

**WEBER COUNTY
ORDINANCE 2020-8**

OUTDOOR LIGHTING ORDINANCE AMENDMENTS

**AN ORDINANCE AMENDING THE WEBER COUNTY LAND USE CODE TO
REVISE THE OGDEN VALLEY OUTDOOR LIGHTING AND OGDEN VALLEY
SIGNS REGULATIONS.**

WHEREAS, the Weber County Land Use Code heretofore contained regulations governing the outdoor lighting and signs in the Ogden Valley; and

WHEREAS, these regulations contained inconsistencies and loopholes for outdoor lighting that were difficult to understand and fully enforce; and

WHEREAS, The Ogden Valley Planning Commission, after appropriate notice, held a public hearing on April 28, 2020 to consider public comments regarding amendments to the outdoor lighting and sign regulations, and offered a positive recommendation to the County Commission for the changes; and

WHEREAS, on June 16, 2020, the Weber County Board of Commissioners, after appropriate notice, held a public hearing to consider public comments regarding amendments to the Ogden Valley outdoor lighting and sign regulations; and

WHEREAS, the Weber County Board of Commissioners find, among other things, that the proposed ordinance amendments meet the intent of the Ogden Valley General Plan, offer protection for the night sky, and reduce lighting conflicts between landowners;

NOW THEREFORE, the Weber County Board of Commissioners ordains an amendment to the Weber County Land Use Code as provided herein.

SECTION 1: **AMENDMENT** “Chapter 108-16 Ogden Valley Outdoor Lighting” of the Weber County County Code is hereby *amended* as follows:

A M E N D M E N T

Chapter 108-16 ~~Ogden Valley~~ Outdoor Lighting

SECTION 2: **AMENDMENT** “Sec 108-16-2 Applicability” of the Weber County County Code is hereby *amended* as follows:

A M E N D M E N T

Sec 108-16-2 Applicability

(a) In the Ogden Valley, and other areas of the County as may be provided in this Land Use Code, the following apply:

- (1) *New outdoor lighting.* ~~Except as provided in subsection (e) below,~~ All outdoor lighting installed after August 1, 2017, shall conform to the requirements established by this chapter.
- (2) *Existing outdoor lighting.* Except as provided in subsection (c) below, all existing outdoor lighting that does not meet the requirements of this chapter and is not exempted by this chapter shall be considered a nonconforming use and as such shall be phased out as outlined in section 108-16-7 of this chapter.
- (3) *Lighting for residential use.* Except as may be provided in section 108-16-7, the lighting standards of this chapter are not mandatory for a single-family, two-family, or three-family dwelling in existence or approved on or before August 1, 2017. The county shall employ educational methods and incentives to encourage voluntary compliance for these residential uses.
- (4) *Conflict.* Should this chapter be found to be in conflict with other sections of this code, the more restrictive shall apply.

(Ord. No. 2017-24, Exh. B, 6-27-2017)

SECTION 3: AMENDMENT “Sec 108-16-3 General Standards” of the Weber County County Code is hereby *amended* as follows:

A M E N D M E N T

Sec 108-16-3 General Standards

- (a) *Light shielding and direction.* Unless specifically exempted in section 108-16-5, all outdoor lighting shall be fully shielded and downward directed in compliance with the following, examples of which are graphically depicted in section 108-16-10:
 - (1) No artificial light source shall project direct artificial light into the nighttime sky.
 - (2) No artificial light source shall be placed at a location, angle, or height that creates a light trespass, as defined in section 101-1-7 and graphically depicted in section 108-16-11.
 - (3) The shielding shall be made of completely opaque material such that light escapes only through the bottom. Shielding that is translucent, transparent, has perforations or slits of any kind, or allows light to escape through it in any other manner is not permitted.
 - (4) Shielding may be attained by light fixture design, building design, or other site design features such as fencing, walls, landscaping, or other screening, provided it is in strict compliance with subsections (a)(1) through (3) of this section.
 - (5) To ensure light does not trespass on neighboring property, light fixtures that

comply with the shielding provisions of this section may also require additional or extended shielding elements to further mitigate its angle of light travel to ensure the direct artificial light source does not trespass on neighboring property. This concept is graphically depicted in section 108-16-11.

- (b) *Light color.* Unless otherwise specified in this chapter, the color of any outdoor ~~lighting~~ artificial light source shall be equal to or less than 3000K, in accordance with the standard Kelvin temperature chart, as graphically depicted in section 108-16-12.

