

SECTION 16.40.070. - LIGHTING

Sections:

16.40.070.1. - Purpose and intent.

The purpose of this section is to define practical and effective measures to reduce problems created by improperly designed and installed outdoor lighting. These regulations are intended to minimize light pollution, glare and trespass; 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 night skies above the City. This section implements the Vision 2020 recommendations to control light pollution caused by certain types and levels of outdoor lighting.

(Code 1992, § 16.40.070.1)

16.40.070.2. - Conformance with applicable codes.

All outdoor lighting devices shall be installed in conformance with the provisions of this Code and the Florida Building Code.

(Code 1992, § 16.40.070.2)

16.40.070.3. - Applicability.

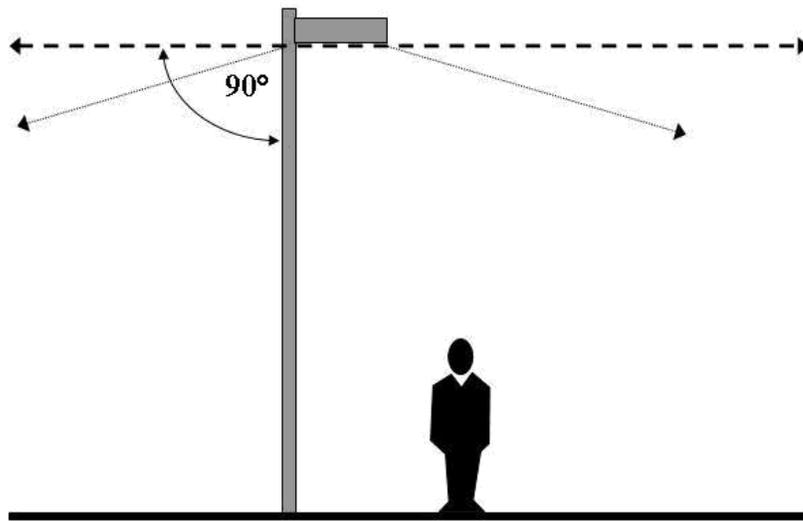
- A. *Standards.* Except as provided in this section, all new outdoor lighting, regardless of whether a permit is required, shall comply with the standards of this section.
- B. *Permit required.* A permit is required to add, reposition, or replace outdoor lights mounted on poles higher than ten feet above the ground. In all other cases, no development permit is required to add, reposition, or replace outdoor lights; however, building permits may be required.
- C. *Exemptions.* The following are exempt from the requirements of this section:
 1. *Fossil fuel lighting.* All outdoor light fixtures producing light directly by the combustion of fossil fuels (such as kerosene lanterns and gas lamps).
 2. *Government facilities.* Outdoor light fixtures on, or in connection with facilities and land owned or operated by the federal or state government, the Pinellas County School Board and the City. Voluntary compliance with the intent and provisions of this section is encouraged.
 3. *Temporary construction and emergency lighting.* Lighting necessary for construction or emergencies, provided said lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting.

4. *Hazard warning lighting.* As required by federal or state regulatory agencies.
 5. *Seasonal lighting.* From the day before Thanksgiving through January 15, lighting that is clearly incidental to the use of the property and is customary and commonly associated with any national, local or religious holiday.
 6. *Flag lighting.* Up-directed lighting illuminating flags. It is recommended that flags be lowered at sunset and not illuminated with up-directed lighting.
 7. *Incandescent, fluorescent, and LED lighting.* Incandescent lights 75 watts and less per fixture, fluorescent lights 20 watts and less per fixture, and LED lights 15 watts and less per fixture.
- D. *Temporary exemption.* Any person may submit a written request to the POD for a temporary exemption from the requirements of this section. The POD shall have five business days from the date of receipt of the request to approve or disapprove the request. Temporary exemptions shall be granted for no longer than necessary to accommodate the need for the temporary exemption and shall be granted for no longer than 30 consecutive days. The request for temporary exemption shall include:
1. Name, address and telephone number of the applicant;
 2. Location of the outdoor lighting fixture for which the exemption is requested;
 3. Specific exemptions requested;
 4. Duration of the requested exemption, including starting date;
 5. Type of outdoor light fixture to be used;
 6. Previous temporary exemptions, if any; and
 7. Such other data and information as may be required by the POD.

(Code 1992, § 16.40.070.3; Ord. No. 525-H, § 1, 10-13-2022)

16.40.070.4. - Generally.

