ORDINANCE NO. 2020-XX

AN ORDINANCE OF IVINS CITY, UTAH, UPDATING REGULATIONS FOR OUTDOOR LIGHTING

WHEREAS, the Ivins City Council desires to update the City's Outdoor Lighting regulations by consolidating, amending and renumbering the prior Outdoor Lighting regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF IVINS CITY, STATE OF UTAH:

SECTION 1. Chapter 9 of Title 14 of the Ivins City Code is hereby repealed.

Title 14

BUILDINGS AND CONSTRUCTION

* * *

CHAPTER 9

OUTDOOR LIGHTING

Repealed. (Ord. 2020-XX, 2020)

SECTION 2. Chapter 22 of Title 16 of the Ivins City Code is hereby amended to now be entitled "LANDSCAPTING" and sections 16.22.104 and 16.22.105 are hereby repealed.

Title 16

ZONING REGULATIONS

* * *

CHAPTER 22

LANDSCAPING ~~AND OUTDOOR LIGHTING~~

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16.22.104 Outdoor Site Lighting Requirements. Repealed. (Ord. 2020-XX, 2020)

16.22.105 Lighting of Drive-Through Facilities And Gas Island Canopies. Repealed. (Ord. 2020- XX, 2020)

SECTION 3. Amended and renumbered Outdoor Lighting regulations are now codified in Title 16, Chapter 23 of the Ivins City Code as follows:

Title 16

ZONING REGULATIONS

* * *

CHAPTER 23

OUTDOOR LIGHTING

16.23.101 PURPOSE. The purpose of this chapter is to encourage the quantity and level of lighting necessary for safety, security and the enjoyment of outdoor living. The type of lighting and the location of lighting fixtures are key components of effective lighting. It is the intent of this chapter to effectively light areas with lighting fixtures that limit glare and direct light onto the area to be lit.

The purpose of this chapter is to assist in implementing the Ivins City General Plan that includes the following Vision Statement:

"Ivins is a City that values and preserves its scenic beauty and provides a variety of intellectual, educational, cultural, recreational, historic and economic opportunities to its diverse population and visitors. Ivins is a vibrant community that preserves a high quality of life for residents while promoting a resort character."

Effective outdoor lighting enhances the City's character and identity, provides safety and security for persons and property, promotes a pleasant and soft ambiance, and protects astronomical observations~~, and provides safety and security for persons and property. Excessive light, or light pollution, can be annoying, cause safety problems, reduce privacy, and waste energy resources~~.

Outdoor lighting has a number of functions, it must promise immediate good vision and orientation so that an area is usable and safe at night. By means of placement and intensity, lighting is also used to guide pedestrian and vehicular movement and highlight areas where traffic conflicts. Lighting is also used for architectural emphasis and effect, to attract business, and to give a site a particular "personality". All area lighting has the ultimate purpose of providing visibility. Good visibility is achieved through the interaction of intensity, direction, and reflection of light so that an observer can immediately translate received light into terms of shapes, colors, surfaces, distance, and movement.

In order to effectively regulate these activities, communities are empowered to establish regulations and standards for all outdoor lighting. This chapter contains standards and guidelines to preserve, protect, and enhance the "night sky" in Ivins City.

This chapter, and any rules, regulations and specifications hereafter adopted, is initiated for the following purposes:

To promote safety and security for persons and property.

To promote and protect the public health, safety and welfare.

To preserve, protect, and enhance the natural beauty of the "night sky".

To encourage and promote the conservation of energy resources.

~~To promote safety and security for persons and property.~~

To maintain and enhance property values.

To adopt clear standards for all outdoor lighting and to inform the public of those standards.

To implement the goals and objectives of the Ivins City General Plan.

To implement the goals and objectives of the Ivins City Design Guidelines and Standard Specifications for Design and Construction.

To eliminate light trespass onto abutting properties.

To promote appropriate business.

To allow flexibility for creative lighting.

To avoid duplicate lighting sources.

To enhance community personality.

