

**ORDINANCE
2007-02**

AN ORDINANCE AMENDING CHAPTER 5 OF
THE WALTON COUNTY LAND DEVELOPMENT
CODE TO ESTABLISH STANDARDS FOR
LIGHTING, AMENDING THE GLOSSARY OF
THE LAND DEVELOPMENT CODE; PROVIDING
FOR INTENT AND PURPOSE; APPLICABILITY;
DEFINITIONS; STANDARDS; ENFORCEMENT
AND PENALTIES; INTERPRETATION,
AUTHORITY; SEVERABILITY; AND EFFECTIVE
DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, F.S. delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizens; and

WHEREAS, Sections 163.3201 and 163.3202, Florida Statutes, require local governments to implement the provisions of their comprehensive plans through the adoption of land development regulations; and

WHEREAS, Walton County has adopted a Land Development Code in accordance with these statutes to ensure the County's orderly growth and development; and

WHEREAS, Walton County, to ensure the County's continued orderly growth and development, finds it prudent to amend its Land Development Code to respond to the changing needs and conditions within said county; and

WHEREAS, unnecessarily bright and improperly designed or installed lights cause glare, which can result in hazardous conditions for all modes of transportation, cause light pollution, light trespass and wasted resources; and

WHEREAS, appropriately regulated and properly installed lighting will contribute to the welfare of Walton County residents and the general public by reducing glare and improving visibility; and

WHEREAS, this ordinance is to regulate lighting for the purposes of improving night-time visibility; promoting energy efficiency; and mitigating lighting which is detrimental to the environment or to public use and enjoyment of public and private property;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, that the Walton County Land Development Code be amended as follows:

Section 1: INTENT AND PURPOSE. The purpose of the lighting ordinance is to regulate lighting to reduce or prevent glare and light trespass, conserve energy, increase visibility, and promote the welfare of the residents of Walton County. All business, residential, and community driveway, sidewalk, and property lights should be installed to keep direct or indirect light from shining onto neighboring properties or streets without creating any negative externalities to the adjacent property.

Section 2. The glossary of the Walton County Land Development Code is hereby amended to include the following definitions (insertions are underlined):

Cutoff Fixture: An outdoor light fixture shielded or constructed in such a manner that no more than two and one half (2½) percent of the total light emitted by the fixture is projected above the horizontal plane of the fixture. See also Full Cutoff Fixture and Semi Cutoff Fixture.

Flood Lamp: A form of lighting designed to direct its output in a specific direction with a reflector formed from the glass envelope of the lamp itself. Such lamps are so designated by the manufacturers and are typically used in residential and commercial outdoor area lighting.

Flood Light: A form of lighting designed to direct its output in a diffuse, more or less specific direction, with reflecting or refracting elements located external to the lamp.

Footcandle (FC): A quantitative unit measuring the amount of light cast onto a given point, measured as one lumen per square foot. One footcandle is equivalent to the illuminance produced by a source of one candle at a distance of one foot.

Full Cutoff Fixture: An outdoor light fixture shielded or constructed in such a manner that it emits no light above the horizontal plane of the fixture. See also Cutoff Fixture and Semi Cutoff Fixture.

Glare: The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss of visual performance and ability.

IESNA: The Illuminating Engineering Society of North America, a non-profit professional organization of lighting specialists that has established recommended design standards for various lighting applications.

Internal Refractive Lens: A glass or plastic lens installed between the lamp and the sections of the outer fixture globe or enclosure. Refractive refers to the redirection (bending) of the light as it goes through the lens, softening and spreading the light being distributed from the light source thereby reducing direct glare.

LED: light-emitting diode.

Light Pollution: Any adverse effect of artificial light including sky glow, glare, light trespass, light clutter, decreased visibility at night, and energy waste.

Light Source: The element of a lighting fixture that is the point of origin of the lumens emitted by the fixture.

Light Trespass: Any form of artificial illumination emanating from a fixture that penetrates other property other than its intended use.

