

CITY OF SANIBEL

ORDINANCE NO. 00 - 10

AN ORDINANCE PERTAINING TO OUTDOOR LIGHTING, TO REDUCE LIGHT POLLUTION, LIGHT TRESPASS, AND GLARE; AMENDING SECTION I.E.14. OF THE LAND DEVELOPMENT CODE OF THE CITY OF SANIBEL, GENERAL OUTDOOR LIGHTING AND LIGHTING FOR TURTLE PROTECTION, BY AMENDING SUBSECTION I.E.14.a., DEFINITIONS; DELETING CURRENT SUBSECTION I.E.14.b. AND REPLACING IT WITH A NEW SUBSECTION I.E.14.b. TO PROVIDE FOR STANDARDS FOR LIGHTING TO REDUCE LIGHT POLLUTION, LIGHT TRESPASS, AND GLARE; CREATING A NEW SUBSECTION I.E.14.e., INTERPRETATIONS; AMENDING SUB-SUBSECTION I.E.18.i.(3) TO PROVIDE FOR TIME FOR COMPLIANCE OF NONCONFORMING SIGNS; AMENDING SUB-SUBSECTION I.E.18.k.(3) TO PROVIDE ILLUMINATION STANDARDS; DELETING THE SCHEMATIC FOR ILLUMINATION STANDARDS CONTAINED IN FIGURE I.E.18.H. OF THE APPENDIX TO SECTION I.E.18; PROVIDING FOR VIOLATIONS AND ENFORCEMENT; AMENDING SECTION I.E.28. BY DELETING SUBSECTION i. AND RENUMBERING THE SUBSECTIONS THEREAFTER; AMENDING SECTION III.B.3. BY CLARIFYING DEVELOPMENT PERMIT FILING PROCEDURES FOR OUTDOOR LIGHTS; PROVIDING FOR CODIFICATION: PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Sanibel Plan in its Vision Statement states that "Sanibel is and shall remain a small town community whose members choose to live in harmony with one another and with nature; creating a human settlement distinguished by its diversity, beauty, uniqueness, character, and stewardship," that "The City of Sanibel chooses to remain unique through a development pattern which reflects the predominance of natural conditions and characteristics over human intrusions," and that "The City of Sanibel chooses to preserve its rural character in its setting within an urbanizing county"; and

WHEREAS, the Sanibel Plan in its Plan for Scenic Preservation establishes the following general policy: "In order

to maintain the dark sky of this nonurban community, minimize outdoor lighting"; and

WHEREAS, poorly designed or installed outdoor lighting can cause glare that severely hampers the vision of pedestrians, cyclists, and drivers, creating not only a nuisance but a safety hazard; and

WHEREAS, poorly designed or installed outdoor lighting can trespass onto neighboring properties, reducing privacy, hindering sleep, and marring aesthetic values; and

WHEREAS, light trespass can also disorient wildlife, as in the case of newly-hatched sea turtles that rely on lunar illumination reflecting on the water to find their way to the sea, and are confused and placed in danger by light emanating from the traditionally dark shore; and

WHEREAS, much outdoor lighting is inefficient and uneconomical, resulting in higher operating costs and increased pollution from the generation of electricity; and

WHEREAS, light projected into the sky contributes to sky glow, or light pollution, that overwhelms and conceals the spectacular view of planets, stars, meteors, and galaxies that is so cherished by Sanibel residents and visitors alike; and

WHEREAS, controlled, effective, efficient lighting enhances beauty while improving visibility, safety, economy, and security; and

WHEREAS, the City has adopted a Land Development Code to implement the goals, objectives and limitations of the Sanibel Plan; and

WHEREAS, a procedure has been established to revise and amend regulations in the Land Development Code in a manner consistent with the Sanibel Plan; and

WHEREAS, the City Council deems it necessary to make such revisions to the Land Development Code, as contained in this ordinance; and

WHEREAS, all required public notices and public hearings for such revisions have been properly given and held; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sanibel, Lee County, Florida:

Section 1. Subsection I.E.14.a. of the Land Development Code of the City of Sanibel is amended to read as follows:

Section I.E.14. General Outdoor Lighting and Lighting for Marine Turtle Protection.

a. Definitions. For purposes of this section, the following definitions shall apply:

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

~~(1)~~—Artificial light or artificial lighting. The light emanating from any human-made device.