(Ord. No. 2017-24, Exh. B, 6-27-2017)

SECTION 4: AMENDMENT “Sec 108-16-4 Specific Standards” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 108-16-4 Specific Standards

In addition to the general standards of section 108-16-3. The following are specific standards that apply to all commercial, industrial, manufacturing, public and quasi-public, institutional, ~~multifamily~~, recreation, and resort uses, and multiple-family dwellings as defined in Section 101-1-7:

- (a) *Light curfew.* Unless exempt in section 108-16-5, ~~and except for residential uses~~, all outdoor lighting shall be turned off by 10:00 p.m., or, if applicable, within one hour after the close of business, whichever is later, except the following, so long as they are activated by a motion sensor controller that is set to extinguish the light source within two minutes after the last detection of motion:
- ÷
- (1) Lighting to illuminate the ~~entrance of the~~ building's point of entry only;
 - (2) Safety lighting of parking lots and pedestrian areas;
 - (3) Limited lighting that is absolutely necessary for after-hours business.
- (b) *Flashing or flickering light.* No flickering or flashing lights shall be permitted.
- (c) *Canopy lighting.* All direct artificial light sources shall be sufficiently recessed so as not to project direct light greater than five feet from the outside perimeter of the canopy, and shall not produce more than a ratio of eight lumens per square foot of canopy area. This ratio shall be calculated by combining the total lumen output of each artificial light source and dividing by the square footage of the canopy. See section 108-16-13 for a graphic depiction.
- (d) *Parking lot lighting.* All artificial light sources in open-air parking lots shall not exceed a ratio of two lumens per square foot of parking lot area. This ratio shall be calculated by combining the total lumen output of each artificial light source divided by the square footage of the parking lot area. See section 108-16-14 for a graphic depiction.

- (e) *Recreation facility lighting.* Recreation facility lighting, as defined in section 101-1-7, shall comply with the following:
 - (1) The lighting for the recreation activity area shall only be directed onto the area where the recreation activities are occurring. It shall not be allowed to illuminate surfaces that are not essential to the function of the recreation activity.
 - a. The lighting shall not exceed a ratio of 10 lumens per square foot of recreation activity area. This ratio shall be calculated by combining the total lumen output of each artificial light source divided by the square footage of the recreation activity area. See section 108-16-15 for a graphic depiction.
 - b. The recreation activity area shall be lit only when it is in use.
 - c. The light color standard of 108-16-3 does not apply to lighting for the recreation activity area.
- (f) *Sign lighting.* Sign lighting shall comply with the requirements of 110-2-12.

(Ord. No. 2017-24, Exh. B, 6-27-2017)

SECTION 5: **AMENDMENT** “Sec 108-16-5 Exemptions” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 108-16-5 Exemptions

The following artificial light sources are exempt from the requirements of this chapter:

- (a) *Agricultural lighting.* Lighting for agricultural uses;
- (b) *Federal and state flag lighting.* The outdoor lighting of a United States or State of Utah official flag, provided it is in compliance with the following:
 - (1) The light shall be downward directed from the top of the flag pole;
 - (2) The light shall be as narrow a beam as possible and aimed and shielded to illuminate, to the best effort practicable, only the area which the flag occupies in all wind conditions; and
 - (3) The light level shall be minimized to create the least amount of impact on the dark sky, while still offering noticeable illumination of the flag;
- (c) *Federal and state facilities lighting.* Federal and state facilities are exempt from the requirements of this chapter. However, they are encouraged to cooperate and to coordinate with the county during the construction of their facilities to be in compliance with this chapter;
- (d) *Fossil fuel lighting.* Fossil fuel light, produced directly by the combustion of natural gas or other utility-type fossil fuels;
- (e) *Holiday or festive lighting.* Holiday or festive outdoor lighting for residential uses, provided it is in compliance with the following:

