



STAFF REPORT

To: Snyderville Basin Planning Commission
From: Ray Milliner, County Planner
Date of Meeting: January 22, 2019
Type of Item: Code Amendment – Public Hearing
Process: Legislative

RECOMMENDATION: Staff recommends that the Planning Commission review the proposed language to amend Chapter 10-4-21: Lighting Regulations in the Snyderville Basin conduct a public hearing and provide direction.

Proposal

The purpose of the amendments is to bring the lighting regulations in Chapter 10-4-21 of the Development Code up to date with current best practices.

Background

Recently, staff has been directed by both the Summit County Council and the Snyderville Basin Planning Commission to draft an extensive rewrite of the Snyderville Basin Development Code Lighting Regulations. Because of changes in lighting technology, many of the base requirements in the current lighting ordinance are out of date. For example, the ordinance requires that all outdoor lighting be high pressure sodium fixtures because of their efficiency. However, recent advances in technology have created other light sources, such as LED lighting, that are just as efficient as or more efficient than the high pressure sodium fixtures mandated by the Code.

To create the language, staff consulted with representatives from the University of Utah Consortium for Dark Sky Studies, Springdale City, Torrey City and Ketchum City. Each of these resources provided guidance for the creation of the ordinance.

On August 28, the Commission conducted a work session to review the draft ordinance language. At the meeting, the Commission provided direction and requested that staff return for further review. Staff has made the changes requested by the Commission and attached a draft ordinance to this staff report for review. Staff is requesting that the Commission review

the document and provide direction. Prior to any recommendation to the County Council, staff will prepare definitions and refine/format the language.

Items for Discussion

Staff is requesting that the Planning Commission review the attached language and provide direction on the following issues.

1. At the November 13, 2018 Commission meeting, staff included language for the amortization of all non-conforming lighting fixtures in the Basin. It would require lighting to be brought into compliance within 7 years of the approval of the ordinance, during remodels or when old fixtures are broken and need to be replaced. The Commission discussed the item but did not provide final direction as to whether or not the language should remain in the draft ordinance. Staff is requesting that the Commission continue the discussion and provide direction.
2. Discuss any remaining issues/changes in the draft ordinance that will be necessary prior to preparing it for a final recommendation to the County Council.

Recommendation

Staff recommends that the Planning Commission review the proposed language to amend Chapter 10-4-21: Lighting Regulations in the Snyderville Basin conduct a public hearing and provide direction.

Exhibits

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| Exhibit A. | Proposed Language |
| Exhibit B. | Photos, Examples |

10-4 -21: LIGHTING REGULATIONS:

A. Purpose

The purpose of this Section is to:

1. Balance the environmental and sustainability goals set forth in the Snyderville Basin General Plan with the need to provide safe lighting practices.
2. To minimize light pollution for the enjoyment of the Snyderville Basin's residents and visitors.
3. To prevent the degradation of the nighttime visual environment by production of unsightly and dangerous glare;
4. To create lighting practices that promote the health and safety of the Snyderville Basin's residents and visitors;
5. To prevent unnecessary waste of energy and resources in the production of excessive light or wasted light;
6. To prevent interference in the use or enjoyment of property which is not intended to be illuminated at night and the loss of the scenic view of the night sky due to increased urban sky-glow and light trespass.

B. Applicability

All exterior outdoor lighting installed after the effective date of this Chapter in all zones in the Snyderville Basin shall conform to the requirements established by this Chapter.

1. This Chapter does not apply to indoor lighting.
2. Should this Chapter be found to be in conflict with other sections of this Code, or a Development Agreement, Settlement Agreement or other regulation, the more restrictive shall apply.

C. Amortization of Nonconforming Outdoor Lighting

Amortization: The County shall require the termination of use of any and all nonconforming outdoor lighting fixtures, structures, lamps, bulbs or other devices that emit or generate light which are not otherwise exempted by this chapter, pursuant to the amortization schedule contained in this Section.

Schedule of Amortization: All outdoor lighting legally existing and installed prior to the effective date of this chapter and which is not exempted shall be considered nonconforming and shall be brought into compliance by the property owner as follows:

1. Immediate abatement as a condition for approval upon application for a building permit, sign permit, conditional use permit, design development review or similar County permit or review when said site improvements, construction, reconstruction, expansion, alteration or modification of existing sites, structures, or uses individually or cumulatively equal or exceed one thousand five hundred (1,500) square feet. Projects less than one thousand five hundred (1,500) square feet will not be subject to immediate abatement.
2. All damaged or inoperative nonconforming lighting shall be replaced or repaired only with lighting equipment and fixtures compliant with this chapter.

3. All outdoor lighting not previously scheduled for amortization or otherwise exempted shall be brought into conformance with this chapter within seven (7) years from the effective date of this chapter.

