

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

Date: Wednesday, December 1, 2021

Time: 6:30 PM

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, Chair 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.

**PLEASE NOTE, WE HAVE TRANSITIONED TO ZOOM
** HOW TO JOIN THE ZOOM CONFERENCE CALL ****

Meeting ID: 660 541 0108 Passcode: 84532

Option 1 Dial-in phone number (US): (253) 215-8782 follow prompts.

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

<https://zoom.us/j/6605410108?pwd=Q05sYm5qQ0lpNIY5TVp2bTU5VnZjQT09>

CALL TO ORDER PUBLIC HEARING – Dark Sky Ordinance draft language
Determination and Roll Call

1. Open Public Comment
2. Adjournment

CALL TO ORDER REGULAR MEETING

1. Adoption of Agenda
2. Open Public Comment
3. Approval of Minutes Regular Meeting 11.10.2021
4. Reports -
 - Correspondence: TBA
 - Town Council Meeting(s) - Thompson
 - Building Permit Agent Report - Thompson –
 - Permit Activity
 - Updates on Recent Applications
 - Procedural Matters: TBA

NEW BUSINESS

5. Discussion and Possible Action re: Dark Sky Ordinance draft language
6. Discussion and Possible Action re: PLUC recommendation to Town Council to approve Conditional Use Permit and business license renewals for 2021
7. Discussion and Possible Action re: PLUC recommendation to Town Council to approve non-permanent Conditional Use Permits for 2021

UNFINISHED BUSINESS

8. Closed Meeting – If Needed

ADJOURNMENT

For Meeting Packets go to: <https://www.utah.gov/pmn/index.html>

Government: select "Cities," Entity: select "Castle Valley," Body: select "Town of Castle Valley." Select this meeting and click on "Download Attachments."

DRAFT (11-19-21)
TOWN OF CASTLE VALLEY
DARK SKY ORDINANCE 2021-?
AN ORDINANCE ESTABLISHING LIMITS ON OUTDOOR LIGHTING
IN THE TOWN OF CASTLE VALLEY
This Ordinance 2021-1 dated XXXXX supersedes any earlier Lighting Ordinance 1991-1

PREAMBLE:

WHEREAS, the governing body of the Town of Castle Valley is authorized by Utah Code 10-9a-102.2(g), (2019), to enact by Ordinance land use controls for the use and effect of lighting that the Town considers necessary or appropriate for the Town of Castle Valley;

WHEREAS, the governing body of the Town of Castle Valley wants to encourage outdoor lighting practices that will minimize light pollution, glare, light trespass, and skyglow in order to preserve the natural darkness of the night sky, prevent adverse effects on flora and fauna, and avoid lighting nuisances on properties;

WHEREAS, the 2020 General Plan of the Town of Castle Valley reflects strong support from property owners for achieving designation as an International Dark Sky Community from the International Dark Sky Association;

WHEREAS, Ordinance 1991-1 of the Town of Castle Valley, the Town's original ordinance establishing limits on outdoor lighting in the Town, previously ordained that all outdoor lighting including insect control devices shall be equipped with fully shielded fixtures that concentrate illumination upon the building and grounds of the owner and prevent bright or direct illumination from being directly visible from other properties in the Town or from any public rights of way therein and that indoor lighting shall not be constructed or used to circumvent the restrictions on outdoor lighting ;

WHEREAS, the governing body of the Town of Castle Valley is authorized by Utah Code 10-8-60, (1990) to declare what shall be a nuisance, abate the same, and impose fines upon persons who may create, continue or suffer nuisances to exist;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE VALLEY AS FOLLOWS:

SECTION I: GENERAL PROVISIONS

A. Interpretation: In interpreting and applying this land use ordinance, the provisions hereof shall be construed to be consistent with the reasonable minimum requirements needed to protect and promote the public health, safety, order, prosperity and general welfare of the present and future inhabitants of this town. It is not intended by the adoption of this land use ordinance to repeal, abrogate, annul or in any way impair or interfere with any existing easement, covenant or other agreement between parties. Provided, however, that where this land use ordinance imposes a greater land use restriction than is required by any other regulation or other provision of law or by any public easement the provisions of this land use ordinance shall prevail.

