessica reads email from Carol Drake re: kelvin strength typo (discussed earlier by Jocelyn in Public Hearing open comments)
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- Town Council Meeting(s) - given by Thompson and included in meeting packet
- Building Permit Agent Report - given by Thompson and included in meeting packet
  - Updates on Recent Applications - discussed under agenda items 6 & 7

## NEW BUSINESS

5. Discussion and Possible Action re: Town of CV Dark Sky Lighting Ordinance 2021 draft language

Thompson moves to open discussion, Whitney seconds. Motion passes unanimously.

Thompson motions to change title to "Town of Castle Valley Dark Sky Lighting Ordinance" anywhere that it appears in the document. Baird seconds. Motion passes unanimously.

Whitney moves to adopt draft language as presented with the typo correction discussed earlier and the title change. Thompson seconds. Motion passes unanimously.

6. Discussion and Possible Action re: PLUC recommendation to Town Council to approve Conditional Use Permit and business license renewals for 2021

Thompson motions to open discussion, Baird seconds. Motion passes unanimously.

Thompson says this is ordinarily something the clerk does. Since we lost Susan earlier this year, Colleen took it on as BPA. Usually, forms for renewals are sent via regular mail, but since time was so short, Colleen sent email with forms and followed up by phone, etc. The only one that wasn't able to be reached was David Rhodes at lot 430 on Rimrock. The property was sold, but it is believed he was still occupying the property. There are 22 active who want to renew, 15 who want additional business licenses. Colleen says everyone was accommodating, so she hopes this can be handled via email in the future.

Thompson specifies PLUC decides which to be approved, and is sent to the Town Council for final approval.

Julie asks procedurally, her understanding is this is administrative as long as requirements are met. Colleen says this is an opportunity for a neighbor to raise an objection if there is one. When someone gets a business CUP, all neighbors are notified which gives an opportunity to object, and the same opportunity is made available each year at renewal time. Jeff says if there is no complaint, there's no reason not to approve.

Whitney moves to approve the Conditional Use Permits and business license renewals, Baird

seconds. Motion passes unanimously.

7. Discussion and Possible Action re: PLUC recommendation to Town Council to approve non-permanent Conditional Use Permits for 2021

Baird moves to open discussion on non-permanent CUP, Whitney seconds. Motion passes unanimously.

Colleen states these are CUPs for something like fixtures on a property such as windmills and exclusionary fencing. Last year a caboose was on the agenda, which is not a CUP and is covered elsewhere in ordinance.

Whitney moves to approve all non-permanent CUPs, Thompson seconds. Motion passes unanimously.

### **UNFINISHED BUSINESS**

8. Closed Meeting – none

**ADJOURNMENT** - Whitney moves to adjourn, Hawkins seconds. Motion passes unanimously.

Chair Ryan Anderson adjourns the Regular Meeting at 7:15 PM.