

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20180002632

ORIGIN

Growth Management Department (GMD)

HEARING DATES

BCC TBD
 CCPC TBD
 DSAC TBD
 DSAC-LDR 10/16/2018

SUMMARY OF AMENDMENT

This amendment establishes standards for new outdoor lighting associated with single-family dwelling units, two-family dwelling units, and duplexes. These standards are intended to prevent high-intensity outdoor lighting from negatively impacting neighboring residential properties.

LDC SECTION TO BE AMENDED

4.02.08 Outside Lighting Requirements

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
TBD

DSAC
TBD

CCPC
TBD

BACKGROUND

Currently, there are no limitations with respect to outdoor lighting on residential properties with single-family dwellings, two-family dwellings, or duplexes. However, the variety and intensity of lighting fixtures available to homeowners at retail outlets presents an opportunity for outdoor lighting to negatively impact surrounding residential properties. As a result, the GMD has been unable to resolve complaints received by the Code Enforcement Division regarding residential outdoor lighting shining toward neighboring homes, which are typically received up to several times a year.

At the March 13, 2018, Board of County Commissioners (Board) meeting, a member of the public requested an ordinance to address significant nuisance lighting on single-family properties (See Item 7). At the June 21, 2018, Budget Workshop, one Commissioner noted an awareness of lighting problems on residential properties, suggesting a need for County Staff to address the issue. As a remedy, this amendment requires single-family dwelling, two-family dwelling, or duplex homeowners who install lights or fixtures having an aggregate of 60 watts or 800 lumens or more to shield or aim those lights away from abutting residential properties. The amendment does not apply to lighting on multi-family residential development (three or more units).

The brightness and energy usage measurements correspond with the types of floodlights or other outdoor lights which have the potential to impact neighbors (See Figures 1 and 2) and can be applied to both traditional incandescent lights and LEDs. Outdoor lighting standards for single-family residences vary throughout the state (See Exhibit A). These proposed standards are designed so that compliance and enforcement are simple and do not require any special knowledge or tools.

A building permit is not required to install most lighting fixtures. Therefore, this standard will primarily be implemented through the code enforcement process when a complaint is issued. If a code violation is reported, homeowners could remedy a potential violation by repositioning the lights, using shielding, or installing new lighting fixtures that comply with the proposed standard.

Figure 1. Lumen levels for typical outdoor lights

LED Outdoor Light	Recommended LED Lumens
Security Floodlights	700-1300
Shed Lights	150-300
Lamp Posts	120-180
Landscape Spotlights	120
Outdoor Path Lighting	100

Source: <https://gamason.com/how-many-lumens-do-you-need-for-outdoor-lighting/>

Figure 2. Department of Energy comparison of lumens and traditional incandescent watts.



Source: https://www.energy.gov/sites/prod/files/lumens_placard-black.pdf

FISCAL & OPERATIONAL IMPACTS

This amendment could result in additional unexpected costs for homeowners to replace light bulbs with lower lumens or to replace fixtures. There are no anticipated fiscal impacts to the County associated with this amendment. The amendment will allow code enforcement to resolve some complaints regarding outdoor lighting.

GMP CONSISTENCY

In the limited areas where the Growth Management Plan (GMP) does address outdoor lighting, there is no specificity provided. Only the Conservation and Coastal Management Element (CCME) policies pertaining to wildlife protection, e.g. Policies 7.3.1 and 7.3.2 regarding sea turtles, may have applicability to the dwelling unit types addressed in this LDC amendment but, again, there is no specificity provided. Further, such lighting would have to comply with both this new LDC provision and the CCME policies.

EXHIBITS: A) Lighting Standards in Other Communities

DRAFT

Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

Amend the LDC as follows:

- 1 **4.02.08 - Outside Lighting Requirements**
- 2
- 3 A. Lights on golf courses shall be located and designed so that no light is aimed directly
- 4 toward property designated residential, which is located within 200 feet of the source of
- 5 the light.
- 6
- 7 B. Specific height requirements in zoning districts.
- 8 1. GC—Twenty-five (25) feet
- 9 2. C-1—Twenty-five (25) feet
- 10 3. CF—Twenty-five (25) feet
- 11
- 12 C. Lights on lots with single-family dwellings, two-family dwellings, or duplexes. Lights or
- 13 fixtures having an aggregate of 60 watts or 800 lumens or more shall be shielded or aimed
- 14 away from abutting residential properties.
- 15 # # # # # # # # # # # # #

Exhibit A – Lighting Standards in Other Communities

Community	Standard	Citation
Lee County (Upper Captiva Planning Area)	“All outdoor lighting, including lighting on docks and bulkheads, must be designed, installed, located, and maintained to be hooded, shielded, and/or aimed downward.”	Art. XI Division 4 Sec. 33-1736
City of Sanibel	<p>“All exterior lighting shall be designed and installed to prevent glare and light trespass. Light shall not be allowed to cause glare affecting motorists, bicyclists, or other users of roads, driveways and bicycle paths. Light shall not trespass over property lines.”</p> <p><i>(More detailed standards follow this section)</i></p>	Art. XIV Div. 4 Sec. 12-997 (c)
City of Naples	<p>“(a) Permitted exterior lighting. Exterior lighting or light fixtures may be utilized at grade and at the 1st habitable floor of multifamily structures, provided that:</p> <p>(1) The lighting is confined to a front yard facing a public street, or to that portion of the facade facing a public street; and</p> <p>(2) The light source is directed only at the facade of the building.</p> <p>Lighting may also be utilized at grade to enhance landscape features. Exterior lighting shall be designed, arranged or shielded in such manner that all adjacent properties and the public roadways are protected from direct glare.</p> <p>(b) Prohibited lighting. The use of exterior lighting or light fixtures on any portion of the facade or roof of a multifamily structure above the 1st habitable floor shall not be permitted.</p> <p>(c) Exemptions. Warning lights, as required by state or federal agencies, and exterior lights used exclusively for and associated with outdoor walkways, stairs, hallways, pool areas, and living spaces such as balconies, terraces, screened porches, and similar spaces shall be exempt from the requirement as listed in subsection (b) of this section. Nonpermanent lighting, used exclusively during the holiday period from November 15 to January 15, is also excluded from this prohibition.</p> <p>(d) Nonconforming lighting. Nonconforming multifamily structures shall be brought into conformance with this section by April 30, 1998.”</p>	Chapter 56 Art. III Sec. 56-89
City of Bonita Springs	“All light fixtures shall have bulbs that are fully recessed within the fixture and may not emit light above horizontal plan (sic)”	Chapter 10 Art. III. Div. 3 Sec. 10-102 (d)(1)(a)

Exhibit A – Lighting Standards in Other Communities

<p>Marco Island</p>	<p>“(a) Regulation of the intensity and glare of outdoor lighting shall be as follows: (1) No lighting source shall cause more than 1.0 footcandle of illumination to fall on adjoining residential single-family (RSF) zoned property.”</p> <p><i>(Additional shielding standards follow this section)</i></p>	<p>Chapter 6 Art. V Sec. 6-145</p>
<p>Volusia County</p>	<p>No person may install, construct, erect, maintain, or control any outdoor lighting or outdoor lighting fixture on a residential structure, or on its surrounding premises, which directly illuminates beyond the adjacent residential structure's property line, between sunset and sunrise. For the purposes of this section, adjacent property shall include all property within 360 degrees of the subject property, notwithstanding an intervening right-of-way. For the purposes of this section, property line shall be an invisible plane extending vertically at a 90-degree angle from ground level to a point above the height of the highest structure on either the subject property or the adjacent property.</p>	<p>Sec. 50-480</p>