

The Regular Meeting of the
Brian Head Town Council
Brian Head Town Hall - 56 North Highway 143
Brian Head, UT 84719
MONDAY, OCTOBER 28, 2019 @ 1:00 PM

AGENDA

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. DISCLOSURES**
- D. APPROVAL OF THE MINUTES:**
 - a. September 23, 2019 Town Council Meeting
 - b. September 23, 2019 Town Council Closed Session
- E. REPORTS / PUBLIC INPUT (Limited to three (3) minutes) Non-Agenda Items**
- G. AGENDA ITEMS:**
 - 1. PUBLIC HEARING FOR ROAD NAME CHANGE TO FOX RUN.** The Council will hold a public hearing to receive comment on a proposed road name change to Fox Run. The road is a connector road between Forest Drive and Falcon Court. Comments are limited to three (3) minutes and written comments may be submitted to the Town Clerk not later than noon on October 28, 2019.
 - 2. ORDINANCE NAMING THE CONNECTOR ROAD BETWEEN FOREST DRIVE AND FALCON COURT IN THE CEDAR BREAKS MOUNTAIN ESTATES, UNIT A AS FOX RUN.** Nancy Leigh, Town Clerk. The Council will consider an ordinance naming a connector road between Forest Drive and Falcon Court as Fox Run.
 - 3. DISCUSSION ON AMENDMENTS TO THE LAND MANAGEMENT CODE, CHAPTER 12.6 (LIGHTING), 12.7 (BUILDINGS) AND 12.7(E) ROOFS.** Bret Howser, Town Manager. The Council will hold discussion on the proposed amendments to the Land Management Code, Chapter 12. 6, 12.7 and 12.7(E) for lighting, building designs and roofs.
 - 4. POTENTIAL FUTURE AGENDA ITEMS.** The Council will discuss potential items for future agenda items.
- H. ADJOURNMENT**

Date: October 25, 2019

Available to Board Members as per Resolution No. 347 authorizes public bodies, including the Town, to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the Council may participate by means of a telephonic or telecommunications conference. In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should call Brian Head Town Hall @ (435) 677-2029 at least three days in advance of the meeting.

CERTIFICATE OF POSTING

I hereby certify that I have posted copies of this agenda in three public and conspicuous places within the Town Limits of Brian Head; to wit, Town Hall, Post Office and The Mall on this 25th day of October 2019 and have posted such copy on the Utah Meeting Notice Website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Nancy Leigh, Town Clerk



Budget Monitoring - General Fund

Fiscal Year: 2020

Month: Sep

	Bud thru Sep	YTD thru Sep	Pace	Annual Budget	Projection	C*
Revenues						
Taxes	\$123,500	\$96,433	78%	\$1,696,600	\$1,705,824	
Licenses & Permits	\$52,085	\$6,540	13%	\$349,000	\$362,412	
Intergovernmental Revenue	\$76,691	\$61,406	80%	\$180,100	\$176,915	
Charges for Service	\$82,349	\$82,224	100%	\$263,964	\$263,680	
Other Revenues	\$6,362	\$27,323	429%	\$39,539	\$38,539	
Total Revenue	\$340,987	\$273,926	80%	\$2,529,203	\$2,547,369	

Expenses

General Government

Council	\$6,200	\$150	2%	\$23,424	\$17,641	
Administration	\$93,737	\$87,733	94%	\$468,244	\$437,707	
Legal	\$1,389	\$230	17%	\$7,000	\$7,000	
Building	\$5,734	\$4,870	85%	\$24,639	\$21,105	
Planning & Zoning	\$5,640	\$5,274	94%	\$24,573	\$22,999	
Marketing & Events	\$63,648	\$88,388	139%	\$143,500	\$143,500	
Total General Government	\$176,348	\$186,645	106%	\$691,380	\$649,951	

Public Safety

Police	\$135,220	\$124,759	92%	\$649,661	\$635,651	
Fire	\$47,335	\$37,359	79%	\$263,289	\$179,802	
Total Public Safety	\$182,555	\$162,119	89%	\$912,950	\$815,452	

Public Works

Highways	\$70,582	\$66,844	95%	\$266,450	\$253,694	
Shop & Garage	\$49,119	\$36,968	75%	\$202,444	\$152,363	
Recreation	\$7,392	\$6,120	83%	\$26,167	\$23,800	
Total Public Works	\$127,093	\$109,932	86%	\$495,061	\$429,858	

Transfers to Other Fund	\$0	\$0	0%	\$416,400	\$416,400	
Total Transfers	\$0	\$0	N/A	\$416,400	\$416,400	

Operating Contingency	\$11,280	\$0	0%	\$40,000	\$0	
Total Contingency	\$11,280	\$0	0%	\$40,000	\$0	

Total Expenses	\$497,276	\$458,696	92%	\$2,555,791	\$2,311,661	
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Total Revenues over Expenses	-\$156,289	-\$184,770		-\$26,588	\$235,708
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C* = The confidence level of the formula-driven projection based on 5-yr seasonal model



Brian Head Town Council Update

October 1, 2019

BRIAN HEAD PUBLIC SAFETY:

September has brought the summer rush to an end. Deputies were busy handling a wide variety of calls but no major incidents. This lent some time for stopping and talking to the public and getting to know our residents and visitors. Deputies really focused on community relations this month and it was a good change for us.