To comply with adopted state energy codes. (Ord. 2007-11, 2007)

16.23.102 SCOPE AND APPLICABILITY. This chapter, together with the Ivins City General Plan, Ivins City Zoning Ordinance, Ivins City Subdivision Ordinance, Ivins City Design Guidelines, and Ivins City Standard Specifications for Design and Construction shall guide outdoor lighting within the municipal boundaries of the City. This chapter does not apply to indoor lighting. (Ord. 2007-11, 2007)

16.23.103 INTERPRETATION.

(1) Greater Restrictions Prevail. In their interpretation and application, the provisions of this chapter shall be considered as minimum requirements. Where the provisions of this chapter impose greater restrictions than any statute, other regulations, ordinance or covenant, the provisions of this chapter shall prevail~~.~~ wherever legally allowed. Where the provisions of any statute, other regulation, ordinance, or covenant, including a private covenant, impose greater restrictions than the provision of this chapter, the provisions of such statute, other regulation, ordinance, or covenant shall prevail.

(2) Definitions. Whenever any word or phrase used in this chapter is not defined herein but is defined in related sections of the Utah Code or in the Ivins Municipal Code, such definition is incorporated herein and shall apply as though set forth herein in full, unless the context clearly indicates a contrary intention. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is always mandatory and the term "may" is permissive.

(3) Severability of Parts. The various sections, subparagraphs, sentences, phrases, and clauses of this chapter are hereby declared to be severable. If any such part of this chapter is declared to be invalid by a court of competent jurisdiction or is amended or deleted by the City Council, all remaining parts shall remain valid and in force.

16.23.104 DEFINITIONS. Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this chapter. Words used in the present tense include the future; the singular includes the plural; the word "shall" is mandatory and not directory; the word "may" is permissive. Words used in this chapter, but not defined herein, shall have the meaning first as defined in any other ordinance adopted by the City and then its common, ordinary meaning.

Bollard. A post-shaped light fixture that is useful along pathways, garden borders and other areas that require definition at night. These fixtures cast light downward in a full 360-degree pattern or have half lenses that confine illumination to 180 degrees. Bollards shall use cut-off optics.

Cut-off Fixture. The IESNA definition of a shielded luminaire where less than 2.5% of the light is emitted above 90 degrees above horizontal, for purposes of this chapter. Also see definition for full cut-off fixture.

Design Guidelines. The document adopted by the City Council to direct and guide the aesthetics of development in Ivins City.

Electronic Message Boards. Includes, but is not limited to, digital signage, LED sign message boards, scrolling LED sign, and programmable electronic message signs.

Existing Outdoor Lighting. All existing outdoor lighting located on a subject property that is part of a land use application or building permit.

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

Fluorescent Lamp. A Long Arc lamp that uses the fluorescence of a phosphor to produce visible light.

Foot-candle (fc). A standard unit of measure used to specify illuminance; how much light is falling per square foot onto a surface. One foot-candle of illumination arises when one lumen is spread onto one square foot of surface. The amount of light striking a surface, measured by a light meter.

Full Cut-off Fixture. The IESNA definition of a shielded luminaire where none of the light is emitted above 90 degrees above horizontal, for purposes of this chapter. Additionally, this requires the luminaire to have a flat lens and may not be angled more than 1 degree from horizontal. Also see definition for cut-off fixture.

Fully Shielded Fixture. A fixture with an opaque housing or attachment which prevents a line of sight to the bulb when viewed from another property and which prevents a line of sight to any part of the light source at or above a horizontal plane running through the lowest portion of the fixture.

General Plan. The document that sets forth general guidelines for proposed future development of the land within the municipality that includes what is also commonly referred to as a "Master Plan".

Glare. Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

Height of Luminaire. The (mounting) height of a luminaire shall be measured as the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct light emitting part of the luminaire.

High-Intensity Discharge (HID) Lamp. Family of bulb type that produces illumination by passing an electric current through a gas, also referred to as a "gas discharge lamp". HID includes low and high-pressure sodium, mercury vapor, and metal halide.

High-Pressure Sodium (HPS) Lamp. An HID lamp where light is produced from a mixture of mercury and sodium at high pressure. The lamp produces a yellow or amber effect.

