

**LAND DEVELOPMENT CODE AMENDMENT**

**PETITION**

PL20190001080

**ORIGIN**

Board of County  
Commissioners

**HEARING DATES**

BCC           06/09/2020  
                  03/10/2020  
  
CCPC         11/21/2019  
DSAC         08/07/2019  
DSAC-LDR   06/18/2019

**SUMMARY OF AMENDMENT**

This amendment makes several changes to lighting standards related to commercial development in order to limit certain types of lighting that may be distracting or out of character with the surrounding community.

**LDC SECTION TO BE AMENDED**

1.08.02   Definitions  
5.05.08   Architectural and Site Design Standards  
5.05.11   Carwashes Abutting Residential Zoning Districts

**ADVISORY BOARD RECOMMENDATIONS**

**DSAC-LDR**

Approval with Changes

**DSAC**

Approval

**CCPC**

Approval

**BACKGROUND**

Lighting technology advances have led to the development of architectural lighting that includes a wide variety of designs and colors. Recently, some new construction projects in the county have included multi-colored, flashing light displays. These installations have caused concern for being distracting and a nuisance to motorists and the surrounding neighborhood.

On February 26, 2019, the Board of County Commissioners (Board) directed staff to draft an ordinance to address certain types of lighting on buildings that can become a nuisance, or which may be out of character with the surrounding community. Staff has also received complaints from the public regarding lighting of mechanical equipment at car washes. This amendment addresses three lighting issues:

1. Clarifies the difference between accent lighting and architectural lighting,
2. Adds limitations to the illumination of buildings to the architectural and site design standards, and
3. Prohibits lighting that changes color, flashes, or alternates more than once per day on buildings subject to architectural and site design standards and on car wash equipment.

Collier County’s definition of accent lighting is limited to “strands or tubes of lighting that outline a structure.” This form of lighting is prohibited by the sign code in LDC Section 5.06.00. This prohibition was intended to be limited to “exposed” strands or tubes of lighting. However, there are some forms of lighting that outline a structure but do not include exposed lighting, and therefore should not be prohibited (See Exhibit A). This amendment clarifies the definition and prohibition of accent lighting to only include exposed lighting.

Additionally, signage is not permitted to include lights that change color, flash, or alternate. This amendment applies a similar standard to building facades by adding building illumination standards to

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the architectural and site design standards in LDC Section 5.05.08 F.7, and to the lighting of car wash equipment at carwashes abutting residential zoning districts in LDC Section 5.05.11.

The addition of building illumination standards to the Site Design and Architectural Standards is consistent with the approach of several other communities. Standards related to colors of architectural lighting, or whether lights change color, flash, or alternate, are found throughout Florida (See Exhibit C).

*DSAC-LDR Subcommittee Recommendation*

DSAC-LDR Subcommittee reviewed the amendment on June 18, 2019, and the following recommended changes were incorporated into the amendment:

- The amendment should only apply to lights visible from a public right-of-way or adjacent single-family residential districts.
- Allow for lights to change color if the change occurs over a longer timeframe and doesn't simulate flashing.
- Reference "architectural features" rather than "walls and windows" in section 5.05.08 F.7.d.i.
- The language in 5.05.11 J should reference "equipment," rather than "car wash equipment."

The Subcommittee also recommended that the amendment should apply to new permit applications only. This recommendation has not been incorporated into the amendment because it would make the standard ineffective at addressing lighting issues for existing development. On March 10, 2020, the Board directed staff to apply the proposed standards to new and existing buildings.

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**FISCAL & OPERATIONAL IMPACTS**

This amendment may result in businesses that are to become non-conforming with lighting restrictions. Businesses will bear any cost associated with removing or replacing previously installed lighting, if necessary. County reviews of architectural plans will require applicants to indicate lighting colors and color changes. There are no anticipated fiscal impacts to Collier County associated with this amendment.

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**GMP CONSISTENCY**

The Growth Management Plan's (GMP) land use elements (Future Land Use Element, Golden Gate Area Master Plan, Immokalee Area Master Plan) contain subdistricts and overlays that identify allowable uses, densities and intensities; some contain development standards, but most do not. No Elements of the GMP address or restrict lighting in the detail addressed in this LDCA. The LDC may be more restrictive than the GMP but not less restrictive. Based upon the above analysis, the proposed LDC amendment may be deemed consistent with the GMP.

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**EXHIBITS:** A) Architectural Lighting Examples; B) Accent Lighting Examples; and C) Architectural and Accent Lighting in Other Communities

Amend the LDC as follows:

1.08.02 – Definitions

*Abut or abutting:* To share a common property line or boundary at any one point.

