

Emigration Canyon Metro Township

DARK SKY ORDINANCE | MUNICIPAL CODE: 19.73.110 NIGHT LIGHTING

**19.73.110 – Purpose.**

A. The purposes of this chapter are to:

1. Encourage lighting practices that minimize light pollution, glare, light trespass, and sky glow to preserve and enhance views of the night sky.
2. Maintain the rural atmosphere and community character of the Metro Township.
3. Protect ecological conditions and nocturnal wildlife within the Metro Township.
4. Maintain nighttime safety, utility, and security.
5. Encourage lighting practices that promote energy conservation.

**19.73.111 – Definitions.**

*For the purpose of this Chapter, certain words, phrases, and terms used herein shall have the meanings assigned to them by this section:*

**Accent Lighting:** Lighting of building surfaces, landscape features, statues, and similar items for the purpose of decoration or ornamentation, or lighting that does not contribute to the safety or security of residents, guests, employees, or customers on a property.

**Adaptive Controls:** Devices such as motion sensors, timers, and dimmers used in concert with outdoor lighting equipment to vary the intensity or duration of the operation of lighting.

**Ambient light:** The general overall level of lighting in an area.

**Backlight:** All the light emanating behind a light fixture.

**Ballast:** A device used with a discharge lamp to obtain the necessary voltage, current, and/or waveform for starting and operating the lamp.

**Basement:** An area of the building having its floor below ground level on all sides.

**Brightness:** Strength of the sensation that results from viewing surfaces from which the light comes to the eye.

**BUG Rating:** A BUG Rating stands for backlight, uplight, and glare. Backlight (B) is the light directed behind the fixture, uplight (U) is any light directed upward above the horizontal plane of the light fixture, and glare (G) is the amount of light emitted from the light fixture at high angles.

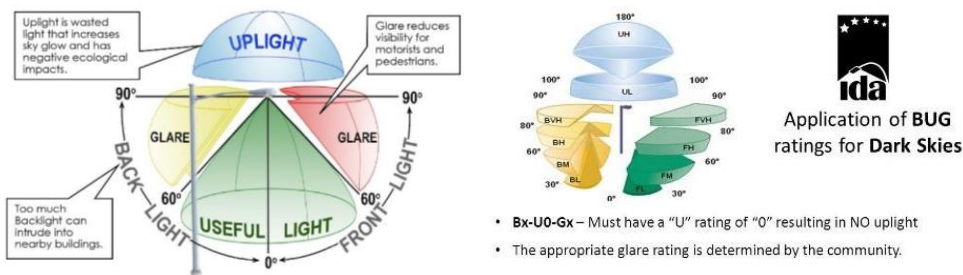


Figure 01: BUG Ratings

**Bulb or lamp:** The source of electric light. To be distinguished from the whole assembly (see light fixture).

**Candela (cd):** The intensity of light emitted from a fixture in a certain direction.

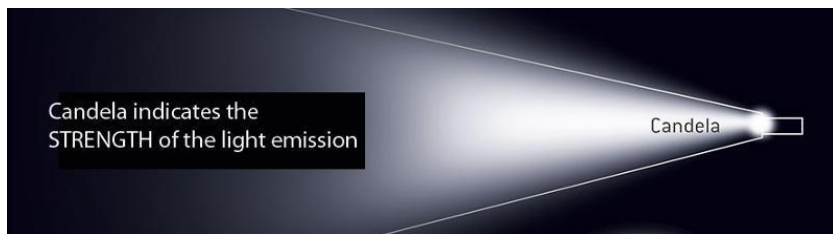


Figure 02: Candela

**Commercial Property:** Any parcel within the C-2 Zone, and/or any parcel with a building containing 10 or more residential units.

**Constant Lighting.** Lighting that does not flash, blink, strobe, or otherwise emit bright bursts of light.

**Correlated Color Temperature (CCT, Color Temperature):** A specification of the color appearance of the light emitted by a lamp, relating its color to the color of light from a reference source when heated to a particular temperature, measured in degrees Kelvin (K).

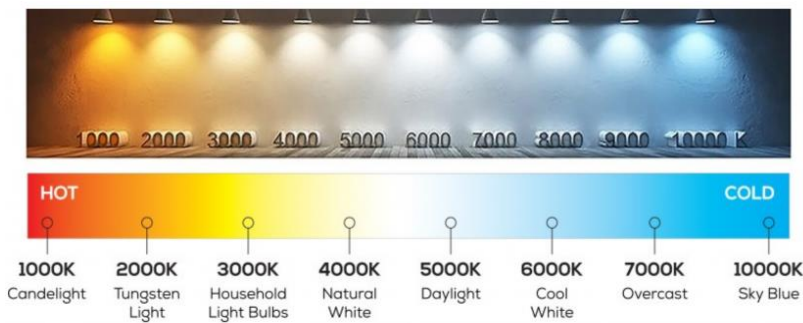


Figure 03: Correlated Color Temperature

**Cut-off angle, of a light fixture:** The angle, measured up from the nadir (i.e. straight down), between the vertical axis and the first line of sight at which the bulb or lamp is not visible.

**Diffuser:** A device used to distribute light from a source.

**Dimmer:** A device for varying the brightness of electric light.

**Direct Illumination:** Illumination resulting from light emitted directly from a lamp or reflector. This does not include light reflected from other surfaces, such as the ground or building faces.

**Director or Designee:** The Greater Salt Lake Municipal Services District Director of Planning and Development Services.