- (1) That the lighting shall not create a hazard or glare nuisance; and
 - (2) That the lighting shall be temporary in nature and not permanently installed. It shall be removed within a reasonable time after the end of the holiday or festive event, but at least once per year;
- (f) *Low output light source.* An artificial light source having an output equal to or less than 105 lumens, provided that the cumulative lumen output of all low output light sources shall not exceed a ratio of one and one-half lumens per square foot of cumulative area intended to be illuminated. This ratio shall be calculated by combining the total lumen output of each low output light source divided by the square footage of the area intended to be illuminated. The low output light sources shall be distributed across the area intended to be illuminated and not organized in a focused location; Low output light sources are exempt from the requirements of this chapter so long as they comply with the definition and use outlined in this section, except that a low output light source may not be integrated into a new or replacement outdoor light fixture that is either:
- (1) rated to produce a lighting output that exceeds 105 lumens; or
 - (2) does not conform to the shielding requirements of section 108-16-3(a);
- (g) *Mobile lighting.* Lighting affixed to a vehicle, provided the lighting is not intended for the stationary illumination of an area;
- (h) *Motion sensor controlled light source* with an integrated camera system. ~~An artificial light source that has a light output equal to or less than 900 lumens and is controlled by a motion sensor~~ with an integrated camera system, provided it is in compliance with the following:
- (1) The light output is equal to or less than 1,800 lumens;
 - (2) The color temperature of the light source does not exceed 5,000 degrees kelvin;
 - ~~(3) That the motion sensor is set to turn the artificial light source off ten~~two minutes after the last detection of motion;~~and~~
 - (4) Lighting shall not be triggered by any activity outside the property boundary;
and
 - ~~(5) That the artificial light source is sufficiently shielded in a manner that prevents glare on adjacent properties or roadways~~ light trespass;
- (i) *Safety or security lighting.* For the sole purpose of mitigating legitimate and verifiable safety or security hazards, the land use authority may exempt an artificial light source if it is shown to be necessary. The land use authority may apply reasonable conditions to ensure optimal compliance with the purpose and intent of this chapter. Evidence demonstrating that it is necessary shall be one or both of the following:
- (1) Submitted proof of lighting requirements from a property insurance company that demonstrates that compliance with this chapter will render the property uninsurable. The minimum amount of lighting required by the property insurance company shall be considered the maximum for the purposes of this chapter; or
 - (2) Submitted reasonable research findings, from a qualified professional, as defined by section 101-1-7, that offer a compelling argument for the need for the exemption. However, if the land use authority is aware of other research findings that refute what is submitted, then the land use authority must determine which research findings are more persuasive under the circumstances.

If the land use authority grants the exemption, then the minimum amount of lighting necessary to ensure appropriate safety or security, as recommended by the qualified professional, shall be considered the maximum for the purposes of this chapter;

- (j) *Occasional event lighting.* Outdoor lighting intended for an occasional event, such as a wedding, party, social gathering, or other similar event that occurs on an occasional basis, provided it is in compliance with the following:
 - (1) Occasional event lighting shall be turned off by 10:30 p.m. and any remaining lighting shall comply with this chapter; and
 - (2) Occasional events shall not occur more than twice per month;
- (k) *Underwater lighting.* Underwater lighting in a swimming pool or other water feature provided it is not intended to illuminate features above water;
- (l) *Temporary public agency lighting.* Temporary outdoor lighting in use by law enforcement or a government agency or at their direction;
- (m) *Tower lighting.* Tower lighting required by the FAA or the FCC, provided that it shall not exceed the minimum requirements of those agencies. Collision markers shall have a dual mode for day and night to minimize impact to the night sky and migrating birds; and
- (n) *Traffic control devices.* Traffic control devices and signals.

(Ord. No. 2017-24, Exh. B, 6-27-2017)

SECTION 6: AMENDMENT “Sec 108-16-7 Required Replacement Of Nonconforming Outdoor Lighting” of the Weber County County Code is hereby *amended* as follows:

A M E N D M E N T

Sec 108-16-7 Required Replacement Of Nonconforming Outdoor Lighting

After the effect of this chapter, which is August 1, 2017, all outdoor lighting that does not comply with the requirements of this chapter shall be considered nonconforming outdoor lighting. All nonconforming outdoor lighting shall be phased out in accordance with the following schedule:

- (a) *Lighting conversion.* Except for outdoor lighting for a single-family, two-family, or three-family dwelling in existence or approved on or before August 1, 2017, any nonconforming outdoor artificial light source shall be terminated, replaced, or retrofitted to conform to the requirements of this chapter within ten years after the effect of this chapter. The county shall provide ~~five~~ frequent periodic public notice of the effect, ~~but no less than one per year after the effect~~ of this chapter. The county shall employ educational methods and incentives to encourage voluntary compliance prior to this ~~five~~ 10-year period and to assist the public in understanding and complying with this

chapter;

