

TOWN OF GOLDEN BEACH, FLORIDA

ORDINANCE NO. 582.18

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING DIVISION 4, DESIGN STANDARDS, OF CHAPTER 66, ZONING, TO CREATE REGULATIONS FOR OUTDOOR LIGHTING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council periodically studies land development trends and issues and amends the Town's Land Development Regulations accordingly; and

WHEREAS, the Town Council has studied the current Code provisions of the Town and find that certain modifications are necessary and desirable to regulate outdoor lighting in the community; and

WHEREAS, a public meeting was held before the Local Planning Agency (LPA) of the Town to review the proposed modifications to the Town's Land Development Regulations; and

WHEREAS, the Town Council held duly advertised public meetings to consider the proposed modifications to the Town's Land Development Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF GOLDEN BEACH, FLORIDA:

Section 1. Recitals Adopted. That the preceding "Whereas" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2. Code Amended. That the Town of Golden Beach Code is hereby amended to modify Division 4 (Design Standards) adding Section 66-142 Outdoor Site Lighting Requirements, of Chapter 66 (Zoning) to provide for regulations for outdoor lighting in the Town, as more fully set forth in the attached Exhibit "A", and by reference are made a part hereof.

Section 3. Code Amended. That is any section, paragraph, sentence or word of this Ordinance or the application thereof to any person or circumstance is held invalid, that the invalidity shall not affect the other sections, paragraphs, sentences, words or application of this Ordinance.

Section 4. Codification. That it is the intention of the Town Council of Golden Beach, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Golden Beach Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Repealer. That all Ordinances, parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. Effective Date. That this Ordinance shall be in full force and take effect immediately upon its passage and adoption.

The Motion to adopt the foregoing Ordinance was offered by Councilmember Lusskin, seconded by Vice Mayor Mendal, and on roll call the following vote ensued:

Mayor Glenn Singer Aye
Vice Mayor Jaime Mendal Aye
Councilmember Amy Isackson-Rojas Aye
Councilmember Kenneth Bernstein Aye
Councilmember Judy Lusskin Aye

PASSED AND ADOPTED on first reading this 17th day of April, 2018.

The Motion to adopt the foregoing Ordinance was offered by

Councilmember Rojas, seconded by Councilmember Lusskin, and on roll call the following vote ensued:


Mayor Glenn Singer Aye
Vice-Mayor Jaime Mendal Aye
Councilmember Amy Isackson-Rojas Aye
Councilmember Kenneth Bernstein Aye
Councilmember Judy Lusskin Aye

PASSED AND ADOPTED on second reading this 15th day of May, 2018.

ATTEST:

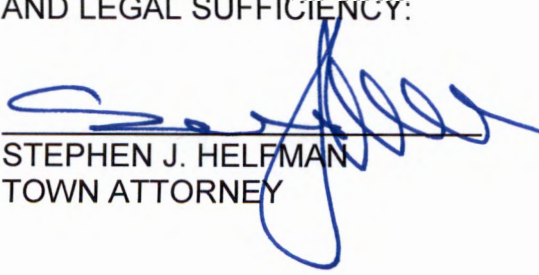


MAYOR GLENN SINGER



LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY

EXHIBIT "A"

The Town of Golden Beach, Florida Code of Ordinances
is hereby amended as follows:

CHAPTER 66

ZONING

ARTICLE IV. SUPPLEMENTAL DISTRICT REGULATIONS

DIVISION 4. DESIGN STANDARDS

Sec. 66-142- Outdoor Site Lighting Requirements.

(a) Purpose and intent. The purpose and intent of this section is to ensure that outdoor lighting positively enhances the visual impact of a building or structure, a property and the Town as a whole, while limiting negative lighting impacts on adjacent properties and providing security for persons and land. Outdoor lighting should accentuate key architectural elements of the building and highlight or otherwise emphasize landscape features.

(b) Applicability. It is the express intent that these regulations shall apply to all existing and future residential land in the Town and to all structures on residential properties. Existing properties shall be brought into compliance with the requirements of this section no later than August 1, 2018.