A great community oriented effort was made in regards to Public Information and Education. One of the events that the Brian Public Safety hosted was a “Fire Extinguisher Familiarization” training. This was an hour long training that taught members of our community how to identify, inspect, and use a portable fire extinguisher. We targeted our businesses and had a great success with this course. We had about 40 people sign up and get trained. The idea with training people on the use of an extinguisher is to make them familiar and comfortable with the operation and handling of it. It has been proven that a person trained on an extinguisher can put out twice as much fire as an untrained individual.

A lot of time was also spent working with property owners and assisting them in how and what types of fuels to clean from their property. We had a lot more hazardous fuels removed from our town this summer than we have over the past few summers. We also spent a lot of time chipping piles and tracking this work that has been done.

The Marshal’s Office has been really busy conducting nightly rental fire inspections. The new requirements are keeping us hopping. This is busy work, but also has the reward of visiting with some of our community members and teaching them a lot about fire safety and public safety in general.

As a side note in regards to Labor Day Weekend and the other events that occurred in Brian Head during the month of September. We had no ATV/OHV complaints and no parking complaints. The town was extremely busy during these weekends, but heightened patrols kept things in check.

The “Chessman Fire” was a busy part of our days. We were constantly taking calls and educating people on fire. It is always good to burn a few hundred acres rather than 10’s of thousands.

Finally, of course it wouldn’t be a parade without the Brian Head Fire Department.

SHIFTS AND NUMBER OF INCIDENTS FOR SEPTEMBER

- Day Shift = 27
- Swing Shift = 24
- Grave Shift = 9
 - Total Incidents for August = 60

TYPES OF INCIDENTS

- Citizen/Motorist Assist – 8
- 911/Alarms – 8
- Animal Problem – 4
- Vehicle Accident – 2
- Fire – 3
- Medical – 5
- Fire Inspection – 11
- Suspicious – 5
- Domestic – 2
- PI & E – 3
- Assault – 1
- Noise Disturbance – 1
- Trespassing – 1
- Suicidal – 1
- Theft – 1





















Brian Head Town
Public Works Department Update
October 28, 2019

The weather is changing, and Public Works is still running hard to complete as much of the work that has been assigned to us as we can before the weather shuts us down. It has been a very busy and shorten build season for us, and we are thankful that the weather has held out. This has allowed us to keep working on all the projects. The following are the updates for each of the departments that we have been working on.

Streets

- The 2019 Streets project is Completed
- Crack Seal for next years Streets project is completed.
- Planning and design for next years Street Project has begun. Village Way is getting a 1 in asphalt over lay with a chip seal and Bristlecone is getting just a chip seal.
- Road grading is about 80%
- A test run of the new kind of millings available us has been put down on part of Gurr Well Road. They went down well, and we will see how the perform over the winter. These millings have a lot more oil in them, which tends to clump making the install a little harder.
- New No Parking on Streets signs have been installed at 5 locations as Council Requested.

Culinary

- Public Works continues to take investigative samples on the springs and distribution systems. The results have come back clean except for upper mammoth spring. The springs will be turned back into the system so we can supply the Resort with water for snow making. Staff will continue to monitor the springs for any change and hope to have chlorination installed as soon as we are permitted to do so.
- Chlorination design is almost complete. Staff has been working in the Chlorination Building at million-gallon tank to get it ready to be put into operation. This work has longer then anticipated with getting the valving and piping back into operating order where it has been out of service for so long.
- Work in million-gallon pump house has also been going on. This is due to Salt Pile spring being completed this year and needing to be tied into the pump house after it ran through the chlorination building. Some of this work will have needed to be completed anyway when the pump house is upgraded, so we are a head of the curve a little. Design is almost completed for the pump house and we will be working in that project in the Spring. Staff also had to repair main lines that had been cut due to the install of the pump line to Mammoth. This was a surprise that we found due during construction.
- Salt Pile line has been tied in at Salt Pile spring. This project is nearing completion and we are working on pressure testing and chlorination to put this line into service this year.
- Mountain View Project is almost at the tie in on Steam Engine. Work will continue until the weather shuts them down.
- The 3 PRV Valves have been installed.

- Meter Maintenance and installations of new meters continues as needed.

