

San Juan County Spanish Valley Dark Sky Ordinance

An Ordinance to Preserve the Dark Nighttime Skies in the Spanish Valley

Purpose

Definitions

Scope and Applicability

Application and Review Procedures

Full Cutoff Fixture Requirements

Conditions and Standards Generally

Specialized Outdoor Lighting

Hillsides, Ridgelines and Special Cases

Towers

Exemptions

Prohibited Lighting

Violations

Purpose

The purposes of this ordinance are to:

- A. Encourage outdoor lighting that will minimize light pollution, glare, light trespass and sky glow in order to preserve the natural dark of the night sky and to prevent lighting nuisances on properties.
- B. Promote energy conservation.
- C. Maintain nighttime safety, utility and security.
- D. Discourage unnecessary or inappropriate outdoor lighting.
- E. Maintain the rural atmosphere and character of the Spanish Valley.

Definitions

For the purpose of this chapter, certain words, phrases and terms used herein shall have the meanings assigned to them by this section:

Accent or Architectural Lighting: Lighting of building surfaces, landscape features, statues and similar items for the purpose of decoration or ornamentation; or lighting that does not contribute to the safety or security of residents, guests, employees or customers on a property.

Direct Illumination: Illumination resulting from light emitted directly from a lamp, luminary or reflector. This does not include light reflected from other surfaces, such as the ground or building faces.

Floodlight: A fixture or lamp designed to "flood" an area with light. A specific form of lamp or fixture designed to direct its output in a specific direction. Such lamps are often designated by the manufacturer and are commonly used in residential outdoor lighting.

Full Cutoff Fixture: An outdoor light fixture designed so that the installed fixture emits no light above the horizontal plane. Full cutoff light fixtures must be shielded in and of themselves. Surrounding structures, like canopies, are not to be considered when determining if the fixture

is full cutoff. Full cutoff fixtures must be appropriately mounted so that the shielding prevents light from escaping above the horizontal and all light is directed downward.

Internally Illuminated: As it relates to signs, any sign which has a light source entirely enclosed within the sign and not directly visible to the eye.

Light Pollution: Any adverse effect of manmade light. Often used to denote "sky glow" from cities or towns, but also includes glare, light trespass, visual clutter and other adverse effects of lighting.

Light Source: The part of a lighting fixture that produces light, e.g., the bulb.

Light Trespass: Light falling where it is not wanted or needed. Spill light falling over property lines that illuminates adjacent grounds or buildings in an objectionable manner.

Manufacturer's Catalog Cuts: A publication or other printed material of a lamp or lighting manufacturer offering visual and technical information about a lighting fixture or lamp.

Outdoor Light Fixture: An outdoor electrically powered illuminating lamp or similar device used for lighting structures, parking lots, pathways, service canopies, recreational areas, signs or other similar outdoor lighting uses.

Recreational Lighting: Lighting used to illuminate sports fields, ball courts, playgrounds or similar outdoor recreational facilities.

Security Lights: Lighting designed to illuminate a property or grounds for the purpose of visual security.

Spotlight: A fixture or lamp designed to light a small area very brightly. See definition of Floodlight.

Tower: Any monopole, antenna or the like that exceeds eighteen feet (18') in height.

Unshielded Fixture: A fixture that allows light to be emitted above the horizontal either directly from the lamp or indirectly from the fixture or reflector. Any fixture not full cutoff.

Scope and Applicability

- A. Compliance: All exterior outdoor lighting installed after the effective date hereof shall conform to the requirements established by this chapter. This chapter does not apply to indoor lighting.
- B. Nonconforming Uses: All existing outdoor lighting that does not meet the requirements of this chapter and is not exempted by this chapter shall be considered a nonconforming use. Those property owners are encouraged to voluntarily bring nonconforming exterior lighting into compliance with this chapter.