D. Application and Review Procedures

Lighting Plans Required: All Development Permit applications or submittals that propose exterior outdoor lighting or street lighting shall include a lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this Section and shall include the following:

1. Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures on the premises, and type of illumination devices, lamps, supports, shielding and reflectors used and installation and electrical details.
2. Illustrations, including but not limited to a manufacturer's catalog cuts, of all proposed lighting fixtures. For commercial, resort and industrial uses, photometric diagrams of proposed lighting fixtures are also required. In the event photometric diagrams are not available, the applicant must provide sufficient information regarding the light fixture, lumens, degrees kelvin, and shielding mechanisms for the Planning Commission or Community Development Director to be able to determine compliance with the provisions of this Chapter.
3. A table showing the total number of proposed exterior lights, by fixture type, degrees kelvin, lumens, and lamp type.

E. Full Cutoff Fixture Requirements:

1. Unless specifically exempted by this Chapter, all outdoor lighting shall use full cutoff fixtures and shall be installed so light is directed downward with no light emitted above the horizontal plane of the fixture.
2. Lighting must not be placed at a location, angle, or height that directs illumination or horizontal trespass outside the property boundaries where the light fixtures are located.
3. In order to qualify as a "full cutoff" fixture, a light fixture must have the top and sides made of completely opaque material so 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 full cutoff. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Merely placing a light fixture under an eave, canopy, patio cover, or other similar cover does not qualify as full cutoff.

F. Ridgeline Development.

In certain cases (such as, but not limited to, steep topography, significant changes in grade, Development in The Ridgeline Overlay Zone District, or Development affecting identified ridgelines), additional shielding may be required to mitigate glare or light trespass. The need for additional shielding will be considered as part of the review process described in section 10-4-3 of this Chapter.

G. Exemptions.

The following shall be exempt from the requirements and review standards of this Chapter:

1. Holiday lighting. Winter holiday lighting which is temporary in nature and which is illuminated only between and including November 15 and March 1 shall be exempt from the provisions of this Chapter, provided that such lighting does not create dangerous glare on adjacent streets or properties, is maintained and does not constitute a public hazard.
2. Traffic control signals and devices.
3. Temporary emergency lighting in use by law enforcement or government agencies or at their direction.
4. The lighting of federal or state flags, provided that the light is a narrow beam aimed and shielded to illuminate only the flag. Flag lighting should use appropriate illumination levels to light the flag, while at the same time fulfilling the purposes of this Chapter.
5. Low voltage LED lights and solar lights used to illuminate pathways in residential areas, provided the lights are installed no more than eighteen inches (18") above the adjacent ground level and are downward directed.

H. Prohibited Lighting

The following types of lights are prohibited:

1. Floodlights or spotlights affixed to buildings for the purpose of lighting parking lots or sales display lot areas.
2. Architectural lighting intended to accent or draw attention to architectural features of a building or structure.
3. Landscape lighting intended to accent or draw attention to landscape elements of the property.
4. Search lights, laser source lights or any similar high intensity lighting is prohibited except in emergencies by police and fire personnel or at their direction.
5. Up lighting to illuminate buildings and other structures.
6. Flashing, blinking, intermittent or other lights that move or give the impression of movement.
7. Neon or luminous tube lighting except as permitted in Section 10-8-2 of this Chapter.
8. Window display lighting between the hours of 10 p.m. and 7 a.m.

I. Color Temperature

The maximum correlated color temperature for Outdoor Light Fixtures is as follows (Color temperature is a way to describe the light appearance provided by a light fixture. It is measured in degrees of kelvin on a scale from 1,000 to 10,000):

1. All lighting shall make use of lamps whose correlated color temperature does not exceed 3,000 degrees kelvin.
2. The correlated color temperature of lighting may exceed 3,000 degrees kelvin in situations where the Community Development Director determines that accurate color rendition is crucial to public safety or the activities of law enforcement. In no case shall the correlated color temperature of such critical lighting exceed 5,000 degrees kelvin.

J. Lumens per Fixture

The maximum lumens allowed for Outdoor Light Fixtures are as follows (The acceptability of a particular light is decided by its Lumen output, not wattage; check manufacturer's specifications):

1. For single-family residential Uses, fixtures up to 2,000 Lumens output per lamp.
2. For commercial, industrial, Resort and Multi-Family Uses, fixtures up to 2,500 lumens output per lamp.
3. Total Outdoor Light Output: total outdoor light output, excluding streetlights used to illuminate public Rights-of-Way, shall not exceed the following limits averaged over the entire project (values listed are total initial lamp Lumens per Acre and per residence):
4. For Single-Family Detached Dwellings and Duplexes the maximum outdoor light output shall not exceed 20,000 lumens per residence.
5. For commercial, industrial and multi-family Dwelling Units the maximum outdoor light output shall not exceed 100,000 lumens per acre.
6. Mounting Height: total outdoor light output shall not exceed the following limits when mounted at the heights prescribed below:

Mounting Height (Feet)	Maximum Lumens Allowed
6	1,000
8	1,600
10	2,000
12 or above	2,500

K. Specific Requirements for Lighting Applications and Fixtures:

These fixtures shall be located at the necessary distance from property boundary in order to ensure light does not trespass onto adjacent properties. The Applicant shall demonstrate appropriate placement on the required lighting plan.