Lumen: A quantitative unit measuring the amount of light emitted by a light source.

Maintained Footcandles: Illuminance of lighting fixtures adjusted for a maintenance factor accounting for dirt build-up and lamp output depreciation. The maintenance factor used in the design process to account for this depreciation cannot be lower than 1.0 for high-pressure sodium and 1.0 for metal halide and mercury vapor.

Medium Base: The size of lamp socket designed to accept a medium or Edison base lamp.

Outdoor Sports Reid: An area designed for active recreation, whether publicly or privately owned, including but not limited to baseball/softball diamonds, soccer fields, football fields, golf courses and ranges, tennis courts, racetracks, and swimming pools.

Outdoor Performance Area: An area permanently dedicated to the public presentation of music, dance, theater, media arts, storytelling, oratory, or other performing arts, whether publicly or privately owned, including but not limited to amphitheaters and similar open or semi-enclosed structures.

Right-of-Way: Land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access for ingress and egress, or other purpose by the public, certain designated individuals, or governing bodies.

Semi-Cutoff Fixture: An outdoor light fixture shielded or constructed in such a manner that it emits no more than five (5) percent of its light above the horizontal plane of the fixture, and no more than twenty (20) percent of its light ten (10) degrees below the horizontal plane of the fixture. See also Cutoff Fixture and Full Cutoff Fixture.

Skyglow: The overhead glow from light emitted sideways and upwards. Skyglow is caused by the reflection and scattering of light by dust, water vapor and other particles suspended in the atmosphere. Skyglow reduces one's ability to view the night sky.

Vehicular Canopy: A roofed, open, drive-through structure designed to provide temporary shelter for vehicles and their occupants while making use of a business' services.

Wall Pack: A type of light fixture typically flush-mounted on a vertical wall surface.

Wide-body Refractive Globe: A translucent lamp enclosure used with some outdoor fixtures to provide a decorative look (including but not limited to acorn- and carriage light style fixtures). “Wide-body” refers to a wider than average size globe (greater than 15.75 inches in diameter). “Refractive” refers to the redirection (bending) of the light as it goes through the lens, rendering the light fixture more effective. Wide-body refractive globes are intended to soften and spread the light being distributed from the light source thereby reducing direct glare.

Section 3. Section 5.09.00 is hereby created as part of the Walton County Land Development Code:

5.08.00 Lighting

5.08.01 Light Measurement Technique.

Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (around level), with the light-registering portion of the meter held parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five (5) percent. Measurements shall be taken with a light meter that has been calibrated within the year. Light levels are specified, calculated and measured in footcandles (FC). All FC values below are maintained footcandles.

5.08.02 General Standards for Lighting.

- (1) Unless otherwise specified below, the maximum light level shall be 10 maintained footcandle at any property line in a residential use area, or on a lot occupied by a dwelling, congregate care or congregate living structure, and 15 maintained footcandles at any public street right-of-way.
- (2) No operation or activity producing glare in excess of the amounts permitted below:
 - A. All commercial and manufacturing districts: Any operation or activity producing glare shall be conducted so that direct or indirect light from the source shall not cause illumination in excess of 10 footcandles when measured in a residential use area.
- (3) All flood lights shall be installed so that the fixture shall be aimed down at least forty-five (45) degrees from vertical, or the front of the fixture is shielded so that no portion of the light bulb extends below the bottom edge of an external shield. Flood lights and display lights shall be positioned so that any such fixture located within fifty feet (50) of a public street right-of-way is mounted and aimed perpendicular to the right-of-way, with a side to-side horizontal aiming tolerance not to exceed fifteen (15) degrees from perpendicular to the right-of-way.

- (4) All flood lamps emitting 1,000 or more lumens shall be aimed at least sixty (60) degrees down from horizontal, or shielded such that the main beam from the light source is not visible from adjacent properties or the public street right-of-way.
- (5) All wall pack fixtures shall be cutoff fixtures.
- (6) Within scenic corridor designated roadways all lighting fixtures shall be either semi-cutoff or full-cutoff fixtures.