- (b) *Lighting replacement.* The replacement of any nonconforming outdoor artificial light source shall comply with the requirements of this chapter;
- (c) *Building exterior modification.* When the replacement of a building's exterior materials exceeds 25 percent of the building's exterior area, excluding roof area, whether by a single modification project or by an accumulation of separate modification projects, all nonconforming outdoor lighting on the premises on or within 25 feet of the building shall be brought into compliance with the requirements of this chapter. This shall not include repainting or re-roofing.
- (d) *Building expansion.* When a building's expansion exceeds the threshold established in this subsection, whether by a single expansion project or by an accumulation of separate expansion projects, all nonconforming outdoor lighting on the premises on or within 25 feet of the building shall be brought into compliance with the requirements of this chapter. The established threshold of expansion shall be the smaller of the following:
 - (1) Twenty-five percent of the total area of the building as it exists on August 1, 2017; or
 - (2) Two thousand five hundred square feet; and
- (e) *Site improvements.* When a site improvement which requires a land use permit, conditional use permit, or design review approval, modifies an area that exceeds the threshold established in this subsection, whether by a single modification project or by an accumulation of separate modification projects, all nonconforming outdoor lighting on the premises shall be brought into compliance with the requirements of this chapter. The established threshold of modification shall be the smaller of the following:
 - (1) Twenty-five percent of the site area; or
 - (2) Twenty thousand square feet.

(Ord. No. 2017-24, Exh. B, 6-27-2017)

SECTION 7:**AMENDMENT** “Sec 108-16-8 Violations, Enforcement, And Implementation” of the Weber County County Code is hereby *amended* as follows:

A M E N D M E N T

Sec 108-16-8 Violations, Enforcement, And Implementation

- (a) *Violations.* The following constitute violations of this chapter:
 - (1) The installation, maintenance, or operation of any outdoor artificial light source not in compliance with the provisions of this chapter.
 - (2) The alteration of any outdoor artificial light source after ~~a certificate of occupancy has been issued~~ outdoor lighting plan approval without the review and approval of the land use authority when such alteration does not conform to the provisions of this chapter.
 - (3) Failure to shield, correct, or remove lighting that is installed, operated,

maintained or altered in a manner that does not comply with this chapter.

- (b) *Enforcement.* Violations of this chapter are subject to enforcement and penalties as outlined in section ~~102-4-4, 101-1-13. If the violation constitutes a safety hazard, typical enforcement measures shall be employed. Unless the violation constitutes a safety hazard, enforcement of a violation of this chapter shall be addressed as follows: A courtesy letter shall be sent to the land owner that suggests that there may be noncompliant outdoor lighting on the premises. A second and third courtesy letter shall be sent at least 20 calendar days after the previous courtesy letter if a previous courtesy letter does not either cause the resolution of the violation or cause the landowner to initiate resolution with the county as provided in subsection (b)(3) of this section. Educational information about how to appropriately comply with this chapter shall also be sent and a method of contacting the county for discussion shall be provided in each courtesy letter. The third courtesy letter shall state that it is the last courtesy letter, and future contact will be in the form of a notice to comply. No sooner than 30 days after the third courtesy letter is sent, if it did not either cause the resolution of the violation or cause the landowner to initiate resolution with the county as provided in subsection (b)(3) of this section, a notice to comply shall be sent to the land owner. The notice shall include, with specificity, the violation, and shall give the landowner 30 days to comply with this chapter or initiate resolution with the county as provided in subsection (b)(3) of this section. The notice shall also include educational information about how to appropriately comply with this chapter. If a landowner initiates resolution of a violation of this chapter with the county, the county shall give the landowner no less than six months and no more than 12 months to comply with this chapter if the landowner clearly demonstrates that good faith efforts will resolve the violation within the six-month period given. If the landowner does not clearly demonstrate that good faith efforts will resolve the violation a notice to comply shall be sent to the landowner. The notice shall include, with specificity, the violation and shall give the landowner 30 days to comply with this chapter. If, after steps (1) through (3) of this subsection have been satisfied, a landowner fails to initiate resolution of a violation of this chapter, or fails to comply within the period specified in subsection (b)(3) of this section, typical enforcement measures shall be employed. Additionally, the final approval of current or future plans, the issuance of a certificate of occupancy, or the acceptance of new applications authorized by this Land Use Code may be withheld until compliance with this chapter is demonstrated.~~
- (c) *Creation of dark sky committee.* The county will create an Ogden Valley dark sky committee to include representatives as follows: one planning division employee, two Ogden Valley residents at large, two Ogden Valley Business Association members, and one individual from the Ogden Weber Chamber of Commerce. The committee's purpose shall be to advise the county on dark sky best practices, implementation strategies, incentive programs, public/private partnerships, and anything else as the county commission deems necessary.