- (2) "Bug" type bulb. Any yellow colored light bulb that is specifically treated in such a way so as designed to reduce the attraction of ~~bugs~~ insects to the light.
- (3) Cumulatively illuminated. Illuminated by numerous artificial light sources that as a group illuminate any portion of the beach.
- (4) ~~Directly illuminated.~~ Illuminated as a result of glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source which is visible to an observer on the beach.
- (5) ~~Indirectly illuminated.~~ Illuminated as a result of a light source which is not visible to an observer on the beach, but which results in illumination of the beach.

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 light 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.

~~(6)~~—Ground-level barrier. Any vegetation, natural feature or artificial structure rising from the ground which prevents beachfront lighting from shining directly onto the beach-dune system.

~~(7)~~—Hatchling. Any species of marine turtle, within or outside of a nest, that has recently hatched from an egg.

Indirect Light. Direct light that has been reflected or has scattered off of other surfaces.

Lamp. 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, or the beach or dune.

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

~~(8)~~ *Marine turtle.* Any marine-dwelling reptile of the families Cheloniidae or Dermochelyidae found in Florida waters or using the beach as nesting habitat, including the species: *Caretta caretta* (loggerhead), *Chelonia mydas* (green), *Dermochelys coriacea* (leatherback), *Eretmochelys imbricata* (hawksbill), and *Lepidochelys kemp* (Kemp's ridley).

~~(10)~~ *Marine turtle nesting season.* The period from May 1 through October 31 of each year.

~~(9)~~ *Nest.* An area where marine turtle eggs have been naturally deposited or subsequently relocated.

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.

~~(11)~~ *Point source of light.* ~~Man-made bulb, lamp or other device~~ 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.

~~(12)~~ Tinted glass. Any glass treated to achieve an industry-approved, inside-to-outside light transmittance value of forty-five (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. See illustrations.

Section 2. Subsection b. of Section I.E.14. of the Land Development Code of the City of Sanibel is hereby amended by deleting the current subsection b. and replacing it with a new subsection b. which shall read as follows:

Section I.E.14. General Outdoor Lighting and Lighting for Marine Turtle Protection.

b. Outdoor lighting generally.

(1) PURPOSE AND INTENT

The purpose of this subsection 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 Sanibel.

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 timetable established in subsection I.E.14.b.(5).

To encourage the replacement of nonconforming outdoor lights, the issuance of a development permit, solely for outdoor lights, does not trigger compliance with code requirements unrelated to outdoor lighting.

Further, the issuance of a development 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 development permit, except in accordance with the timetable in Section I.E.14(b)(5).

(2) APPLICABILITY

All new luminaires, regardless of whether a development permit is required, must comply with the standards of this section.

(a) All land uses:

A development permit is required to add or replace outdoor lights in the Gulf Beach or Bay Beach Zones.

(b) Single family and duplex dwelling units located on an individual lot:

No development permit is required to reposition, replace or add outdoor lights in accordance with the standards of this section; however, an electrical permit may be required depending on the extent of the work.

(c) Other residential uses, including motels, cottages and other resort housing (regardless of structure type) and non-residential land uses:

A development permit is required to add, reposition, or replace outdoor lights mounted on poles higher than 10' above the ground. In all other cases, no permit is required to add, reposition, or replace outdoor lights in accordance with the standards of this section.

(3) STANDARDS

In addition to the standards for outdoor lights established in this subsection, there are standards for dock lighting in subsections I.E.7.c. and I.I.3.r.

Minimum setback standards and height limitations for outdoor lights are provided in subsection I.E.7.b.

(a) 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.

Only outdoor lights compliant with the standards of subsections I.E.14.c. and I.E.14.d. and with the standards of subsections I.I.3.r. (for docks in the Bay Beach Zone) and I.J.3.b. (for replacement lighting fixtures seaward of the 1974 Coastal Construction Control Line) are permitted in the Gulf Beach and Bay Beach Zones.

(b) Full cutoff fixtures must be used: Uplighting is prohibited. All outdoor lighting, including display, sign, building, parking lot, and aesthetic lighting, must use full cutoff fixtures, which shine light downward.

(c) 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.

(d) The illustrations contained in Appendix A, attached, are intended to provide examples of fixtures and fixture positioning that comply (and that do not comply) with these standards, and are part of these regulations.

(e) Mercury vapor lighting is prohibited. High pressure sodium lighting is permitted and encouraged.

(f) Street lighting is, in general, inconsistent with Sanibel's rural character. No street lights shall be installed or maintained on private streets, roads, and rights-of-way.