B. Severability: This land use ordinance and the various parts, sections and clauses are hereby declared to be severable. If any part, section, paragraph, sentence, clause or phrase is adjudged unconstitutional or invalid, it is hereby declared that the remainder of this land use ordinance shall not be affected thereby.

SECTION II: DEFINITIONS

ABANDONMENT: Failure to occupy, maintain, prevent dilapidation or suspension of construction for a period of one year or more,

AGRICULTURE: The work of producing crops and raising of livestock.

ARCHITECTURAL LIGHTING: Lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.

BULB: A generic term for a source of light often called a “lamp” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays

CORRELATED COLOR TEMPERATURE (CCT): A measure in degrees Kelvin (°K) of light’s warmth or coolness. Lamps with a CCT of less than 3,200 °K are pinkish and considered warm. Lamps with a CCT greater than 4,000 °K are bluish–white and considered cool.

DIRECT ILLUMINATION: Direct line of sight of a bulb when viewed off property.

DROP LENS: Any glass or diffuser surrounding the bottom or any part of a fixture that allows light to be emitted from the top or sides of the fixture.

FIXTURE: The complete lighting unit consisting of a bulb, or bulbs and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

FLOODLIGHT: A fixture and/or bulb designed to “flood” a well defined area with light.

FULLY SHIELDED FIXTURE: A fixture constructed and installed so that no direct illumination occurs below the horizontal plane of the light fixture.

KELVIN: A scale of temperature used to measure the color temperature of light. Each kelvin represents the equivalent of one degree Celsius.

LANDSCAPE LIGHTING: Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.

LED: Light emitting diode.

LIGHT TRESPASS: Light that falls beyond the property boundary it is intended to illuminate.

LIVESTOCK: Animals such as cattle, sheep, swine, horses, mules, buffalo, llamas, goats, geese, emus, ostriches, swans, peafowl, turkeys, chickens, ducks and other fowl. This definition does not include domestic pets such as dogs or cats.

LOT: A legally platted parcel of land of five (5) acres or more including easements.

LOW VOLTAGE: Landscape lighting powered at less than 15 volts and limited to fixtures having a rated initial fixture lumen output of 525 lumens or less.

LUMEN: The unit of measure used to quantify the brightness of light produced by a bulb or emitted from a fixture (as distinct from “watt,” a measure of power consumption).

NONCONFORMING USE: A use of land that legally existed before its current land use designation, but because of one or more subsequent changes to Town Land Use Regulations, does not conform to the regulations that now govern the use of the land. A nonconforming use must have been maintained continuously since the time Town Land Use Regulations were enacted or changed to make the land use nonconforming and not abandoned for a period of one year or more.

OUTDOOR LIGHTING: lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.

PATHWAY (WALKWAY) LIGHT: low voltage or solar lights provided the lights are installed along a pathway or walkway, no more than eighteen inches (18") above the adjacent ground level, and have caps that direct the light downward.

PUBLIC BUILDING: Any structure built on a lot owned by a government entity or a Town-approved structure on a lot that serves a public need or service.

SETBACK: The shortest distance between the outside surface of the foundation, wall or main frame of a building, septic system or well, to the legally platted street easement line, side property line or back property line.

SKYGLOW: The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.

SPOTLIGHT: A fixture and/or bulb designed to light only a small, well-defined area.

TOWN BUILDING: Any structure built on a Town lot.

WATER FEATURE LIGHTING: Lighting used to emphasize or draw attention to any pool, waterfall, or water-linked installation.

WATTAGE: A measure of the amount of power used by a device.