(Ord. No. 2017-24, Exh. B, 6-27-2017)

SECTION 8: AMENDMENT “Sec 108-16-10 Examples Of Unshielded And Shielded Light Sources*” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 108-16-10 Examples Of Unshielded And Shielded Light Sources*



Unshielded

Fixtures that produce glare and light trespass



Fully Shielded

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

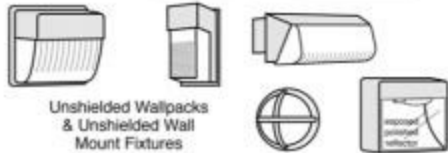


Unshielded

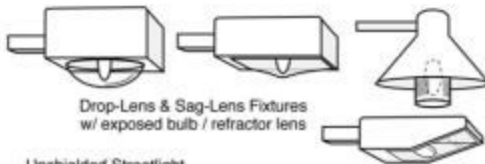
Fixtures that produce glare and light trespass



Unshielded Floodlights



Unshielded Wallpacks & Unshielded Wall Mount Fixtures



Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens

Unshielded Streetlight



Unshielded Security Light



Unshielded 'Period' Style Fixtures



Unshielded PAR Floodlights



Drop-Lens Canopy Fixtures

Fully Shielded

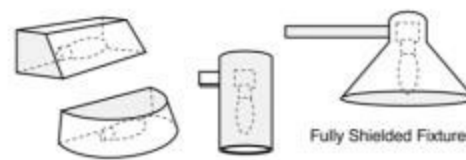
Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night



Fully Shielded Fixtures



Fully Shielded Wallpack & Wall Mount Fixtures



Fully Shielded Fixtures

Fully Shielded Streetlight



Fully Shielded Security Light

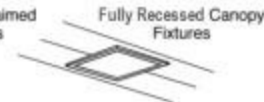


Fully Shielded 'Period' Style Fixtures

bulb shielded in opaque top



Shielded / Properly-aimed PAR Floodlights



Fully Recessed Canopy Fixtures



(Ord. No. 2017-24, Exh. B, 6-27-2017)

SECTION 9: **AMENDMENT** “Sec 110-2-10 Special Purpose Signs” of the Weber County County Code is hereby *amended* as follows:

A M E N D M E N T

Sec 110-2-10 Special Purpose Signs

- (a) *Manual changeable copy signs.* One reader board or changeable copy sign per business is permitted to be displayed, at one square foot of sign area per linear foot of building frontage, and may be either ground or wall sign by the following types of businesses:
 - (1) Theaters. Motion picture theaters and playhouses.
 - (2) Auditoriums and performing arts facilities.
 - (3) Convention facilities. Businesses with convention facilities.
 - (4) Gasoline stations. Businesses which sell motor fuels at retail cost, dispensed from pumps on premises.
 - (5) Grocery stores.
 - (6) Public, private or charter schools.
- (b) *Destination and Recreation Resort Zone manual changeable copy sign.* One reader board or changeable copy sign, not exceeding 16 square feet, is permitted and may be displayed within a resort village area when the village area consists of six or more commercial buildings.
- (c) *Movie poster signs.* Motion picture theaters, facilities for performing arts, and retail stores whose primary business is the sale and/or rental of pre-recorded video tape and/or discs to the general public shall be permitted to display a maximum of two poster signs. Movie posters shall be displayed in a display case which shall be permanently affixed to the wall of the building or storefront. Movie posters shall not be affixed directly to a wall as a temporary sign. Movie poster display cases may be lighted as long as they comply with the sign illumination standards found in Section 110-2-12 of this chapter; ~~and~~ Movie poster display cases shall not exceed 12 square feet in area. The area of any movie poster sign conforming to this section shall not count toward the total signage allowed by section 110-2-5, Allowable signs by zoning district.