**Dusk:** The darker part of twilight especially at night. Timetables identifying specific hours for dusk on any given day are located at: <https://www.gaisma.com/en/location/salt-lake-city-utah.html>.

**Efficiency:** A measure of the effective or useful output of a system compared to the input to the system.

**Energy (radiant energy):** Unit is erg, or joule, or kWh.

**Facade lighting:** The illumination of the exterior of a building. (See also Accent Lighting.)

**Fixture Lumens:** A light fixture's light output after processing of emitted light by optics in that fixture.

**Fixture Watts:** The total power consumed by a fixture. This includes the power consumed by the lamp(s) and ballast(s).

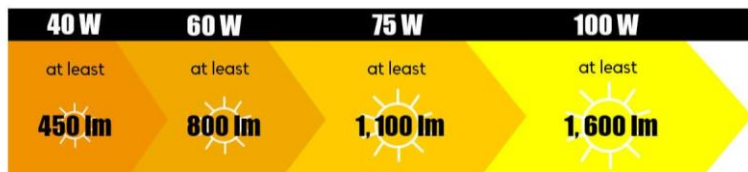


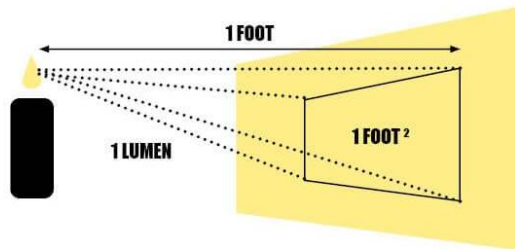
Figure 04: Watts to Lumens Relationship Example

**Floodlight:** A fixture designed to "flood" a well-defined area with light.

**Footcandle:** A footcandle is a measurement of light intensity. One footcandle is defined as enough light to illuminate a one-foot square located one foot from the light source with one lumen of light.

**Commented [1]:** Do we need to include "or Designee" in this definition? We are really trying to define who the "Director" is, not a Designee.

**Commented [MS2R1]:** Maybe Jim or one of the current planners can way in on this one...



$$1 \text{ LUMEN} / \text{SQFT} = 1 \text{ FOOTCANDLE}$$

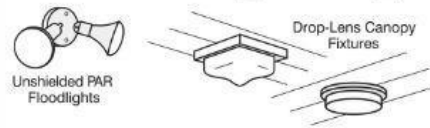
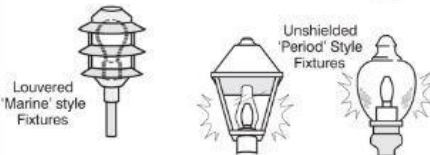
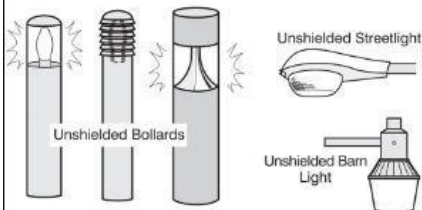
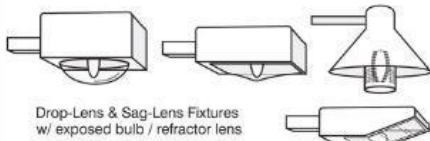
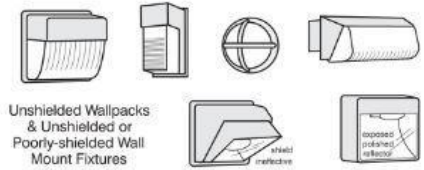
*Figure 05: Footcandle*

**Full-cutoff fixture (Fully Shielded Fixture):** An outdoor light fixture constructed and mounted so that the installed fixture emits no light (zero intensity) at or above horizontal (90° above nadir) and limited to a value not exceeding 10% of lamp lumens at or above 80° above nadir”.

## Examples of Acceptable / Unacceptable Lighting Fixtures

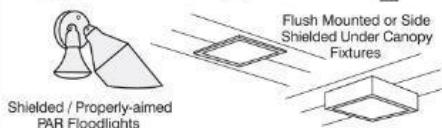
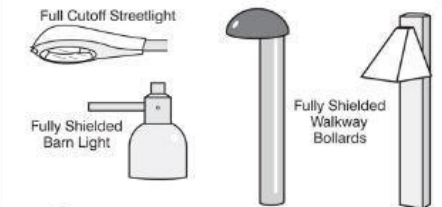
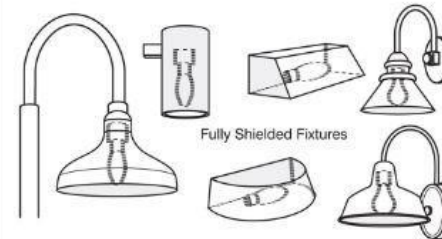
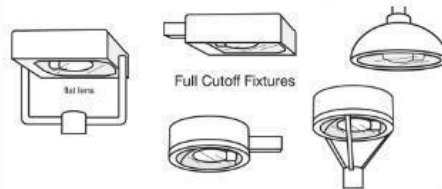
### Unacceptable / Discouraged

Fixtures that produce glare and light trespass



### Acceptable

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



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Figure 06: Examples of Acceptable and Unacceptable Light Fixtures

**Glare:** the visual sensation caused by excessive brightness, and which causes annoyance, discomfort, or a loss in visual performance or visibility.