5.08.03 Dock Lighting on Coastal Dune Lakes

- (1) Dock lighting on coastal dune lakes shall be turned off after 10 P.M. or when not in active use.
- (2) Security lighting shall be placed on motion sensors. Security lighting is set to only go on when activated and to go off within 5 minutes after activation has ceased.
- (3) All dock lighting shall be full-cutoff or low pressure sodium or LED lights.

5.08.04 Lighting in Parking Lots and Outdoor Areas.

- (1) Other than flood lights and flood lames, all outdoor area and parking lot lighting fixtures of more than 2,000 lumens shall be cutoff fixtures, or comply with at least one of the provisions in subsection (3) below.
- (2) The mounting height of all outdoor lighting, except outdoor snorts field lighting and outdoor performance area lighting, shall not exceed forty-one (41) feet above finished grade.
- (3) Exceptions:
 - A. Non-cutoff fixtures may be used when the maximum initial lumens generated by each fixture shall not exceed 9500 initial lamp lumens per fixture.
 - B. All metal halide, mercury vapor, fluorescent, induction, white high pressure sodium and color improved high pressure sodium lames used in non-cutoff fixtures shall be coated with an internal white frosting inside the outer lamp envelope.
 - C. All metal halide fixtures equipped with a medium base socket must utilize either an internal refractive lens or a wide-body refractive globe
 - D. All non-cutoff fixture open-bottom lights shall be equipped with full cutoff fixture shields that reduce glare and limit uptight.

5.08.05 Lighting for Vehicular Canopies.

- (1) Areas under a vehicular canopy shall have a maximum point of horizontal illuminance of twenty-four (24) maintained footcandles (FC). Areas outside the vehicular canopy shall be regulated by the standards of subsection (d) above. Lighting under vehicular canopies shall be designed so as not to create glare off-site. Acceptable methods include one or more of the following:

- A. Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the vehicular canopy.
 - B. Light fixture incorporating shields, or shielded by the edge of the vehicular canopy itself, so that light is restrained to five degrees or more below the horizontal plane.
 - C. Surface mounted fixture incorporating a flat class that provides a cutoff fixture or shielded light distribution.
 - D. Surface mounted fixture, typically measuring two feet by two feet, with a lens cover that contains at least two (2) percent white fill diffusion material.
 - E. Indirect lighting where light is beamed upward and then reflected down from the underside of the vehicular canopy. Such fixtures shall be shielded such that direct illumination is focused exclusively on the underside of the vehicular canopy.
- (2) For convenient stores located on a scenic corridor, see Charter 13, Section 13.02.02 Site Development Standards of the Walton County Land Development Code.

5.08.06 Outdoor Snorts Field /Outdoor Performance Area Lighting.

- (1) The mounting height of outdoor snorts field and outdoor performance area lighting fixtures shall not exceed eighty (80) feet from finished grade.
- (2) All outdoor sports field and outdoor performance area lighting fixtures shall be equipped with a glare control package (louvers, shields, or similar devices). The fixtures must be aimed so that their beams are directed and fall within the primary playing or performance area.
- (3) The hours of operation for the lighting system for any game or event shall not exceed one hour after the end of the event.

5.08.07 Lighting of Outdoor Display Areas.

- (1) Parking lot outdoor areas shall be illuminated in accordance with the requirements for section 8, above. Outdoor display areas shall have a maximum point of illuminance of twenty-four (24) maintained footcandles (FC).
- (2) All light fixtures shall meet the IESNA definition of cutoff fixtures. Forward throw fixtures (type IV light distribution, as defined by the IESNA) are required within twenty-five (25) feet of any public street right-of-way. Alternatively, directional fixtures (such as flood lights) may be used provided they shall be aimed and shielded in accordance with this ordinance.
- (3) The mounting height of outdoor display area fixtures shall not exceed forty-one (41) feet above finished grade.

