

ORDINANCE NO. 2015-018

AN ORDINANCE OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING CHAPTER 13, CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT CODE," BY AMENDING ARTICLE III, ENTITLED "ZONING REGULATIONS," BY AMENDING DIVISION 4, ENTITLED "ACCESSORY USES AND STRUCTURES," BY AMENDING SUBDIVISION I, ENTITLED "IN GENERAL," BY AMENDING SECTION 13-374, ENTITLED "OUTDOOR LIGHTING" RELATED TO REGULATIONS PERTAINING TO OUTDOOR LIGHTING; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to amend Chapter 13 of the City's Code of Ordinances, Article III, Division 4 entitled "Accessory Uses and Structures," by amending Subdivision I entitled "In General," by amending Section 13-374, entitled "Outdoor Lighting"; and

WHEREAS, this amendment addresses lighting standards that will minimize glare, light trespass, and skyglow; conserve energy while maintaining nighttime safety, security, and productivity; protect the privacy of residents; minimize disturbance of wildlife; enhance the ambiance of the community; and ensure optional viewing of night skies about the City; and

WHEREAS, the Planning and Zoning Board has reviewed this amendment at a duly noticed hearing on April 8, 2015, and recommended its adoption; and

WHEREAS, the City Commission finds and determines that the Outdoor Lighting standards and requirements are in need of amendment to address the principles of "Dark Sky".

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing recitals, findings of fact, and staff reports and documents are true and correct, and are hereby incorporated by reference.

Section 2: That Chapter 13, Code of Ordinances entitled "Land Development Code" is hereby amended by amending Article III, entitled "Zoning Regulations," by amending Division 4, entitled "Accessory Uses and Structures," by amending Subdivision I entitled "In General," by amending Section 13-374, entitled "Outdoor Lighting" to read and provide as follows:

ARTICLE III. ZONING REGULATIONS

DIVISION 4. ACCESSORY USES AND STRUCTURES

Sec. 13-374. OUTDOOR LIGHTING

~~Sec. 13-374. - Lighting standards and requirements.~~

~~General requirements. All parking areas, walkways, driveways, commercial, public, office, industrial, multifamily, residential or other similar uses having off-street parking and/or loading areas and building complexes requiring area lighting, shall be illuminated as follows:~~

- ~~(1) One-half hour after sunset to one-half hour before sunrise on a daily basis.~~
- ~~(2) Nonglare, color corrected lights shall be installed.~~
- ~~(3) A "point to point" lighting plan signed and sealed by an engineer registered in the state shall be submitted by the developer with any site plan application. The lighting system shall not be placed in permanent use until the design engineer has certified in writing that the system has been field tested and has been installed and is functioning per the approved plans and specifications. The light intensity provided at ground level in the area to be illuminated shall be a minimum of five-tenths (0.5) footcandle for residential developments and one (1) footcandle for commercial and institutional developments and five-tenths (0.5) footcandle for industrial developments. The maximum to minimum footcandle level shall not exceed a 12:1 ratio.~~
- ~~(4) The current edition of the "IES Lighting Handbook," published by the Illumination Engineering Society of North America is the standard to be used by the architect or engineer as a guide for the design and testing of parking facility lighting. The standards contained therein shall apply unless standards developed and adopted by this section or subsequent amendments are more severe, in which case the more restrictive standards shall apply.~~

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- ~~(5) Any other lighting, such as building, recreation facilities and sidewalk illumination, driveways with no adjacent parking and ornamental lighting shall be shown on the lighting plan in sufficient detail to allow determination of the effects upon adjacent properties, traffic safety and overhead sky glow. The objective of these specifications is to minimize undesirable off-premises effects.~~
- ~~(6) No light shall shine directly into windows or onto streets and driveways in such a manner as to interfere with or distract driver vision or the privacy of a dwelling unit.~~
- ~~(7) Site lighting poles shall not be located in landscape planting islands that separate parking spaces side to side.~~

(1.) Definitions. The following words, terms and phrases when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ambient light: light not originating from the site, such as moonlight.

Artificial light or artificial lighting: the light emanating from any manmade device.

"Bug" type bulb: any yellow or other light bulb specifically designed to reduce the attraction of insects to the light.

Bulb or lamp: the source of electric light. To be distinguished from the whole assembly (see luminaire). Lamp often is used to denote the bulb and its housing.

Cumulatively illuminated: illuminated by numerous artificial light sources.