*Accent lighting:* ~~Strands~~ Exposed strands or tubes of lighting that outline a structure, or to maintain a common architectural theme to attract attention to any business, service, or other related functions.

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5.05.08 – Architectural and Site Design Standards

\* \* \* \* \*  
F. Site design standards. Compliance with the standards set forth in this section must be demonstrated by submittal of architectural drawings and a site development plan in accordance with the Administrative Code and LDC section 10.02.03.

\* \* \* \* \*

7. Lighting. See LDC sections 4.05.02 D and 6.06.03 for additional requirements.

a. Purpose and intent. All building sites and projects, including outparcels, shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles. Lighting must be designed in a consistent and coordinated manner for the entire site. The lighting and lighting fixtures must be integrated and designed so as to enhance the visual impact of the project on the community and blend with the landscape.

b. Shielding standards. Lighting must be designed so as to prevent direct glare, light spillage and hazardous interference with automotive and pedestrian traffic on adjoining streets and all adjacent properties. Light sources must be concealed or shielded.

c. Height standards. Lighting fixtures within the parking lot must be a maximum of 25 feet in height, and 15 feet in height for the non-vehicular pedestrian areas.

d. Design standards. Lighting must be used to provide safety while accenting key architectural elements and to emphasize landscape features. Light fixtures must complement the design of the project. This can be accomplished through style, material or color.

i. When visible from a public right-of-way or from an adjacent residential property, the illumination of new or existing building facades, architectural features, or windows with lights that change color, flash, or alternate at intervals more frequently than once per day is prohibited.

e. Illumination. Background spaces, such as parking lots, shall be illuminated as unobtrusively as possible to meet the functional needs of safe circulation and of protecting people and property. Foreground spaces, including

1 building entrances and plaza seating areas, must utilize local lighting that  
2 defines the space.

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6 **5.05.11 - Carwashes Abutting Residential Zoning Districts**

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8 A. Carwashes designed to serve vehicles exceeding a capacity rating of one ton shall not be  
9 allowed.

10 B. Minimum yards.

- 11 1. Front yard setback: fifty (50) feet.
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- 13 2. Side yard setback: forty (40) feet.
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- 15 3. Rear yard setback: forty (40) feet.
- 16

17 C. A carwash shall not be located on a lot with less than 150 feet of frontage on a dedicated  
18 street or highway.

19 D. Minimum lot size is 18,000 square feet.

20 E. If a carwash, vacuum station, or compressed air station abuts a residential district, a  
21 masonry or equivalent wall constructed with a decorative finish, six (6) feet in height shall  
22 be erected along the lot line opposite the residential district and the lot lines perpendicular  
23 to the lot lines opposite the residential district for a distance not less than fifteen (15) feet.  
24 The wall shall be located within a landscaped buffer as specified in section 4.06.00. All  
25 walls shall be protected by a barrier to prevent vehicles from contacting them.

26 F. The building shall maintain a consistent architectural theme along each building façade.

27 G. A carwash shall be subject to Ordinance No. 90-17, Collier County Noise Control  
28 Ordinance [Code ch. 54, art. IV].

29 H. The washing and polishing operations for all car washing facilities, including self-service  
30 car washing facilities, shall be enclosed on at least two sides and shall be covered by a  
31 roof. Vacuuming facilities may be located outside the building, but may not be located in  
32 any required yard area.

33 I. Carwashes abutting residential districts shall be closed from 10:00 p.m. to 7:00 a.m.

34 J. The illumination of equipment with lights that change color, flash, or alternate at intervals  
35 more frequently than once per day is prohibited on new or existing car washes when visible  
36 from a public right-of-way or from an adjacent residential property.

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# Exhibit A –Architectural Lighting Examples



Staff image



Staff image



Staff image



[www.mhkap.com/commercial](http://www.mhkap.com/commercial)



Staff image









<https://energyefficientdevices.org/led-outdoor-sign-lighting-fixtures.html>



<https://decorsusa.com/wp-content/uploads/2018/01/IHG-BRAND-LIGHTING-14.jpg>

# Exhibit B –Accent Lighting Examples

Accent lighting using “tubes or strands”	Architectural lighting
 <p data-bbox="212 556 789 611"><a href="http://accentledlighting.com/wp-content/uploads/2016/12/e-Accent-LED-restaurant-perimeter.jpg">http://accentledlighting.com/wp-content/uploads/2016/12/e-Accent-LED-restaurant-perimeter.jpg</a></p>	 <p data-bbox="859 571 1382 598">Source: Staff correspondence Re: PRBD20160518424</p>
 <p data-bbox="207 1043 794 1098"><a href="https://upload.wikimedia.org/wikipedia/commons/3/3c/Dallas_Bank_of_America_Plaza_top_night.jpg">https://upload.wikimedia.org/wikipedia/commons/3/3c/Dallas_Bank_of_America_Plaza_top_night.jpg</a></p>	 <p data-bbox="859 1043 1382 1071">Source: Staff correspondence Re: PRBD20160518424</p>
 <p data-bbox="240 1478 760 1505">Source: Staff correspondence Re: PRBD20160518424</p>	 <p data-bbox="859 1478 1382 1505">Source: Staff correspondence Re: PRBD20160518424</p>