SECTION III. SCOPE AND APPLICABILITY:

A. Description: The Town of Castle Valley's Rural Agricultural Residential Zone (RAR-1) with single-family low-density housing and lack of commercial or business zone can be described as a low ambient lighting zone where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Low to medium levels of lighting are appropriate. Lighting may be used for safety and convenience but should not be necessarily uniform or continuous.

B. Compliance: All exterior outdoor lighting installed after the effective date hereof in the Town shall conform to the requirements established by this Ordinance. These requirements do not apply to indoor lighting. However, light trespass from interior lighting that negatively impacts adjacent properties or the overhead skyglow of the night sky is also prohibited.

C. Nonconforming Uses: All existing outdoor lighting that does not meet the requirements of this Ordinance shall be considered a nonconforming use. Where appropriate, the town may also provide assistance and expertise to homeowners in bringing their exterior lighting fixtures into compliance.

The continuation of the right to a nonconforming use will be terminated:

1. Upon replacement of outdoor light fixtures or bulbs.
2. Abandonment of the residence or building for one year.
3. Repair to correct damage that would cost more than 50% of new light fixture.
4. Replacement of more than 50% of the nonconforming lights.
5. Upon determination of a nuisance violation per the Town Complaint Resolution Process (See Ordinance 2021-2).
6. Upon change of ownership.

D. Modifications: Compliance through the Building Permit/Zoning Process: The Town shall require exterior lighting fixtures to be brought into compliance, through the building permit process, if substantial modifications are made to the exterior of the building or if the footprint of the structure is enlarged or changed.

E. Any commercial entity currently operating within the Town or any future commercial entity approved by the Town shall comply with the conditions in this Ordinance.

F. Any Town building or Town construction shall comply with the conditions in this Ordinance except where specifically stated or exempted (See Section IX.B.1).

G. Any public building or public construction shall comply with the conditions in this Ordinance except where specifically stated or exempted (See Section IX.B.1).

H. New installations of outdoor lighting on public properties and in public rights of way shall be permitted only when, in the opinion of the Town Council, a specific public safety hazard exists that can only be mitigated by the use of outdoor lighting.

SECTION IV: STANDARDS AND CONDITIONS

A. Unless specifically exempted by this Ordinance, all outdoor lighting shall use fully shielded fixtures that are designed and constructed so that no light is emitted from the top or sides of the fixture. Lighting must be placed at a location, angle or height to prevent direct illumination outside the property boundaries where the light fixtures are located. Bulbs shall not be directly visible off property.

1. In order to qualify as a fully shielded fixture, a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as fully shielded. No drop lenses are allowed. Merely placing a light fixture under an eave, canopy, patio cover or other similar cover does not qualify as fully shielded if it does not prevent direct illumination off the property or skyglow above.

2. In certain cases (such as, but not limited to, properties on or near ridgelines or hillsides or second story lighting), additional shielding may be required to mitigate glare or light trespass on downslope properties. The need for additional shielding will be considered as part of the review process performed by the Building Permit Agent prior to approval of any business or residence.

B. Minimum Necessary: Outdoor lighting shall be the minimum necessary to provide for safety and functionality. The lowest lumen light source necessary for a lighting application shall be used.

C. All outdoor lighting shall be turned off when not in use and shall not be left on overnight.

D. All town or public outdoor lighting shall be turned off by 10:00 P.M. or thirty (30) minutes after end of an approved activity, whichever is later.

E. Maximum Lighting Allowed: The total amount of outdoor lighting shall not exceed 5000 lumens per lot. Lots joined for tax purposes shall be counted as one lot.

F. Maximum lumens are limited to

1. Max lumens per fully shielded bulb -1000 lumens.

2. Max lumens per fully shielded directional floodlight or spotlight bulb –1260.

G. Maximum Color Temperature of All Lighting Fixtures: The correlated color temperature (CCT) of any outdoor lighting fixture shall not exceed three thousand kelvin (2700 K).

