

TITLE 10
CHAPTER 37
LIGHTING

SECTION

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10-37-1: PURPOSE: The purpose of this provision is to make exterior lighting used for residential, commercial and public areas appropriate to the need, and to minimize light from shining skyward or offsite onto adjacent public rights of way or private properties. Nothing in this ordinance should be interpreted to restrict the amount of lighting necessary for safe and efficient operations. Further, it is to encourage through regulation of type, kinds, construction and uses of exterior illumination devices, lighting practices and systems to conserve energy without decreasing safety, utility, security and productivity while enhancing nighttime (dark skies) enjoyment of property within the City of Florence. Refer to the Exterior Lighting brochure for additional guidance and information.

10-37-2: APPLICABILITY: Section 10-37 applies to installation of all lighting fixtures as of the effective date of this Ordinance, except as exempted by provision of this Ordinance. Devices include but are not limited to, lights for: buildings and structures, recreational areas, parking lot and maneuvering areas, landscape areas, streets and street signs, product display areas, building overhangs and open canopies, holiday celebrations, and construction lights.

- A. Resumption of Use - If a property with non-conforming lighting is abandoned for a period of one year or more, then all exterior lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.
- B. Major Additions or Alterations - If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:
 - 1. Additions of 26 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.
 - 2. Single or cumulative additions, modification or replacement of 25 percent or more of installed exterior lighting luminaires existing as of the effective date of this Ordinance.
 - 3. Existing lighting on sites requiring a conditional use permit or variance after the effective date of this ordinance.
- C. Amortization - On or before 10 years from the effective date of this code, all outdoor lighting shall comply with this Code. Most outdoor lighting will be fully depreciated at the end of 10 years if not sooner. "Easy fixes" such as re-aiming or lowering lumen output of lamps is recommended in

advance of the effective date of the ordinance. Where lighting is judged to be a safety hazard immediate compliance is required.

10-37-3: LIGHTING PLANS REQUIRED: All applications for building permits and land use planning review which include installation of exterior lighting fixtures, not exempted, shall include the number of luminaires, the number of lamps in each luminaire, a photometric report for each type of luminaire and a site plan with the photometric plan of the lumen output.

The City shall have the authority to request additional information in order to achieve the purposes of this Ordinance.

10-37-4: LIGHTING STANDARDS:

- A. All exterior lighting fixtures subject to this code section must be designed as a full cut-off fixture or have a shielding method to direct light emissions downward below the horizontal plane onto the site and does not shine illumination or glare skyward or onto adjacent or nearby property.
- B. Parking areas shall have lighting to provide at least two (2) foot-candles of illumination at any point in the entire lot with a maximum of five (5) foot-candles over parking spaces and walkways. The Design Review Board may decrease the minimum if the applicant can provide documentation that the overall parking lot has adequate lighting. The Design Review Board may increase the maximum on a case-by-case basis, with no greater than 7 foot-candles measured directly under the light fixture.
- C. Lighting in or adjacent to residential zones or residential uses shall not exceed twenty feet in height as measured from the adjacent grade to the top of the light fixture. Heights in other zoning districts shall not exceed 25 feet unless the Design Review Board adopts findings that the higher light fixtures are necessary to achieve proper illumination levels.
- D. Main exterior lights for commercial, institutional, and industrial buildings, landscaping and parking lots shall be extinguished at end of business hours with a minimum lighting remaining for personal and building security and safety after hours.
- E. A thirty-day review period beginning with the first day in business using the new lighting system shall be required to evaluate and adjust illumination levels of lighting. The City may ask for lighting to be adjusted in this time period based on public comments or staff inspections.
- F. All externally lit commercial signs should shine from the top and point down toward the ground. Signs with uplighting must be shielded so that illumination is restricted to the sign face and glare is eliminated.



- G. Lighting for roadway signs and pedestrian ways must be designed or have an opaque shielding method to direct light emissions downward and below the horizontal plane of the fixture in the permanently installed position.