Trail / Park

- Markers have been placed along the Paved Trail where we had issues last year with the blower.
- Trail lights have been replaced.
- The waterline around the park has been installed. Public works has 1 pad of sprinklers completed and will be working to complete the next three this week and sod should start to be laid down by the end of the week.
- Construction on the Chair 1 bathrooms continues with the building framing nearing completion.
- The wooden routed Town Trail Signs are installed.
- Connecting trail from the pond to the restrooms has been roughed in.
- Zig Zag fence complete, marked and Rake set.

In-house Projects

Public works will continue to work on in-house projects and maintaining equipment as needed. If you have any questions or concerns, please do not hesitate to call.



Milling Project Gurr Well Road



Bristlecone Park, Hay rake re-located



Back Fill Chair One restrooms



STAFF REPORT TO THE TOWN COUNCIL

SUBJECT: Public Hearing and Ordinance for Road Name Change to Fox Run
AUTHOR: Nancy Leigh, Town Clerk
DEPARTMENT: Administration
DATE: October 28, 2019
TYPE OF ITEM: Legislative

SUMMARY:

The Town Council will hold a public hearing to receive comment on a proposed name change for a connector road between Forest Drive and Falcon Court to Fox Run. After the public hearing is closed, the Council will consider an ordinance changing the road name to Fox Run for the connector road.

BACKGROUND:

Brian Head Town received a request from Donna Evans, proposing a road name for a connector road located between Forest Drive and Falcon Court. The request is to name the connector road “Fox Run”. The location of the road is in the Cedar Breaks Mountain Estates Unit A subdivision of Brian Head Town.

Donna Evans who currently resides on this connector road requested the Town change the name. Donna informed the staff the reason behind the name “Fox Run” is because there is a large fox that usually travels on this road and felt it was an appropriate name.

As part of the process, a public hearing was held at the Planning Commission meeting on October 15th in which the Planning Commission forwarded their recommendation to the Council. The Council will hold a public hearing and consider an ordinance for the road name change. Staff has published the public hearing in the newspaper for four consecutive weeks and has notified the adjoining properties on the connector road as required by our Land Management Code.

ANALYSIS:

The Land Management Code Section addressing Road Name Changes is as follows:

LMC - 9-12-9 – Roads:

D. Street Names:

1. Street names shall be proposed by the developer and/or citizen and approved by the land use authority, with the recommendation of town staff. (Ord. 08-016, 8-12-2008, and Ord. 15-018, 12-8-2015)
2. Developers or citizens are encouraged to do an investigation of local history regarding the names and references to geological and historical features located in the subdivision and, wherever possible, to incorporate

the historical names and references into the names and designations of streets. (Ord. 08-016, 8-12-2008)

3. The town may change the name of a street without petition or after petition by a property owner under the following conditions:

- a. A notice of the hearing is:

- Published;

- a) In a newspaper of general circulation in the county once per week for four consecutive weeks before the hearing; and

- b) On the Utah Public Notice Website created in Section 63F-1-701 UCA, for four consecutive weeks prior to the hearing; and

- ii. Posted in three places for four consecutive weeks prior to the hearing; and

- iii. Mailed to all owners of property abutting the town road.

4. All street names must be coordinated with the appropriate county official.

This particular name change will be acknowledged by the Town but will not be recorded by the County as an official name since the Town did not go through a final plat amendment due to the costs involved. Staff confirmed the ability to do this with the County first.

FINANCIAL IMPLICATIONS:

Due to the costs involved with a Final Plat Amendment, it was decided that the Town could name the road on its own but would not be recorded as such with the County.

BOARD/COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing on October 15th and hereby forwards their recommendation to the Council to name the connector road as Fox Run.

STAFF RECOMMENDATION:

Staff recommends the Council approve of the road name “Fox Run” for the connector road between Forest Drive and Falcon Court and adopt the ordinance as presented.

PROPOSED MOTION:

I move to adopt ordinance No. 19-013, an ordinance changing the name of the connector road between Forest Drive and Falcon as “Fox Run” as presented.

ATTACHMENTS:

A – Donna Evan’s email requesting a road name change to Fox Run

B – Map of Connector Road

Adopted July 13, 2010



BRIAN HEAD TOWN

ORDINANCE NO. 19-_____

AN ORDINANCE CHANGING A BRIAN HEAD TOWN CONNECTOR ROAD BETWEEN FOREST DRIVE AND FALCON COURT LOCATED IN THE CEDAR BREAKS MOUNTAIN ESTATES, UNIT A SUBDIVISION, TO FOX RUN.