Application and Review Procedures

- A. All sign permit applications, building permit applications and design development review applications shall include a lighting plan that shows evidence that the proposed lighting fixtures and light sources comply with this chapter.
- B. Approval Procedure:

1. The lighting plan for all new development shall be submitted for approval concurrent with the associated application process.

Full Cutoff Fixture Requirements

- A. Required: Unless specifically exempted by this chapter, all outdoor lighting shall use full cutoff fixtures that are designed and constructed so that no light is emitted from the top or sides of the fixture.
- B. Characteristics: In order to qualify as a "full cutoff" fixture, a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the fixture. Fixtures with translucent or transparent sides, or sides with perforations or slits, do not qualify as full cutoff. Any glass or diffuser on the bottom of the fixture must be flush with the fixture (no drop lenses). Merely placing a light fixture under an eave, canopy, patio cover or other similar cover does not qualify as full cutoff.
- C. Exemptions to Full Cutoff Fixture Requirements:
 1. Spotlights controlled by motion sensors.
 2. Pathway lights and low voltage LED lights and solar lights used to illuminate pathways, provided the lights are installed no more than eighteen inches (18") above the adjacent ground and have caps that direct the light downward.
 3. Architectural lights, water feature illumination and sign illumination are all exempted from the full cutoff fixture requirement.

General Conditions and Standards

- A. Minimum Necessary: Outdoor lighting should be the minimum necessary to provide for safety and functionality.
- B. Allowable Applications: Outdoor lighting shall be allowed as follows:
 1. To illuminate the entrances to buildings (including garage entrances)
 2. To illuminate pathways and walkways.
 3. To illuminate parking areas and parking area access lanes.
 4. To illuminate outdoor gathering areas, such as patios, pool and hot tub areas, outdoor dining areas and recreation areas.
 5. For security purposes.
 6. To illuminate signage.
 7. For architectural lighting.
 8. To illuminate outdoor water features.

Specialized Outdoor Lighting

- A. Gas Station Canopies: Gas station canopies may be illuminated, provided all light fixtures are mounted on the undersurface of the canopy, all light fixtures are full cutoff and diffusers are not visible from locations off the property. Except for directed beam lighting, merely placing the fixtures on the underside of the canopy does not qualify as fully shielding the light fixture. Directed beam lighting mounted under the canopy is allowed, provided the light source cannot be seen from outside the property boundaries.
- B. Streetlights: All streetlights shall meet the requirements of this ordinance.

- C. Parking Lots: All parking lot lighting shall meet the requirements of this ordinance. Spot or flood lighting of parking lots from a building or other structure is prohibited.
- D. Recreational Lighting: The lighting for parks and athletic fields shall conform to all provisions of this ordinance.
- E. Signs: Signs may be unlighted, lighted externally, lighted internally or backlit.
 - 1. Lighting for externally illuminated signs must be aimed and shielded so that light is directed only onto the sign face and does not trespass onto adjacent streets, roads or properties or into the night sky.
 - 2. Lighting for Internally Illuminated Signs shall use semi-opaque materials so the light emanating from the sign is diffused. Transparent or clear materials are not allowed.
 - 3. Lighting for Backlit Signs shall be designed such that the light source is not visible.

Hillsides, Ridgelines and Special Cases

In areas near steep slopes near ridgelines or hillsides, additional shielding may be required to mitigate glare or light trespass.

Towers

All monopole, antenna, tower or support facility lighting not required by the federal aviation administration (FAA) or the federal communications commission (FCC) is prohibited.

Exemptions

The following shall be exempt from the requirements of this chapter:

- A. Holiday lighting as long as it does not create a hazard or nuisance to surrounding businesses or residences.
- B. Traffic control signals and devices.
- C. Temporary emergency lighting in use by law enforcement or government agencies, or at their direction.
- D. The lighting of federal or state flags; provided, that the light is a narrow beam aimed and shielded to illuminate only the flag.
- E. The planning commission may approve lighting that does not conform to these standards if need is established.