10-37-5: EXEMPTIONS:

- A. Exterior light fixtures, except Mercury Vapor lights, lawfully installed prior to and operable on the effective date of the requirements codified in this Ordinance except as follows:
 - 1. All replacement of outdoor lighting fixtures, as of the date of adoption, shall be subject to the provision of this ordinance.
 - 2. Until a date ten years after the date of the adoption of this ordinance.
- B. Lighting within public right-of-way or easement for the purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement.
- C. Fossil Fuel Light. All outdoor light fixtures producing light directly by the combustion of natural gas or other fossil fuels.
- D. Carnivals, fairs and temporary events that require the use of exterior lighting require a special events license. Permanent installations at dedicated sites must conform to the requirements of this Ordinance.
- E. Seasonal Holiday Lighting - Lights used for decorating during holidays or festivals as defined in this code section and may be blinking or flashing.
- F. Lighting for a properly displayed U.S. flag is exempt.
- G. Construction lighting necessary for a roadway, building, or utility construction site except that permanent installations at dedicated sites must conform to the requirements of this Ordinance.
- H. Up-lighting intended to highlight part of a building or landscaping provided that the light distribution from the fixture is effectively contained by an overhanging architectural element or landscaping element and does not shine beyond the intended target including into the night sky. Such containment elements may include but are not limited to awnings, dense shrubs or year round dense evergreen tree canopies which will contain illumination of the sky.
- I. Commercial and industrial low wattage lighting used to highlight driveways and landscaping, or applied to a building providing they are properly aimed and shielded down to not shine glare, emit direct illumination, or cast a shadow into the public right of way or onto abutting or nearby properties.
- J. Lighting for public monuments, murals, and statuary providing lighting is properly aimed and shielded to contain light to the art feature and not shine glare into the public right of way or onto abutting or nearby properties.
- K. Airport operations lighting and aircraft navigational beacons as established by the Federal Aviation Administration. All other airport outdoor lighting must conform to this ordinance.
- L. Underwater lighting in swimming pools and other water features.
- M. Temporary lighting for theatrical, television, and performance areas.
- N. Athletic field lighting; steps should be taken to minimize glare and light trespass, and utilize sensible

curfews. Light directed upward is prohibited.

- O. Correctional Facilities
- P. Ornamental and architectural lighting of bridges.
- Q. Temporary exemptions as granted by the City of Florence.
- R. In addition to exceptions mentioned above the below apply to residential uses.
 - 1. One partly shielded or unshielded luminaire at the main entry, not exceeding 630 lumens.
 - 2. Any other partly shielded or unshielded luminaires not exceeding 315 lumens.
 - 3. Low voltage landscape lighting aimed so that glare is not visible from adjacent properties and not exceeding 525 lumens per fixture.
 - 4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and not exceeding 1,260 lumens.
 - 5. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 10 minutes after the area is vacated.
 - 6. Decorative low wattage lights.

10-37-6: PROHIBITIONS:

- A. Laser Light Source. The use of laser source light or any similar high intensity light for exterior advertising or entertainment is prohibited.
- B. Searchlights and Strobe Lights. The use of searchlights or strobe lights for purposes other than public safety or emergencies is prohibited.
- C. Blinking & Flashing Lights. All blinking and flashing lights except for traffic control fixtures, those used for public safety or emergencies, and seasonal holiday lights are prohibited.
- D. Externally affixed neon lighting is prohibited except in the following manner: As a trim element that surrounds windows, doors, or building edges; when located on building facades that face street frontages or internal driveways within commercial districts; such lighting must not be located more than 15 feet from finished grade and must not be used to define a building roof-line; and, such lighting must not include flashing, intermittent or rotating lights. Notwithstanding the provisions of this subsection, all neon lighting associated with signs must meet the requirements of the City of Florence Sign Code.

10-37-7: ENFORCEMENT: Lighting disputes should be settled between the parties whenever possible. Education and voluntary compliance are encouraged. Non-conformance with this Ordinance is deemed a public nuisance and is subject to abatement in accordance with City of Florence City Code Title 6 Chapter 1.