5.08.08 Sign Lighting.

See Charter 7, Section 7.07.03, Illumination Standards, and Charter 13, Section 13.02.00, The Route 30 A Scenic Corridor, of the Walton County Land Development Code.

5.08.09 Lighting of Buildings and Landscaping.

Lighting fixtures shall be selected, located, aimed, and shielded so that direct illumination is focused exclusively on the building facade, plantings, and other intended site feature and away from adjoining properties and the public street right-of-way.

5.08.10 Permits.

The applicant for any permit required for work involving lighting shall submit documentation at time of site plan or plot plan approval that the proposed lighting plan complies with the provisions of this code. The submission shall contain, but not be limited to the following, all or part of which may be part of or in addition to the information required elsewhere in this code:

- (1) A point-by-point footcandle array in a printout format indicating the location and aiming of illuminating devices. The printout shall indicate compliance with the maximum maintained footcandles required by this code.
- (2) Description of the illuminating devices, fixtures, lamps, supports, reflectors, poles, raised foundations and other devices (including but not limited to manufacturers or electric utility catalog specification sheets and/or drawings, and photometric report indicating fixture classification [cutoff fixture, wall pack, flood light, etc.]).

5.08.11 Nonconformities.

- (1) Following application of this regulation, the installation of lighting, replacement of lighting, and changes to existing light fixture wattage, type of fixture, mounting, or fixture location shall be made in strict compliance with this code. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is permitted for all existing fixtures not subject to subsection (2) below.
- (2) All lighting that fails to conform with this ordinance shall be discontinued, removed, or made to conform with this ordinance within five and one-half (5 ½) years from the effective date of this ordinance. All such lights which are made nonconforming by a subsequent amendment to this chapter or extension of areas in which this section is applicable shall be discontinued, removed, or made to conform within five and one-half (5 ½) years after the date of such amendment or extension.

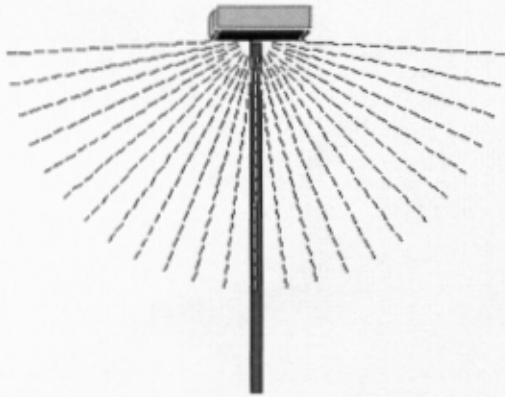
5.08.12 Exemptions.

- (1) A detached single family home shall be exempt from section 5.08.10, which requires a photometric analysis and report be submitted for review and approval with the building permit.
- (2) Exemptions from the provisions of this ordinance are permitted when federal or state laws, rules and regulations take precedence over these provisions.
- (3) Public schools.
- (4) Properties currently receiving an agriculture classification for ad Valorem tax purposes and being used for a bona fide agriculture use.

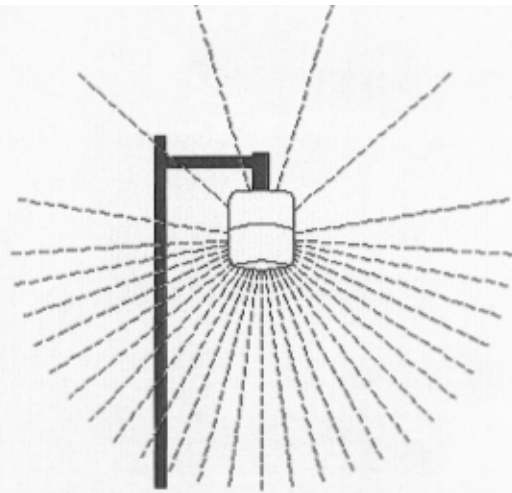
5.08.13. Enforcement and Penalties.

Enforcement shall be pursuant to Chapter 12 and 14 of the Walton County Land Development Code and Chapter 162 Florida Statutes.