WHEREAS, the Town received a request for a road name change for a connector road between Forest Drive and Falcon Court located in the Cedar Breaks Mountain Estates, Unit A Subdivision to be named Fox Run, and;

WHEREAS, the Town believed it was in its best interest not to proceed with a formal final plat amendment due to costs associated with the process, but to confirm with the Iron County Recorder that the Town has the option to name a town road without having to have it officially recorded in the Iron County Recorder's office, and;

WHEREAS, the Town Council held a public hearing on October 28, 2019 to receive public comment on the proposed road name change to Fox Drive, and;

WHEREAS, the entire road is located within the Brian Head Town boundaries and is within Brian Head Town jurisdiction to change the name of its roads; and

WHEREAS, in making its review the Town Council finds that it is in the best interests of the health, safety, and welfare of the Town and its citizens to grant the requested road name change;

NOW, THEREFORE, BE IT ORDINANED BY THE TOWN COUNCIL OF THE TOWN OF BRIAN HEAD, UTAH.

SECTION I: The connector road located in the Cedar Breaks Mountain Estates, Unit A Subdivision between Forest Drive and Falcon Court is hereby changed to Fox Run identified in attachment "A"

SECTION II: The Town Council hereby directs the Town Clerk to post notice of the road name change within the Town.

EFFECTIVE DATE: The ordinance shall go into effect immediately upon final passage as noted below.

Adopted July 13, 2010

PASSED AND ADOPTED by the Town Council of the Town of Brian Head, Utah this ____ day of October 2019.

Roll Call Vote of the Town Council:

Mayor Clayton Calloway	Aye_____	Nay_____
Council Member Larry Freeberg	Aye_____	Nay_____
Council Member Lynn Mulder	Aye_____	Nay_____
Council Member Shad Hunter	Aye_____	Nay_____
Council Member Shad Hunter	Aye_____	Nay_____

Brian Head Town

Clayton Calloway, Mayor

ATTEST:

Nancy Leigh, Town Clerk

CERTIFICATE OF PASSAGE AND POSTING

I hereby certify that the above Ordinance is a true and accurate copy, including all attachments, of the Ordinance passed by the Town Council on the ____ day of October 2019, and have posted a complete copy of the ordinance in three conspicuous places within the Town of Brian Head, to-wit: Town Hall, Post Office and the Mall.

Nancy Leigh, Town Clerk

Adopted July 13, 2010

ATTACHMENT “A”

MAP OF ROAD NAME CHANGE TO FOX RUN, A CONNECTOR ROAD BETWEEN FOREST DRIVE AND FALCON COURT IN THE CEDAR BREAKS MOUNTAIN ESTATES, UNIT A SUBDIVISION.



Nancy Leigh <nleigh@bhtown.utah.gov>

Brian Head Road Name Change

Donna Evans <d.evans161@yahoo.com>

Mon, Sep 16, 2019 at 10:36 AM

To: Nancy Leigh <nleigh@bhtown.utah.gov>

Nancy,

Please allow this to serve as my written request to change the section of road running between Falcon Ct and Forest Dr. It is currently unnamed and we would like to name it Fox Run as we have a large fox that we see frequently around our home.