(Ord. of 1956, § 32B-11; Ord. No. 2009-30)

SECTION 10: **AMENDMENT** “Sec 110-2-12 Sign Materials And Display Standards” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 110-2-12 Sign Materials And Display Standards

- (a) *Sign materials.* All materials used to construct signs, supports or fasteners shall conform to the following standards:
- (1) Signs may be constructed of painted, stained, sandblasted or carved wood, brick, stone, textured concrete or similar material. Glass (including plexi-glass), metal, or metallic leaf, which is painted, anodized, or otherwise treated to prevent reflective glare may also be used. Copper, brass, wrought iron, and other metals may remain untreated and allowed to develop a natural patina.
 - (2) Support structures may be constructed of painted, stained, sandblasted or carved wood, brick, stone, textured concrete or similar material. Glass, metal, or metallic leaf, which is painted, anodized, or otherwise treated to prevent reflective glare may also be used. Copper, brass, wrought iron, and other metals may remain untreated and allowed to develop a natural patina. Support structures shall use natural, muted earth-tone colors including browns, black, grays, rusts, etc. White shall not be used as a predominant color, but may be used as an accent.
- (b) *Display standards.* The display of all signs regulated by this Land Use Code shall conform to the standards of this section.
- (1) *No obstruction permitted.* No sign shall obstruct a clear view to and from traffic along any street right-of-way, entrance or exit.
 - (2) *No projection within right-of-way.* No signs, except traffic signs and similar regulatory notices shall be allowed to project or be located within a public right-of-way.
 - (3) *Illumination.* An illuminated sign, as defined in section 101-1-7, shall comply with the requirements of chapter 108-16 and the following provisions, examples of which are graphically depicted in section 110-2-15.
 - a. Unless otherwise specified in this subsection **(b)**, all exterior lighting of a sign shall be downward directed from the top of the sign, and oriented so as to illuminate only the sign area, as defined in section 101-1-7, excluding the supports.
 - b. No direct artificial light, as defined in section 101-1-7, shall be projected from the sign area or beyond the sign area, including by means of diffusion or refraction through a translucent or transparent surface. However, direct artificial light, excluding diffused or refracted light, for a sign area that does not have a frame or separate background, as in the case of a logo or individual lettering mounted to a wall without a defined sign perimeter, may illuminate or reflect onto a background surface, such as a wall, beyond the exterior perimeter of the sign area, provided that:
 1. It shall not exceed six inches beyond the sign area;
 2. It shall be shielded so as not to project light onto any other surface.

- c. Exterior lighting of a sign shall not exceed a ratio of 75 lumens per square foot of sign area. This ratio shall be calculated by combining the total lumen output of each artificial light source divided by the square footage of the sign area. See section 110-2-15 for a graphic depiction.
 - d. The land use authority may require the applicant to submit photometric schematics and attestation from a qualified professional that the submittal complies with this chapter.
- (4) *Wall signs mounted on parapets.* A wall sign mounted on a parapet wall shall be mounted six inches or more below the top of the parapet wall.
 - (5) *No imitation of traffic signs.* Signs shall not resemble, imitate or approximate the shape, size, form or color of traffic signs, signals or devices. Signs shall not obstruct or interfere with the effectiveness of traffic signs, signals or devices, not be lighted in a way that can cause glare or impair driver visibility upon roads.
 - (6) *No prevention of ingress/egress.* Signs shall not be erected, relocated or maintained in such a way that prevents free ingress or egress from any door, window or fire escape, and no sign shall be attached to a standpipe or fire escape.
 - (7) *No mounting on natural features.* No signs shall be painted or mounted on trees. No land-form or naturally occurring land feature (rocks, cliff faces, etc.) shall be defaced for purposes of displaying a sign.
 - (8) *Clearance.* The clearance of a projecting, canopy or wall sign shall be measured from the lowest edge of the overhang eight feet to the driving or walking surface below.
 - (9) *Sign setbacks.*
 - a. *Monument and/or ground signs.* Any monument sign or ground sign shall be set back a minimum of ten feet from any property line. Signs fronting on state highways shall be set back ten feet from the right-of-way.
 - b. *Projections into public right-of-way.* Projections into the public right-of-way are not allowed, except for signs set by public agencies for safety purposes, such as the state department of transportation.
 - c. *Clear view triangle.* Signs shall not be placed within the clear view triangle as defined in title 108, chapter 7 of the Weber County Land Use Code.
 - (10) *Landscaping.* The ground area around the base of all ground/monument signs shall be landscaped in accordance with the requirements of applicable chapters of the Weber County Land Use Code. The planning commission may exempt some monument/ground signs from this standard where it is demonstrated, by the owner/developer, that the landscaping would unduly interfere with pedestrian or vehicular traffic, interfere with traffic visibility or for other reasons be impractical.
 - (11) *No street frontage.* When a freestanding building, complex or storefront does not face a public street or approved private road, and is accessed via a pedestrian area or common parking and driveway area, the linear footage of building or storefront facing the pedestrian area or common parking area shall

substitute for purposes of determining allowable signage.

