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ORDINANCE

AN ORDINANCE TO ESTABLISH STANDARDS TO PREVENT LIGHT POLLUTION WITHIN THE CITY OF LITTLE ROCK, ARKANSAS; AND, FOR OTHER PURPOSES.

WHEREAS, light pollution, which is the presence of excessive, misdirected, or obtrusive artificial light – typically outdoor light – can wash out starlight in a night sky, disrupts ecosystems, wastes energy, and cause physiological harm and health issues for humans, other animals, and plants; and,

WHEREAS, light pollution will often manifest itself as glare which causes visual discomfort, skyglow which brightens the night sky over an inhabited area, light trespass where light falls on unintended places where it is not needed, and clutter, or bright confusing and excessive groupings of light sources; and,

WHEREAS, the Shielded Outdoor Lighting Act – Ark. Code Ann. §§ 8-14-101 to -107 – permits municipalities to put in place certain safeguards and standards for the use of outdoor lighting; and,

WHEREAS, the Little Rock Sustainability Commission has studied this issue in detail and believes that such an ordinance would be beneficial to the City of Little Rock, Arkansas;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. This ordinance shall be known as the Elimination of Outdoor Light Pollution Standards for the City of Little Rock, Arkansas.

Section 2. Purpose. The purposes of this ordinance are to:

- (a) Protect the privacy of property owners by limiting the potential for disabling glare and light trespass from outdoor lighting fixtures located on adjacent properties; or,
- (b) Protect drivers and pedestrians from the disabling glare of non-vehicular light sources that can impair safe travel; or,
- (c) Promote efficient and cost effective lighting; or,
- (d) Allow for flexibility in the style of light fixtures; or,
- (e) Reduce atmospheric light pollution; or,

- 1 (f) Save energy and reduce carbon emissions and other pollutants associated with producing
- 2 energy wasted by misdirected and wasteful lighting practices; or,
- 3 (g) Any combination of the reasons set forth in subsections (a) to (f) of this Section.

4 **Section 3. *Applicability, Compliance, and Enforcement.***

- 5 (a) The provisions of this ordinance shall apply to:
 - 6 (i) All outdoor lighting fixtures installed on private and public land after the effective date of
 - 7 this ordinance; or,
 - 8 (ii) All outdoor lighting fixtures existing and legally installed and operative before the adoption
 - 9 of this ordinance if they are shown to create disabling glare on adjoining public streets,
 - 10 highways, or roads, or cast illumination directly onto adjoining property at levels likely to
 - 11 offend a person of ordinary sensibilities as referenced in IESNA TM-11-2000; or,
 - 12 (iii) When an existing light fixture is replaced, the replacement fixture shall meet the
 - 13 requirements of this ordinance; and,
- 14 (b) Compliance with this ordinance shall be administered by the Department of Planning &
- 15 Development, unless a different department is designated by the city manager; and,
- 16 (c) For purposes of this ordinance, Outdoor Lighting regulations and Sign regulations shall be
- 17 considered separate and distinct from one another;
- 18 (d) In the event of a conflict between the provisions of this section and any other section of this
- 19 ordinance, enforcement shall be of the section with more strict requirements.

20 **Section 4. *Exemptions.*** The following are exempt from the hooding, shielding, or both, and color

21 temperature provisions of this ordinance or as otherwise noted:

- 22 (a) Street lighting not owned by the city where the tariff for compliant fixtures would be more
- 23 expensive than comparable compliant fixtures.
- 24 (b) Single or two-family residential dwellings.
- 25 (c) Navigation lights (i.e. airports, heliports, radio/television towers).
- 26 (d) Seasonal decorations with individual lights in place no longer than 60 days.
- 27 (e) Other special situations approved by the City of Little Rock for temporary or periodic events
- 28 (i.e. parades, festivals, etc.).
- 29 (f) Security lights of any wattage that are controlled by a motion-sensor switch and which do not
- 30 remain on longer than 12 minutes after activation.
- 31 (g) Emergency lighting required by the currently adopted NFPA 101 code per city.
- 32 (h) Flags displaying national, state, or local governmental bodies. Flags advertising businesses
- 33 are not exempt from the provisions of this ordinance.