H. Allowable Applications: Outdoor lighting shall only be allowed in the following applications:

1. To illuminate the entrances to buildings (including garage and barn entrances).

2. To illuminate pathways and walkways.

3. To illuminate residential parking areas.

- a. The overall height of any light post plus fixture used for illumination in residential parking areas shall not exceed six feet (6').

- b. The location of any light post must conform to standard zoning setbacks as defined in Ordinance 85-3:5.2.A and B.

4. To illuminate outdoor areas, such as patios, pool and hot tub areas, outdoor dining areas, barn yards and recreation areas provided they are turned off when not in use and not left on overnight. The output from low-lumen, low-voltage string lights shall not exceed two (2) percent of the total outdoor light output allowed for the property and shall be included in the maximum lumens calculation provided they are turned off when not in use and not left on overnight.

5. For motion sensor lighting, provided all the following conditions shall be met:

- a. The lighting is activated by motion sensors and shuts off within ten (10) minutes after each disturbance.

- b. The motion sensor shall be set to an appropriate sensitivity to prevent unnecessary triggering.

- c. The motion sensor light has a manual shut off switch and is turned off within ten (10) minutes of when activity is completed.
- d. The lighting is placed and directed at a forty-five degree (45°) angle or less (where the zero angle is pointing straight down) such that no bulb can be seen by direct line of sight outside the property boundaries, and no direct illumination falls outside the property boundaries where the security lighting is placed.
- 6. Insect control devices that use visible light shall also comply with the outdoor lighting restrictions set forth herein.
- I. Outdoor and indoor lights, including lights controlled by motion sensor detectors, shall be turned off when occupant is not currently or actively residing in Castle Valley.
- J. Indoor lighting shall not be constructed or used in such a fashion that creates direct illumination that falls outside the property boundaries.

SECTION V. SPECIALIZED OUTDOOR LIGHTING:

- A. Public Parking Lots: The overall height of any light post plus fixture used to illuminate parking lots shall not exceed fifteen feet (15'). All post mounted parking lot lights must conform to standard zoning setbacks for structures as defined in Ordinance 85-3:5.2.A and B. Public parking lot lighting shall adhere to all other Standards and Conditions in Section IV.
- B. Recreational areas on Town Lot: The overall height of any light post plus fixture used to illuminate recreation areas shall not exceed fifteen feet (15'). All post mounted lights must conform to standard zoning setbacks as defined in Ordinance 85-3:5.2.A and B. Recreational area lighting shall adhere to all other Standards and Conditions in Section IV.
- C. Lighting for flags: Flag lights shall be fully shielded and low voltage. They shall be pole mounted and pointed downward lighting the flag from above.
- D. When lighting is required by the Federal Aviation Administration (FAA) or the Federal Communications Commission (FCC), such lighting shall not exceed the minimum requirements of those agencies. Collision markers should have a dual mode for day and night to minimize impact to the night sky and migrating birds.

SECTION VI. EXEMPTIONS:

- A. Holiday lighting from November 15 to January 15 when residence is currently or actively occupied as long as it does not create a hazard or nuisance to surrounding residences.
- B. Temporary use authorized by law enforcement or government agency of traffic control signals and devices.
- C. Temporary emergency lighting in use by law enforcement or government agencies, or at their direction.
- D. Lighting that is only used under emergency conditions.
- E. Light bulbs under 100 lumens used to illuminate pathways in residential areas are exempted from the maximum lumen cap per lot, provided the lights are installed no more than eighteen inches (18") above the adjacent ground level and are fully shielded.
- F. Temporary use of lighting for agricultural buildings currently housing livestock shall be exempt from the maximum limit of 5000 lumens per lot (See Section IV.D) provided that the lights shall:
 - 1. Be fully shielded.
 - 2. Not be motion activated.
 - 3. Conform to maximum lumen limits for outdoor bulbs as described in Section IV.E and IV.F.
 - 4. Be used only when actively caring for livestock.
 - 5. Have a manual turn off switch and not be left on overnight.