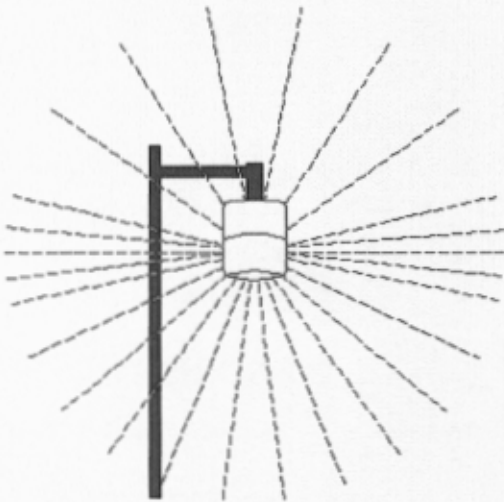
5.08.14 Diagrams.



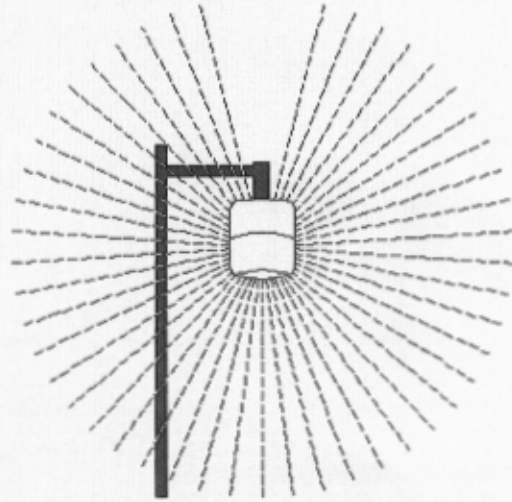
FULL CUTOFF FIXTURE- An outdoor light fixture shielded or constructed in such a manner that it emits no light above the horizontal plane of the fixture.



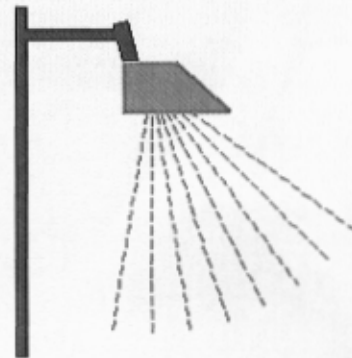
CUTOFF FIXTURE- An outdoor light fixture shielded or constructed in such a manner that no more than two and one half (2 1/2) percent of the total light emitted by the fixture is projected above the horizontal plane of the fixture.



SEMI-CUTOFF FIXTURE- An outdoor light fixture shielded or constructed in such a manner that it emits no more than five (5) percent of its light above the horizontal plane of the fixture, and no more than (20) percent of its light ten (10) degrees below the horizontal plane of the fixture.



NON-CUTOFF FIXTURE- An outdoor light fixture constructed in such a manner that it emits light in all directions.



FLOOD LIGHT- a form of lighting designed to direct its output in a diffuse, more or less specific direction, with reflecting or refracting elements located external to the lamp.

Section 4 Interpretation.

The provisions of this ordinance shall be construed to effectively carry out its purpose. Where any provision of the ordinance refers to or incorporates another provision, ordinance, statute, rule, regulation, policy, official publication, or other party, it refers to the most current version, incorporating any amendments thereto or rescinded station thereof.

Section 5 Repealer Clause.

All ordinances or parts of ordinances that are not consistent or that conflict with the provisions of this ordinance are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 6 Severability.

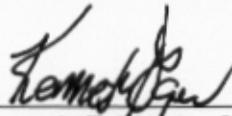
Should any word, phrase, sentence, or section of this ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional then such shall be severed from this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 7. Effective Date.

This ordinance shall take effect as provided by law.


ADOPTED in an advertised public hearing of the Board of County Commissioners this 10th day of April 2007.

WALTON COUNTY BOARD OF
COUNTY COMMISSIONERS



Kenneth Pridgen, Chair

ATTEST:

for 

Martha Ingle, Clerk