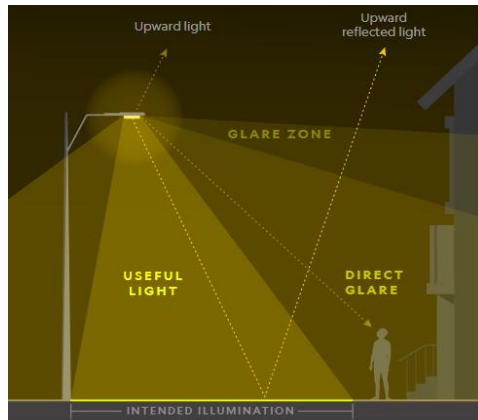


Figure 07: Glare

**Hardscape:** Any non-living horizontal site element, including but not limited to patios, decks, walkways, sidewalks, driveways, and steps.

**House-side Shield:** Opaque material applied to a fixture to block the light from illuminating a residence or other structure being protected from light trespass.

**Illuminance:** Light level measured in footcandles, lux, or lumens.

**Illuminating Engineering Society of North America (IES or IESNA):** The professional society of lighting engineers, including those from manufacturing companies, and others professionally involved in lighting.

**Incandescent lamp:** a lamp (fixture) in which light is produced by a filament heated to a high temperature by electric current.

**Indoor Lighting:** Any lamp, pendant, or fixture used to illuminate the interior of any structure.

**Intensity:** The degree or amount of energy or light.

**Internally Illuminated:** As it relates to signs, any sign which has a light source entirely enclosed within the sign and not directly visible.

**International Dark-Sky Association (IDA, Inc.):** A non-profit organization whose goals are to build awareness of the value of dark skies, and of the need for quality outdoor lighting.

**kWh:** Kilowatt-hour: A unit of energy equal to the work done by one kilowatt (1000 watts) of power acting for one hour.

**Lamp:** A generic term for a manufactured source created to produce optical radiation, meaning ultraviolet radiation (UV), visible light (VIS), and infrared radiation (IR).

**Lamp Life:** The average lifespan for a specific type of lamp. Half of the lamps will perform longer than the average; the others will fail before the average.

**LED:** Stands for Light Emitting Diode. LED lighting products produce light up to 90% more efficiently than incandescent light bulbs.

**Light Pollution:** Brightening of the night sky caused by man-made sources which has a disruptive effect on natural cycles and inhibits the observation of stars and planets.

**Light Fixture (Luminaire):** A complete lighting unit that typically includes components such as a fixture housing, ballast, reflector, shield or diffuser, and a lamp or lamps.

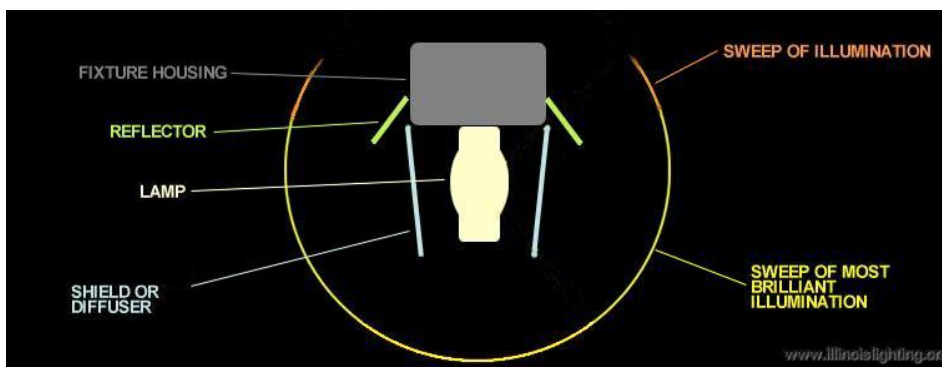


Figure 08: Components of a light fixture.

**Light Source:** The part of a light fixture that produces light, e.g. the bulb, lamp, or chips on board.

**Light Spill:** Unwanted spillage of light onto adjacent areas including residential properties and ecological sites. (See also: Light Trespass.)

**Light Trespass:** Light falling where it is not wanted or needed. (See also: Light Spill.)



Figure 09: Light Trespass Compared to Adequate Shielding

**Lighting Controls:** Devices used for either turning lights on and off or for dimming. Photocell Sensors automatically turn lights on and off in response to natural light levels. Some advanced modes can slowly dim or increase the lighting level. See also: Adaptive Controls.

**Lumen:** A measurement of light intensity approximately equal to the amount of light emitted by one birthday candle at a one-foot distance. A light source with higher lumens emits brighter light.

	LEAST EFFICIENT				MOST EFFICIENT
	Incandescent	Halogen	CFL	LED	
450 lumens	40W	29W	9W	7W	
800 lumens	60W	43W	14W	10W	
1,100 lumens	75W	53W	19W	17W	
1,600 lumens	100W	72W	23W	20W	

Figure 10: Comparison of bulb types, lumens, and watts

**Lux:** (symbol: lx) The unit of illuminance equal to one lumen per square meter.

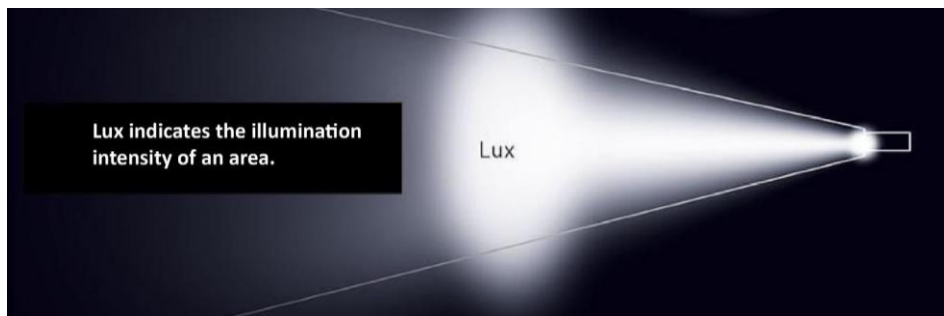


Figure 11: Lux

**Manufacturer’s Catalog Cuts:** A publication or other printed material of a lamp or lighting manufacturer offering visual and technical information about a lighting fixture or lamp.