Home Accent Lighting. Lighting of building surfaces, landscape features, statue and similar items for the purpose of decoration and ornamentation and that does not have as its primary function the safety and security of persons or property.

IESNA. The Illuminating Engineering Society of North America, the ANSI accredited standards writing body for lighting definitions and recommended practices cited in this chapter.

Illuminance. The intensity of light per unit of area.

Incandescent Lamp. A lamp in which the light is produced by a filament of conducting material contained in a vacuum and heated by an electric current.

Initial Lumens. The amount of light emitted by a lamp after 100 hours of operation.

Kelvin. The measurement of color temperature of light appearance provided by a light bulb. It is measured in degrees on a scale from 1000 to 10,000. The higher the degrees Kelvin, the whiter the color temperature.

Lamp. The electric bulb or tube within a luminaire that produces the actual light.

Laser Source Light. A device containing a substance the majority of whose atoms or molecules can be put into an excited energy state, allowing the substance to emit coherent light in an intense narrow beam.

LED Lamp. The LED light bulb is an electric light for use in light fixtures that produces light using one or more light emitting diodes. The lamp color can be manufactured in a broader spectrum.

Lighting Fixture. The assembly that holds the lamp in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts.

Light Source. The lamp and lens, diffuser, or reflective enclosure, also known as a luminaire.

Light Pollution. Occurs when night lighting is emitted upwards and obstructs the view of the night sky.

Light Trespass. Occurs when outdoor night lighting encroaches onto adjacent properties and/or adjacent public properties. See also Spill Light.

Low-Pressure Sodium (LPS) Lamp. An HID lamp where the light is produced by radiation from sodium vapor at a relatively low pressure. The lamp produces a yellowish light.

Lumen. The standard unit used to measure the brightness of the illumination exiting a lamp, provided by the manufacturer.

Luminaire. A structure that holds an electric lamp and its socket, wiring, and auxiliaries, such as ballasts, reflectors, lenses and attachment parts.

Mean Lumens. The amount of light emitted by a lamp at the end of useful life. Used for calculation of illuminance demonstrating compliance with these requirements, unless noted differently.

Mercury Vapor Lamp. An HID lamp where the light is produced by radiation from mercury vapor. The lamp produces a blue/green light.

Metal-Halide Lamp. An HID lamp where the light is produced by radiation from metal-halide vapors. The lamp produces a crystal white light. Lamp may be coated or uncoated by a phosphor.

Neon Lamp. A discharge tube filled with luminous gas (neon, argon, xenon or other gasses). Tubes are often formed into text, symbols or decorative elements and produce lights of various colors. Replaceable fluorescent lamps are not included in this definition.

Non-conforming Luminaires. Luminaires that do not conform to this chapter but existed at the time of the adoption of this chapter.

Outdoor Lighting. The nighttime illumination of an outside area or object by any handmade device located outdoors that produces light by any means.

Photometrics. A branch of Science that deals with the measurement of the intensity of light or of relative illuminating power in terms of perceived brightness to the human eye. Photometric measurements are crucial in the quality control and development of any lighting that is to be utilized in a human environment.

Plasma Lamp. High-efficiency Plasma (HEP): High efficiency plasma lighting is the class of plasma lamps that have system efficiencies of 90 lumens per watt or more. Lamp in this class are potentially the most energy-efficient light source for outdoor, commercial, and industrial lighting. *Explanation: Many modern plasma lamps have very small light sources – far smaller than HID bulbs or fluorescent tubes- leading to much higher luminaire efficiencies also. High intensity discharge lamps have typical luminaire efficiencies of 55% and fluorescent lamps of 70%. Plasma lamps typically have luminaire efficiencies exceeding 90%.*

Safety Lighting. Low-level lighting used to illuminate vehicular and pedestrian circulation.

Security Lighting. Lighting designed to illuminate a property or grounds for the purpose of visual security. This includes fully shielded lighting designed to remain on during nighttime hours in the absence of business activity as well as motion sensing lighting fixtures.

