



EMIGRATION CANYON
METRO TOWNSHIP

Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

**MEETING MINUTE SUMMARY
EMIGRATION PLANNING COMMISSION MEETING
Thursday, May 11, 2023 8:30 a.m.**

Approximate meeting length: 2 hours 7 minutes

Number of public in attendance: 0

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Wallace

***NOTE:** Staff Reports referenced in this document can be found on the State website, or from Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

| Commissioners | Public Mtg | Business Mtg | Absent |
|-------------------------|------------|--------------|--------|
| Andrew Wallace (Chair) | x | x | |
| Alex Pacanowsky | | | x |
| Jim Karkut | x | x | |
| Dale Berreth | x | x | |
| Tim Harpst (Vice Chair) | x | x | |
| Jodi Geroux | x | x | |

| Planning Staff / DA | Public Mtg | Business Mtg |
|---------------------|------------|--------------|
| Wendy Gurr | x | x |
| Jim Nakamura | x | |
| Erin O’Kelley | x | x |
| Matt Starley | x | |
| Kayla Mauldin | x | |
| Adam Long | x | x |

BUSINESS MEETING

Meeting began at – 8:31 a.m.

- 1) Approval of the February 16, 2023 Planning Commission Meeting Minutes. (Motion/Voting)

Motion: To continue the February 16, 2023 Planning Commission Meeting Minutes to June 15th.

Motion by: Commissioner Wallace

2nd by: Commissioner Geroux

Vote: Commissioners voted unanimous in favor (of commissioners present)

Approval of the March 16, 2023 Planning Commission Meeting Minutes. (Motion/Voting)

Motion: To approve the March 16, 2023 Planning Commission Meeting Minutes.

Motion by: Commissioner Wallace

2nd by: Commissioner Geroux

Vote: Commissioners voted unanimous in favor (of commissioners present)

Approval of the March 24, 2023 Planning Commission Meeting Minutes. (Motion/Voting)

Motion: To approve the March 24, 2023 Planning Commission Meeting Minutes.

Motion by: Commissioner Wallace

2nd by: Commissioner Geroux

Vote: Commissioners voted unanimous in favor (of commissioners present)

Approval of the April 13, 2023 Planning Commission Meeting Minutes. (Motion/Voting)

Motion: To approve the April 13, 2023 Planning Commission Meeting Minutes.

Motion by: Commissioner Wallace

2nd by: Commissioner Geroux

Vote: Commissioners voted unanimous in favor (of commissioners present)

2) Other Business Items. (As needed)

No other business items to discuss.

PUBLIC HEARING(S)

Hearing began at – 8:35 a.m.

OAM2022-000715 – Emigration Canyon Planning Commission will be holding a public hearing to hear public comments on recommended amendments to the Emigration Canyon Municipal Code: 19.73.110 Night Lighting. The proposed ordinance language updates will update the existing language within the Municipal Code as a subsection of the current Chapter 19.73 Foothills and Canyons Site Development and Design Standards. Addressing Night Lighting Standards was identified as an action item from the 2021 Emigration Canyon General Plan. They are intended to help maintain the rural atmosphere and community character of the Metro Township, protect ecological conditions and nocturnal wildlife within the Metro Township, maintain nighttime safety, utility, and security, and encourage lighting practices that promote energy conservation. **Planner:** Matt Starley (Motion/Voting)

Greater Salt Lake Municipal Services District Planner Erin O’Kelley and Matt Starley provided an analysis of the Ordinance requested changes.

Basement – Change to “An area of a building” to “The area of a building.” Change throughout the ordinance.

BUG Rating – Greater than 60-degrees from Nadir. Add lines to graphic figure.

Candela – Intensity instead of strength.

*Cut-off – spelling different throughout the document, should be **cutoff** throughout.*

Full-cutoff fixture – add dash between fully and shielded in Fully shielded fixture. Eliminate the last sentence after Nadir.

Glare – remove visual performance or.

Lumen – accept Commissioner Karkut’s change.