## Exhibit C – Architectural & Accent Lighting in Other Communities

Community and Citation	Architectural and Accent Lighting Standards (Bold emphasis added)
City of Sunrise  16-140 (4)	<p>(4) <i>Building façade</i> lighting. Exterior building lighting shall be in accordance with the following requirements:</p> <p>a. Floodlights, spotlights, or any other similar lighting shall not be used to illuminate buildings, structures, or other site features unless approved as an integral architectural element on the site plan. On-site lighting may be used to accent architectural elements but not used to illuminate an entire façade of a building. Temporary lighting such as strip lighting is prohibited unless in accordance with subsection (b) below. Where accent lighting is used, the maximum illumination on any vertical surface or angular roof surface shall not exceed 5.0 average maintained footcandles. <b>Building façade and accent lighting will not be approved unless the light fixtures are compatible in design,</b> and located, aimed, and shielded so that light is directed only onto the building facade and spillover light is minimized.</p> <p>b. Holiday lights and decorations are prohibited except between November 15 and January 5 provided they do not cause excessive glare that creates a public safety hazard.</p>
Brevard County  62-2257	<p>(4) Accent lighting is hereby defined as the lighting of area(s) within a site which emphasizes key architectural elements of the site's building(s), particular objects such as a piece of art or retail displays, or landscaped areas without creating shadows or hot spots resulting in uneven site lighting conditions. <b>All lighting fixtures (cut-off or non cut-off) utilized to provide accent lighting shall be so designated on the site's engineered site plan.</b> Accent lighting fixtures providing illumination for specific portions of a building's wall area are known as wall-washers. Wall-washer light fixtures are cut-off or non cut-off lighting fixtures normally mounted at ground level and aimed at an upward angle to cast illumination upon an adjacent building's wall. Up-lighting is the term used to describe the lighting of objects located above the horizontal plane of the lighting fixture. Down-lighting is the term used to describe the lighting of objects located below the horizontal plane of the lighting fixture. Accent lighting fixtures which utilize up-lighting or are used to illuminate landscape vegetation shall be limited to a maximum 5.0 foot-candles lighting threshold in order to limit the adverse impacts of light pollution (illumination of the night sky). Accent lighting fixtures which utilize down-lighting shall be limited to a reduced 35.0 foot-candle maximum lighting threshold in order to limit the adverse impacts of glare and reflection.</p>
City of St. Petersburg  16.90.020 (3)	<p>(3) Accent lighting. Accent lighting is lighting that is designed to emphasize the shape, texture, finish, or color of a portion of an exterior wall or an architectural feature.</p>

## Exhibit C – Architectural & Accent Lighting in Other Communities

<p>Lee County 34-2</p>	<p>Non-essential lighting means lighting that is not necessary for an intended purpose after the purpose has been served. For example, lighting for a business sign, architectural accent lighting, and parking lot lighting, may be considered essential during business or activity hours, but is considered non-essential once the activity or business day has concluded.</p>
<p>City of Palm Beach Gardens 78-751</p>	<p>Accent lighting means any lighting that is used to enhance, highlight, or define specific elements of landscaping, art, or architecture.</p>
<p>City of Miami Gardens 34-417 (4)</p>	<p>(4) Building and accent lighting.</p> <p>a. Lighting of buildings. All exterior building lighting, including entry, facade, rooftop, security, and accent lighting shall conform to the requirements provided below:</p> <ol style="list-style-type: none"> <li>1. Permitted lighting. Exterior lighting may be used to illuminate a building and its grounds for safety purposes, so long as the lighting is done in a manner that is aesthetically pleasing compatible with the overall surroundings, and in compliance with this section.</li> <li><b>2. Compatibility. Lighting shall be installed in a manner that is compatible with the neighborhood and adjacent development, and protects dark skies.</b></li> <li>3. Fixtures. All fixtures used in exterior building lighting are to be selected for functional and aesthetic value. Light fixtures shall not be directly beamed upward or toward adjacent properties and pedestrian areas.</li> <li>4. Accent lighting for nonresidential and multifamily buildings. Accent lighting for architectural and/or aesthetic purposes is permitted subject to the following restrictions:             <ol style="list-style-type: none"> <li>(i) All upward-aimed lights shall be fully shielded from projecting into the sky by eaves, roofs, or overhangs.</li> <li>(ii) Strings of lights or other similar accent lighting may be installed on trees and landscaping and on buildings below the roofline provided: Light strings shall not be suspended horizontally between any buildings, walls, fences, trees, or shrubs. Strings of light shall contain only low wattage clear bulbs (less than 100 lumens) without interior or exterior frosting, colors or reflectors.</li> <li><b>(iii) Integration with form. Lighting which mimics the architectural lines of the building or part of the building, unless otherwise allowed in this section, shall only be permitted by approval of an administrative petition.</b></li> </ol> </li> </ol>
<p>City of Daytona Beach 6.9 D</p>	<p><b>D. Prohibited Lighting. The following exterior lighting is prohibited:</b></p> <ol style="list-style-type: none"> <li>1. Light fixtures that imitate an official highway or traffic control light or sign;</li> <li>2. Light fixtures in the direct line of vision with any traffic control light or sign;</li> </ol>