Direct light: light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Fixture: the assembly that houses the lamp or lamps and can include all or some of the following parts: A housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Flood or spot light: any fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam.

Full cutoff fixture: a luminaire that does not emit any light, either directly or by reflection or diffusion, above a horizontal plane running through the lowest part of the fixture.

Glare: light emitting from a luminaire that interferes with visibility.

Indirect light: direct light that has been reflected or has scattered off of other surfaces.

Lamp or bulb: the component of a luminaire that produces the actual light.

Light trespass: light from an artificial light source that is intruding into an area where it does not belong, such as an adjoining or nearby property.

Luminaire: a complete lighting system, including a lamp or lamps and a fixture.

Outdoor lighting: the nighttime illumination of an outside area or object by any fixed luminaire (Vehicle lights and flashlights are not included in this definition.)

Point source of light: any artificial light or lighting that directly radiates visible light.

Recessed luminaire: a luminaire recessed into an outdoor ceiling or canopy so that its bottom is flush with the underside of the structure.

Skyglow: illumination of the sky from artificial sources.

Tinted glass: any glass treated to achieve an industry-approved, inside-to outside light transmittance value of 45 percent or less. Such transmittance is limited to the visible spectrum (400 to 700 nanometers) and is measured as the percentage of light that is transmitted through the glass.

Uplighting: any luminaire that directly or indirectly projects light above a horizontal plane passing through its lowest point.

Wallpacks: luminaires placed along the outer walls of buildings.

Wall wash: any luminaire that is directly or indirectly used to light the exterior or draw attention to the exterior of a structure.

Wildlife-Friendly Lighting: bulbs in the visible spectrum (400 to 700 nanometers).

(2.) General Provisions.

(a) Purpose and intent. The purpose of this section is to set outdoor lighting standards that will minimize glare, light trespass, and skyglow; conserve energy while maintaining nighttime safety, security, and productivity; protect the privacy of residents; minimize disturbance of wildlife; enhance the ambiance of the community; and ensure optimal viewing of spectacular night skies above the City of Coconut Creek. It is the intent of this section that all luminaires in the city be brought into compliance with the standards of this section in accordance with the conditions established in subsection 13-374(2) (f). To encourage the replacement of nonconforming outdoor light fixtures, the issuance of a permit, solely for outdoor light fixtures, does not trigger compliance with code requirements unrelated to

outdoor lighting. Further, the issuance of a permit for any purpose other than outdoor lighting will not require the replacement or removal of existing non-conforming outdoor lighting as a condition of authorizing such permit, except in accordance with the conditions in subsection 13-374(2)(f).

(b) The current edition of the "IES Lighting Handbook," published by the Illumination Engineering Society of North America is the standard to be used by the architect or engineer as a guide for the design and testing of parking facility lighting. The standards contained therein shall apply unless standards developed and adopted by this section or subsequent amendments are more severe, in which case the more restrictive standards shall apply.

(c) *Applicability.*

1. All residential uses, (regardless of structure type) and non-residential land uses. All new luminaires must comply with the standards of this section.
2. A permit is not required to reposition or switch out a fixture for a like-style fixture; however, all other electrical work is subject to compliance with the Florida Building Code, as may be amended from time to time.
3. Renovation or reconstruction does not require compliance with this code unless over fifty percent (50%), as noted in subsection 13-374(2)(f)(2).

(d) *Standards.* In addition to the standards for outdoor lights established in this subsection, there are setback standards and height limitations for outdoor lights provided in Sections 13-238 and Sec. 13-443 (7) (f).

1. All exterior lighting in all districts 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.
2. Light from a property in any district shall not trespass over property lines.
3. Full cutoff fixtures must be used. Floodlights are prohibited. All outdoor lighting, including display, sign, building, parking lot, and aesthetic lighting, must use full cutoff fixtures.
4. Functional equivalents allowed. Lights that are properly installed in an architectural space (such as under a porch roof or a roof overhang) which provides the functional equivalence of a full cutoff fixture, need not use full cutoff fixtures.
5. Mercury vapor lighting is prohibited. High pressure sodium lighting is permitted and encouraged.