Spill Light. Undesired light falling beyond the desired and allowable target. See Light Trespass.

Sport Lighting Lighting designed for active recreation, whether publicly or privately owned, including but not limited to, parks, baseball, and softball diamonds, soccer and football fields, 2020- XX Outdoor lighting update page 6 of 14 golf courses, tennis courts, roping/equestrian activities and swimming pools. Requires special construction permit.

Spotlight. Any lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam of less than 25 degrees in a particular direction.

Standard Specifications for Design and Construction. The standards and construction requirements for improvements as published by Ivins City, most recent edition.

Street Lighting. Lighting installed by or at the direction of a governmental agency to illuminate public roadways and adjacent walking surfaces.

Subdivision Ordinance. The Ivins City Subdivision Ordinance as presently adopted and as amended hereafter by the City Council.

Up-lighting. Direct light emitted above the horizontal. See Light Pollution.

Watt. The standard unit used for measuring the amount of electrical energy used.

Zoning Administrator. Ivins City Staff that is designated by the City Manager to administer provisions of this chapter.

Zoning Ordinance. The City Zoning Ordinance as presently adopted and as amended hereafter by the City Council.

16.23.105 GENERAL STANDARDS AND CRITERIA. Listed herein are standards and criteria for lighting. It is important to note that the intent of this section is to effectively regulate lighting, and it is not the intent of this section to limit creative lighting solutions. Creative

approaches to lighting are encouraged and viable alternatives to these standards and guidelines may be substituted if the alternatives can be demonstrated to meet the intent of this chapter and do not otherwise violate this chapter.

(1) Type of Lights Recommended.

(a) Incandescent or Tungsten Halogen Lamps. Allowed for some landscape lighting or residential safety lighting, generally less than 60 watts, 20-watt limitation for landscape lighting.

(b) Compact Fluorescent Lamps. Allowed for some landscape lighting or residential safety lighting, generally less than 40 watts, 26-watt limitation for landscape lighting.

~~(c) Metal Halide Lamps. Generally permitted for sports lighting and specifically approved outdoor merchandising.~~

~~(d) High Pressure Sodium Lamps. Preferred for streetlighting, in limited wattages and mounting heights.~~

~~(e) Low Pressure Sodium Lamps. Permitted for streetlighting, in limited wattages and mounting heights.~~

(c) LED Lamps.

(2) Conformance with Applicable Codes. All outdoor electrically powered illuminating devices shall be installed in conformance with the provisions of this chapter, Building Codes, the Electrical Code, and Sign Ordinance, with appropriate permits and inspection. Reference applicable IESNA publications.

(3) Color/Temperature: ~~Warm lighting colors are required and blue-white colors are generally prohibited. In this regard, all outdoor light shall meet the following:~~

~~(a) For non-residential properties, private streets and parking lot lighting:~~ The correlated color temperature (CCT) of outdoor lamps shall be no more than ~~3~~4,000 degrees Kelvin ~~plus or minus 200 degrees and must be covered with an amber filter that reduces the CCT to approximately 2,200 degrees~~.

~~(i) The amber filter shall be ACRYLITE® cast acrylic sheeting 1/8 to ¼ inch thick. The color of the filter is "Transparent Amber – 86%". Equal alternative shall only be considered with testing by the City.~~

~~(b) For residential properties, the correlated color temperature (CCT) of outdoor lamps shall not exceed 2,700 degrees Kelvin, except that parking lot lights, bollards, entry lights, signage lighting, and any other freestanding outdoor lights (except low-voltage landscape lighting mounted no higher than 18" off the ground) are required to meet the color temperature requirements for all non-residential properties as described above. (Ord. 2018-18, 2019).~~

(4) Light Trespass. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the light source. Direct illumination shall not fall onto or across any public or private street or road. No spill lighting is permitted.

(5) Fully Shielded Fixtures. All outdoor lighting, emitting more than 2000 initial lumens, shall be full cut-off fixtures fully shielded with fixtures installed and aimed in such a way so that no light is emitted above the horizontal. For luminaires under 1800 lumens the bulb must be frosted glass or

installed behind a translucent cover. Shielding may be accomplished by: full cut-off fixtures; design; shielding; visors; louvers; or other devices.