**Mounting height:** The height of the fixture or lamp above the ground plane for pole mounted lamps. For a light fixture mounted on a structure, the height of the top of the fixture above the elevation identified as the lowest elevation entrance for the corresponding side of the structure (i.e., front, sides, rear.)

**Multi-Family Residential Property:** Any parcel having a building containing three to ten dwelling units.

Commented [3]: Add some clarifying wording: "fixture mounted on a structure above"? - Tim



**Optic:** The components of a light fixture such as reflectors, refractors, and protectors which make up its light emitting section.

**Outdoor Light Fixture** (Outdoor Lighting, Exterior Lighting): An outdoor, electric, or solar-powered, illuminating lamp or similar device used for lighting structures, parking lots, pathways, service canopies, recreational areas, signs, or other similar outdoor uses.

**Partially Shielded Light Fixture:** An outdoor light fixture constructed and mounted so that the installed fixture emits most, but not all, of its light below the horizontal plane.

**Pathway Lights:** A light fixture, or collection of light fixtures, less than eighteen inches (18") in height, lining one or both sides of an outdoor path or walkway that provides illumination to guide persons along the outdoor path or walkway.

**Photometry:** The quantitative measurement of light level and distribution.

**Photocell:** An electronic device that changes the light output of a light fixture dynamically in response to the ambient light level around the light fixture.

**Pool Lighting:** Light fixtures located below the surface of the water in a swimming pool, hot tub, reflecting pool, fountain, or other such water feature.

**Recreational Lighting:** Lighting used to illuminate playing fields, courts, playgrounds, ice rinks, or similar outdoor recreational facilities.

**Reflector:** An optic that achieves control of light by means of reflection (using mirrors).

**Refractor:** An optic that achieves control of light by means of refraction (using lenses).

**Religious Institutions:** Property containing a Church, Synagogue, Mosque, Temple, Cathedral, or other religious or spiritually-oriented structure(s) or accessory structures, where persons regularly assemble for religious or spiritual purposes and related social events.

**Commented [4]:** Check with Adam on this language.

**Security Lights:** Lighting designed to illuminate a property or grounds for the purpose of visual security.

**Shielding:** An opaque material that blocks the transmission of light.

**Single-Family, Two-Family Residential, and Duplex Unit Properties:** Any parcel within the FR-0.5, FR-1, FR-2.5, FR-5, FR-10, and FR-20 zones having a building containing one or two dwelling units.

**Skyglow:** The brightening of the nighttime sky resulting from the 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, reducing one's ability to view the nighttime sky.



Figure 12: Sky Glow classifications measuring degradation of the night sky

**Spotlight:** A fixture or lamp designed to light a small area very brightly. See the definition of Floodlight.

**Stationary Lighting.** Lights that are fixed in a non-moving position.

**Task Lighting:** Task lighting is used to provide direct light for specific activities without illuminating the entire area.

**Tower:** Any monopole, antenna or the like that exceeds eighteen feet (18') in height.

**Unshielded Light Fixture:** A fixture that allows light to be emitted above the horizontal plane, either directly from the lamp or indirectly from the fixture or reflector.

**Visibility:** The distance one can see as determined by light and weather conditions.

**Wall Pack:** A light fixture, typically affixed to the side of a structure, used for area lighting.

#### 19.73.112 - Scope and Applicability.

A. Compliant Lighting.

1. Lighting installed and/or replaced after the effective date hereof in all zones in the Metro Township shall comply with the requirements established by this Chapter.

B. Non-compliant Lighting.

1. Lighting that does not meet the requirements of this Chapter shall be considered non-compliant lighting.

C. Modifications.

1. Compliance through the Building Permit Process: The Metro Township requires that lighting be brought into compliance through the building permit process.
  - i. If modifications are made to any structure which requires the removal of a non-compliant light fixture, the light fixture shall be replaced or modified to bring it into compliance with the requirements of this Chapter.
  - ii. If the proposed structural modifications represent a value of 50% or more of the property value at the time of submittal, a lighting plan for the property shall be submitted subject to the conditions outlined in Section 19.73.118.
2. In the event a non-compliant light fixture is replaced, destroyed, damaged, or modified, the replacement shall comply with the requirements of this Chapter.

Commented [5]: Get Adam's input on this wording.

D. Conflicts.

1. In the event any federal, state, or county statute or regulation conflicts with any requirement of this Chapter, the most restrictive statute, regulation, or requirement shall govern unless otherwise required by law. In the event any requirement of the Metro Township's other ordinances conflicts with the requirements of this Chapter, the most restrictive requirements shall govern.

Commented [MS6]: Do we need to define Restrictive?

**19.73.113 - Conditions and Standards.**

A. Minimum Necessary.

1. Outdoor (exterior) 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.
  - a. All lighting shall be purpose-driven:
    - i. Useful: All light used shall have a clear purpose.
    - ii. Targeted: Light shall be directed only to where needed.
    - iii. Low Light Levels: Light shall be no brighter than necessary.
    - iv. Controlled: Light shall be used only when it is useful.
    - v. Color: Where possible, warmer color lights shall be used.