1. Wall Mounted Area Lighting:

All wall mounted or building mounted fixtures shall not exceed twelve feet (12') above Finished Grade, measured directly below the light fixture. In cases where there is second Story access directly from the outdoors, a single fixture may be placed above or adjacent to the access.

2. Parking Lot Lighting:

1. Pole top mounted fixtures shall not be mounted more than sixteen feet (16') above Finished Grade, as measured to the top of the fixture or a horizontal plane being lit by the fixture.
2. All parking lot lighting shall use full cutoff fixtures.
3. All pole top mounted parking lot lights shall be set back from property lines a distance equal to two and one-half (2 ½) times the height of the pole.
4. Pole mounted fixtures shall be limited to two light sources per pole.
5. Spot or flood lighting of parking lots from a building or other structure is prohibited.
6. On parking lots greater than one (1) acre in size, programmable full cut off fixtures shall be used. These fixtures shall be dimmable and paired with motion sensors that are incorporated into the lighting system.

3. Walkway/Pathway Lighting:

1. All pathway pole top symmetric distribution fixtures shall not be mounted more than ten feet (10') above Finished Grade directly below the fixture, as measured to the top of the fixture.

4. Roadway Lighting:

1. Streetlights are prohibited unless required by the Summit County Public Works Director or required by UDOT to ensure the safety of the public. All streetlights shall utilize lamp types that are energy efficient and minimize sky glow and other unintended impacts of artificial lighting and feature the lowest illumination design that meets the minimum illumination requirements set by UDOT shall be used.

5. Gas Station Canopies:

1. Lighting levels on gasoline station canopies shall be to illuminate the activities taking place under the canopy, not to attract attention to the business.
2. Gas station canopies may be illuminated provided all light fixtures are mounted on the undersurface of the canopy and all light fixtures are full cutoff. Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface of the canopy and/or shielded by the fixture or the edge of the canopy.
3. The undersurface of the canopy shall be nonreflective (built or painted with low reflectivity colors or materials).

6. Soffit Lighting:

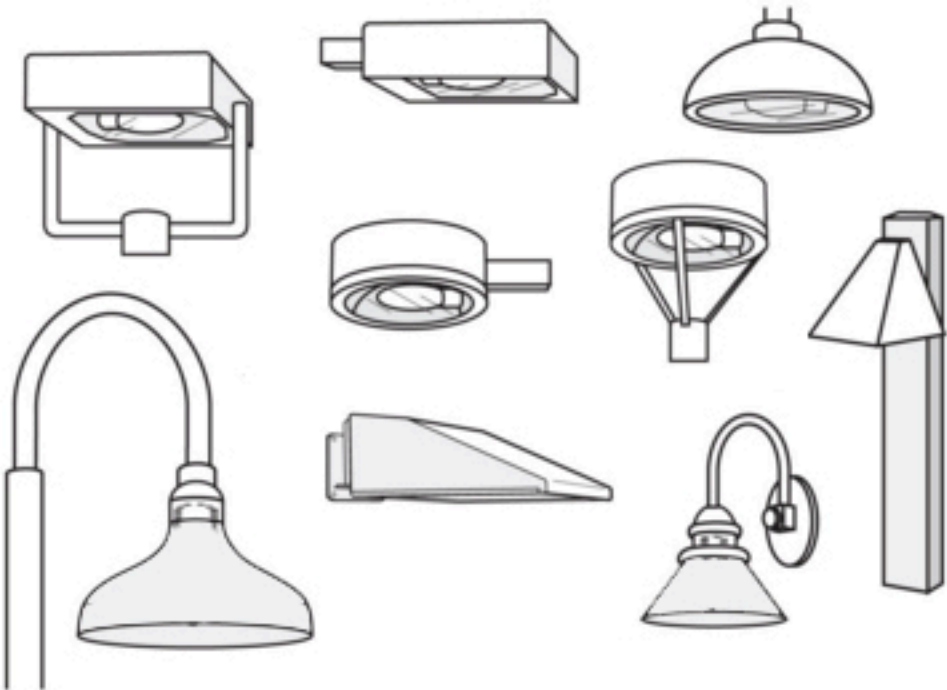
1. For Detached Single-Family Dwellings if lighting an area with fixtures mounted in the soffit of a building, the fixture cannot be mounted above twelve feet (12'), as measured from the fixture to Finished Grade.
2. For commercial, industrial and Multi-Family Dwellings, If lighting an area with fixtures mounted in the soffit of a building, the fixture cannot be mounted above twenty feet (20'), as measured from the fixture to Finished Grade.
3. Light fixtures mounted on soffits shall be recessed so that the lens cover is recessed or flush with the bottom surface of the soffit and/or shielded by the fixture or the edge of the soffit.