(6) Spotlights. Spotlights shall be aimed or directed toward the ground and no light shall be aimed at neighboring property or create direct glare for motorists.

(7) Searchlights, Floodlights, etc. Searchlights, floodlights, laser source lights, strobe, or flashing lights, illusion lights, or any similar high intensity light shall not be permitted except in emergencies by public safety personnel or at their direction.

(8) Site Shielding. In certain cases, additional shielding may be required to mitigate glare or light trespass. The need for additional shielding shall be considered as part of the development review process described in the Ivins City Subdivision Ordinance.

(9) Up-lighting. Up-lighting (light pollution) is prohibited unless the light is shielded in a manner that confines the light to the surface of a building façade or other object of illumination, without spill light.

(10) Light Curfews.

(a) Commercial and industrial lighting shall be turned off within thirty (30) minutes of close of business, except that lighting within forty (40) feet of a building, outside display areas, or other areas requiring security lighting shall not exceed two (2) initial lumens per square foot.

(b) Lighting for signage, except monument signs, shall be turned off thirty (30) minutes after the close of business.

(c) Sports lighting shall be turned off by 11:00 P.M., except to conclude a specific sporting event that is underway.

(11) Landscape Lighting. The primary function of landscape lighting is to provide illumination for pathways, steps, and entrances to buildings.

(a) Pathway Lighting. The intent of pathway lights is to provide pools of light to help direct pedestrians along the path, not to fully illuminate the path. Steps and path intersections should be illuminated for safety. The maximum average foot-candle permitted on the ground is an average of one (1) horizontal foot- candle or less. Two types of lights may be selected: three and one half (3’6”) foot bollards with louvers or ten (10) foot pole mounted down directed luminaires. Lights must be shielded.

(b) Highlighting, Backlighting. Only low voltage systems are permitted. Lights must be partially shielded and light must not be directed off the property being lighted. A maximum foot-candle permitted at ten (10) feet is 0.6 horizontal foot-candles from the light source. Up-lighting is prohibited except where demonstrated to be non-polluting at a power density of ~~20 watts~~250 lumens per 10 square ft. of landscape area.

(c) The lighting of vegetation and other landscape features shall comply with the regulations established in this chapter.

(d) The regulations contained in this Section 16.23.105(11) shall apply to Home Accent Lighting.

(12) Lighting of Flags.

(a) U.S. Code states that:

"It is the universal custom to display the flag only from sunrise to sunset on buildings and flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness."

(b) The lighting of Federal or State flags shall be permitted provided that the light is a narrow beam spotlight rather than a floodlight, carefully aimed to avoid creating a source of glare (maximum lumen output of ~~6000~~1500 lumens per flag).

(13) Security Lighting. Appropriate security lighting is allowed in compliance with the general provisions of this chapter including shielding, direction, color, and measurement.

(a) Commercial. Security lighting is permitted within forty (40) feet of a building, in outside display areas, or other areas requiring such lighting. Security lighting may remain on after the close of business for security purposes, reduced to defined illuminance levels.

(b) Residential. All security lighting shall be fully shielded and shall be set on a timer or motion detector. Infrared sensor spotlights are the recommended light type for security.

(14) Roadway/Streetlights/Trails. All streetlights shall be in accordance with Ivins City Standard Specifications except as indicated below for non-standard lighting.

(a) Full Cut-off Fixtures. All new lighting for streets or highways shall be full cut-off fixtures.

(b) Light Source. Streetlights shall preferably use ~~high pressure sodium~~LED lighting or Plasma Lamps.

(c) Height. Streetlights shall not exceed twenty-five (25) feet in height.

(d) Non-Standard Poles. Metal poles that are used to mount light fixtures shall be painted black, brown, or other colors that blend with the surrounding terrain. Fiberglass poles shall be likewise painted or intrinsically colored. Wooden poles shall be naturally stained or painted in colors that blend with the surrounding terrain.