(g) In residential settings, motion-detecting security lighting is permitted and encouraged in order to maximize safety, minimize overall illumination, and conserve energy.

(h) Parking lot lights for nonresidential land uses shall, individually and in aggregation with other outdoor lights, not exceed a maximum site illumination of 10 footcandles, measured at 2 feet above ground level.

(4) EXEMPTIONS

The following are exempt from the requirements of this subsection:

(a) All temporary emergency lighting needed by the police or fire departments or other emergency services, as well as all vehicular luminaires.

(b) Lighting for public streets, roads, and rights-of-way, except that such lighting shall be reviewed in accordance with Section I.A.7., applying the policies set forth in this ordinance, as well as general policy 9 in the "Plan for Scenic Preservation" of the Sanibel Plan: "In order to maintain the dark sky of this nonurban community, minimize outdoor lighting."

(c) 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.

(d) Holiday lighting, as specified in I.E.18(13).

(e) The Sanibel Lighthouse light.

(5) NONCONFORMING LUMINAIRES.

The following categories of outdoor lights must be brought into compliance with the standards of this section in accordance with the timetable provided.

(a) 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.

(b) All luminaires, not identified in paragraph (a) above, shall be permitted to remain until January 1, 2015. By this date 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.

Section 3. There is hereby created a new subsection e. of Section I.E.14. of the Land Development Code of the City of Sanibel, which shall read as follows:

Section I.E.14. General Outdoor Lighting and Lighting for Marine Turtle Protection.

. . . .

e. INTERPRETATION.

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

(2) Where any of the provisions of subsection b. appear to be in conflict with another provision of this section or another provision of this land development code, the provision providing the greatest protection against glare, light trespass and sky glow shall apply.

Section 4. Sub-subsection I.E.18.i.(3) of the Land Development Code of the City of Sanibel is hereby amended to read as follows:

Section I.E.18. Signs.

. . . .

i. Implementing provisions.

. . . .

(3) Time for Compliance. All signs shall be brought into compliance with the standards of this Section according to the schedule which follows:

. . . .

(d) Other nonconforming signs. Any other nonconforming sign shall be brought in compliance with this Section upon any alteration, ~~(but not routine maintenance)~~, of the sign, ~~or five (5) years after the effective date of this Section, whichever occurs first.~~ However, any sign which is nonconforming solely as to illumination standards under this Section or Section I.E.14. shall be brought into compliance within the time for compliance set forth in Section I.E.14.

Section 5. Sub-subsection I.E.18.k.(3) of the Land Development Code of the City of Sanibel is hereby amended to read as follows:

Section I.E.18. Signs

. . . .

k. *Design, construction and location standards.*

. . . .

(3) *Illumination standards.*

The following standards are in addition to the lighting standards contained in Section I.E.14.:

(a) The area occupied by the luminaire and its supports will not be included when calculating the square footage of the sign.

(ab) Sign lighting shall be designed and located so as not to cause confusion with traffic control devices.

~~(b) Sign lighting shall not shine directly onto an adjoining property or into the eyes of motorists, bicyclists or pedestrians using or entering pedestrian ways, driveways, streets or bicycle paths.~~

(ec) Signs that are illuminated shall only be illuminated ~~with white light~~ in accordance with the following additional standards:

i. Full cutoff fixtures must be used. Uplighting is prohibited. No sign shall have internal

illumination. ~~Bulbs/lamps allowed: Only two (2) types of bulbs/lamps shall be used to light signs, including maximum number of bulbs per fixture and maximum wattage.~~

~~Incandescent. One (1) bulb per fixture, 150 watt maximum output. Par type lamp holders shall be of the "bullet" or "bell" type in which the lamp is recessed deep into the housing or a glare shield, cowl or louver shall be utilized to prevent light spill to the sides of the fixture.~~

~~Quartz tungsten halogen (i.e., T-3 and Par 36 type lamps) are expressly prohibited.~~

~~Fluorescent. One (1) or two (2) bulbs maximum per fixture, combined bulb wattage per fixture 40 watt maximum. Fluorescent fixtures shall be of the enclosed type with a gasketed lens and a wet location label, fixtures shall have adjustable knuckle mounting.~~

ii. Illumination shall be with white light only.