Religious Institutions Property – add S to structure, so structures.

Security Lights- accept Commissioner Karkut’s change.

19.73.112 C. – Amortization with Commissioner Karkut’s change using the word compliant spell out five (5).

D.1.b – accept Commissioner Karkut’s change

D.2 – accept Commissioner Karkut’s change

E.1 – accept Commissioner Karkut’s change 2, last requirement singular

19.73.113 A.1.i – change the word clearly to specific.

F – change identified to described

F.4.a. – government agency, rather than governing agency

19.73.114 A.1. – first sentence delete except those listed below, after closing add until 6:00am the following morning, except those listed below.

19.73.115 D.1. – change to following requirements apply instead of standards

19.73.118 A.1. – Delete the last sentence.

19.73.119 A. – Delete for Exemption and just have Appeal.

B.1.a. – change to failing to meet the night lighting limitations

C.2. – Delete number two in its entirety 2.a.i

19.73.112 A. – add number 2. Given the steep and variable topography of the Metro Township, it is possible that lighting that is compliant with this ordinance could cause unwanted effects of light pollution, glare, light trespass, sky glow, and degradation of the night sky environment. In these instances, the metro township encourages property owners to consider taking steps to mitigate such conditions.

19.73.118 B. – remove header approval procedure. B.1 as number 3. and add number 4. In the event lighting installed pursuant to improved lighting plan is not compliant with this Chapter, the property owner shall bring lighting into compliance.

19.73.119 D.1. – add for each day a violation. \$50.00 per day after the expiration of the 30-day.

Commissioner Wallace motioned to open the public hearing, Commissioner Berreth seconded that motion.

PUBLIC PORTION OF HEARING OPENED

No one from the public present

Commissioner Karkut motioned to close the public hearing, Commissioner Harpst seconded that motion.

PUBLIC PORTION OF HEARING CLOSED

Motion: To recommend approval of file # OAM2022-000715 for the recommended amendments to the Emigration Canyon Municipal Code: 19.73.110 Night Lighting. The proposed ordinance language updates will update the existing language within the Municipal Code as a subsection of the current Chapter 19.73 Foothills and Canyons Site Development and Design Standards. Addressing Night Lighting Standards was identified as an action item from the 2021 Emigration Canyon General Plan. They are intended to help maintain the rural atmosphere and community character of the Metro Township, protect ecological conditions and nocturnal wildlife within the Metro Township, maintain nighttime safety, utility, and security, and encourage lighting practices that promote energy conservation and incorporate amendments (attached) that revise ordinance to the Emigration Canyon Metro Township Council.

Motion by: Commissioner Karkut

2nd by: Commissioner Geroux

Vote: Commissioners voted unanimous in favor (of commissioners present)

Commissioner Wallace motioned to adjourn, Berreth seconded that motion.

MEETING ADJOURNED

Time Adjourned – 10:38 a.m.

DRAFT

The following Comments were received from Kayla Mauldin

- On Figure 1, label "Nadir"
- Use "cutoff" consistently throughout the document instead of other spellings
- Use "non-compliant" consistently throughout the document instead of other spellings
- Use "fully-shielded" consistently throughout the document instead of other spellings
- Spell out all numbers less than ten, and follow them with a numeral in parenthesis. Example: five (5)
- Use "government agency" throughout the document instead of other terms like 'governing agency'
- Use "until" consistently when talking about lighting times, rather than using 'through', 'and', etc.

The following Comments were received from Jim Karkut

19.73.111 Definitions

Basement - Change "An area of a building" to "The area of a building."

