

Section 1. Amendments to MMC Chapter 17.09 Supplementary Requirements

17.09.060 Outdoor lighting – Scope and applicability.

Modifying:

- A. Directed illumination shall be confined within the property boundaries of the source. All lighting should be purpose driven.
- C. All otherwise lawful existing outdoor lighting that does not meet the requirements of this chapter and is not otherwise exempted shall be considered a legal, nonconforming use or part of a legal, nonconforming structure subject to an amortization schedule outlined in Section 17.09.069.

New Section: 17.09.061 Outdoor lighting - Exemptions

Adding:

- A. The following shall be fully exempt from all regulations unless otherwise stated:

Relocating or reworking from 17.09.063:

- 4. Pathway lights less than eighteen inches in height ~~are exempted from the fully shielded fixture requirement~~, if the total light output from each pathway light is less than three hundred lumens. The fixture shall have a top that is completely opaque such that no light is directed upwards.
- 5. Holiday lighting. Low-voltage holiday decorations may remain on all night from October 15th to January 15th. The following are examples of appropriate low-voltage decorative lighting.



~~Temporary exterior lighting intended as holiday or seasonal decorations displayed between November 15th and the following January 15th; provided, that individual lamps do not exceed seventy lumens and neither cause light trespass nor interfere with the reasonable use and enjoyment of any other property.~~

6. Traffic control signals and traffic safety devices.

7. Emergency and Safety Lighting by Emergency Services. Searchlights, floodlights, laser source lights, strobe or flashing lights, or any similar high intensity lights are permitted when used in emergencies by police, fire, medical, and/or utility personnel or at their direction. Temporary emergency lighting in use by law enforcement or government agencies or at their direction.

Adding:

Temporary lighting, unless fully shielded, shall adhere to the lighting hours stated in 17.09.065.

17.09.062 Outdoor lighting – Definitions.

Reworking or removing:

“Directed illumination” means the intentional illumination emanating from a fixture represented by the maximum intensity cone of light. “Direct illumination” means illumination resulting from light emitted directly from a bulb, luminary, or reflector. This does not include light reflected from other surfaces such as the ground or building faces.

Brightness in Lumens	220+	400+	700+	900+	1300+
Standard	25W	40W	60W	75W	100W
Halogen	18W	28W	42W	53W	70W
CFL	6W	9W	12W	15W	20W
LED	4W	6W	10W	13W	18W

Adding:

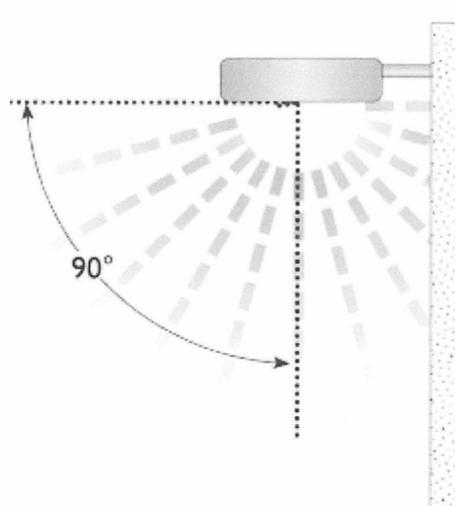
“Nondirected illumination” refers to the excess light emitted from a fixture not contained in the intentional directed illumination.

“Safety lighting” means any lighting required by the Building Official or Zoning Administrator for the purpose of safety. Examples include lighting for doorways, pathways, and driveways.

“Temporary lighting” means lighting that plugs into an outlet and is not hard wired.

17.09.063 Outdoor lighting – Fully shielded fixture requirements.

Add Image:



Adding:

C. All light fixtures, including motion sensors and security lighting, shall be aimed and shielded so that the directed illumination shall be confined to the property boundaries of the source. Nondirected illumination is allowed to cross property lines if the fixture is fully shielded and angled straight down. Directed illumination shall be determined as follows:

1. Directed illumination is controlled and focused by the structure of the fixture.
2. Directed illumination is aimed by the angle of the fixture.
3. The Zoning Administrator shall determine compliance.

D. Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the fixture is located.

Removing or relocating:

~~C. Fixtures must not be placed at a location, angle, or height that directs illumination outside the property boundaries where the light fixtures are located.~~

~~D. Notwithstanding the exemptions in subsection (E) of this section, all residential and commercial luminaires shall be fully shielded when installed within twenty-five feet of adjacent residential property lines.~~

~~E. Exemptions to fully shielded fixture requirements:~~

~~1. All lights exempted by this section shall be included in the calculation of total light output.~~

~~2. Fixtures having a total light output less than one thousand lumens are exempted from the fully shielded requirement provided the following criteria are met:~~

~~a. The fixture has a top that is completely opaque such that no light is directed upwards;~~

~~b. The fixture has sides that completely cover the light source and are made of opaque or semi-opaque material. Fixtures with opaque sides may have incidental decorative perforations that emit small amounts of light. Semi-opaque material such as dark tinted glass or translucent plastic may be used if the light source is not discernable behind the material. Completely transparent materials, such as clear or lightly tinted colored glass, are not allowed.~~