~~Number of light fixtures per sign. One (1) fixture is allowed per sign face, and must~~

~~be a UL-approved fixture for wet locations, and provided with gaskets if a lens is utilized.~~

~~Exception: Two (2) fixtures per sign face are allowed if the width of a sign exceeds seven (7) feet. Both fixtures must be of the same type and bulb. Each fixture shall be required to have a maximum of one-half (1/2) total wattage allowed. I.e., Incandescent: two (2) 75-watt vs. one (1) 150-watt. I.e., Fluorescent: two (2) 20-watt vs. one (1) 40-watt.~~

~~iii. A fixture for lighting a sign face shall not be farther than three (3) feet from the sign face. See (A) on Figure I.E.18-H Appendix.~~

~~A fixture for lighting a sign face shall be positioned on the same elevation with the top or bottom edge of the sign face. See (B) on Figure I.E.18-H Appendix [to this section].~~

~~A fixture for lighting a sign must be designed and positioned so that no light glare does not spill over the edges of the sign face.~~

iii. Illumination shall be with fluorescent bulbs or lamps only. Fluorescent fixtures shall be of the enclosed type with a gasketed lens and a wet location label.

aa. Number of light fixtures per sign. One (1) fixture is allowed per sign face.

Exceptions: Two (2) fixtures per sign face are allowed if the width of the sign exceeds 7 feet.

bb. Maximum wattage. The maximum wattage, for all fixtures combined, shall not exceed 36 watts per sign face.

iv. A full cutoff fixture for lighting a sign face shall be designed and positioned no higher than the top edge of the sign face.

Section 6. Section I.E.18. of the Land Development Code of the City of Sanibel is hereby further amended to delete the schematic for Illumination Standards contained in Figure I.E.18.H. of the Appendix to Section I.E.18.

Section 7. Section I.E.28. of the Land Development Code of the City of Sanibel is hereby amended to delete subsection i. Subsection j. is hereby renumbered to subsection i.

Section 8. Subsection III.B.3.r. of the Land Development Code of the City of Sanibel is hereby amended to read as follows:

Section III.B.3. Filing Procedure.

The developer shall file with the city manager, or his designated representative, a complete application for development, made upon forms supplied by the city and containing or accompanied by the following:

. . . .

r. A plan for ~~exterior~~ outdoor lighting, including the location, size, nature of construction height, specifications for the luminaire, including cut-off angle, area and direction of illumination, and wattage and lumen-output to be used, or footcandles produced. A plan for parking lot lighting for nonresidential land uses shall also include a photometric diagram of light intensity measured in footcandles at 2' above ground level.

Section 9. Violations; Enforcement.

A violation of this ordinance shall constitute a violation of this Land Development Code and shall subject the violator to the penalties set forth in Article III, Part L of this Land Development Code and to the enforcement provisions set forth in Part N of this Land Development Code.

Section 10. Codification.

The City Manager is hereby authorized and directed to cause the amendment approved herein to be incorporated into the adopted Land Development Code.

Section 11. Conflict.

All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed. If any part of this ordinance conflicts with any other part, it shall be severed and the remainder shall have full force and effect and be liberally construed.

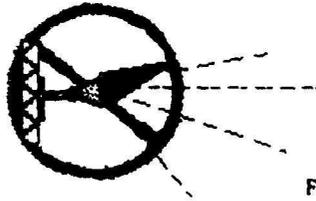
Section 12. Severance.

If any section, subsection, sentence, clause, phrase or portion of this ordinance, or application hereof, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or application hereof.

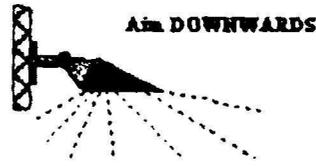
Section 13. Effective date. This ordinance shall take effect immediately upon adoption.

MODIFYING EXISTING FIXTURES

CHANGE THIS ...

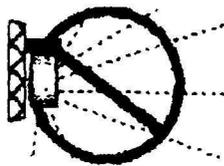


TO THIS ... ✓



FLOODLIGHT

CHANGE THIS ...

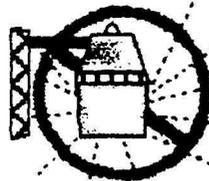


TO THIS ... ✓

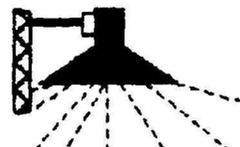


WALLPACK

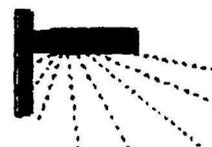
CHANGE THIS ...