(e) Non-complying Streetlights. Existing street and highway lights that do not meet the requirements of this chapter shall be brought into compliance as part of the Ivins City Capital Facilities Improvements Plan as funds become available.

(f) Location. Roadway and streetlights, as a minimum, should be placed:

(i) At intersections and crosswalks on major collector streets and arterials unless within 125 feet of an adjacent streetlight.

(ii) At intersections and crosswalks on minor collector or residential collector streets unless within 250 feet of an adjacent streetlight.

(g) Exceptions: Exceptions may be made by the City Engineer or Public Works Director if crosswalks and street signs along collector and arterial streets are provided with alternative lighting as proposed by a developer.

(15) Trails. Trails lighting shall be low-level bollards (below eye level where possible), shielded, and designed to meet all requirements established in this chapter and in accordance with the Standard Specifications for Design and Construction. Bollards shall not be necessary where trail is within 100 feet of a streetlight. Other low-level lighting alternatives shall be considered during the development process on a case by case basis.

(16) Project Entrance Lighting. The design of the fixtures shall blend with the general theme of the project, project signage, and should be integrated into entry landscaping as approved by the development process.

(17) Parking Lots

(a) Full cut-off fixtures. All lighting shall be full cut-off fixtures as defined by The Illuminating Engineering Society of North America (IESNA).

(b) Appropriate location. Entrances, exits, and barriers should be emphasized.

(c) Integrate with landscaping. All parking lot lighting should be integrated into landscape areas wherever possible.

(d) Height. Height of parking area light poles should be in proportion to the building mass and height, and no more than fourteen (14) feet high.

(e) Maximum. A maximum of two (2) initial lumens per square foot of parking lot surface is permitted.

(f) Spot or floodlighting prohibited. Spot or floodlighting of parking lots from a building or other structure is not permitted.

(g) Compliance required. Parking lot lighting shall comply with all other requirements of this chapter.

(h) Metal Poles. If metal poles are used to mount light fixtures they shall be painted black, brown, or other colors that blend with the surrounding terrain.

(i) Wooden Poles. Wooden poles shall be naturally stained or painted in earth tones.

(18) Sports Facility Lighting.

(a) All sports lighting shall be fully shielded, or be designed or provided with sharp, cut-off capability, so as to minimize up-light, spill light, and glare.

(b) All sports lighting shall be turned off within thirty (30) minutes of the completion of the last game, practice, or event. In no case shall recreational lighting occur after 11:00 P.M. except to conclude a specific sporting event that is underway.

(c) IESNA Certificate. All new sports lighting fixtures shall not exceed the minimum standard illumination levels for sports lighting as established by IESNA. All new sports lighting shall require site specific computer calculations and a printout demonstrating that such lighting meets IESNA standards and does not otherwise violate this chapter, including required time of day and lighting curfew.

(d) Compliance. All sports lighting shall meet the requirements of this chapter.

(19) Residential Lighting.

(a) All exterior luminaires on porches, garages, and entryways shall be fully shielded to prevent glare onto adjacent property or public right of ways and light pollution into the night sky. Luminaires shall be directed at walkways or entries and shall not be directed upward.

(b) Compact fluorescent fixtures are permitted.

(c) Security lighting shall be fully shielded and shall be set on a time or motion detector. Infrared sensor spotlights are the recommended light type for security.

(d) Private sport court facilities shall use fully shielded fixtures and shall not use the lights after 11:00 P.M. Pole height for mounting fixtures should not exceed twenty (20) feet.

(e) All sports lighting poles shall be painted black, brown, or other colors that blend with the surrounding terrain.

(20) Signs. Signs, including directional, project entrance, free standing, building, and monuments signs shall comply with the following requirements:

(a) Shielded. All lighting fixtures shall be aimed and shielded so that light is directed only onto the sign façade and not aimed at adjacent streets, roads, or properties.

(b) Mounting. Lighting fixtures shall be mounted so as to light only the sign. Lighting fixtures producing more than 1800 initial lumens must, and all lighting is encouraged to, be mounted above sign and directed downward towards sign.