(12) *Sign area.* The area of a sign shall be measured as provided in the definition of "sign area" as provided in section 101-1-7.

(13) *Directional or circulation signs not visible offsite.* Directional or circulation signs that are not visible from any point outside of the property boundary are not subject to the illumination requirements of this subsection (b) or the outdoor lighting requirements of chapter 108-16. An applicant wishing to install such an exempt illuminated directional or circulation sign shall have the burden of proof by communicating the proposed sign height, location, and visibility from any point outside of the property boundaries through the submission of an outdoor lighting plan to the land use authority. Directional or circulation signs claiming exemption from the illumination requirements of this chapter or chapter 108-16 shall not allow their illumination to extend past the horizontal plain of the upper sign boundary into the night sky.

(Ord. of 1956, § 32B-13; Ord. No. 2009-30; Ord. No. 2017-24, Exh. B, 6-27-2017)

SECTION 11: AMENDMENT “Sec 108-16-1 Purpose And Intent” of the Weber County County Code is hereby *amended* as follows:

A M E N D M E N T

Sec 108-16-1 Purpose And Intent

The purpose and intent of this chapter is to promote the community character of the Ogden Valley, as provided for in the Ogden Valley general plan, and other areas of the County and may be applicable, by providing regulations and encouragement for the preservation of a dark sky. This chapter is also intended to promote the health, safety, and general welfare of Ogden Valley and other County residents and visitors by:

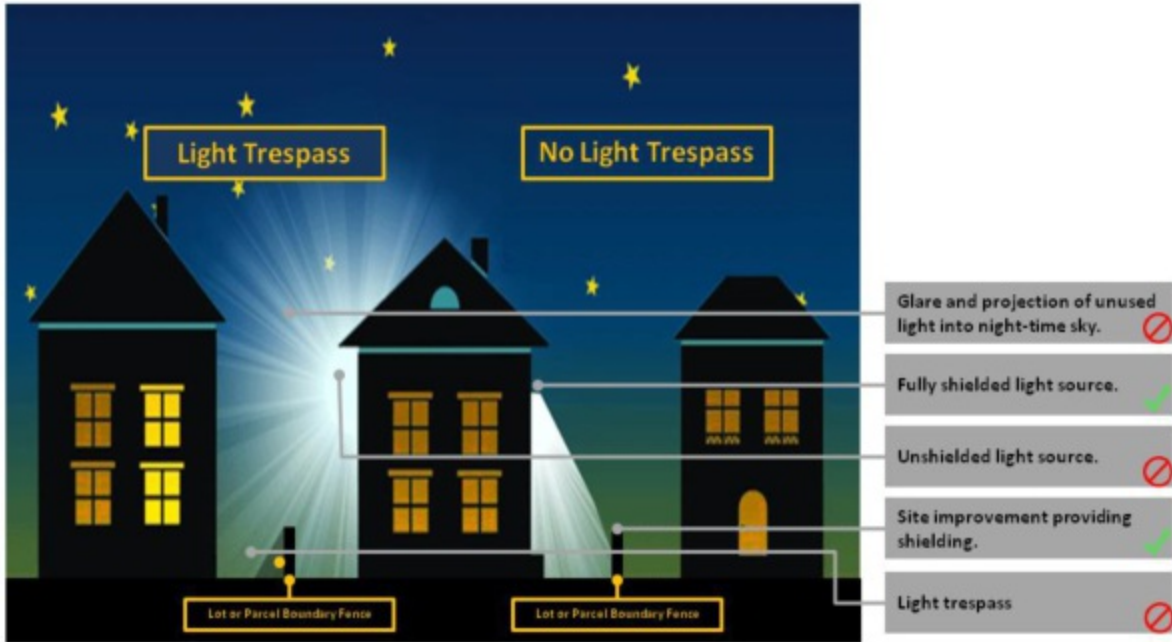
- (a) Reducing, eliminating, or preventing light trespass;
- (b) Reducing, eliminating, or preventing unnecessary or inappropriate outdoor lighting;
- (c) Reducing, eliminating, or preventing the effects of outdoor lighting on wildlife;
- (d) Preventing unsightly and unsafe glare;
- (e) Promoting energy conservation;
- (f) Maintaining nighttime safety, utility, and security;
- (g) Encouraging a minimal light footprint of land uses in order to reduce light pollution; and
- (h) Promoting and supporting astrotourism and recreation, including the pursuit or retention of accreditation of local parks by the International Dark-Sky Association.