SECTION VII. PROHIBITED LIGHTING:

- A. Architectural, landscape, and water feature lighting.

- B. Flashing, blinking, intermittent or other lights that move or give the impression of movement, not including holiday lighting between November 15 and January 15.
- C. Searchlights, laser source lights or any similar high intensity light.
- D. Light trespass from interior lighting that negatively impacts adjacent properties or the overhead skyglow of the night sky is prohibited.
- E. Illuminated signs. (See 85-3:4.8.3(10)).
- F. Underwater lighting in swimming pools that do not have full turn-off features.
- G. Lighting within public right-of-way or easement for the principal purpose of illuminating streets, roads, or intersections, except as allowed by temporary exemptions in other provisions of this Ordinance (See Sections VI.B.C.D).
- H. All monopole, antenna, tower or support facility lighting not required by the FAA or the FCC.
- I. Lighting that violates the vision and purpose of this ordinance.

SECTION VIII: VIOLATIONS:

- A. The installation, maintenance or operation of any lighting fixture not in compliance with the provisions of this Ordinance if such fixture is installed subsequent to the date when this Ordinance is formally adopted. Owners of existing outdoor lighting shall bring their lighting fixtures into compliance with this Ordinance within two (2) years after its effective date. Exception: See Section III.C.5.
- B. The alteration of outdoor lighting fixtures after a Certificate of Occupancy has been issued without the review and approval of the Building Permit Agent when such alteration does not conform to the provisions of this Ordinance.
- C. Failure to shield, correct or remove lighting that is installed, operated, maintained or altered in violation of this ordinance, brought to the attention of the Town Council by citizen complaint, which is not corrected within 60 days after demand by the Town of Castle Valley is made to the owner, shall be a Class B misdemeanor. Property owners may request a hearing before the governing body of the Town of Castle Valley to show why their lighting does not constitute a nuisance.
- D. Persons violating this ordinance shall be prosecuted in the Grand County Justice Court, the Seventh Circuit Court, or any other court of competent jurisdiction until and unless a justice court for the Town of Castle Valley is established.

SECTION IX: APPLICATION AND REVIEW PROCEDURE:

- A. Conformance with All Applicable Codes: All outdoor lighting shall be installed in conformance with the provisions of this Ordinance, applicable Electrical and Energy Codes, and applicable sections of the Building Code.
 - 1. The lighting plan for all new development shall be submitted for approval concurrent with the associated building permit application process.
 - 2. The Certificate of Occupancy review may include a nighttime inspection at the discretion of the Castle Valley Building Permit Agent. Outdoor lighting must be in compliance with this ordinance before a Certificate of Occupancy will be approved.
- B. Building Permit Application Requirements
 - 1. Town and public building permit applications shall include the following:
 - a. In addition to electrical plans required by applicable Electrical and Energy Codes and applicable sections of the Building Code, elevation plans indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of lamps, supports, and shielding.
 - b. Illustrations, such as contained in a manufacturer's catalog cuts, of all proposed lighting fixtures. The applicant must provide sufficient information regarding the light fixture location, lumens, and shielding mechanisms to be able to determine compliance with this ordinance.

- c. A table showing the amount of pre-existing and proposed exterior lights, by fixture type, lumens and lamp type, shielding, location, and total lumens.
- 2. Residential building permit applications for dwellings, accessory buildings or other structures shall include the following:
 - a. In addition to electrical plans required by applicable Electrical and Energy Codes and applicable sections of the Building Code, elevation plans indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of lamps, supports, and shielding. The applicant must provide sufficient information regarding the light fixture location, lumens, and shielding mechanisms to be able to determine compliance with this ordinance.
 - b. A table showing pre-existing and proposed exterior lights, by fixture type, lumens and lamp type, shielding, location, and total lumens.