(c) Maximum. A maximum of forty (40) initial lumens per square foot of sign surface is permitted. This figure is the total amount of initial lumens produced by all lamps used to illuminate the sign, divided by the area of the sign.

(d) Signs in residential zones. Signs that abut residential zones shall be designed, placed, and landscaped in such a manner so that the lighting does not trespass onto residential properties.

(e) Signs in commercial zones. Signs shall have no visible light source and only low intensity lighting.

(21) Exempt Lighting. The following lighting shall be exempt from the provisions of this chapter:

(a) Holiday lighting, as long as it does not create a hazard or nuisance from glare.

(b) Traffic control signals and devices.

(c) Temporary emergency lighting in use by law enforcement or government agencies or at their direction.

(d) Temporary lighting, used for a period not to exceed thirty (30) days in any one (1) year period for festivals, celebrations, or other public activities.

(e) Security lighting controlled by a motion sensor switch that remains on for no longer than ten (10) minutes after activation but shall in all cases be shielded and directed to the areas where such lighting is required.

(f) Temporary construction lighting used for a period not to exceed thirty (30) days in any one (1) year period.

(22) Prohibited Lighting. The following lighting shall be prohibited:

(a) Unshielded lighting. Unshielded lighting for any purpose is prohibited.

(b) Flashing, blinking, intermittent lights. Flashing, blinking, intermittent lights or other lights that move or give the impression of movement, ~~is~~are prohibited~~. Holiday lighting is permitted~~ except during holidays.

(c) Building mounted lights under most conditions. Spotlights may not be affixed to buildings for the purpose of lighting parking lots or sales display lot areas. Fully shielded fixtures may be attached to buildings to light walkways and parking lot spaces adjacent to buildings.

(d) Laser lighting. All laser lighting is prohibited.

(e) Searchlights. All searchlights are prohibited.

(f) Neon. All neon lighting must be shielded.

(g) Linear fluorescent lamps. Generally, not allowed.

(h) Electronic Message Boards.

(i) On-premise digital signs. (Ord. 2007-11, 2007)

16.23.106 OUTDOOR SITE LIGHTING REQUIREMENTS. Site and building lighting plans shall be provided for all class II, class III, class IV and class V use applications identifying all proposed site and building lighting and identifying the type, design, location, intensity, height and direction of all site and building lighting. A photometric plan of the site, including all site and building light, may be required by the land use authority, necessary to review compliance with this section.

For guidance, the general provisions contained in chapter 19 of this title are provided for reference. All class II, class III, class IV and class V use applications shall be found to comply with the following:

(1) ~~To protect the night sky, all outside lighting shall be "downlighting" and no~~Exterior lighting shall be allowed at levels necessary for safety and security purposes. Lighting necessary for safety and security purposes that otherwise violates this chapter must incorporate motion sensors so as to be not on unless motion activated and to turn off no longer than 5 minutes after the motion ceases. Under no circumstances may any lighting exceed the Kelvin limitation expressed in Section 16.23.105(3) above.~~The use of motion sensors and tiers is encouraged and may be required.~~

~~to trespass, or spill onto, any adjoining properties.~~

(2) all exterior lighting should provide for the illumination of buildings and grounds for safety purposes, but in an aesthetically pleasing manner.

~~(3) Warn lighting colors are encouraged. Blue white colors of fluorescent and mercury vapor lamps are prohibited.~~

~~(4) All exterior lighting shall be reduced to the minimum levels necessary for safety and security purposes. The use of motion sensors and tiers is encouraged and may be required.~~

(~~5~~3) All walkway lighting should be provided below eye level to direct light downward onto the walkway surface.

[Figure 23-1 - Walkway Lighting]

(~~4~~6) No indoor lighting shall be provided or constructed to provide lighting for any outdoor areas. (Ord. 2005-13, 2005)

16.23.107 LIGHTING OF DRIVE-THROUGH FACILITIES AND GAS ISLAND CANOPIES. All lighting for drive-through facilities and canopies associated with gasoline pumps shall be "down lighting" and provided so that all lighting fixtures are recessed so that no part of any light fixture or any lens extends below the lower surface of any drive-through facility or canopy.