~~c. The light source must not be visible from any point outside the property on which the fixture is located.~~

~~3. Spotlights controlled by motion sensors having a light output less than one thousand lumens per lamp are exempted from the fully shielded requirement provided:~~

~~a. The fixture is a spotlight or other type of directed light that shall be directed straight down;~~

~~b. The fixture must not be placed in such a manner that results in illumination being directed outside the property boundaries where the light fixtures are located; and~~

~~c. Lights controlled by motion sensors shall not be triggered by movement or activity located off the property on which the light is located.~~

~~4. Pathway lights less than eighteen inches in height are exempted from the fully shielded fixture requirement, if the total light output from each pathway light is less than three hundred lumens.~~

~~5. Temporary exterior lighting intended as holiday or seasonal decorations displayed between November 15th and the following January 15th; provided, that individual lamps do not exceed seventy lumens and neither cause light trespass nor interfere with the reasonable use and enjoyment of any other property.~~

~~6. Traffic control signals and traffic safety devices.~~

- ~~7. Temporary emergency lighting in use by law enforcement or government agencies or at their direction.~~
- ~~8. The lighting of Federal or State flags; provided, that the light is a top-down and narrow beam aimed and shielded to illuminate only the flag.~~
- ~~9. An applicant requesting approval for lighting that does not conform to these standards shall follow the procedures and findings requirements set forth in Chapter 17.72 Administration and Enforcement. (Ord. 19-03 Att. 1 (part), 2019)~~

17.09.064 Outdoor lighting – Total light output.

Adding:

- A. Required safety lighting shall be exempt from total light output, so long as the fixture is fully shielded, color temperature is compliant, and directed illumination is confined within the property boundaries of the source. Safety lighting that is legal, nonconforming shall be subject to the partially and unshielded lumen cap stated in this section 17.09.064, and the lighting hours stated in 17.09.065.

17.09.065 Outdoor lighting – Lighting hours.

Modifying:

- A. Commercial establishments shall turn off all outdoor lighting, except ~~those that~~ listed below, by ten p.m. and remain off until business open:
1. Businesses open to the public after ten p.m. may leave all compliant outdoor lighting on until one hour after the close of business and the lighting shall remain off until business open.
 2. Compliant lighting to illuminate the entrance to the commercial establishment.
 3. Compliant parking lot and pathway lighting required for the safety of guests or customers.

Adding:

- C. All legal, nonconforming lighting on residential properties shall be turned off by ten p.m. unless included in the exemptions listed in 17.09.061.
- D. Commercial establishments shall turn off all illuminated signage by ten p.m., or one hour after close of business, and remain off until business open.

***Potential modification** discussed with the Planning Commission to require all commercial establishments to turn off all outdoor lighting at business close, except for those located in zones [], which can leave outdoor lighting on until ten p.m.

A. Commercial establishments shall turn off all outdoor lighting, except those listed below, one hour after business close and remain off until business open:

1. Commercial establishments located in zones C3, C4 and RC may leave all compliant outdoor lighting on until ten p.m. or until one hour after the close of business, and the lighting shall remain off until business open.
2. All Businesses open to the public after ten p.m. may leave all compliant outdoor lighting on until one hour after the close of business and the lighting shall remain off until business open.
3. Compliant lighting to illuminate the entrance to the commercial establishment.
4. Compliant parking lot and pathway lighting required for the safety of guests or customers.

D. Commercial establishments located in zones C3, C4 and RC shall turn off all illuminated signage by ten p.m., or one hour after close of business, and remain off until business open. All other commercial establishments shall turn off all illuminated signage one hour after business close, and remain off until business open.

17.09.067 Outdoor lighting – Specialized outdoor lighting conditions and standards.

Removing:

~~A. Gas station canopies may be illuminated; provided, that all light fixtures are mounted on the undersurface of the canopy and all light fixtures are fully shielded. Merely placing the fixtures on the underside of the canopy does not qualify as fully shielding the light fixture.~~

Modifying:

- B. Roadway and streetlights are prohibited unless recommended by the City Engineer or required by UDOT to provide for the safety of the public. ~~When deemed necessary, streetlights shall utilize lamp types that are fully shielded luminaires that minimize skyglow, light trespass, and other unintended impacts of artificial lighting.~~ All streetlights shall utilize the lowest illuminance levels acceptable to the City Engineer and/or UDOT.
- C. Parking lots may not utilize spot or flood lighting whether mounted on a post or exterior building wall. The overall height of any light post or tower used to illuminate parking lots in commercial or residential zones shall not exceed twenty-five feet. ~~All post mounted parking lot lights shall be set back from~~

~~property lines a distance equal to two and one-half times the height of the pole unless an internal or external shield prevents the fixture being visible from outside the property boundaries. The overall height of any light post used to illuminate parking lots in residential zones shall not exceed twenty-five feet. All parking lot lighting shall use fully shielded downward directed fixtures. Internal or external shields shall prevent the fixture being visible from outside the parking lots.~~