B. Allowable Applications.

1. Outdoor lighting in compliance with the Chapter shall only be allowed in the following applications:
  - a. To illuminate the entrances to buildings (including garage entrances).
  - b. To illuminate pathways and walkways.
  - c. To illuminate parking areas and parking area access lanes.
  - d. To illuminate gathering areas, such as patios, pool and hot tub areas, dining areas, and recreation areas.
  - e. For security purposes, provided all the following conditions are met:
    - i. The lighting is activated by motion sensors and shuts off, within or before, fifteen (15) minutes after each activation or when the activity involved is completed.
    - ii. The lighting is placed and directed such that no direct illumination falls outside the property boundaries where the security lighting is placed.

- iii. Sensors are adjusted to meet site conditions to avoid repetitive activation by wildlife, wind, and/or other disturbances.
- f. To illuminate signage.
- g. For Accent Lighting, provided all the following conditions are met:
  - i. All accent lighting is mounted on and illuminating only building facades visible from an adjacent public right of way.
  - ii. The accent lighting is sufficiently shielded such that the light source is not visible beyond the property boundaries.
  - iii. The accent lighting is directed such that all light shines on the building facade, not on the adjacent property or the night sky.
  - iv. The accent lighting is not used to illuminate landscape, landscape elements, statues, or other similar features.
- h. To illuminate outdoor water features, provided all the following conditions are met:
  - i. The lighting is angled below the horizontal plane.
  - ii. The lighting is placed underneath or behind the water such that the water diffuses the light from all points where the light is visible.
- i. Temporary exterior or decorative lighting utilized for holidays or special events shall be extinguished by 1-hour after dusk 10:00 pm. When in use, the lighting shall not exceed the allowed footcandle limit for the property. This can be accomplished by reducing light usage in other areas of the property. Temporary lighting shall be limited to the following:
  - i. The period of time between December 1<sup>st</sup> and January 1<sup>st</sup> each calendar year; and,
  - ii. Periods outside the month of December, shall not exceed 744 days per calendar month for other holidays and special events.

C. Total Light Output.

1. Commercial Properties and Religious Institutions: The total amount of outdoor lighting, whether shielded or unshielded, shall not exceed 2.0 footcandles per square foot of hardscape.
2. Multi-Family Residential Properties: The total amount of outdoor lighting, whether shielded or unshielded, shall not exceed 2.0 footcandles per square foot of hardscape.
3. **Single-Family, Two-Family Residential, and Duplex Unit Properties (All single-family Residential):** The total amount of outdoor lighting, whether shielded or unshielded, shall not exceed 1.0 footcandles per square foot of hardscape.
  - a. All Single-Family Residential Units Properties used for overnight accommodations or commercial uses shall comply with Single-Family Residential standards for total light output.
4. For all Properties – Light output from outdoor sources shall not exceed 0.1 footcandles at the property line.

D. Maximum Color Temperature of All Outdoor Lighting Fixtures.

1. The correlated color temperature of any outdoor lighting fixture shall not exceed three thousand degrees Kelvin (3000°K).

E. Fully Shielded Fixture Requirements.

1. Unless specifically exempted by this Chapter, all outdoor lighting shall use fully shielded fixtures that are designed and constructed so that:
  - a. No light is emitted and/or reflected above the horizontal plane of the fixture.

- b. Light emitted is limited to a value not exceeding 10% of lamp lumens at or above 80° nadir and zero lumens above the horizontal plane (90° nadir).
  - c. Lighting is placed and/or directed at a location, angle, and/or height to prevent direct illumination outside the property boundaries where the light fixtures are located.
  - d. When a light manufacturer provides a BUG rating, the uplight rating (U) shall equal zero (0).
2. Characteristics:
- a. To qualify as a fully shielded fixture, the top and sides of a light fixture shall be 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. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses) and must not reflect light that breaks the horizontal plane established at the bottom of the shield. Merely placing a light fixture under an eave, canopy, patio cover or other similar cover does not qualify the fixture as being fully shielded.
- F. Exemptions To Fully Shielded Fixture Requirements. All lighting identified in this Section shall be included in calculating the total footcandle output allowed unless otherwise noted and as set forth in Section 19.73.113. C.
1. Spotlights:
- a. Spotlights controlled by motion sensors having a light output of less than one thousand (1000) lumens per lamp are exempt from the fully shielded requirement, provided:
    - i. The fixture is a spotlight or other type of directed light that shall be directed at a forty-five-degree (45°) angle or less, where the zero (0) angle is pointing straight down, and
      - (a) The fixture must not be placed in such a manner that results in light trespass, and
      - (b) The lighting elements controlled by motion sensors shall not be triggered by movement or activity located off the property on which it is located.
    - ii. The fixture is hooded or shielded to the extent necessary to prevent glare on adjacent properties or roadways.
    - iii. The lighting is activated by motion sensors and shuts off, within or before, fifteen (15) minutes after each activation or when the activity involved is completed.
2. Pathway Lights:
- a. Pathway lights less than eighteen inches (18") in height are exempt from the fully shielded fixture requirement if:
    - i. The total light emitted by all pathway light fixtures as measured along the centerline of the pathway lighted does not exceed 1.0 footcandles; and
    - ii. The lights have opaque caps that direct light below the horizontal plane.
3. Temporary Exterior or Decorative Lighting:
- a. Temporary exterior or decorative lighting, provided that individual lamps do not exceed 70 lumens, the total output of temporary lighting does not cause the property to exceed total allowable footcandle levels detailed in this Chapter, and the lighting does not cause light trespass or interfere with the reasonable use and enjoyment of surrounding properties.
4. Law Enforcement Lighting Traffic Control Signals and Traffic Safety Devices:
- a. Traffic control signals, traffic safety devices, and law enforcement lighting, used by a governing agency, is exempt from and not governed by the requirements of this Chapter.
5. Temporary Emergency Lighting:

