

City of Carson City  
Agenda Report

Item # 7-A

**Date Submitted:** April 10, 2007

**Agenda Date Requested:** April 19 2007

**Time Requested:** 20 minutes

**To:** Mayor and Board of Supervisors

**From:** Planning Division

**Subject Title:** Action to introduce, on first reading, Bill No. \_\_\_\_\_, an ordinance amending the Zoning Code Amendment from Carson City Planning Division for an amendment to Title 18 Zoning and Development Standards, specifically to the Lighting Ordinance regarding performance standards relative to display and security lighting, and other matters related thereto. (File ZCA-06-181)

**Staff Summary:** The proposed amendments to Title 18, Zoning and Development Standards would specifically amend the Lighting Ordinance regarding performance standards relative to display and security lighting.

**Type of Action Requested:**

- Resolution  Ordinance - First Reading  
 Formal Action/Motion  Other (Specify)

**Does This Action Require A Business Impact Statement:**  Yes  No

**Planning Commission Action:** Recommended approval March 28, 2007 by the Carson City Planning Commission by a vote of 6 Ayes, 0 nays, and 1 Absent.

**Recommended Board Action:** I move to introduce, on first reading, Bill No. \_\_\_\_\_, an ordinance amending the Zoning Code Amendment from Carson City Planning Division for an amendment to Title 18 Zoning and Development Standards, specifically to the Lighting Ordinance regarding performance standards relative to display and security lighting, and other matters related thereto.

**Explanation for Recommended Board Action:** The Board of Supervisors, pursuant to Carson City Municipal Code, is required to take final action on all code amendments. This is the first reading of two readings.

**Applicable Statute, Code, Policy, Rule or Regulation:** CCMC Title 18, Zoning and Development Standards

**Fiscal Impact:** N/A

**Explanation of Impact:** N/A

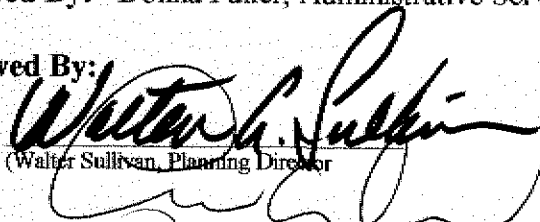
**Funding Source:** N/A

**Alternatives:** 1 Refer the matter back to Planning Commission for further review, or 2) Deny the ordinance

**Supporting Material:**  
1) Ordinance  
2) Planning Commission Case Record  
3) Staff Report to Planning Commission

**Prepared By:** Donna Fuller, Administrative Services Manager

**Reviewed By:**

  
(Walter Sullivan, Planning Director)

Date: 4/10/07

  
(Larry Werner, Development Services Director/City Engineer)

Date: 4/10/07

  
(Linda Ritter, City Manager)

Date: 4/10/07

  
(District Attorney's Office)

Date: 4/10/07

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_  
2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 18 ZONING, CHAPTER 18.16 DEVELOPMENT STANDARDS, DIVISION 1 LAND USE AND SITE DESIGN, SECTION 1.3 LIGHT AND GLARE BY REMOVING THE CURRENT SECTION 1.3 LIGHT AND GLARE AND REPLACING IT WITH A NEW SECTION 1.3 LIGHTING STANDARDS, AND OTHER MATTERS PROPERLY RELATED THERETO.

Fiscal effect: None

The Board of Supervisors of Carson City, do ordain:

SECTION I:

That Title 18 Zoning, Chapter 18.16 Development Standards, Division 1 Land Use and Site Design, Section 1.3 Light and Glare of the Carson City Municipal Code is hereby amended to read as follows:

~~1.3 Light and Glare:~~

~~This section sets forth criteria and standards to mitigate impacts caused by lighting and glare:~~

- ~~1.3.1 Light. All nonresidential uses shall provide lighting within public parking areas and access ways to provide safety and security. All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties;~~

and glare to the sky. The following provisions shall apply to all existing and proposed development:

- ~~a. Any lighting facilities shall be so installed as to project light downward and away from adjoining properties and glare to the sky. Covers must be installed on all lighting fixtures and lamps must not extend below the bottom of the cover.~~
  - ~~b. Light standards in or within one hundred feet (100') of residential zones shall not exceed twelve feet (12') in height. Additional standard height may be permitted by the Director provided such lights are a sharp cutoff lighting system.~~
  - ~~c. No permanent rotating searchlights shall be permitted in any regulatory zone, except that an Administrative Permit may be issued by the Director for a period not to exceed three (3) days for a temporary searchlight. The Administrative Permit shall be limited to a maximum of three (3) times in any one (1) calendar year.~~
- ~~1.3.2 Lighting Design. The style and intensity of lighting shall consider not only function and appearance, but shall reflect the existing character of surrounding areas and shall replicate natural light as much as possible.~~
- ~~1.3.3 Glare. Reflected glare on nearby buildings, streets or pedestrian areas shall be avoided by incorporating overhangs and awnings, using non-reflective building materials for exterior walls and roof surfaces, controlling angles of reflection and placing landscaping and screening in appropriate locations.~~
- ~~1.3.4 Interior Lighting. Where residential uses abut non-residential uses, interior lighting of the non-residential uses shall be controlled at night through the use of timers, window blinds or other acceptable means.]~~

1.3 Lighting Standards.

This section sets forth criteria and standards to mitigate impacts caused by lighting and glare.