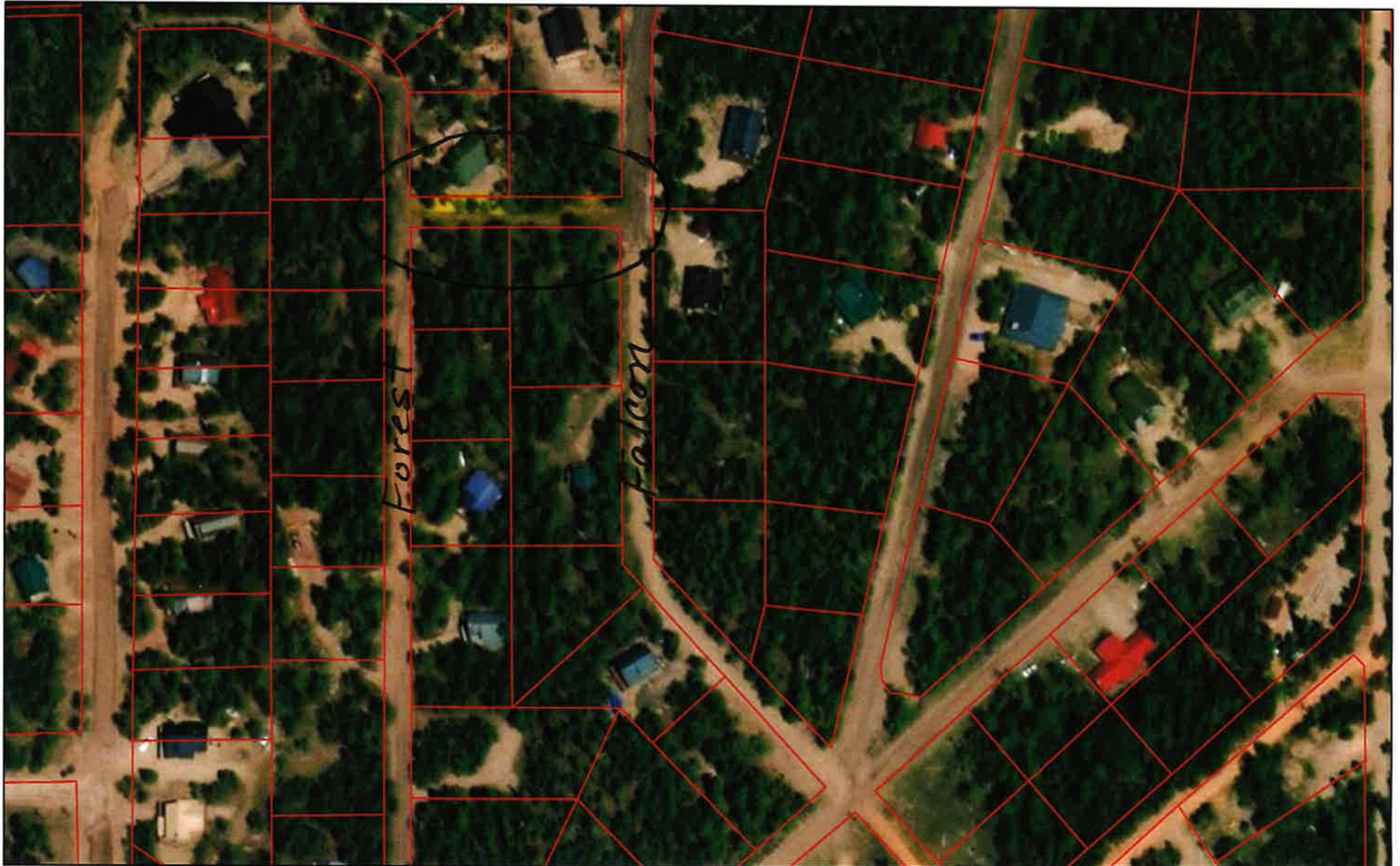
Thank you so much!!

Donna Evans

Sent from Yahoo Mail for iPhone

[Quoted text hidden]

Fox Run



10/11/2019, 10:16:12 AM

 Parcels

Municipalities

1:2,257

0 0.01 0.03 0.06 mi
0 0.02 0.04 0.09 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user

Iron County GIS
Microsoft | Esri, HERE, Garmin, iPC |



STAFF REPORT TO THE TOWN COUNCIL

SUBJECT: LMC Discussion (Dark Skies & Building Design)
AUTHOR: Bret Howser
DEPARTMENT: Administration
DATE: October 28, 2019
TYPE OF ITEM: Discussion

SUMMARY:

The Town Council will discuss changes to the Land Management Code for design guidelines on lighting and building design.

BACKGROUND:

Brian Head Town has long been recognized for its pristine night skies. The General Plan anticipates that the Town will take efforts to maintain this natural resource. Each of the past two years, the Town Council has adopted a strategic plan that includes an action step to explore International Dark Skies Community (IDSC) certification as a potential measure for preserving our night skies, although to this point the Town has not officially decided that it intends to pursue this certification.

In June 2019, the Planning Commission and the Town Council reviewed the guidelines for IDSC certification and determined the Town should review/revise its own ordinances according to our own goals and objectives rather than focus on the IDSC guidelines and then submit to IDSC to see if the resultant ordinances comply with their standards.

In July 2019, the Planning Commission set goals for this review of the Town's lighting ordinances. Staff then redrafted the lighting ordinance in accordance with these goals, which the Planning Commission reviewed in August and suggested changes.

The Town Council reviewed the changes to the lighting ordinance on September 23, 2019. During this meeting the Council opted to plan a field trip to look at the lights in Brian Head at night. This field trip took place on September 30, 2019.

ANALYSIS:

Lighting

The goals/objectives set by the Planning Commission are as follows:

- Preserve the dark skies resource through shielding and color restrictions
 - This includes:
 - Light does not intrude on other properties
 - Upward light pollution is prohibited
 - Reduced horizontal glare/visibility of light sources
 - Keep color on warmer spectrum (3000 kelvin)
- Don't interfere with reasonable/practical business operations
- Reasonable lighting is allowed to preserve safety/mobility
- Architectural/Aesthetic lighting is fine as long as its low lumens

Staff has endeavored to redraft the lighting ordinance with alterations that better achieve these stated goals. The latest draft of these changes are attached for review.

One of the more significant changes to the draft is contained in 9-12-6(C)(3). The original draft had a total lighting cap of 25,000 lumens per acre for commercial and 5,000 lumens per acre for residential. After investigating the methods of measuring light, staff believes it would be best to measure in “lux” or lumens per square meter. While lumens is a measure of the light power emanating from the light source, lux is a measure of the light hitting a surface. According to the goals identified by the Planning Commission, what we are trying to regulate is light pollution or glare than we are about the usage of light on the property itself. So measuring lux or lumens hitting a square meter of surface at the perimeter of the property gives us a good idea of how much light is escaping the property without having to try to measure each bulb (which can be tricky). It is an outcome measure rather than output measure.