BUG Rating - The definition ends with the phrase "at high angles." Suggestion - add a parenthesis indicating what we consider to be "high angles." **Add the following after "high angles": (greater than 60-degrees from Nadir).**

Figure 01 - change the vertical line to a downward pointing arrow and call it out as "Nadir" as shown below:

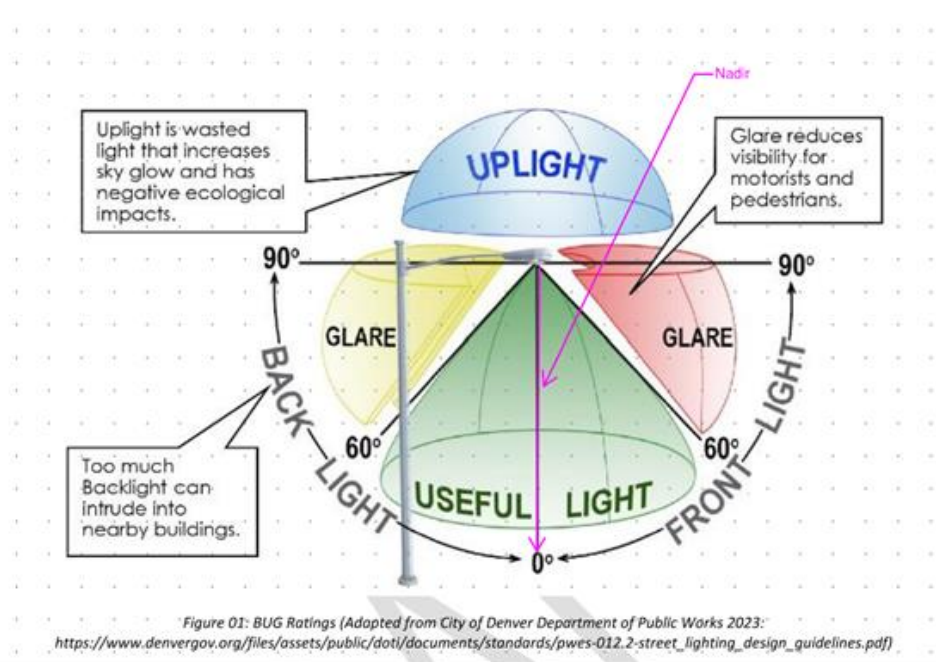


Figure 02 - Replace the word "STRENGTH" with "INTENSITY." Why - because the definition of Candela uses the word "intensity", and other places in the ordinance use "intensity" rather than "strength."

Cut-off angle, of a light fixture - Delete the hyphen in "cut-off." Delete the comma after "angle." (Note how the next definition uses "cutoff") **I think we should change all instances of cutoff to cut-off. Comma after "angle" should remain or also remove the comma after "(i.e. straight down)."**

Full-cutoff fixture - Question: Does the definition need its ending phrase "and limited to a value not exceeding 10% of lamp lumens at or about 80 [degrees] above nadir"?

Full-cutoff fixture **change to "Full Cut-off Fixture"** - Question: Does the definition need its ending phrase "and limited to a value not exceeding 10% of lamp lumens at or about 80 [degrees] above nadir"? **I believe we added this language to acknowledge you can't go from 100% lamp lumens to zero at the horizontal. Requiring the shielding to be located at 80-degrees above nadir (not 90-degrees) would better achieve zero intensity above the horizontal. We also discussed location of lamp within the fixture housing needing to be located above the bottom of the shielding as the "Acceptable" fixtures illustration in Figure O6. I think we should eliminate the ending phrase as Jim suggests because a full cut-off fixture is not typically required to have shielding at 80-degrees nadir...all illustrations show the shielding at 90-degrees. Also - change "Fully Shielded Fixture" to "Fully-shielded Fixture".**

Glare - Question: Does the definition need the phrase in it of "visual performance"? I ask because I am not sure what that phrase means. **I agree "visual performance" should be eliminated.**

Lumen. Change the definition to read: "A measurement of light intensity. One lumen is approximately equal to the amount of light emitted by one candle at a one-foot distance. A light source with higher lumens emits brighter light."

Religious Institutions Property - Change "accessory structures" to "accessory structure(s)."

Security Lights - Delete the word "visual" from "visual security."