**Commented [7]:** Add a comma after the word "lighting" - Tim

- a. Temporary emergency lighting in use by law enforcement or government agencies, or at their direction, is exempt from and not governed by the requirements of this chapter.
- 6. Pool Lighting
  - a. Underwater lighting fixtures providing illumination to all underwater areas of a swimming pool, hot tub, reflecting pool, fountain, or other such water feature provided they are shielded to the greatest extent feasible to prevent light trespass beyond the surface of the water.
- G. Restrictions On Total Amount of Unshielded Lighting.
  - 1. Outdoor lighting that is exempt from the shielding requirement in this Chapter shall not contribute more than the equivalent of:
    - a. 0.25 footcandles per square foot of hardscape for commercial properties.
    - b. 0.2 footcandles per total square foot of hardscape for multi-family properties.
    - c. 0.1 footcandles per square foot of hardscape for all single-family residential properties.
  - 2. All lighting fixtures shall be fully shielded when installed within twenty-five (25) feet of adjacent residential property lines.

**Commented [8]:** Should the wording here be "single-family, two-family or duplex"? - Tim

**19.73.114 – Night Lighting Limitations.**

- A. Commercial Establishments and Religious Institutions.
  - 1. Shall turn off all outdoor lighting, except those listed below, within one hour after closing.
    - a. Lighting to illuminate the entrance(s).
    - b. Parking lot and pathway lighting required for the safety of employees and guests.
- B. Recreational Lighting (Residential and Commercial).
  - 1. Shall be turned off one hour after dusk through 6:00 am the following morning, except to conclude a community-approved event that is underway.
- C. Multi-Family Residential Property Lighting.
  - 1. Shall be turned off one hour after dusk through 6:00 am the following morning, except those listed below:
    - a. Lighting to illuminate entrances.
    - b. Parking lot and pathway lighting required for the safety of residents or guests.
    - c. Outdoor gathering and recreational spaces, when in use.
- D. Single-Family Residential Property Lighting.
  - 1. Shall be turned off one hour after dusk through 6:00 am the following morning, except those listed below:
    - a. Lighting to illuminate entrances.
    - b. Parking lot and pathway lighting required for the safety of residents or guests.
    - c. Outdoor gathering and recreational spaces, when in use.

**Commented [9]:** Since C and D have identical wording, can we combine them to "C" and title it "Multi-Family, Single-Family Residential Property Lighting"? While on this topic, it seems like in some cases we just use the term "single-family" and in other places we use "single-family, two-family and duplex." Shouldn't we be consistent on this?

**Commented [10]:** And we should be consistent in using "Multi-family" - Tim

**19.73.115 - Specialized Outdoor Lighting.**

- A. Roadway/Streetlights.
  - 1. Roadways and streetlights are prohibited unless recommended by the County Engineer or required by the Utah Department of Transportation (UDOT). When deemed necessary, streetlights shall utilize lamp types that are fully shielded light fixtures that minimize sky glow,

light trespass, and other unintended impacts of artificial lighting. All street lights shall utilize the lowest light levels accepted by the County Engineer and/or UDOT.

**B. Parking Lots.**

1. Spot or flood lighting of parking lots from a building or other structure is prohibited.
2. The overall height of any light post used to illuminate parking lots in multi-family residential or commercial zones shall not exceed fourteen feet (14').
3. The overall height of any light post used to illuminate parking lots in all single-family residential zones shall not exceed six feet (6').
4. All post-mounted parking lot lights shall be set back from property lines at a distance equal to two and one-half (2.5) times the height of the pole unless an internal or external shield prevents the fixture from being visible from outside the property boundaries.
5. All parking lot lighting shall use fully shielded fixtures.
6. Internal or external shields shall prevent the light source from being visible from outside the relevant parking lot.

**C. Recreational Lighting.**

1. The installation of recreational lighting fixtures not associated with a lighting plan approval process, shall be subject to review and approval by the Director or Designee to ensure all requests meet the following standards.
  - a. The recreational lighting has requirements for minimizing glare, spill light, and uplight using louvers, hoods, or shielding.
  - b. The recreational lighting does not exceed illumination levels for class IV sports lighting set by the Illuminating Engineering Society of North America.
  - c. The recreational lighting only illuminates the playing field or court area and is shielded to prevent illumination from falling outside of those areas.
  - d. The light source for the recreational light is not visible from adjacent properties.
  - e. Pole-mounted recreational lighting shall be limited to eighteen feet (18') in height. Pole-mounted recreational lighting must be set at a distance equal to two and one-half (2.5) times the height of the pole installed from any adjacent property line unless an internal or external shield prevents the fixture from being visible from outside the property boundaries.
  - f. The lighting for non-playing field and non-court areas shall conform to all requirements of this Chapter.

**D. Amphitheater Lighting.**

1. Outdoor amphitheaters may use illumination to light the performance area of the amphitheater and provide public safety. The following standards apply to all amphitheater lighting:
  - a. Lighting used to illuminate the performance area must be either directed spotlighting or fully shielded lighting. If directed spotlighting, the light source must be located and designed such that it is not visible beyond the property boundaries.
  - b. Lighting used to illuminate the performance area may only be turned on during performances or rehearsals.
  - c. Lighting used to illuminate the seating areas, pathways, and other areas of the amphitheater must meet all standards of this Chapter.