The following table gives an idea of what a lux means in practical terms:

Examples of light levels (in Lux)

Very Bright Summer Day	100,000 Lux
Full Daylight	10,000 Lux
Overcast Summer Day	1,000 Lux
Very Dark Day	100 Lux
Twilight	10 Lux
Full Moon	< 1 Lux

So converting the thresholds we had already set in lumens (25,000 lumens and 5,000 lumens per acre [or 4047 square meters]) we would require about 6.2 and 1.2 lux for commercial and residential respectively. Staff recommends that this be dropped slightly to 5 and 1 lux since we’ll be measuring at the property boundaries. This seems to add up as this would limit light infiltration from residential properties to be no brighter than a full moon, and light infiltration from a business to be somewhere between a full moon and twilight.

For more practical examples, staff measured the lux at the following businesses and residents in town:

LOCATION	LUX
Town Hall Porch	5
Town Hall Street Light	10
Town Hall Bulk Water	18
Town Hall Front Walk (North Corner)	.3
The Mall Parking Lot (Front Parking Strip)	2
Giant Steps (Front of Ticket Office)	37
Brian Head Village (Mid Parking Lot)	2.9
Public Safety Building (Bay Doors)	.5
Public Safety Building (Flag)	10
West Side of Pond Trail (PSB Flag)	1.2
Evergreen Condos	6
Kristi Condos	.8
Copper Chase Upper Parking Lot	.4

For more information regarding lux measurements, see:

<https://www.atp-instrumentation.co.uk/blog/how-to-measure-light-levels/>

Building & Roof Design Standards

§9-12-7(B) of the Land Management Code allows for four architectural styles: Craftsman, Historic Mountain Lodge, Log Cabin, and National Parks. Staff has been receiving more and more design reviews which employ what is called “Mountain Modern” architectural style. It is defined as follows:

A fusion of contemporary, modern, or industrial styles with Cabin/ Rustic, Lodge, Craftsman, or Traditional/ Transitional style. This style features a mix of metals and woods, interesting use or reuse of materials, clean lines, and dramatic architectural details.

Some examples are shown below:



Much of what we have seen is very consistent in terms of exterior materials and look to the other allowable architectural styles, but a common element that is not allowed is the monoslope roofs.

Staff believes this architectural style is consistent with the General Plan and would be a good addition to our code. We propose the following alterations to the code to allow it.

§9-12-7

B. Architectural Design And Style: Buildings should implement a rustic composition such as the craftsman, historic mountain lodge, log cabin, ~~or~~ national park, **or mountain modern** style architecture that will blend with the mountain setting, as well as topography, landscape and natural environment found in and around that site. These styles include gabled roofs, exposed rafters and beams, and multi-paned windows, varied exterior materials, stone and brick wainscots, dormers, large picture windows, decks and railings, and other features intended to break up the mass and scale of the buildings and help them blend in better to the natural surroundings. Building materials shall include large wooden beams and timbers, stone covered columns, chimneys, and foundation and exterior wall materials reflecting simple, rustic design.

(update the exhibit)

E. Roofs:

1. Single and double gabled roofs are permitted with hips and sheds used on smaller sections, secondary roofs or dormers. **Monoslope roofs are allowable consistent with the mountain modern architectural style.** Flat roofs are discouraged.
2. Wood shake shingles are prohibited.

3. Roof pitches should range between four to twelve (4:12) and twelve to twelve (12:12).

4. Valleys, dormers, rain gutter and associated roof features should be designed with consideration to retention of snow on the roof. Care should be taken to avoid ice dams and snow sliding that may damage roofing materials or landscaping and building elements below. Special consideration should be given to protecting public entries, patios and balconies, where the weight of falling snow may damage such structures and endanger human life.

FINANCIAL IMPLICATIONS:

N/A

BOARD/COMMISSION RECOMMENDATION:

During the Planning Commission meeting on September 17, 2019 the Commission made the following motion regarding the changes to Building & Roof Design Standards:

Motion: Commissioner Dever moved to recommend the changes to the Design Standards of the Land Management Code to the Town Council as presented by staff. Commissioner Kelly seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = Vote: Yes:** Commissioner Deutschlander, Commissioner Dever, Commissioner Kelly, Commissioner Hartlmaier).