19.73.112.C Amortization - To make the language of the first sentence of C consistent with the language in A and B, change the first sentence to read: "All non-compliant exterior lighting fixtures shall be brought into compliance no later than 5 years from the effective date of this Chapter." **I Agree and suggest changing "5 years" to "5-years".**

19.73.112.D.1.b - Near the end of the sentence, replace "the conditions outlined in" with "the requirements of".

19.73.112.D.2 - Insert the word "fixture" after "replacement" in the phrase "the replacement shall comply with the requirements of this Chapter."

19.73.112.E.1 - In the last phrase at the end of the second sentence, change "requirements" to "requirement." That makes the word consistent with the use of "requirement" in the first phrase of the sentence.

19.73.113.A.1.a.i - Replace the word "clear" with "specific."

19.73.113.F - In the lead-in sentence, change "All lighting identified in this Section" to "All lighting described in this Section."

19.73.113.F.4.a - Change "governing agency" to "government agency."

19.73.114.A - Note that B and C provide that lighting turned off at dusk or 10:00 p.m. shall remain off until 6:00 a.m. the following morning. It seems like it would be a good idea to state something along similar lines for Commercial and Religious Institutions Properties, One possible way would be

to end the sentence in A.1 with "within one hour after closing, and until 6:00 a.m. the following morning."

19.73.115.D.1 - In the second sentence, change "standards" to requirements." (I recognize that some internal headings use "Standards", but I like the word "requirements" better when used in sentences)

19.73.115.D.1.c - Change "standards" to requirements."

19.73.118.A.1 - I recommend that the last sentence in 1 ("All applications may be subject to review and action by the Director or designee") be deleted because it is inconsistent with the preceding sentence that requires all of the listed applications to be submitted with a Lighting Plan for the Director or designee to review.

19.73.118.A.2a. iii - Add a period after "electrical details"

19.73.119.A - Change the heading "Appeal for Exemption" to "Appeal." This is because the possible situations in A cover more possibilities than the applicant obtaining an exemption.

19.73.119.A.1.b - Insert a comma after the phrase "does not approve the proposed lighting plan"

19.73.119.B.1.a - Change "Failing to meet light curfew standards as outlined in section 19.73.114" to "Failing to comply with the night lighting limitations set forth in Section 19.73.114."

19.73.119.C.2.a - Add the phrase "and adjacent properties" to the end of the sentence. **I would modify the phrase after the words "light trespass" to read "and sky glow on adjacent properties, and to curtail..."**

19.73.119.C.2.a.i - 2.a grants the Director or designee the authority, in certain cases, to impose certain steps to mitigate the effects of light pollution, etc. However, the phrase in 2.a.1 states a totally different concept - that a property owner has an obligation to take certain steps to minimize unintended effects of the property owner's outdoor lighting on the night sky environment and adjacent properties. I like that idea, but it seems to be overbroad, and in the wrong place.

Perhaps we should simply omit 19.73.119.C.2.a.i and instead add the following to the end of the previous paragraph: "Steps towards mitigation may include redirection, shielding, and/or diffusing of the light source to minimize the impact on adjacent properties and degradation of the night sky."

19.73.119.D.1 Insert "for" before "each day of violation after the expiration of the 30-day abatement period" Also remove the first occurrence of the word "this" in the first sentence.

The Following Comments were received from Tim Harpst.

Full-cutoff fixture - Question: Does the definition need its ending phrase "and limited to a value not exceeding 10% of lamp lumens at or about 80 [degrees] above nadir"?

Cut-off seems to me to be the appropriate spelling in the def of cut-off angle, of a light fixture. I think the definition of full cut-off fixture is good as is because it provides more clarification.

Glare - Question: Does the definition need the phrase in it of "visual performance"? I ask because I am not sure what that phrase means.

I like "visual Performance" in the def of glare.

In 19.73.119.C.2.a - Instead of adding the phrase "and adjacent properties" to the end of the sentence, I suggest

adding "in general and particularly upon adjacent properties." I think this would be more clear.

In 19.73.119.D.1 I would suggest replacing the word "and" with the word "for" before "each day of violation after the expiration of the 30-day abatement period . . ."