**E. Signs.**

1. Where other municipal ordinances are in conflict with the requirements of this Chapter, the more restrictive requirements shall apply.

**Commented [11]:** These 2 sections generally use the word "post" but there is one use of the word "Pole." We should be consistent. Also, there seems to be a discrepancy between the two sections. Section 2 allows multi-family parking lots to have 14' poles, but Section 3 says all parking lots in residential areas should have poles no taller than 6'. We need to reword Section 3 to state something like in residential zones other than multi-family. - Tim

**Commented [MS12]:** We may need to describe more restrictive... In what way?

2. Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign's copy area is illuminated.
3. Lighting for signs must be stationary and constant.
4. All signage elements must be stationary.
5. Standards for Externally Illuminated Signs:
  - a. Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not intrude onto adjacent streets, roads, or properties or into the night sky.
  - b. Lighting for externally illuminated signs must be mounted at the top of the sign (or within two (2) feet of the top of a building-mounted sign).
6. Standards for Internally Illuminated Signs
  - a. Lighting Is Visible on Both Sides of the Sign:
    - i. Only sign copy areas and logos may be illuminated on an internally illuminated sign.
    - ii. Internally illuminated signs shall use semi-opaque materials for sign copy such that the light emanating from the sign is diffused. Transparent or clear materials are not allowed for sign copy. Non-copy portions of the sign (e.g., background and graphics) shall be made of completely opaque material.
7. Standards for Backlit Signs
  - a. Only One Side of Sign Is Lit:
    - i. Backlit signs shall be designed such that the light source is not visible.
    - ii. Backlit signs shall be designed such that harsh, direct illumination does not emanate out of the sign. Rather, the backlighting shall only allow indirect illumination to emanate from the sign. For example, signs that create a "halo" effect around sign copy are allowed.
    - iii. Backlit signs shall use low lumen light sources (450 lumens maximum).
8. Illuminated Window Signage:
  - a. Illuminated window signs positioned to be primarily visible outside all structures are allowed only if there are no more than two (2) signs per space. Each sign shall measure less than three and one-half (3<sup>1</sup>/<sub>2</sub>) square feet in area.

**19.73.116 - Prohibited Lighting.**

- A. Accent Lighting that is directed upward above the horizontal plane to illuminate building structures, landscape, landscape features, statues or similar features, vegetation, or for any other use.
- B. Flashing, blinking, intermittent, or other lights that move or give the impression of movement.
- C. Unshielded Floodlights or Spotlights affixed to buildings for the purpose of lighting parking lots.
- D. Searchlights and laser source lights.
- E. No light fixture shall be mounted on a structure at a height of more than 14 ft. above the finished grade at the primary entrance to the corresponding side of the structure (i.e. front, sides, rear.)
  1. For structures having sides without an entrance, the height limitation established by the finished grade at the lowest primary entrance elevation on any side of the structure shall control.

**Commented [13]:** Need to add "is prohibited" at the end of this sentence? - Tim

**Commented [MS14R13]:** If we add it to one, do we need to add it to all of them?

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2. Wall-mounted lighting may be utilized for patios and decks located above the primary entrance elevation, provided that the lighting is directed so that all light falls only on the deck or patio surface intended to be lit and the light source is shielded and/or diffused such that the light source is not visible outside the property boundary.

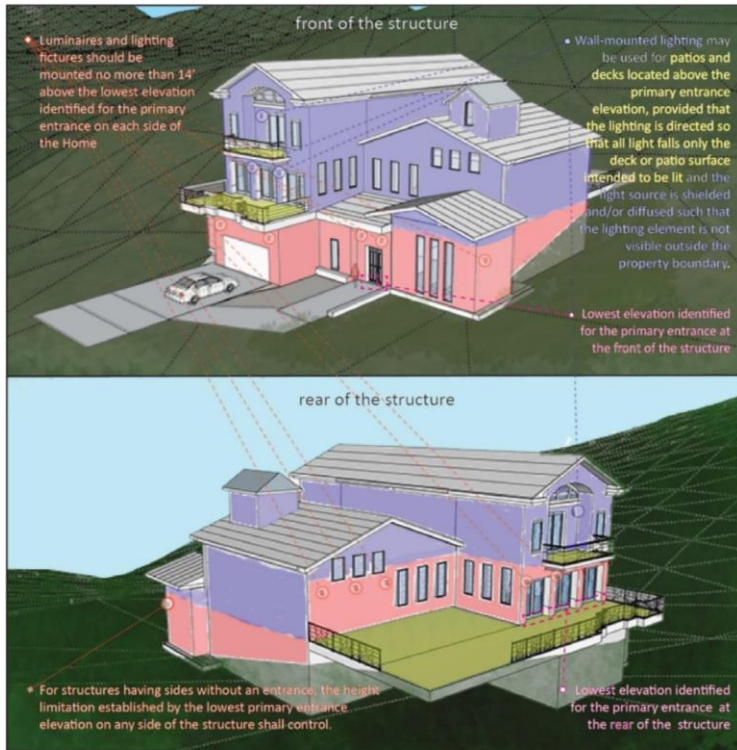


Figure 13: Light Fixture mounting height limitations on structures

19.73.117 – Towers.