TO THIS ... ✓



TO THIS ... ✓



YARD LIGHT

OPAQUE REFLECTOR

SHOEBOX

change this...



NEMA head luminaire

to this...



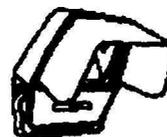
Hubbell Skycap converts NEMA into full cutoff luminaire

change this...



unshielded floodlight

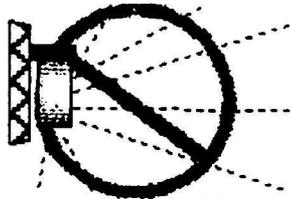
to this...



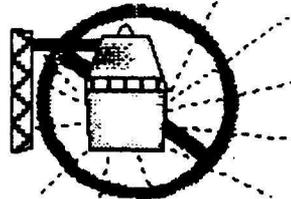
floodlight with top & side shielding pointed at least 45 degrees below the horizontal

APPENDIX A OF SECTION I.E.14.

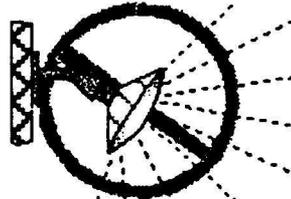
NONCONFORMING



Typical "Wall Pack"

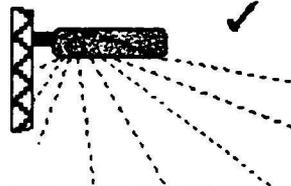


Typical "Yard Light"

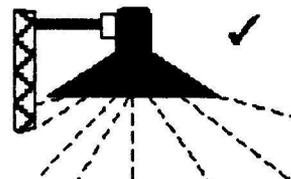


Area Flood Light

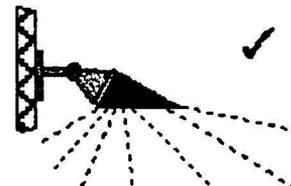
CONFORMING



Typical "Shoe Box" (forward throw)



Opaque Reflector (lamp inside)



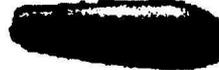
Area Flood Light with Hood

NONCONFORMING



drop lens cobra luminaire

CONFORMING



flat lens cobra luminaire



sag lens shoebox luminaire

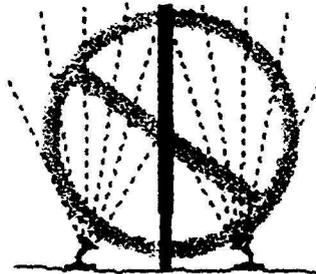


flat lens shoebox luminaire

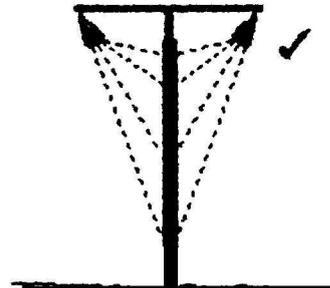
APPENDIX A OF SECTION I.E.14.

NONCONFORMING

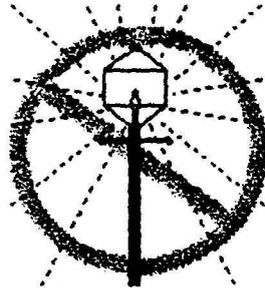
CONFORMING



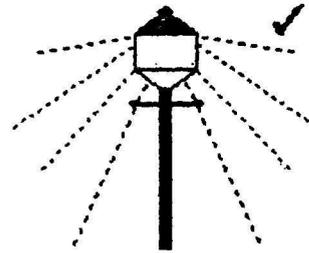
Ground-mounted
Floodlights



Top-mounted
full cutoff lighting



Post-style Lamp



Post-style Lamp
(lamp set in opaque top)

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Lee County, Florida, this 6th day of June, 2000.

AUTHENTICATION:

[Signature] [Signature]

Mayor

City Clerk

APPROVED AS TO FORM:

Ralf D. Pirt

5/22/00

City Attorney

Date

January 18, 2000 First Reading
1/21, 4/22, 5/25/00 Publication Date
Cont'd 2/1, 5/2, 5/16, 6/6/00 Second Reading

Vote of Council Members:

Brown Nay
Hillebrandt Aye
Janes Nay
Reding Aye
Theiss Aye

Date filed with City Clerk: June 8, 2000

ORDCA781-DARKSKY-DRAFT18-5-17-00.ORD27