10-37-8: DEFINITIONS:

END OF BUSINESS HOURS or END OF BUSINESS – End of business hours or end of business” means the end of normal or posted business hours when a business or institution is no longer open to serve customers or clients, and (b) the end of a shift or normal work hours when the majority of employees are gone from the business or institution.

EXTERIOR LIGHTING – Temporary or permanent lighting that is installed, located or used in such a manner to cause light rays to shine outside. Fixtures that are installed indoors that are intended to light something outside are considered exterior lighting for the intent of this code.

FIXTURE – The assembly that holds the lamp or bulb in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts.

FOOTCANDLE – One footcandle is the illuminance produced on a surface one foot square from a distance of one foot. Measured by a light meter.

FULL CUT-OFF – A light fixture designed, constructed, installed, or shielded so that light emitted by the fixture, either directly from the lamps or indirectly from the fixture so that light is projected down and no light is projected above the horizontal plane.

GLARE – Stray unshielded light striking the eye that may result in (a) nuisance or annoyance such as light shining into a window; (b) discomfort causing squinting of the eyes; (c) disabling vision by reducing the ability of the eyes to see into shadows; (d) reduction of visual performance.

HIGH INTENSITY LIGHTING – High pressure sodium, mercury vapor, metal halide, low-pressure sodium, induction, sulfur, xenon, and other similar lamps.

INSTALLED – Initial installation of outdoor lighting fixtures, poles, electrical wiring and related mounting equipment following the effective date of this Ordinance. Projects with approved construction plans prior to the effective date of this Ordinance are excluded from compliance with the ordinance in the initial installation only.

LAMP OR BULB – The light producing source installed in the socket portion of a fixture.

LIGHT – The form of radiant energy acting on the retina of the eye to make sight possible; brightness; illumination; a lamp, as defined above.

LIGHTING – Any or all parts of a luminaire that function to produce light.

LIGHT TRESPASS – Light falling beyond the property it is intended to illuminate, generally caused by a light on a property that shines onto the property of others.

LOW VOLTAGE/WATTAGE LIGHTS – Individual lamps 525 lumens or less that may or may not be strung together within a translucent or transparent plastic cover.

LUMEN – The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).

LUMINAIRE – The complete lighting unit, including the lamp, the fixture, and other parts.

PARTLY SHIELDED – A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.

RECESSED – When a light is built into a structure or portion of a structure such that the light is fully cut-off and no part of the lamp or bulb extends or protrudes beyond the underside of a structure or portion of a structure.

REPLACEMENT – The installation of a new lighting fixture in place of an existing fixture, and/or the installation of a new lighting housing or head to an existing pole, bracket, wall, tree or other structure. Replacement does NOT mean the changing of light bulbs or lamps in a fixture for the same or lower wattage bulbs.

SAFETY / SECURITY – (a) Sufficient lighting at building entrances, exits, walkways and parking areas to allow customers and employees to see any physical barriers and to be seen at all times as they access to vehicles and sidewalks, and (b) The use of full cut-off light fixtures above doors, loading areas, building access points and safety areas.

SEASONAL HOLIDAY LIGHTING – Lighting displayed during and around a federally recognized holiday or local festival on a seasonal basis. For the purposes of this section, local festivals include but are not limited to Rhododendron Days and the Winter Folk Festival.

SHIELDING – An externally applied device such as a shroud or hood of metal, wood, opaque plastic or opaque glass so that light emitted by the fixture is directed downward below the horizontal plane onto the site and does not shine direct illumination skyward or onto adjacent or nearby property. The bulb is not visible with a shielded light fixture and no light is emitted from the side of the fixture. Also considered a full cut-off fixture.

TEMPORARY LIGHTING – Means lighting that is intended to be used for a special event for seven (7) days or less.

UNSHIELDED – Light fixtures lacking any means to restrict the emitted light to below the horizontal plane or to shine or glare skyward or onto adjacent or nearby property.

UPLIGHTED – A shielded light that directs light from the fixture in such a manner as to shine light rays above the horizontal plane.

Created by Ord. 12, Series 2014