

Components of an Outdoor Lighting Ordinance

Content Source: Template from DarkSky International

<https://darksky.org/darksky-policy-templates/>

DarkSky Policy_OL Municipal Ordinance Template and User Guide_v1.0 with ToU Agreement.docx

Background

- Objective

- Provide a template of outdoor lighting requirements for any county or jurisdiction seeking to implement a responsible outdoor lighting ordinance

- Content

- Specifies requirements that work together to meet the 'Five Principles for Responsible Outdoor Lighting' co-authored by DarkSky International and the Illuminating Engineering Society
- Allows tailoring to reflect local situations
- Includes narratives explaining why a topic is being addressed as well as optional requirements or choices

Five Principles for Responsible Outdoor Lighting

- Useful
 - Use light only if it is needed
- Targeted
 - Direct light so it falls only where it is needed
- Light Levels
 - Light should be no brighter than necessary
- Controlled
 - Use light only when it is needed
- Warm-Colored
 - Use warmer colored lights where possible

Purposes of the Ordinance

- Protect the health and welfare of all residents
- Enhance the character and quality of life
- Prevent inappropriate or poorly installed lighting
- Reduce lighting conflicts between property owners
- Preserve the naturally dark sky for the benefit of residents, visitors, wildlife, and the environment

Applicability

- All sources of outdoor lighting installed or replaced within the jurisdiction
 - Newly permitted development and construction projects involving dwellings, roadways, public right-of-way, buildings, facilities, properties, landscapes, parking lots, hardscapes, non-habitable structures, and monuments
- Existing outdoor lighting lawfully installed prior to the adoption date of the ordinance that does not meet the requirements is considered legal and repairable but non-conforming. All non-conforming lighting may continue to be used until one of the following occurs:
 - Light constitutes a public safety hazard or is a nuisance
 - When a property is re-zoned for a new land use

Exemptions

- **Lawful**: Lighting mandated by a legal jurisdiction with broader authority than the county
 - FAA, DoT, OSHA
- **Safety**: Lighting installed for public safety
- **Historic**: Lighting replicating historical character and lighting effect protected by historical registration
- **Permitted**: Temporary lighting approved by permit for special events, festivals, and community benefit, provided the permitted lighting still meets light trespass requirements
- **Seasonal**: Lighting used during specific times of year

Prohibitions

- Lighting must not interfere with the safe movement of motor vehicles
 - Any lighting that distracts or disables the vision of a motor vehicle operator (e.g., excessively bright or rapid blinking, flashing, and/or motion video) or contributes to traffic control confusion (e.g., sources resembling or imitating traffic or railroad signals) is prohibited
- Beacons and searchlights, except for emergency use by authorized first responders

Definitions

- Provides definitions to key terms used in the ordinance
 - Light fixture
 - Lamp
 - Fully shielded
 - Directionally shielded
 - Illuminance
 - Correlated Color Temperature (CCT)

General Performance Requirements

- **Legal**: All outdoor lighting installations shall comply with federal and state law; county codes; applicable energy and building codes; product safety labeling; the requirements of this ordinance
- **Light Level**: Lighting installed for outdoor use shall not exceed 125% of the light level recommended by the applicable standard
- **Distribution**: Light fixtures emitting more than 1000 lumens shall be fully shielded and shall emit no more than 5% of their total light output above 80 degrees from nadir
- **Height**: Mounting height shall not exceed 25 feet

General Performance Requirements

- **Trespass**: Light trespass onto residential use property shall measure no greater than 1 lux (0.1 fc)
- **Curfew**: Non-essential outdoor lighting, including but not limited to landscape and decorative lighting elements, shall be dimmed or extinguished during night time hours
- **Controls**: Lighting activated by motion detection shall automatically turn off or return to their dimmed state no more than 15 minutes after activity is no longer detected
- **Spectrum**: The maximum allowable correlated color temperature (CCT) is 3000K (2700K is preferred) unless a public safety need is documented

Case-Specific Requirements

- Residential Use

- Includes a table of per-dwelling lumen allowance as a function of effective property size and declared lighting zone
- Directed at multi-family units, apartment buildings

- Non-Residential Use

- Increases lumen exemption limit from 1000 to 3000 lumens
- Increases allowed light trespass from 1 lux to 3 lux

- Sports Lighting

- Relaxes various general performance requirements

Administrative Requirements

- Permit Application

- **Submittal**: Whenever a building permit is applied for, an outdoor lighting plan must be submitted along with a compliance statement
- **Review**: Lighting plan and compliance statement shall be subject to review & approval by the zoning administrator

- Enforcement

- **Enforcement**: Zoning administrator shall be responsible to implement, administer, and enforce this ordinance, including investigations of alleged violation
- **Penalty**: Any property owner not meeting the requirements of this ordinance shall be in violation and shall be issued a notice and administrative citation as provided by the municipal code

Q & A