### Lighting Purpose Statement

Office, retail, commercial, public, institutional, industrial and multi-family buildings and their lighting are part of the overall image of the community. In all cases, these standards stress the importance of visually identifying and unifying the community character. Unnecessary and improperly designed light fixtures cause glare, or intense light that results in unnecessary brightness, a reduction of visual performance and visibility, light pollution and wasted resources through additional expense for utility costs, hazardous conditions for all modes of transportation, and also affects the ability to view the night sky, including astronomical observations. The following regulations are intended to mitigate these conditions by regulations that require shielding, pointing lighting downward (other than accent lighting), only using the amount of light that is necessary and recommending turning fixtures down or off when not required. All new lighting including upward wall lighting must be reviewed and approved by the Director or his designee.

### Applicability:

1.3.1. All existing structures and residential uses are exempt from this ordinance and are considered grandfathered improvements. All proposed new commercial developments, buildings, multi family residential complexes of 10 units or more, structures or building additions of 25%-50% or more in terms of additional dwelling units, gross floor area, seating capacity, or other units of measurement specified herein, either with a single addition or cumulative additions subsequent to the effective date of this provision, shall meet the requirements of this Ordinance for the entirety of the property, including all existing and proposed lighting unless exempted under Nonconforming Uses, shown below. For all building additions of less than a cumulative amount of 25%-50%, the applicant shall only have to meet the requirements of this Ordinance for only the new outdoor lighting proposed.

1.3.2. Nonconforming Uses or Structures. Whenever a nonconforming use, structure or building is abandoned for a period of 12 months and then changed to a new use according to the requirements of this code as described in Municipal Code Title 18.04.030 Nonconforming Uses, then any existing outdoor lighting, with the exception of conversion to a residential use of nine units or less, shall be reviewed and brought into compliance with this code.

### 1.3.3. General Requirements in All Commercial and Industrial Zones:

Light. All nonresidential uses shall provide lighting within public parking areas and access ways to provide safety and security. All light sources shall be located and installed in such a way as to prevent spillover lighting onto adjoining properties and glare to the sky. The following provisions shall apply to all proposed development:

1. Any lighting facilities shall be so installed as to project light downward and away from adjoining properties and glare to the sky, with the exception of accent lighting, which is limited to a maximum upward angle of 45 degrees. Site lighting trespass onto adjacent locations and the night sky shall be minimized. Covers must be installed on all lighting fixtures and lamps must not extend below the bottom of the cover. All light fixtures, except street lights, shall be located, aimed or shielded so as to minimize stray light trespassing beyond property boundaries.
2. All light fixtures that are required to be shielded shall be installed in such a manner that the shielding is installed as designed. Fixtures which are International Dark Sky Association approved such as Dark Sky Friendly or equivalent with full cutoff lighting for area and wall pack fixtures are recommended. Sag, convex, drop lenses and luminaries with open bulbs are prohibited.
3. If elevations of buildings are proposed for accent illumination, drawings and a photometric plan shall be provided for all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the illuminance levels of the elevations and the aiming points. The maximum upward angle is 45 degrees.
4. Light standards, light poles and wall pack lighting shall not exceed 12 feet in overall height within 100 feet of property line, or center of street, whichever is closer, adjacent to residential zones. Additional height may be permitted by the Director provided such lights are a sharp cutoff lighting system. Illumination levels at the property line of a project shall be reduced by the use of house side shields and reflectors, and shall be maintained in such a manner as to confine light rays to the premises of the project.
5. No permanent rotating searchlights shall be permitted in any regulatory zone, except that an Administrative Permit may be issued by the Director for a period not to exceed three days for a temporary searchlight. The Administrative Permit shall be limited to a minimum of three times in one calendar year.
6. Parking area lights are encouraged to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher in height and higher in light level. A photometric plan is required on all projects with building size of 50,000 square feet or larger and may also be required at the discretion of the Director.