(c) Definitions. The following definitions apply to this Section.

Glare. Intense or blinding light, or the sensation produced by a brightness within the visual field that is sufficiently greater than the intensity of light to which human eyes are accustomed or adapted, thereby causing annoyance, discomfort, visual impairment, or loss or reduction of visibility.

Hot Spot. An area of very high illumination above normal foot-candle levels, typically found in an area underneath a luminaire, making normal foot-candle levels appear relatively dark.

Light Pollution. Any adverse effect of manmade light, often used to denote a brightness of the night sky, commonly known as urban sky glow.

Lumen. A quantitative unit measuring the amount of light emitted by a lamp or luminaire.

Obtrusive Light. Light which causes annoyance, discomfort, visual impairment, or loss or reduction of visibility.

Security Lighting. Lighting necessary for security or emergency purposes which shall be the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure and to illuminate exterior walkways.

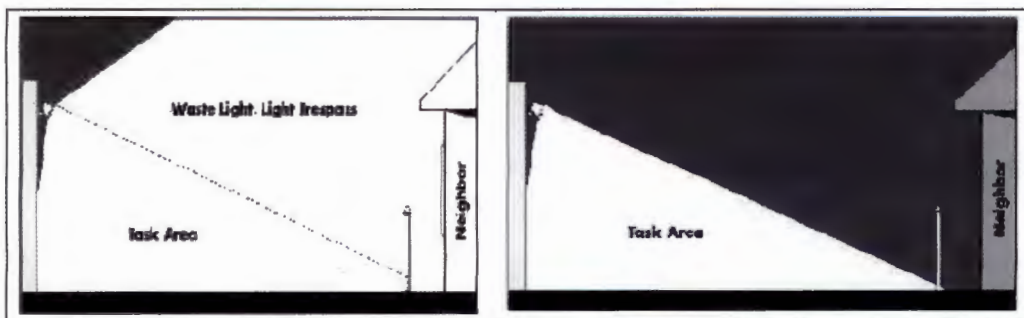
(d) Design. Outdoor lighting shall be designed, operated, and installed to provide safe, convenient and efficient lighting, and to avoid the creation of hot spots, glare, obtrusive light, light pollution, light trespass, and visual nuisance.

(e) Illumination Direction and Shielding.

(1) Upwardly-directed lighting used to illuminate all or part of a structure or building facade shall use low-wattage architectural or decorative lighting so that direct light emissions are contained by the structure or facade and not visible above the building roof line.

(2) Light fixtures used to illuminate flags, landscaping, statues, or other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that does not extend beyond the illuminated object and shall not be obtrusive or cause glare.

(3) Any light source or lamp that emits more than 900 lumens shall be concealed or shielded with full cut-off style fixture with an angle not exceeding 90 degrees to minimize glare and unnecessary light diffusion onto adjacent properties and streets. No light source or lamp may produce more than 1,800 lumens. (See Figure 66-142(e) Shielding of light source to avoid light diffusion onto adjacent property below.)



<u>Noncompliant – Light diffusion onto adjacent property</u>	<u>Compliant – No light diffusion onto adjacent property</u>
<u>Figure 66-142(e) Shielding of light source to avoid light diffusion onto adjacent property</u>	

(f) Security lighting installations. All security lighting installations shall include timers, dimmers, and/or sensors to reduce the overall energy consumption and eliminate unneeded lighting.

(g) Flickering or Flashing Lights. No flickering or flashing exterior lights shall be allowed except for temporary decorative seasonal lighting during the period of time that colored lighting is permitted.

(h) Maximum Illumination. Maximum illumination shall not exceed 1.0 foot-candles, measured 5 feet above ground level at a property line.

(i) Right-of-Way. No private lighting may be installed in the Town's swale or right-of way.

(j) *Color Lighting.* Colored lights are prohibited except during the period of time from the Friday before the last full week in November until the second Sunday in January (holidays).

(k) *Landscape Lighting.* All landscape lighting designs shall be reviewed and approved by the Town's Landscape Architect.

(Cross-reference Article III Sec. 58 for lighting regulations for marine turtle protection.)