## Exhibit C – Architectural & Accent Lighting in Other Communities

<p>&amp; 6.10 M</p>	<p>3. <b>Light fixtures that have a flashing or intermittent pattern of illumination</b>, except electronic message center signage permitted in accordance with Section 6.10.J.7, Electronic Message Center Signs;</p> <p>4. Privately-owned light fixtures located in the public right-of-way; and</p> <p>5. Searchlights, except when used by Federal, State or local authorities.</p> <p>* * * * *</p> <p>M. Architectural Accent Lighting.</p> <p>1. <b>Architectural accent lighting is nonblinking fiber optic, neon, or incandescent light applied as an architectural enhancement to accent the roof edge or details of a commercial building. Fiber optics may change color but not so rapidly as to simulate blinking lights.</b></p> <p>2. All architectural accent lighting shall meet the following requirements.</p> <p>a. The lighting shall be designed as an integral architectural element of the building and accent significant architectural aspects of the building.</p> <p><b>b. The color of the accent lighting shall be harmonious with the building, surrounding buildings, and the site.</b></p> <p>3. In Redevelopment Areas, architectural accent lighting shall be subject to approval of the Redevelopment Board for the area. In all other areas of the City, architectural accent lighting shall be subject to review and approval by City staff.</p>
<p>City of Palm Springs 34-332</p>	<p>Accent lighting of a building facade for architectural, aesthetic, or decorative purposes is permitted subject to the following restrictions:</p> <p>(1) All upward-aimed lights shall be fully shielded from projecting into the sky by eaves, roofs, overhangs, artwork, or architectural elements.</p> <p>(2) Strings of lights or other similar accent lighting may be installed on trees and landscaping and on buildings below the roofline provided:</p> <p>a. Strings of lights shall not be suspended horizontally between any buildings, walls, fences, trees, or shrubs.</p> <p>b. Strings of light shall contain only low wattage clear bulbs (less than 100 lumens) without interior or exterior frosting, colors, or reflectors.</p> <p>(3) Integration with form. Lighting following the form of the building or part of the building, unless otherwise permitted in this section, shall only be permitted as a component of site plan/architectural approval by the village council.</p>

## Exhibit C – Architectural & Accent Lighting in Other Communities

<p>City of Casselberry 3-10.2 B</p>	<p>Accent lighting. Decorative lights used to draw attention to particular features or objects such as plants, trees, walls, fountains, or buildings. Such lights shall be aimed to accentuate shadows or to highlight a particular object at night. Accent lights shall not impact safety and security, such as masking steps or ledges, or produce glare such that a person or property owner cannot see properly. They shall be limited to low voltage systems of 12 volts or 24 volts. <b>The lighting should aesthetically enhance the overall site</b> and not create glare or light trespass.</p>
<p>City of South Miami 20-3.6 (U)(D)</p>	<p>(D) Definitions as used in this section. 1. Accent lighting means any directional lighting which emphasizes a particular object or draws attention to a particular area.</p>
<p>City of Lake Park 5-10</p>	<p>Sec. 5-10. - Exterior architectural lighting. A. General. The term "exterior lighting," as used in this section, shall mean any variety of lighting forming an integral part of a building. Such lighting shall meet the following requirements and shall be subject to final approval by the jurisdiction. <b>B. Limitations. Exterior lighting shall not:</b> <b>1. Flash, revolve, flutter or be animated;</b> 2. Obstruct the vision of pedestrians. 3. Project into or over any public street right-of-way including the sidewalk; 4. Obstruct or interfere with any door, fire exit, stairway, ladder or opening intended to provide light, air, ingress or egress; 5. Constitute a traffic hazard or be a detriment to traffic safety.</p>