EFFECTIVE DATE

This amended ordinance shall take effect on the XXXXXX, 2021, or upon its publication in the Times Independent, whichever occurs later.

PASSED, ADOPTED AND APPROVED by the Town Council of the Town of Castle Valley in open session on the day of, 2021.

Those voting AYE:

Those voting NAY:

ABSENT:

TOWN OF CASTLE VALLEY:

Jazmine Duncan, Mayor

ATTEST:

Jocelyn Buck, Town Clerk

Official Seal of the Town of Castle Valley:

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

Date: Wednesday, November 10, 2021

Time: 6:30 PM

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, *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 lumens color temperature (kelvins) from 3000k to 2700k makes the light dimmer more yellow. Colleen clarifies that it is the color of the light 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 will need 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 a Demolition permit 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 the health department 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 we want to State requires be timely 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

11/17/21 Regular Town Meeting, Report to PLUC

Water Agent and Water Committee Report

- John Groo attended fire district meeting about providing nonpotable water to people with cisterns. Still lots to research. Some questions include how to charge people for cost, pump wear.

- Jason Matz asked about state grant to do work on green belt lot for irrigation co. OB: Diversion access is overgrown with russian olive, tamarisk. Possibly water is reduced. Also fire hazard of overgrowth. Unfortunately state might require glyphosate treatment. Castle Valley historically disallows that. Hypocrisy issue. No vote yet, just did field trip & discussed concerns.

Roads Committee

- M Duncan reports we've officially transitioned to Dorje Hohner as supervisor. DH will be communicating with Emery about their repairs.

Fire District

- Susan Halliday is planning the Xmas parade for 12/21 at 6pm.
- Emery 911 was going to Washington County, since resolved.
- Fundraiser still underway. \$46k raised so far. Jayne May pledged \$50k more. Linda Skogrand doing yeoman's work. It will go toward new engine.

Administrative Matters & Procedures:

Town letters—Harry Holland re BLM fire mitigation around Round Mtn. HH will remind BLM about agreed-on criteria. HH suggested sending info to town residents; some are working on their own up there.

Emery Service to Town Building—Cheaper to go w/Emery phone/fiber bundle, have radio backup in case of power outages. Definitely need Emery fiber for internet, Frontier is painfully slow.. Discussion about phones: long dist cost, power outages. Will likely save about \$100/mo.

RMP grant—Joc: \$2400 grant for community lot; can't be used for gravel. Maybe playground mulch for part. Today painted pickleball court. Discussed replacing lawn.

New Town email provider—staff discussions have concluded that the website is OK, but we need suggestions about email providers. HH son can work on that.

Road Committee ordinance amendment: small correction to quorum number.

NEW BUSINESS

Discussion and Possible Action re: Approval of 2022 Meeting Dates

Road Committee will now meet quarterly, instead of monthly, unless needed. TC approved presented list of dates.

Discussion and Possible Action re: Amendments to Fire Ordinance 2007-6

Removed recreational firepit exception

Discussion and Possible Action re: Amendments to Ordinance 95-6 Building Permit and other Land Use Permit processes

Amendments determined to be administrative, so no Public Hearing needed. Passed as presented.

—Colleen Thompson

TOWN OF CASTLE VALLEY - Building Permits Report
Approval Date Between 11/1/21 And 11/30/21

Approval	Lot	Road	Owner	Type	Purpose	Description	Height	Sq Ft <=19	Sq Ft >19
11/5/2021	167	Buchanan Lane West	Frey, David & Susan	Electrical	Residence	Upgrade svc to 200 am	0	0	0
11/10/2021	335	Keough Lane	Maw, Dylan & Jessica	Electrical	Residence	Elec svc for TDP, future	0	0	0

Town of Castle Valley Home/Premises & Nonpermanent CUP renewals for 2022 (as of 12/1/21)