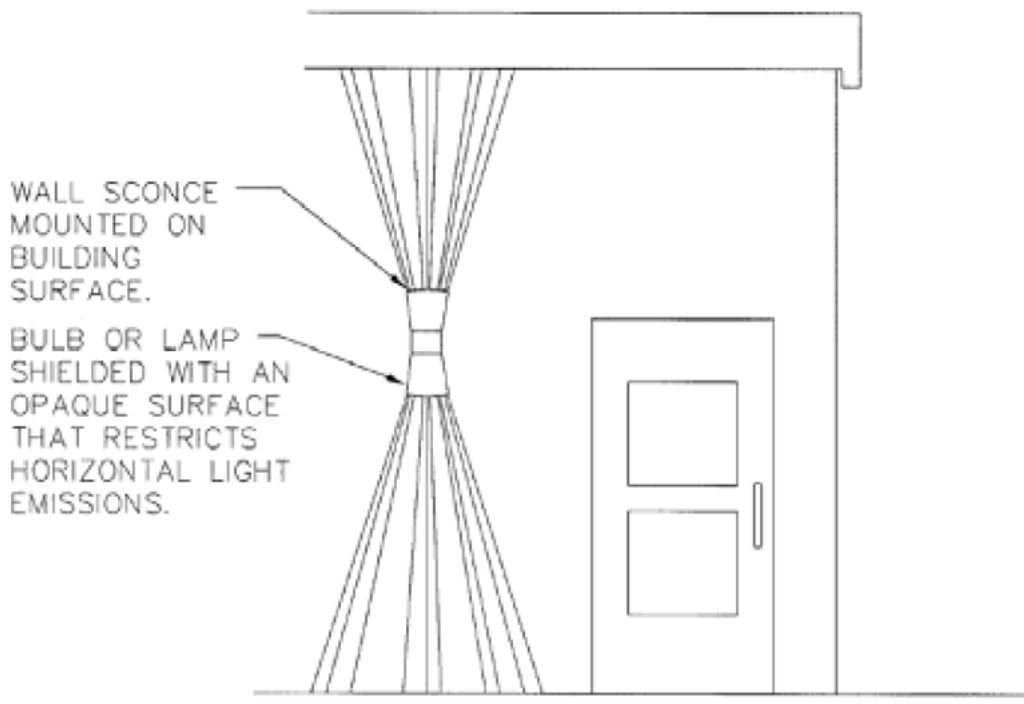
1 (i) Decorative street lighting located within city master planning for arts districts or downtown
2 locations or for special events.

3 (j) Fossil fuel lighting.

4 (k) Accent lighting until 11:00 PM or close of business, whichever is later with the following
5 limitations.¹

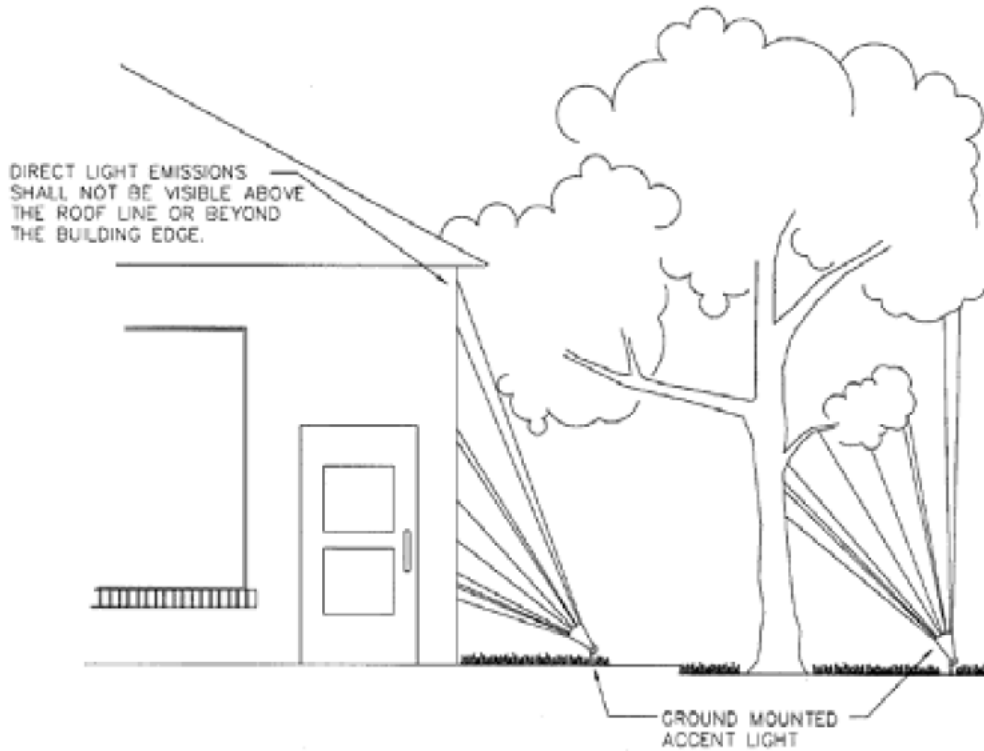
6 (i) Landscape elements. Accent lighting onto landscaping and foliage may be permitted. All
7 luminaires shall be shielded and directed so that the light distribution is focused toward the
8 functional landscape area being illuminated, and shall be permanently fixed such that they
9 are resistant from tampering or redirection of the light source.

