

**TITLE XV UNIFIED DEVELOPMENT CODE
CHAPTER 176: OUTDOOR LIGHTING**

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Fayetteville Code of Ordinances

CHAPTER 176: OUTDOOR LIGHTING

176.01 Purpose

This chapter is intended to:

- (A) Protect the privacy of property owners by limiting the potential for glare and light trespass from outdoor lighting fixtures located on adjacent properties;
- (B) Protect drivers, pedestrians, senior citizens, and the visually impaired from the glare of non-vehicular light sources that can impair safe travel;
- (C) Promote efficient and cost effective lighting;
- (D) Allow for flexibility in the style of light fixtures;
- (E) Reduce atmospheric light pollution.

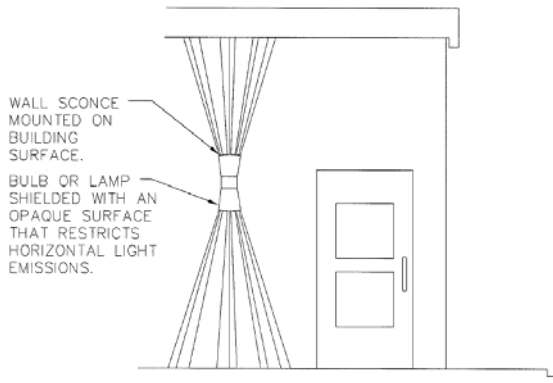
176.02 Applicability

- (A) All outdoor lighting fixtures installed on private and public property after the effective date of this ordinance shall comply. This ordinance shall not apply to single or two family residential dwellings.
- (B) All outdoor lighting fixtures existing and legally installed and operative before the adoption of Ord. #4714, June 21, 2005, are exempt from these requirements unless they are determined to create a disabling glare as defined by this ordinance.
- (C) When an existing fixture is replaced, the replacement fixture shall meet the requirements of this article.
- (D) Compliance with this ordinance shall be administered by the City of Fayetteville Planning Department.
- (E) In the event of a conflict with any other section of this article, the more stringent requirement shall apply
- (F) Outdoor Lighting regulations and Sign ordinance regulations shall be considered separate and distinct from one another.
- (G) A developer may petition the Planning Commission for a variance from the requirements of this chapter pursuant to the Unified Development Code, §156 Variances.

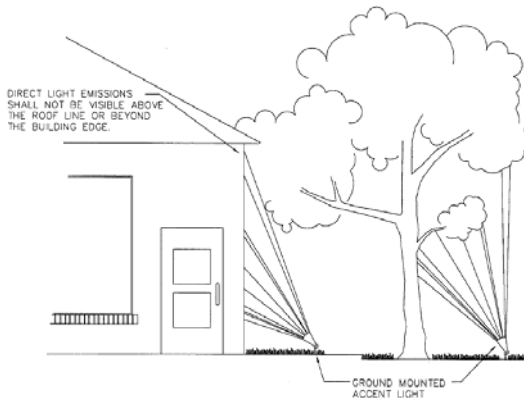
176.03 Exemptions

The following are exempt from the hooding/shielding provisions of this ordinance or as otherwise noted:

- (A) Single and two-family residential uses.
- (B) Navigation lights (i.e. airports, heliports, radio/television towers).
- (C) Seasonal decorations with individual lights in place no longer than 60 days.
- (D) Other special situations approved by the City for temporary or periodic events (i.e. parades, festivals, etc.)
- (E) Security lights of any wattage that are controlled by a motion-sensor switch and which do not remain on longer than 12 minutes after activation.
- (F) Emergency lighting only as necessary and required by the adopted Building Code of the City of Fayetteville.
- (G) Flags displaying national, state, or local governmental bodies. Flags advertising businesses are not exempt from the provisions of this ordinance.
- (H) Decorative street lighting located within the Downtown Master Plan boundary.
- (I) Fossil fuel lighting.
- (J) Accent lighting.
 - (1) Landscape elements. Accent lighting onto landscaping and foliage may be permitted. All non-cutoff luminaries shall be shielded and directed so that the light distribution is focused toward the functional landscape area being illuminated. All landscape accent fixtures shall be permanently fixed such that they are resistant from tampering or redirection of the light source. Accent lighting shall not be located in such a way as to have the bulb or lamp visible from pedestrian or vehicular egress.
 - (2) Building Mounted Accent Lighting. Accent lighting which is attached to building facades, structures or other architectural elements may be permitted. All non-cutoff luminaries shall be shielded and directed so that the light distribution is focused toward the functional area being illuminated. Fixtures designed to illuminate the vertical building surface, such as sconces, may be permitted provided that the bulb is shielded with an opaque surface that restricts horizontal light emissions.