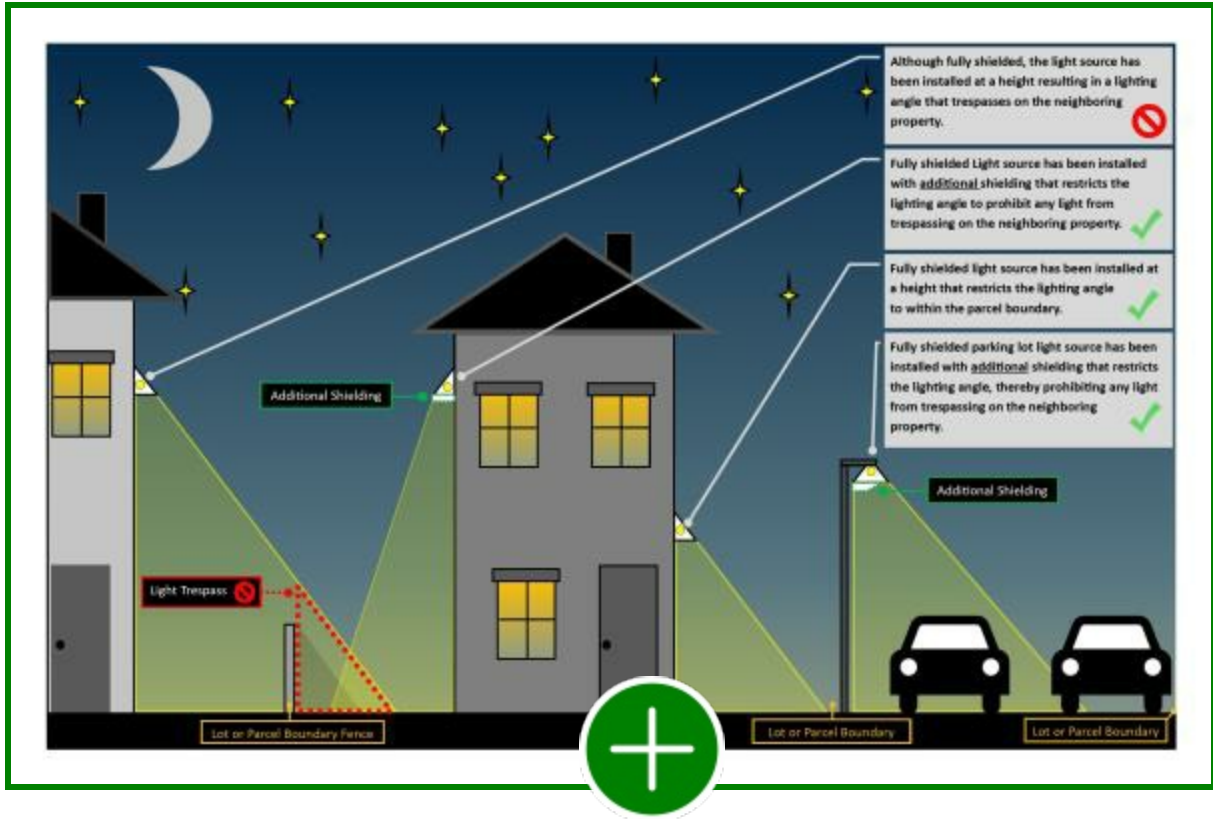
(Ord. No. 2017-24, Exh. B, 6-27-2017)

SECTION 12: AMENDMENT “Sec 108-16-11 Example Of Light Trespass” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 108-16-11 Example Of Light Trespass





(Ord. No. 2017-24, Exh. B, 6-27-2017)

SECTION 13: **EFFECTIVE DATE** This Ordinance shall be in full force and effect 15 days after the required approval and publication according to law.

PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COUNTY COMMISSIONERS _____.

	AYE	NAY	ABSENT	ABSTAIN
Gage Froerer	_____	_____	_____	_____
Jim "H" Harvey	_____	_____	_____	_____
Scott Jenkins	_____	_____	_____	_____

Presiding Officer

Attest

Gage Froerer, Board of
Commissioners Chair, Weber County

Ricky Hatch, CPA, Clerk/Auditor
Weber County