The following motion was made in regard to Lighting:

Motion: Commissioner Dever moved to recommend the changes to the Lighting Standards of the Land Management Code to the Town Council with the following changes:

1. Change the last sentence in A.2. to “Merely placing a light fixture under an eave, canopy, patio cover or similar cover does not qualify as fully shielded unless the light source is sufficiently recessed into the building or the building itself provides full shielding.
2. Include the total lumens of 5,000 and 25,000 in C.3.

Commissioner Hartlmaier seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = Vote: Yes:** Commissioner Deutschlander, Commissioner Dever, Commissioner Kelly, Commissioner Hartlmaier).

STAFF RECOMMENDATION:

Staff recommends discussion of the attached lighting ordinance draft at this point.

PROPOSED MOTION:

N/A – Discussion Only

ATTACHMENTS:

A – Lighting Ordinance Draft

9-12-6: LIGHTING:

It is the intent of this section to encourage lighting practices and systems which will preserve Brian Head's special resource of dark skies by minimize-minimizing light pollution, glare and light trespass, and by eliminating unnecessarily bright light color spectrums. will conserve energy while maintaining. The Town intends to accomplish these objectives without sacrificing nighttime safety, utility, security and productivity mobility, or the ability of businesses to operate reasonably. All light fixtures, including security lighting and sign lighting, except streetlamps, shall be aimed or shielded so that the direct illumination shall be confined to the property boundaries of the source. This section does not apply to indoor lighting. (2010 Code amd. Ord. 18-006, 6-11-2018)

- A. All light fixtures, including security lighting and, and sign lighting, except streetlamps, shall be aimed placed at a location, angle and height or and shielded so that the direct illumination shall be confined to the property boundaries of the source.
 - 1. Light fixtures shall be mounted to the building or a pole that directs light towards the ground and focuses on the object to be lit. Where signs and similar objects can be lit from above with lighting directed downward, this option should be employed. Where it is not possible, sufficient shielding should be employed to focus the light on the object rather than allowing it to escape upward and pollute the night sky.
 - 2. Shielding shall be employed to prevent light sources within light fixtures from being directly visible from adjacent properties. The fixture shield shall provide a sharp cutoff to prevent spillover lighting of the surrounding area and/or the sky. In order to qualify as a "shielded" fixture it must have the top and sides made of completely opaque material such that light only escapes through the bottom of the fixture. Merely placing a light fixture under an eave, canopy, patio cover or other similar cover does not qualify as full shielding unless the light source is sufficiently recessed into the building or the building itself provides full shielding.
 - 3. Such Light fixtures shall be located to prevent or avoid damage from roof snowshed or snow removal equipment. The lighting fixture shall be located between twelve feet (12') and six feet (6') in height above finished grade of the public sidewalk, walking surface or driveway.
- B. The correlated color temperature of any outdoor lighting fixture shall not exceed three thousand degrees kelvin (3,000° K)
- C. Light fixtures shall not emit more light than is necessary to accomplish its purpose:
 - 1. Each fixture shall be not more than two hundred fifty (250) watts per fixture (standard incandescent bulb, or equivalent luminance florescent or LED bulb), and F fixtures shall be spaced sufficiently to provide adequate light as required by the building code (amd. Ord. 17-004, 7-11-2017)
 - 2. Parking lot lights, yard lights, or both, may be required for multi-family, commercial and industrial projects. The Planning Commission shall review the proposed lighting plan of a project to determine that it meets the minimum lighting requirement for safety while maintaining sensitivity to night sky preservation.
 - 3. Total outdoor lighting shall not produce more than 25,000 lumens per acre or more than five (5) lux at any property boundary for commercial properties or more than 5,000 per acre or more than one (1) lux at any property boundary for residential properties.

4. Architectural and aesthetic lighting shall use low-lumen light sources

D. Outdoor lighting shall only be used when necessary to accomplish its purpose:

1. Outdoor lighting not necessary for business operation or identification or for safety purposes shall not be permitted after 10:00 pm or one hour after the business is closed

2. Security lights shall be operated on a motion sensor

A. Building And Yard Lighting: Outdoor lights shall be designed and installed to reduce and eliminate light pollution, shall be conducive to preserving night sky quality, and to the following standards:

1.3. Yard lighting fixtures and lamps may be selected by the property owner. To reduce light pollution, the fixtures shall be mounted to the building or of a pole type that directs light towards the ground and focuses on the object to be lit. The fixture shield shall provide a sharp cutoff to prevent spillover lighting of the surrounding area and/or the sky.

2.1. Such fixtures shall be located to prevent or avoid damage from roof snowshed or snow removal equipment. The lighting fixture shall be located between twelve feet (12') and six feet (6') in height above finished grade of the public sidewalk, walking surface or driveway.