10 (ii) Building Mounted Accent Lighting. All building mounted accent lighting shall be shielded
11 so no light is directly emitted above the horizontal plane at the bottom of the fixture and
12 directed down on the area to be illuminated



13 (iii) Ground Mounted Accent Lighting. Ground mounted accent lighting for buildings shall be
14 shielded so that all light is directed onto the building. Direct light emissions shall not be
15 visible above the roof line or beyond the building edge. All ground mounted accent fixtures
16

1 shall be permanently fixed such that they are resistant from tampering or redirection of the
2 light source.



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4 (iv) Pole Mounted Accent Lighting. Pole mounted accent lighting for a building is not
5 permitted

6 (v) Pedestrian walkway lighting 42 inches or less in height above the adjacent walkway grade
7 may be permitted. This includes lighting applications such as bollards, light fixtures located
8 in retaining and landscape walls, and lighting fixtures located on or within structures
9 utilized for pedestrian safety at conflict zones light stairs-

10 (vi) Neon and Light Emitting Diode (LED) lighting shall be considered accent lighting in this
11 ordinance and is permitted to accent architectural elements of nonresidential structures as
12 long as it meets the following requirements:

13 (A) Neon or LED lighting shall only be used to accent architectural elements of
14 nonresidential structures.

15 (B) Neon or LED lighting used to accent architectural elements shall be mounted or
16 affixed to the structure such that the material behind the lamp or tubing is non-
17 reflective.

18 (C) Neon or LED lighting shall be designed, installed, located, and maintained such that
19 all direct illumination is kept within the boundaries of the fixture owner's property.

1 (D) Neon or LED used in signs shall be regulated pursuant to the sign ordinance.

2 (E) Neon and LED accent lighting shall be limited to one linear foot of lighting per linear
3 foot of façade being illuminated and shall not exceed a maximum of 100% of the entire
4 buildings linear façade length.

5 (vii) Strands of individual, low-intensity, white decorative lights used to illuminate the outdoor
6 patio space of bars and restaurants during their normal business hours.

7 **Section 5. Application Submissions**

8 (a) Applications for building permits or applications for review by the Planning Commission
9 which include the installation of outdoor lighting fixtures for new construction or remodeling, shall
10 provide evidence of compliance with the requirements of this ordinance.² The submittal shall
11 contain the following information and shall be submitted as part of the site plan to the Planning
12 Department.

13 **(b) Outdoor Lighting Plan**

14 (i) Plans indicating the location, type, and height of the luminaire including both building and
15 ground mounted fixtures;

16 (ii) A description of the luminaire, including lamps, poles or other supports and shielding
17 devices, which may be provided as catalogue illustrations from the manufacturer;

18 (iii) Photometric data, such as that furnished by the manufacturer; and

19 (iv) Any additional information as may be required by the City Planning Department in order
20 to determine compliance with this Ordinance.

21 **Section 6. General Standards.** The following standards shall apply to all outdoor lighting installed
22 after the effective date of this ordinance, except to the extent exempt above:

23 (A) Outdoor lighting shall be hooded, shielded, and aimed downward. Examples of acceptable and
24 unacceptable light pollution control shielding and hooding are shown in exhibit “C,” attached
25 herein. Awnings, canopies, roof structures and other opaque surfaces that are designed to shield
26 the direct horizontal surface of the light source and direct light downward toward the building
27 or other opaque surface may also be considered for compliance with this requirement.

28 (B) The hood or shield shall mask the direct horizontal surface of the light source. The light shall
29 be aimed to ensure that the illumination is only pointing downward onto the ground surface.

30 (C) Existing fixtures may be adapted to comply with this ordinance by adding a properly designed
31 hood or shield, or by pointing any upward- mounted, shielded fixture downward onto the
32 ground surface.

1 (D) All outdoor lighting fixtures shall be designed, installed, located and maintained such that direct
2 illumination on adjoining properties does not exceed levels likely to offend ordinary sensibilities
3 as referenced in IESNA TM-11-2000 .³

4 (E) Unless otherwise required by law, fixtures should have a correlated color temperature of 3000K
5 or less, provided that fixtures illuminating non-residential areas which otherwise comply with
6 applicable lighting codes, may be of higher temperature if in the opinion of the lighting professional
7 or engineer responsible for the lighting design a higher temperature is required to provide effective
8 and efficient illumination for the intended purpose, or where a higher temperature is required by
9 state or federal law or regulation.

10 (F) This section may be enforced on the basis of a formal complaint filed with the Code Division
11 of the Planning Department.

12 (G) Sports Field Lighting shall be designed in accordance with IESNA standards located in IESNA
13 RP 6-01 "Sports and Recreational Area Lighting".

14 **Section 7. *Prohibited Outdoor Lighting Installations.***

15 (A) Illumination of attraction devices that flash, blink, fluctuate, or that are animated shall be
16 prohibited.

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