- A. All monopole, antenna, tower, or support facility lighting not required by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), Municipal Fire and Police, or radio towers is prohibited.
- B. When lighting is required by the FAA, FCC, or Municipal Fire and Police, 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 on the night sky and migrating birds.
- C. All other lighting used on the property not regulated by the FAA, FCC, or Municipal Fire and Police shall conform to this Chapter.

**Commented [15]:** This graphic will be updated to reflect the language changes made to the ordinance.

**Commented [16]:** I think these 3 words can be eliminated. This section refers to the applicable governing agencies. The generic "radio towers" are governed by these agencies as stated in Section C below.

**19.73.118 - Application and Review Procedures.**

- A. Where appropriate, the Metro Township will provide information to homeowners on best practice application of the lighting principles set forth in this Chapter.
- B. Lighting Plan Required.
1. In any application for a sign permit, building permit, conditional use permit, subdivision, design/development review, and any other development application within any zoning district, including all municipal projects, requires the applicant to, as part of the application process, submit sufficient information to enable the Director or Designee to determine whether proposed lighting complies with this Chapter. All applications may be subject to review and action by the Director or Designee. All applications shall include a Lighting Plan meeting the requirements set forth herein.
  2. Lighting Plans shall include the following:
    - a. Site Plans or drawings indicating the proposed location of outdoor lighting fixtures, both proposed and any already existing on site. Including:
      - i. height of light fixtures on the premises, and
      - ii. type of light fixture, lamps, supports, shielding and reflectors used and,
      - iii. installation and electrical details
    - b. A description of each light fixture, lamp, support, and shield, both proposed and existing. The description shall include but is not limited to, the manufacturer's catalog cuts and illustrations (including sections where required); lamp types, wattages, initial lumen outputs, diffusers, shielding mechanisms, and other accessories. A BUG rating must be included if supplied for each light fixture.
    - c. A table showing the total number of proposed exterior lights, by fixture type, lumens, and lamp type, Including a manufacturer's cut sheet whenever possible.
    - d. The Lighting Plan must demonstrate that no more than the allotted footcandle of light shall be utilized on the property or properties, as specified in section 19.73.113 - Conditions and Standards. Article C. Total Light Output.
    - e. Such other information that the Director or Designee may determine is necessary to ensure compliance with this Chapter.
- C. Approval Procedure.
1. If the Director or Designee determines that any proposed lighting described in a lighting plan does not comply with this Chapter, the plan shall not be approved, and the specific permit applied for shall not be issued.

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**19.73.119 - Appeals, Violations, Enforcement, and Penalties.**

- A. Appeal for Exemption.
1. The Land Use Hearing Officer may approve lighting that does not comply with this Chapter if need is established. An applicant requesting that such lighting be approved must provide proof of requirements of property insurance or findings of competent research demonstrating a need for the requested lighting. The Land Use Hearing Officer may attach other conditions to the approval of such lighting that will make the lighting comply with the spirit of this Chapter.
- B. Violations.
1. The following constitute violations of this chapter:

- a. Failing to meet light **curfew standards** as outlined in section **19.73.114** of this ordinance after the effective date of this Chapter.
- b. The installation, maintenance, or operation of any lighting fixture not in compliance with the requirements of this Chapter if such fixture is installed after the effective date of this Chapter.
- c. The alteration of outdoor lighting fixtures after the approval of a lighting plan by the director or designee, when such alteration does not conform to the requirements of this chapter.
- d. Failure to shield, correct or remove lighting that is installed, operated, maintained, or altered in violation of this Chapter.
- e. Amortization: All exterior lighting fixtures that do not conform to the requirements of this Chapter shall be brought into conformance no later than 5 years from the effective date of this Chapter. The Metro Township encourages property owners to voluntarily bring non-compliant lighting into compliance with this chapter as soon as possible.

**Commented [MS17]:** Might be good to get one of our current planners' or Attorneys opinions on this one.

C. Enforcement.

- 1. If, after investigation, the Director or Designee finds that any provision of this Chapter is being violated, the Director or Designee shall give notice by hand delivery or by certified mail, return receipt requested, of such violation to the owner and/or occupant of such premises, demanding that the violation be abated within 30-days of the date of hand delivery or of the date of mailing of the notice. Planning and Development Services staff shall be available to assist in working with the violator to correct said violation. If the violation is not abated within the 30-day period, the Director or Designee may institute actions and proceedings, either legal or equitable, to enjoin, restrain or abate any violations of this Chapter and to collect penalties for such violations.
- 2. Hillsides, Ridgelines, and Special Cases
  - a. In certain cases (such as but not limited to, properties on or near ridgelines or hillsides), the Director or Designee may require that certain steps be implemented to mitigate the effects of light pollution, glare, light trespass, sky glow, and to curtail the degradation of the night sky environment.
    - i. **For any light source that is directly visible from outside the property boundaries on which the light source is located, the property owner shall redirect, shield, and/or diffuse the light source to minimize the impact and/or address any unintended effect on the night sky environment and adjacent properties. This provision does not apply to existing lighting during which time it is subject to the amortization period.**

D. Penalties.

- 1. Penalties: A violation of this Chapter, or any provision thereof, shall be punishable by a civil penalty of \$50.00 per day, and each day of violation after the expiration of the 30-day abatement period set forth in Section 19.73.119.C.1 shall constitute a separate offense for the purpose of calculating the civil penalty.

**Commented [18]:** I'm having difficulty interpreting this wording. Would it be more clear to replace the word "and" at the beginning of the highlighted wording with "for" and then end the sentence after the Section number? - Tim