7. For all projects where the total initial output of the proposed lighting equals or exceeds 100,000 lumen, certification that the lighting, as installed, conforms to the approved plans shall be provided by a certified engineer before the certificate of occupancy is issued. Until this certification is submitted and reviewed, approval for use of a certificate of occupancy shall not be issued for the project.
8. Exterior lighting installations shall include timers, dimmers, sensors or photocell controllers that turn the lights off during daylight hours or when lighting is not needed, which will reduce unnecessary lighting, as practical. Businesses are encouraged to turn lighting down or off when businesses are not open.
9. Glare. Reflected glare on nearby buildings, streets or pedestrian areas shall be avoided by incorporating overhangs and awnings, using building materials and colors which are less reflective for exterior walls and roof surfaces, controlling angles of reflection and placing landscaping and screening in appropriate locations.

1.3.4 Interior lighting. Where residential uses abut non-residential uses, interior building lighting of the non-residential uses shall be controlled at night through the use of timers, window blinds or other acceptable means.

1.3.5 General Lighting Performance Standards.

All exterior light fixtures shall use full cut-off luminaries with the light source downcast and fully shielded with no light emitted above the horizontal plane. Again, fixtures which are International Dark Sky Association approved such as Dark Sky Friendly or equivalent with full cutoff lighting for area and wall pack fixtures are recommended. Exceptions are noted below.

1. Luminaries which have a maximum output of 500 lumen per fixture, (equivalent to one 40-watt incandescent bulb) regardless of number of bulbs, may be left unshielded provided the fixture has an opaque top to keep light from shining directly up. Luminaries which have a maximum output of 850 lumen per fixture, (equal to one 60 watt incandescent light) regardless of number of bulbs, may be partially shielded, provided the bulb is not visible from off-site, no direct glare is produced, and the fixture has an opaque top to keep light from shining directly up.
2. Accent lighting. Architectural features may be illuminated by up-lighting or light directed to the building, such as wall washing, provided that the light is effectively aimed to or contained by the structure by such methods as caps, decks, canopies, marquees, signs, etc, the lamps are low intensity to produce a subtle lighting

effect, and no light trespass is produced. The angle of up-lighting shall not exceed 45 degrees. Luminaries shall not be installed above the height of the parapet or roof. For national flags, statutes, public art, historic buildings or other objects of interest that cannot be illuminated with down-lighting, upward lighting may be used in the form of narrow-cone spotlighting that confines the illumination to the object of interest.

3. All luminaries shall be aimed and adjusted to provide illumination levels and distribution as indicated on submitted plans. All fixtures and lighting systems shall be in good working order, cleaned and maintained in a manner that serves the original design intent of the system.
4. Floodlights that are not full cut-off (light emitted above the fixture) may be used if permanently directed downward, not upward, and aimed at no more than a 45 degree angle, so no light is projected above the horizontal plane, and fitted with external shielding for top and side to prevent glare and off-site light trespass. Unshielded floodlights are prohibited.
5. Sensor activated lighting may be used provided it is located in such a manner as to prevent direct glare and lighting into properties of others or into a public right-of-way, and provided the light is set to go on only when activated and to go off within five minutes after activation has ceased, and the light shall not be triggered by activity off the property.
6. Vehicular lights and all temporary emergency lighting such as search lights or any similar high-intensity lights as needed by the Fire Department, Sheriff's Office, Public Works Department, Utility Companies, State or Federal Departments or other emergency services shall be exempt from the requirements of this ordinance.
7. Illumination for outdoor recreation facilities must conform to the shielding requirements, except when such shielding would interfere with the intended activity. For such facilities, partially-shielded luminaries are permitted. Examples of activities where partially-shielded luminaries are permitted include, but are not limited to, baseball, softball and football. Fully-shielded luminaries are required for tennis, volleyball, racquetball, handball courts and swimming pools.
8. Service Station/Canopy Lighting. All luminaries mounted on the under surface of service station canopies shall be fully shielded and utilize flat



covers. All lighting shall be recessed sufficiently so as to ensure that no light source causes glare on public rights-of-way or adjacent property. A maximum of 850 lumen per fixture is allowed (equivalent to one 60-watt incandescent bulb).

9. Temporary Lighting. The Director may grant a permit for temporary lighting, which does not conform to the provisions of this ordinance if the applicant meets the following criteria: the purpose for which the lighting is proposed does not extend beyond 60 days, but may be granted a 30 day extension after review by the Director. The Director will rule on the application within five business days of the date of submission of the request, and notify the applicant in writing of the decision.

- a) The proposed lighting must be designed in such a manner as to minimize light trespass and glare to the sky.
- b) It will be a temporary use and will be in the public interest.
- c) The application for temporary lighting shall include the following information:

The name and address of the applicant and property owner, a site plan showing entire site and location of proposed luminaries, manufacturers specification sheets showing type, wattage and height of lamp(s) with type and shielding of proposed luminaries, or if not new, pictures of previous sites or of the fixtures proposed to be used.

10. Maintenance. All fixtures shall be maintained in good working order, with aiming, angles, wattage and intensity as originally approved. Replacement bulbs shall be the same or less wattage and intensity as originally approved. Fixtures and reflecting surfaces shall be cleaned on a regular schedule to reduce additional unapproved glare.