6. Wildlife-Friendly lighting is encouraged for all land uses.
7. In all residential districts, pedestrian scale lighting shall be used with a maximum twelve foot (12') overall height, excluding parking areas.
8. In residential and commercial settings, motion-detecting security lighting is permitted and encouraged in order to maximize safety, minimize overall illumination, and conserve energy.
9. Parking lot lights for nonresidential land uses shall, individually and in aggregation with other outdoor lights, not exceed a maximum site illumination of ten (10) footcandles, measured at two feet (2') above ground level from any location on the property.
10. All non-residential land uses shall reduce site illumination to a maximum of five (5) footcandles within one(1) hour of the close of business hours. This includes parking, building, landscape, and any specialty lighting.
11. In no case shall a bulb be exposed beyond the luminaire housing.
12. Multi-story garage structures shall adhere to the maximum footcandle criteria set forth in this section. Consideration will be given for increased lighting if "green screens" are planned for the project to minimize light emitting from the structure.
13. Solar power is encouraged in all districts to further the energy saving goals of this ordinance.
14. Low-Voltage uplighting for landscaping, flagpoles, and art are permitted.

(e) Exemptions. The following are exempt from the requirements of this section:

1. All temporary emergency lighting needed by the police or fire departments or other emergency services, as well as all vehicle luminaires.
2. Lighting for public streets, roads, and rights-of-way, including greenways.
3. All hazard warning luminaires required by federal or state regulatory agencies are exempt from the requirements of this subsection. Unless otherwise mandated, all luminaires used must be yellow/amber and must be shown to be as close as possible to the federally or state required minimum lumen output requirement for the specific task.
4. Holiday lighting.

5. Football, baseball, soccer fields (and the like), except that steps shall be taken to minimize glare and light trespass.

6. Swimming pool in-water lighting.

(f) Nonconforming luminaires. The following categories of outdoor lights must be brought into compliance with the standards of this section in accordance with the criteria provided.

1. Upon the effective date of this ordinance, all luminaires that direct light toward streets, bicycle paths, or parking lots that cause glare to motorists or cyclists shall be either shielded or redirected so that the luminaires do not continue to cause a potential hazard.

2. All luminaires, not identified in subsection 13-374(2)(f)1 above, shall be permitted to remain until an existing building has reached fifty percent (50%) reconstruction or renovation status. At such time, all outdoor lights shall be brought into compliance with the standards of this section. However, any luminaire that replaces a lawfully existing luminaire, or any lawfully existing luminaire that is moved, must meet the standards of this section.

(3) Interpretation.

(a) Where any of the provisions of this section appear to be in conflict with state or federal laws preempting local authority, including the Florida Building Code, they shall not take effect until such time as the preemption is withdrawn.

(b) Where any of the provisions of this section appear to be in conflict with another provision of this division or another provision of this Land Development Code, the provision providing the greatest protection against glare, light trespass, and sky glow shall apply.

(4) Enforcement.

At any time the City is made aware of a possible compliance issue, City Staff will take site illumination measurements. Should the site fail inspection, a notice will be given to the property owner in accordance with normal code enforcement procedures.

(5) Photometric Plans.

(a) A "point to point" lighting plan signed and sealed by an engineer registered in the state shall be submitted by the developer with any site plan application.

(b) The lighting plan shall include all lighting for the project that will be visible from the outside, including parking, landscape, building (architectural, safety, interior), and signage. It is the responsibility of the design engineer to meet the ten (10) footcandle maximum for the site and to adequately convey this on the photometric plans. Approved plans do not constitute approval of the final design by the City if

field measurements exceed ten (10) footcandles as noted in subsection 13-374(2) (c) 8.

(c) The lighting system shall not be placed in permanent use until the design engineer has certified in writing that the system has been field tested and has been installed and is functioning per the approved plans and specifications.

(d) Final Certificate of Occupancy of the project is contingent on the site passing the photometric lighting requirements set forth in this section.

Section 3: That in the event any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

Section 4: That the provisions of this Ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

Section 5: That all ordinances or parts of ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

Section 6: That this Ordinance shall take effect immediately upon its passage and adoption.

PASSED FIRST READING THIS 28TH DAY OF May, 2015.

PASSED SECOND READING THIS _____ DAY OF _____, 2015.

Rebecca A. Tooley, Mayor

Attest:

Leslie Wallace May, MMC
City Clerk

Tooley	<u>Aye</u>	_____
Belvedere	<u>Aye</u>	_____
Sarbone	<u>Aye</u>	_____
Welch	<u>Aye</u>	_____
Rydell	<u>Aye</u>	_____

WSS:jw

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