3.1. Each fixture shall be not more than two hundred fifty (250) watts per fixture (standard incandescent bulb, or equivalent luminance florescent or LED bulb), and fixtures shall be spaced sufficiently to provide adequate light as required by the building code (amd. Ord. 17-004, 7-11-2017)

4.1. Parking lot lights, yard lights, or both, may be required for multi-family, commercial and industrial projects. The Planning Commission shall review the proposed lighting plan of a project to determine that it meets the minimum lighting requirement for safety while maintaining sensitivity to night sky preservation.

B-E. Subdivision & Street Lighting:

1. Street lighting will be used to ensure safety and mobility.

- i. Street lights will be placed at all intersections with a state highway and all intersections with a town collector road (as defined in the Brian Head Transportation Master Plan)
- ii. The Public Safety Director may order the placement of additional street lights where necessary to preserve public safety
- iii. The specifications of street lighting fixtures will be in accordance with the Town's public works standards and shall utilize lamp types that are energy efficient and minimize sky glow and other negative impacts of artificial lighting
- iv. Pedestrian trails, sidewalks and walkways may be lit with minimum light necessary to ensure pedestrian safety and in accordance with Public Works Standards

1.2. Subdivision plans (either residential or non-residential) shall provide for the minimum lighting of all streets, intersections and cul-de-sacs over three hundred feet (300') in length in accordance with subsection 9-12-6(E)(1) and the Town's public works standards.

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~~2.3.~~ At the option of the town, additional streetlights along the public right of way may be required. Said streetlights, when required, shall conform to ~~the streetlight requirements of this chapter and~~ the town public works standards.

~~3. In commercial, industrial and all other nonresidential subdivisions, streetlights, yard lights, or both, shall be required. The town shall have the discretion to determine the appropriate lighting for each subdivision. Said streetlights and yard lights shall conform to the requirements of this section.~~

4. Subdivision lighting plans shall include:

i. ~~the~~ The location, height and overhang of each light.

ii. ~~the size of lights in lumens and type of luminator, and where practicable, the most energy efficient luminators shall be used.~~

~~4.iii. a drawing or photograph of the typical streetlight and standard proposed and the location of energy meter, switches, cutoffs, etc., if any.~~

5. Subdivision plans shall include the size of lights in watts and type of luminator, and ~~where practicable, the most energy efficient luminators shall be used.~~

~~6. Subdivision plans shall include a drawing or photograph of the typical streetlight and standard proposed and the location of energy meter, switches, cutoffs, etc., if any.~~

F. ~~Exception~~Exemptions: - The following shall be exempt from the requirements of this chapter:

1. Holiday lighting from November 15 to January 15 as long as it does not create a safety hazard or nuisance to surrounding businesses or residences

2. Traffic control signals and devices or temporary emergency lighting in use by law enforcement or government agencies or at their direction

3. The lighting of federal or state flags; provided that the light is a narrow beam aimed and shielded to illuminate only the flag. Flag lighting should use appropriate illumination levels to light the flag, while at the same time fulfilling the purposes of this chapter. Up-lighting of flags is permitted with a limit of three (3) fixtures per flagpole with a maximum of two thousand (2000) lumens each. The fixtures must be shielded such that the point source is not visible outside of a fifteen (15) foot radius.

4. Lights on snow removal or grooming equipment engaged in winter snow operations

5. Lighting plans for recreational uses (such as ballfields, parks or night skiing) which do not strictly adhere to the requirements of this section may be approved by the Planning Commission following a determination that the lighting plan meets the spirit of the lighting requirements and upon the condition that lighting will be subject to a reasonable curfew.

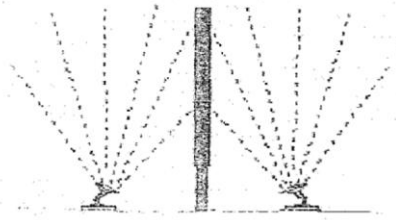
6. The subdivision lighting requirements noted in this subsection shall not apply where it has been determined by the town that such lighting would adversely affect the Cedar Breaks Monument, and where a written agreement to that effect has been reached between the Town Council, Planning Commission, and the Cedar Breaks Monument staff.

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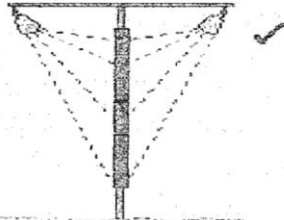
EXAMPLES OF SOME
COMMON LIGHTING FIXTURES

POOR

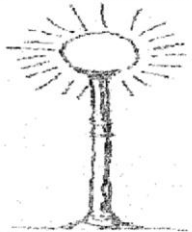


Ground-mounted
Billboard Floodlights

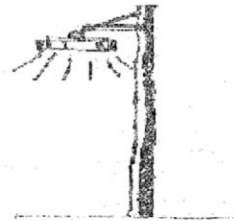
GOOD



Top-mounted
Billboard Floodlights
(carefully focused onto billboard)



Undesirable visibility
of light source



Desirable shielding of light