11. The Director may approve variations to the standards set out in this Division if variations are more appropriate to a particular site, provide an equivalent means of achieving the intent of these lighting standards and are in keeping with the purpose statement of this ordinance. A letter of request detailing the reason for the variation and changes requested is required to be submitted to the Director.

12. These standards are enforced under Title 18.020.030 Enforcement.

## SECTION II:

That no other provisions of Title 18 of the Carson City Municipal Code are affected by this ordinance.

PROPOSED the \_\_\_\_\_ day of \_\_\_\_\_, 2007

PROPOSED BY Supervisor \_\_\_\_\_

PASSED on this \_\_\_\_\_ day of \_\_\_\_\_, 2007

VOTE: AYES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NAYS:

\_\_\_\_\_  
\_\_\_\_\_

ABSENT:

\_\_\_\_\_

\_\_\_\_\_  
MARV TEIXEIRA, Mayor

ATTEST:

\_\_\_\_\_  
ALAN GLOVER, Clerk-Recorder

This ordinance shall be in force and effect from and after the

\_\_\_\_\_ of \_\_\_\_\_, 2007.

~~[1.3 Light and Glare:~~

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11. The Director may approve variations to the standards set out in this Division if variations are more appropriate to a particular site, provide an equivalent means of achieving the intent of these lighting standards and are in keeping with the purpose statement of this ordinance. A letter of request detailing the reason for the variation and changes requested is required to be submitted to the Director.
12. These standards are enforced under Title 18.020.030 Enforcement.



H:\PC\2007\Staff Reports\ZCA 06-181 Lighting Standards

**CARSON CITY PLANNING COMMISSION  
CASE RECORD**

MEETING DATE: March 28, 2007

AGENDA ITEM NO.: G-12

APPLICANT(s) NAME: Carson City Planning Division  
PROPERTY OWNER(s):

FILE NO. ZCA 06-181

ASSESSOR PARCEL NO(s):  
ADDRESS:

APPLICANT'S REQUEST: Action to consider an application for a Zoning Code Amendment for an amendment to Title 18 Zoning and Development Standards, specifically to the Lighting Ordinance regarding performance standards relative to display and security lighting.

COMMISSIONERS PRESENT:     PEERY                     VANCE                     SEMMENS  
    BISBEE                     MULLET                     REYNOLDS                     KIMBROUGH

STAFF REPORT PRESENTED BY: Walter Sullivan/Jennifer Pruitt                     REPORT ATTACHED  
STAFF RECOMMENDATION:             CONDITIONAL APPROVAL                     DENIAL  
APPLICANT REPRESENTED BY: staff

APPLICANT/AGENT  
PRESENT

APPLICANT/AGENT  
SPOKE

APPLICANT/AGENT  
NOT PRESENT

APPLICANT/AGENT  
DID NOT SPEAK

APPLICANT/AGENT INDICATED THAT HE/SHE HAS READ THE STAFF REPORT, AGREES AND UNDERSTANDS THE FINDINGS, RECOMMENDATIONS, AND CONDITIONS, AND AGREES TO CONFORM TO THE REQUIREMENTS THEREOF.

PERSONS SPOKE IN FAVOR OF THE PROPOSAL

PERSONS SPOKE IN OPPOSITION OF THE PROPOSAL

**DISCUSSION, NOTES, COMMENTS FOR THE RECORD:**

- Dan Edginton-Gold Dust West Facilities Director 12' foot pole is too short
- Ronnie Hannaman - We believe in dark skies, businesses who were in compliance should be grandfathered in. 50% requirement is better.
- Maggie Tracey - Thanked staff for work done. This is a wonderful first step. Encourage businesses to turn off non-security lighting when not needed. Gas station lighting: reduced lumens and or lights/s.f.
- Dave Rollings - Director of Facilities at WNCC - Changing out lights resulted in \$10,000 check from SPPCO.

**MOTION WAS MADE TO RECOMMEND APPROVAL/DENIAL/CONTINUANCE TO:**

- WITH THE FINDINGS AND CONDITIONS AS ENUMERATED ON THE STAFF REPORT  
 \*WITH THE FINDINGS AND CONDITIONS OF THE STAFF REPORT AS MODIFIED  
 WITH THE FINDINGS AND CONDITIONS OF THE COMMISSION ENUMERATED ON THIS CASE RECORD

\* 50% requirement although Vance recommends 25%

MOVED: Reynolds SECOND: Kimbrough PASSED: 6 /AYE 0 /NO    /DQ 1 /ABSENT    /ABSTAINED

SCHEDULED FOR THE BOARD OF SUPERVISORS  
H:\PC\2007\Case Records\ZCA-06-181 3-28-07.wpd

DATE: