

ORDINANCE NO. 2017-29

AN ORDINANCE ADOPTING CHAPTER 18.78 LIGHTING OF THE HEBER CITY MUNICIPAL CODE.

BE IT ORDAINED by the City Council of Heber City, Utah, Chapter 18.78 is **adopted** to read as follows:

18.78 Lighting

- 18.78.010 Purpose of Provisions
- 18.78.020 Definitions
- 18.78.030 Non-Conforming Lights
- 18.78.040 Lighting Standards
- 18.78.050 Lighting Plan Required
- 18.78.060 Right of Way Lighting
- 18.78.070 Conflicting Provisions

18.78.010 Purpose of Provisions

The purpose of the lighting requirements in this chapter shall be to preserve the night sky and to mitigate the impact of lighting from Multi-family, Commercial, Industrial, and other Non-Residential developments on surrounding residential neighborhoods.

18.78.020 Definitions

- A. Airport Lighting. Airport Lighting shall mean any and all lighting fixtures within the boundary of the Heber City Municipal Airport.
- B. Direct Light. Direct Light is light that is being spread, un-interrupted, from the bulb of the lighting fixture. Direct Light typically results in the visibility of the bulb from areas being lit by Direct Light.
- C. Full Cut-Off. Full Cut-Off shall mean that the bulb is recessed within the lighting fixture and no light shall trespass above a 90-degree angle from the fixture, perpendicular to the ground.
- D. Holiday Lighting. Holiday Lighting shall mean any lights or lighting of decorations in conjunction with the celebration of a National, State, Local, Cultural, or Religious Holiday.
- E. Net Acres. Net Acres shall mean the remaining ground area of a parcel after deleting all portions for proposed and existing public rights-of-way and undeveloped area.
- F. Reflected Light. Reflected Light is ambient light that results from the reflection of direct light off the urban environment.
- G. Shoebox Fixtures. Shoebox Fixtures shall mean a square or rectangular box shaped lighting fixture on top of a pole.

18.78.030 Non-Conforming Lights

All lighting existing prior to the adoption of this section are considered Non-Conforming and are allowed to remain in their current state. Non-Conforming lights shall be brought into compliance with this section with the redevelopment or expansion of the site or change of use.

18.78.040 Lighting Standards

A. Non-Residential and Multi-Family Residential Standards

1. All lighting shall be full cut-off and directed downward. The lamp/bulb shall not be visible from the property line.
2. Height – All fixtures shall be mounted no higher than 20 feet, or 16 feet where adjacent to or within residential zones.
3. Light Containment – In no case shall Direct Light be allowed beyond the property line and in no case shall the bulb be visible from beyond the property line. Site lighting shall be considered as to reduce the amount of Reflective Light leaving the site.
4. LED Required – All fixtures shall use an LED bulb.
5. Shoebox fixtures are prohibited. All poles and fixtures shall be of a decorative design.
6. All lighting shall use a bulb of 3000 K or less in color.
7. In no case shall the total lumens for a single site exceed 100,000 lumens per net acre.
8. All non-residential exterior lighting shall be shut off during non-business hours.
 - a. Some lights may be dimmed when connected to an automated dimmer as determined on a case by case basis by the Planning Commission when:
 - i. The lighting is essential to the security of the site.
 - ii. The site offers services outside of employed business hours.
 - b. Dimmed lights must be dimmed by a minimum of 50%. This may be accomplished by dimming all lights by 50% or by a combination of dimmed and shut off lights. In no case can any lights be running at 100% output.
 - c. Motion sensor security lights may operate during non-business hours.
9. Businesses that operate 24 hours a day and are adjacent to residential property shall dim exterior lighting so as to reduce the impact to surrounding residential properties while maintaining site security for the patrons of the said business.

B. Single Family Residential Standards

1. Lighting should be directed so that light does not spill from one parcel to another. Full cutoff and down lighting is encouraged.
2. Home Owners Associations (HOA's) in new residential subdivisions are encouraged to include dark sky compliant regulations in their Covenants, Conditions and Regulations (CC&R's).

C. Exemptions

1. Airport Lighting: Lighting at the Heber City Municipal Airport.
2. Public Parks and Grounds: Fixtures used for public parks and grounds shall be exempt. The use of automatic dimmers, photocells, and timers should be considered and are encouraged.
3. Flags: The up lighting of National, State, or Local Government flags, by any party, shall be exempt. Flags should be taken down at night to avoid the need for lighting.
4. Holiday Lighting: Holiday lighting shall be exempt.

18.78.050 Lighting Plan Required

Lighting Plans are required for all Non-Residential and Multi-Family Residential Developments and shall be submitted as part of the Site Plan.

A. Lighting plans shall include the following:

1. Detail for lighting fixtures. Including:
 - a. Fixture type
 - b. Fixture dimensions.

- c. Fixture color.
- d. Bulb type.
- e. Bulb wattage.
- f. Bulb color.
- g. Fixture Lumens output
- 2. Photometric plan of site.
- 3. Fixture locations. Including:
 - a. Exterior building lighting.
 - b. Site lighting.
 - c. Right of way lighting.
- B. Continuing obligation to comply with standards. Once new lighting is installed, the owner has the continuing obligation to ensure existing and new lighting fixtures comply with city lighting standards.

18.78.060 Right of Way Lighting

All lighting within the public right of way shall be consistent with the current Engineering Standards and Specifications.

18.78.070 Conflicting Provisions

In any instance where the provisions of this section conflict with the provisions of another section, the stricter of the two provisions shall apply.

This Ordinance shall take effect and be in force from and after (a) its adoption, (b) a copy has been deposited in the office of the City Recorder and (c) a short summary of it has been published in the Wasatch Wave, but not prior to the 4 day of October, 2017.

ADOPTED and PASSED by the City Council of Heber City, Utah this 21 day of September, 2017, by the following vote:

	AYE	NAY
Council Member Jeffery M. Bradshaw	<u>X</u> _____	
Council Member Heidi Franco	<u>X</u> _____	
Council Member Kelleen L. Potter	<u>X</u> _____	
Council Member Jeffrey Smith	_____	<u>excused</u>

Council Member Ronald R. Crittenden X

APPROVED:

Alan McDonald
Mayor Alan McDonald

ATTEST:
Amy M. Bridge
RECORDER

Date: 9-21-17



Date of First Recording: 9-21-17