



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

Date: Wednesday, October 6, 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, and Colleen Thompson

Absent: Julie Baird (excused) and Jeff Whitney

Others Present: Mayor Duncan and Faylene Roth

Clerk: Jessica Maw

CALL TO ORDER REGULAR MEETING

Chairman Ryan Anderson called the Meeting to order at 6:32 PM and delivered the Determination. Maw took roll call.

1. Adoption of Agenda:

Thompson says "Building Permit" should be "Building Information Sheet."

Thompson motions to adopt agenda with correction, Hawkins seconds. Motion passes unanimously.

2. Open Public Comment: Faylene Roth is joining us tonight to discuss the adoption of the Dark Sky Ordinance. She's been working with the Dark Sky committee and she wants to offer her assistance on the language of the ordinance. Anderson indicates they may call on Faylene later in the meeting when the Dark Sky Ordinance is discussed further.

3. Approval of Minutes from September 1, 2021:

Thompson motions to approve with corrections - Second page, New Business #6 - 2/3 down "5.10.1 replace..." Colleen suggests to strike this sentence completely. Thompson states to remove sentence ending in "detached structures." Hawkins motions to approve minutes with corrections, Thompson seconds. Motion passes with edits unanimously.

4. Reports:

- Correspondence: None

- Town Council Meeting(s) - Thompson gives report for 9.15.21 Town Council meeting.
- Building Permit Agent Report - Thompson gives report. Discusses questions about Demolition permit process from Castle Valley as well as the county.
 - Permit Activity
 - Updates on Recent Applications

NEW BUSINESS

5. Discussion and Possible Action re: Dark Sky Ordinance: Jocelyn states current lighting ordinance is pretty good, but in order to qualify with IDA, the town needs to update ordinance. There were things IDA recommended get updated. We took their suggestions when updating our ordinance. Town commitment will be how the town shows we're abiding by ordinance. Residential new builds – need to clarify how building permit process works. Commercial requirements - we don't have commercial, but if we did they'd need to abide. Faylene states the color coding throughout the proposed language is the minimum requirements. IDA has a model ordinance that were referenced, and committee looked at what other communities are doing.

Ryan asks - considering parking lot lighting, although it's not commercial, what about automatic lights e.g. church parking lot? Faylene says this is addressed under Town Commitment, which discusses curfews, pole heights, and things like that

Marie asks did we pull this language from someone else's or from scratch. Faylene says we started out with examples from other communities and worked from there. Looked at Torrey, another small community near national parks, as well as other small communities in Colorado and Utah.

Ryan asks do we have two years to be compliant? Have communities found ways to mitigate ambient light coming from home, such as blinds or shades? Faylene - didn't see any examples. One thing we talked about was we could possibly have fundraisers, then offer financial assistance for people who want to bring their lighting into compliance. Ryan asks for enterprises outside of Town boundaries that have light trespass, do they then fall under county regulations if their outside Castle Valley boundaries. Jocelyn says we have no jurisdiction over these places. County may be working on Dark Sky certification, Moab is currently working on it. Colleen and Faylene state the county is already certified. We may decide on the amount of time to become compliant. We do already require all outdoor lighting to be fully shielded in our current ordinance. We're already ahead of other communities with more light pollution.

Ryan asks if anybody spoke with someone from Torrey about their process and if they got pushback from the community. Jocelyn traded emails with person in Torrey who took the lead, but not about that specifically. Ryan asks about feedback so far from our community. Faylene - not from the community, Colleen is trying to educate people while they are seeking a building permit. Colleen has told applicants very early on what is already in our ordinance, and what will be changing with the new Dark Sky ordinance. Some communities require compliance in 6 months; we didn't want to be that fast, so we went with 2 years. We adopted language regarding lumens and exception, such as troubles with livestock. Everybody she has talked to has been supportive.

Ryan asks if section VII - Violations the same as existing or have there been changes. Colleen says sections C and D are from 1991. Faylene states that section just followed the model ordinance that IDA used otherwise. Section O was also added.

Colleen points out light should not be directly viewed from other properties. If you're uphill, people below shouldn't be able to see your lights directly.

No action taken tonight other than review of current draft. Next IDA designation committee we could attend is in February. Jocelyn would like everything done before January to get it to them ahead of the deadline. Ryan thinks we can shoot for getting it done before the holidays. Hawkins

motions to accept 95-6 as amended, with the changes occurring in section 1.1 items B and O. Thompson seconds. Motion passes unanimously.

6. Discussion and Possible Action re: Updates to Ordinance 95-6 to comply with updates previously made to Ordinance 85-3 as required by HB 82: Ryan questions if item B under Submission Requirements can be removed completely without consulting legal. Colleen indicates that may be necessary, but the septic system already goes through Health Department and County review. Jocelyn indicates it is important for the Town to have some form of approval process for septic so we can know where the systems are in relation to neighboring properties. Thompson motions to pass with amendments. Hawkins seconds. Motion passes unanimously.

7. Discussion and Possible Action re: Update to Building Permit Application to comply with updates previously made to Ordinance 85-3 as required by HB 82. Ryan indicates input from two absent PLUC members would be helpful, and this will possibly need to go before the Town Council. Thompson motions to table agenda item 7 on updating the Building Permit Information sheet until the absent two members can render their opinions. Hawkins seconds. Motion passes unanimously.

UNFINISHED BUSINESS

8. None

CLOSED MEETING

9. If Necessary

ADJOURNMENT

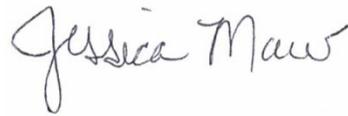
Hawkins moves to adjourn, Thompson seconds. Motion passes unanimously
Ryan Anderson (Chairman) adjourned the Meeting at 8:55 PM

Approved:



Ryan Anderson – Chair

Attested:



Jessica Maw – PLUC Clerk