						Renew	Disc	Biz	Print
	HPO CUPS								
43	Lazaris Lane West	Leta Vaughn	Home Occupation	Architectural desi/drafting & Handyman services	Red River Dwellings	x		x	PDF
124	Pace Lane West	Colleen Smith	Premises Occupation	on-line vest sales	PatchVest.com	x		x	x
153	Buchanan Lane East	Egmont Honer	Premises Occupation	Design/sales of electronic precision instruments	Metric Works LLC	x		x	x
157	Buchanan Lane East	Jeff Johnston	Premises Occupation	Construction	JRJ Construction LLC	x		x	x
164	Buchanan Lane West	Mitch Stock	Home Occupation	Construction office	Round Mtn. Builders, LLC	x		x	x
280	Pope Lane East	Erik Secrist/Darin Menlove	Premises Occupation	Cheesemaking/ag wholesale	Castle Valley Creamery	x		x	x
328	Castle Valley Drive	David Erley	Home Occupation	Consulting	Castle Rock Consulting	x		x	x
387	Castle Creek Lane	Jason/Ali Matz	Premises Occupation	Landscaping, construction, welding	Castle Rock Property Mgmt	x		x	x
387	Castle Creek Lane	Alison Fuller	Home Occupation	herbal products	Sister Root Medicinals	x		x	x
391	Castle Creek Lane	Sam Welch	Premises Occupation	Gun engraving	Sam Welch Gun Engraving	x		x	x
418	Cliffview Drive	Paul Smyth	Premises Occupation	Psychotherapy	Paul A. Smyth, Ph.D.	x		x	x
436	Rimrock Lane	Ken & Alice Drogin	Premises Occupation	Plant nursery & irrigation supplies	Canyon Nursery	x		x	x
411	Cliffview Drive	Kelly Michaud	Home Occupation	massage therapy	Shift Structural Integration	x		x	
413	Cliffview Drive	Michael Dunton	Premises Occupation	Sculpture workshop	Michael Ford Dunton Studio	x		x	
54	Lazaris Lane East	Deb/George Holling	Home Occupation	Fudge production for wholesale & online sales	Farmhouse Fudge Inc.	x			
54	Lazaris Lane East	Deb/George Holling	Home Occupation	Computer Modeling	Electric Drivetrain Tec	x			
161	Buchanan Lane West	Jazmine Duncan	Home Occupation	On-line sales	The Attic Shelves	x			
219	Miller Lane West	Mitchell May	Premises Occupation	Office	Synergy	x			
373	Homestead Road	Randy Jorgen	Premises Occupation	Sculpture		x			
373	Homestead Road	Randy Jorgen	Home Occupation	Editor, writer		x			
373	Homestead Road	Kaaron Jorgen	Home Occupation	Potraiture		x			
400	Cliffview Drive	Dave Wagstaff	Premises Occupation	Construction	Dave Wagstaff Constr	x			
430	Rimrock Lane	David Rhoads	Home Occupation	IT company. Online repair, sales of computer acc	Hi Tech Solutions				
	Biz License Only no CUP)								
424	Amber Lane	Scott Osumi	Special contract	B&B	Castle Valley Inn	n/a		x	x
	Nonpermanent CUPS								
328	Castle Valley Drive	David Erley	Nonpermanent CUP	Windmill	Pond aeration	x			
54	Lazaris Lane	HF Holdings Inc.	Nonpermanent CUP	Exclusionary fence		x			
55	Lazaris Lane	HF Holdings Inc.	Nonpermanent CUP	Exclusionary fence		x			
	Discontinued CUPS								
188	Shafer Lane East	Barbara McGann	Home Occupation	Medical coding	Castle Valley Coding		x		
230	Miller Lane East	Matt Langer	Premises Occupation	Guided horse trips on public lands	Moonlight Mile		x verbal		
328	Castle Valley Drive	Irma van der Steenstraee	Premises Occupation	Art studio	Blue Rain Studio		x		