D. Outdoor recreation areas or athletic fields at publicly owned facilities may use illumination to light the surface of play, ~~and~~ viewing stands and pathways for the safety of the public. The following standards shall apply to outdoor recreation area or athletic field lighting:

7. The lowest appropriate luminance level shall be utilized based on the task (e.g., active play vs. field maintenance).

E. Outdoor ~~event facilities~~amphitheaters may use illumination to light the event area~~performance area of the amphitheater~~ and pathways for the safety of the public. The following standards apply to all ~~event~~amphitheater lighting:

1. Lighting used to illuminate ~~at~~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 the directed illumination is confined within the boundaries of the event.~~it is not visible beyond the property boundaries.~~
2. Lighting used to illuminate the ~~event~~performance area may only be turned on during ~~events~~performances or rehearsals.
3. Lighting used to illuminate the seating areas, pathways, and other areas of the ~~event~~amphitheater must meet all standards of this chapter.

Adding (relocating) and the *potential modification for allowing ground mounted lighting for flags. Mixed support in the Planning Commission.

F. The lighting of federal or state flags, provided that the light is a top-down and narrow beam aimed and shielded to illuminate only the flag, may remain on all night and will not be included in the calculation of total light output.

17.09.068 Outdoor lighting – Application and review procedures.

Adding (relocating)/removing:

B. Approval Procedure.

2. An applicant requesting approval for lighting that does not conform to these standards shall follow the procedures and findings requirements set forth in Chapter 17.72 – Administration and Enforcement.

~~2. A certificate of occupancy shall not be issued until such time as the property is subject to a post-installation nighttime inspection by the City's Zoning Administrator. (Ord. 19-03 Att. 1 (part), 2019)~~

17.09.069 Outdoor lighting – Amortization of nonconforming outdoor lighting.

Modifying/adding/removing:

- ~~A. Any existing outdoor lighting which is being used in a manner or for a purpose which is otherwise lawful, but does not comply with the provisions of this Chapter, shall be deemed legal, non-conforming, pursuant to Chapter 17.12, General provisions. A. The City shall require the termination of use of 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.~~
- B. ~~All outdoor lighting legally existing and installed prior to the effective date of this chapter and which is not exempted shall be considered Legal, nonconforming lighting and shall be brought into compliance by the property owner as follows:~~
- ~~3. All outdoor lighting not previously scheduled for amortization or otherwise exempted shall be deemed legal, nonconforming brought into conformance with this chapter within five years from the effective date of this chapter.~~
 - ~~4. Legal, nonconforming fixtures must be brought into compliance if they violate Moab Municipal Code Special provisions as determined by the Zoning Administrator.~~
 - ~~5. Whenever a nonconforming use, structure, or lot is abandoned for a period of one year and then changed to a new use according to the requirements of Chapter 17.12.060, all existing outdoor lighting shall be reviewed and brought into compliance as necessary for the entire building, structure, or premises.~~
- ~~C. The City shall perform two audits of all outdoor lighting in the City. The first shall be two years and the other four years after the effective date hereof. These audits will identify all lighting that does not conform to the standards of this chapter. The results of these audits will be made available to the public.~~
- ~~D. Violation and enforcement shall be processed as outlined in Chapter 17.78. The [abatement] of the [nuisance] shall be attempted first through non-costly means, such as redirection. New fixtures shall be purchased, if the [nuisance] can't be [abated].~~

Section 2. Amendments to MMC Section 17.93.075 Signs - Permitted Illumination

Modifying:

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 face is illuminated. All lighted signs must have stationary and constant lighting. All sign lighting is included in the calculation of total light output for a property. All illuminated signs must conform to the lighting hours detailed in section 17.09.065.

***Potential modifications** in need of Planning Commission/City Council input: the removal of the allowance of ground mounted lighting for monument style signs. The reduction of maximum allowable lumens per sign fixture.

A. Standards for Externally Illuminated Signs:

2. Lighting for externally illuminated signs must be mounted at the top of the sign (or within 2 feet of the top of a wall mounted sign), ~~except for freestanding monument style signs which may be illuminated by ground mounted lighting.~~
3. Lighting shall consist of no more than four (4) individual fixtures (or lamps) per sign face and produce a maximum of **40,000 lumens per fixture.**

Section 3. Amendments to MMC Sections 17.20.040, 17.21.040, 17.24.040 and 17.27.040 Special Provisions

Modifying:

- B. No dust, odor, smoke, vibration, directed illumination or intermittent glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

Section 4. Addition to MMC Sections 17.30.040, 17.31.040, 17.32.040, 17.35.060, 17.36.070, 17.42.060, 17.45.060, 17.48.060, 17.51.060 and 17.54.070 Special Provisions

Adding:

B. No dust, odor, smoke, vibration, directed illumination or intermittent glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.