7. Lighting for commercial outdoor Recreation and athletic facilities:

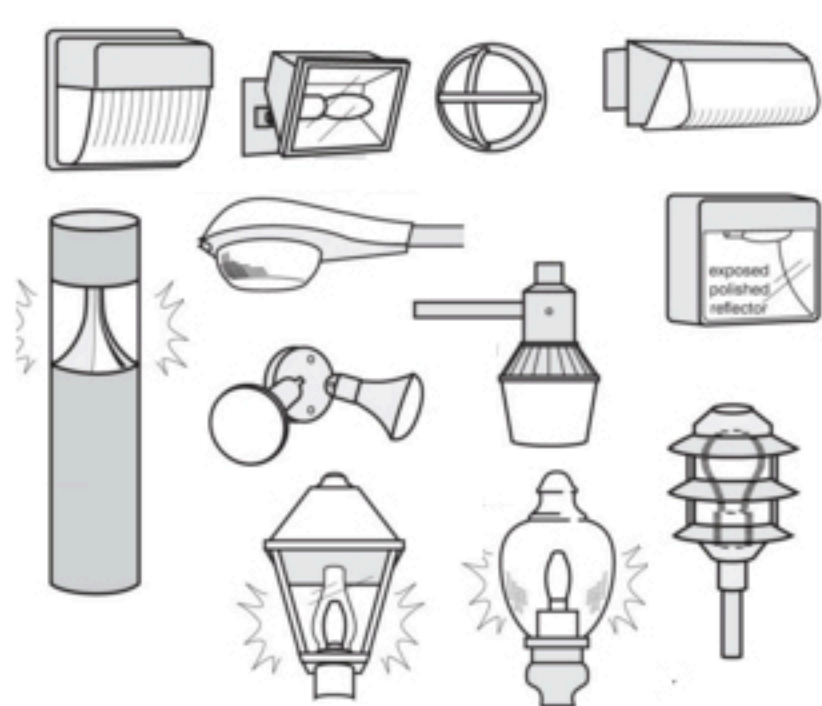
1. The recreational lighting has provisions for minimizing glare, spill light and up light by the use of louvers, hoods, or shielding.
2. The recreational lighting will only illuminate the field or court area with no direct illumination falling outside of those areas.
3. Pole mounted recreational lighting shall be limited to eighteen feet (18') in height.
4. Pole mounted recreational lighting must be set back a minimum of sixty feet (60') from adjacent residential properties.
5. Lighting for sports fields should be shut off no later than eleven o'clock (11:00) P.M.
6. The lighting for nonfield and noncourt areas shall conform to all provisions of this Chapter.

Exemption: Because of their unique requirements for nighttime visibility and their limited hours of operation, lighting fixtures for baseball diamonds, playing fields, tennis courts and ski area runs may exceed the eighteen foot (18') height limit subject to the following:

1. Planning Commission review. All applications for pole height greater than eighteen feet (18') shall be reviewed by the Snyderville Basin Planning Commission.
 2. In no case shall any lighting fixture exceed seventy feet (70') in height as measured from the top of the fixture to the adjacent grade or the horizontal plane being lit by the fixture.
 3. Lighting fixtures shall be subject to all other requirements in this Chapter.
8. Lighting for Private Outdoor Recreation and Athletic Facilities:
1. The recreational lighting has provisions for minimizing glare, spill light and up light by the use of louvers, hoods, or shielding.
 2. The recreational lighting will only illuminate the field or court area with no direct illumination falling outside of those areas.
 3. The light source for the recreational light will not be visible from adjacent properties.
 4. Pole mounted recreational lighting shall be limited to eighteen feet (18') in height.
 5. Pole mounted recreational lighting must be set back a minimum of sixty feet (60') from adjacent properties.
 6. Lighting for sports fields should be shut off no later than eleven o'clock (11:00) P.M.
 7. The lighting for nonfield and noncourt areas shall conform to all provisions of this Chapter.
9. Towers:
1. All monopole, antenna, tower or support facility lighting not required by the Federal Aviation Administration (FAA) or the Federal Communication Commission (FCC) is prohibited.
 2. When lighting is required by the FAA or the 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.
 3. All other lighting used on the property not regulated by the FAA or FCC shall conform to this Chapter.



Full Cut Off Fixtures



Non-Full Cut Off Fixtures