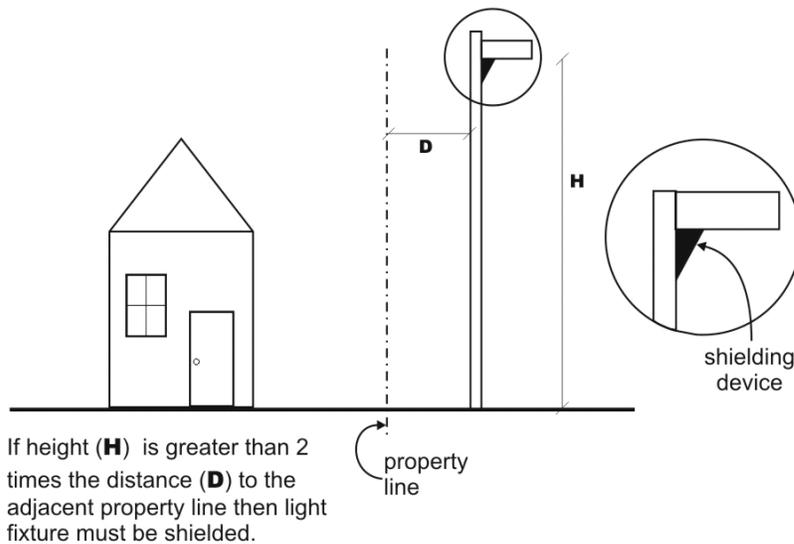
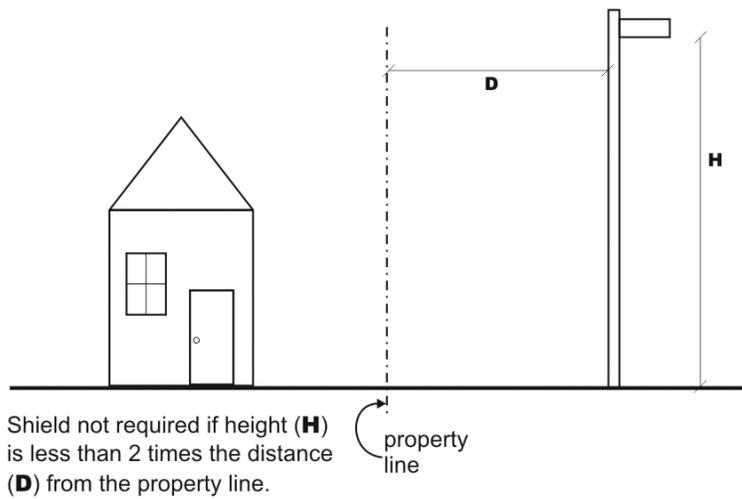
- A. All outdoor lighting shall be designed and installed to prevent glare and light trespass on abutting property.
1. *Full cut-off lighting fixtures.* Where outdoor lighting is proposed for installation, full cut-off lighting fixtures are required for all outdoor walkway, parking lot, canopy and building/wall mounted lighting, and all lighting located within those portions of open-sided parking structures that are above ground. Lights that are properly installed in an architectural space (such as under a porch roof or a roof overhang) and that provide the functional equivalent of a full cut-off fixture need not use full cut-off fixtures.



Full cut-off

2. *Setback or shielding requirement.* Where a multi-family dwelling of three or more units or a nonresidential use abuts property that is residentially zoned or has a dwelling of one or two units, all outdoor lighting fixtures shall be setback the minimum distance from the nearest lot line or "house-side shielding" shall be used on the residential property side of the lighting fixture as shown in the following diagram. A house-side shield consists of a visor or shielding panel that attaches to a lighting fixture. This provision is applicable for both light poles and lighting fixtures mounted on the side or top of a building or structure. Where a dwelling of one or two units abuts a property that is residentially zoned or has a dwelling of one or two units, light fixtures must be shielded and/or angled to prevent light trespass on abutting property.

Setback or Shielding Requirements



3. *Screening.* Where a multi-family dwelling of three or more units or a nonresidential use abuts property that is in a residential zoning district or has a dwelling of one or two units, fences and walls shall be constructed, sized and located so that no head-lamp or tail-lamp from a motor vehicle is visible from a first floor window located within the residential district or on the dwelling unit. Fences and walls shall comply with the fences and walls section.
4. *Sign lighting.* Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top or above the sign structure. Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding. Dark backgrounds with light lettering or symbols are preferred, to minimize detrimental effects.

(Code 1992, § 16.40.070.4; Ord. No. 1029-G, § 32, 9-8-2011; Ord. No. 525-H, § 1, 10-13-2022)

16.40.070.5. - Effective date and nonconforming light fixtures.

Any new light fixtures shall meet the requirements of this section:

- A. Where installation can be verified prior to September 10, 2007, outdoor light fixtures that do not meet the standards of this section, shall be classified legal, nonconforming light fixtures. Where a legal, nonconforming light fixture causes visible glare to residential uses or motorists

on the adjoining public rights-of-way, the fixtures shall be either shielded, redirected, replaced, or removed to eliminate the nuisance.

B. *New Uses or Structures, or Change of Use.* Whenever there is a new use or structure on a property, or the use on the property is changed, all outdoor light fixtures shall be brought into compliance with the standards of this section.

C. *Resumption of Use after Abandonment.* If a property with legal, nonconforming light fixture is abandoned for a period of 12 months or more, then all outdoor light fixtures shall be brought into compliance with the standards of this section.

(Code 1992, § 16.40.070.5; Ord. No. 246-H, § 8, 10-20-2016)