[Figure 23-2 – Drive-Through and Gas Canopy Lighting]

(Ord. 2005-13, 2005)

16.23.108 REVIEW PROCEDURES.

(1) Single-Family Residential. All single-family home outdoor lighting shall comply with this chapter.

(2) Multi-Family Residential and Commercial. Lighting plans are required. All building plans, commercial sign permit applications, conditional use permits, and subdivision applications shall include a detailed lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this chapter.

(a) Lighting plans shall include the following:

(i) Plans or drawings indicating the proposed location of lighting fixtures, height of lighting fixtures, and type of illumination devices, lamps, supports, shielding, and reflectors used along with installation and electrical details.

(ii) Illustrations, such as those contained in a manufacturer's catalog, of all proposed lighting fixtures.

(iii) Photometric ~~data~~analysis, such as that furnished by luminaire manufacturers, showing illumination levels in wattage and lumens per lamp and lighting fixture as it pertains to the area being illuminated.

(iv) Total initial lumens for the developed area.

(v) Initial lumens for any specialized lighting.

(vi) Initial lumens per square foot of externally illuminated sign surface.

(vii) Site specific computer calculations for all parking lots, sports fields, and similar large-scale lighted areas. Include assumptions, depreciation factors, complete calculation areas and summary information.

(3) Evidence of Compliance with Codes. All lighting plans shall include certification by a licensed electrical engineer that the lighting fixtures proposed by the plan conform to the requirements of this chapter, Building and Electrical Codes. (Ord. 2007-11, 2007)

16.23.109 APPROVAL PROCEDURE.

(1) Small Scale Applications. Lighting plans for developments of one (1) acre or less shall be approved by the Ivins City Zoning Administrator.

(2) New Development. New development applications shall include a detailed lighting plan that will be approved as part of the development approval in compliance with the Ivins City Subdivision Ordinance, the conditional use permit, or the building permit.

(3) Sign Applications. Sign applications shall include a detailed lighting plan that will be approved as part of the sign application approval.

(4) Compliance with this chapter. All lighting approvals shall be granted only in compliance with this chapter.

(5) Suspension, Revocation, or Modifications to the Lighting Plan. The Zoning Administrator may suspend, revoke, or require modification of any lighting plan that is not in compliance with this chapter.

(6) Lamp or Fixture Substitution. If any outdoor light fixture or the type of light source therein is proposed to be changed after a lighting plan has been approved, a change request must be submitted

to the Zoning Administrator for approval. Adequate information to assure compliance with all codes must be provided and the change request must be received prior to substitution. (Ord. 2007- 11, 2007)

16.23.110 APPEAL PROCEDURE. The applicant or any person aggrieved by a final decision, determination, or requirement imposed regarding this chapter may appeal according to the provisions set forth in Chapter 30 of the Ivins City Zoning Ordinance. (Ord. 2007-11, 2007)

16.23.111 ENFORCEMENT. The provisions of this chapter shall only apply prospectively from the date they were adopted and not retroactively. Outdoor lighting that conformed with Ivins City ordinances prior to the adoption of a provision of this chapter shall be treated similarly to a legal nonconforming use that can be maintained or replaced but not expanded. Where applicable, the Ivins City Zoning Administrator is authorized as the enforcing officer for this chapter, and shall enforce all applicable provisions, entering actions in court if necessary, and his failure to do so shall not legalize any violations of this chapter. (Ord. 2007-11, 2007)

Effective Date: This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS _____ DAY OF_____, 2020 BY THE FOLLOWING VOTE:

	AYE	**NAY**	**ABSTAIN**	**ABSENT**
Dennis Mehr	_____	_____	_____	_____
Cheyne McDonald	_____	_____	_____	_____
Jenny Johnson	_____	_____	_____	_____
Sue Gordhammer	_____	_____	_____	_____
Derek Larsen	_____	_____	_____	_____

_____

Chris Hart, Mayor

ATTEST:

_____

Kari Jimenez, City Recorder