- (3) Ground Mounted Accent Lighting. Ground mounted accent lighting for buildings, when so approved, shall be directed onto the building. Direct light emissions shall not be visible above the roof line or beyond the building edge. All upward aimed light shall be fully shielded, fully confined from projecting into the sky by eaves, roofs or overhangs, and all fixtures shall be located as close to the building being illuminated as possible. All ground mounted accent fixtures shall be permanently fixed such that they are resistant from tampering or redirection of the light source. Ground mounted spotlights shall not be located in such a way as to have the bulb or lamp visible from a pedestrian or vehicular egress.



- (4) Pole Mounted Accent Lighting. Pole mounted accent lighting for a building is not permitted.
- (5) Pedestrian walkway lighting 42 inches or less in height above the adjacent walkway grade may be permitted. This includes lighting applications such as bollards, light fixtures located in retaining and landscape walls, and lighting fixtures located on or within structures utilized for pedestrian safety, for example, stairwell lighting.

- (6) Neon and Light Emitting Diode (LED) lighting shall be considered accent lighting in this ordinance and is permitted to accent architectural elements of nonresidential structures as long as it meets the following requirements:
- (a) Neon or LED lighting shall only be used to accent architectural elements of nonresidential structures.
 - (b) Neon or LED lighting used to accent architectural elements shall be mounted or affixed to the structure such that the material behind the lamp or tubing is non-reflective.
 - (c) Neon or LED lighting shall be designed, installed, located, and maintained such that all direct illumination is kept within the boundaries of the fixture owner's property.
 - (d) Neon or LED used in signs shall be regulated pursuant to the sign ordinance.
 - (e) Neon and LED accent lighting shall be limited to one linear foot of lighting per linear foot of façade being illuminated and shall not exceed a maximum of 75% of the entire buildings linear façade length.

176.04 Submittals

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

Outdoor Lighting Plan

- (1) Plans indicating the location, type, and height of the luminary including both building and ground mounted fixtures;
- (2) A description of the luminary, including lamps, poles or other supports and shielding devices, which may be provided as catalogue illustrations from the manufacturer;
- (3) Photometric data, such as that furnished by the manufacturer; and

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

176.05 General Standards

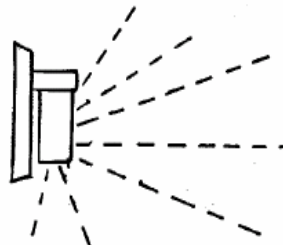
The following standards shall apply to all outdoor lighting installed after the effective date of this ordinance, which is not exempted above:

- (A) Outdoor lighting shall be hooded, shielded, and aimed downward. Examples of acceptable and unacceptable light pollution control shielding and hooding are shown in exhibit "C," attached herein. Awnings, canopies, roof structures and other opaque surfaces that are designed to shield the direct horizontal surface of the light source and direct light downward toward the building or other opaque surface may also be considered for compliance with this requirement.
- (B) The hood or shield shall mask the direct horizontal surface of the light source. The light shall be aimed to insure that the illumination is only pointing downward onto the ground surface.
- (C) Existing fixtures may be adapted to comply with this ordinance by adding a properly designed hood or shield, or by pointing any upward-mounted, shielded fixture downward onto the ground surface.
- (D) All outdoor lighting fixtures shall be designed, installed, located and maintained such that all direct illumination is kept within the boundaries of the fixture owner's property.
- (E) This section may be enforced on the basis of a formal complaint filed in with the Planning Department.
- (F) Sports Field Lighting shall be designed in accordance with IESNA standards located in IESNA RP 6-01 "Sports and Recreational Area Lighting."

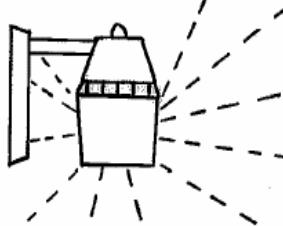
176.06 Prohibited Outdoor Lighting Installations

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

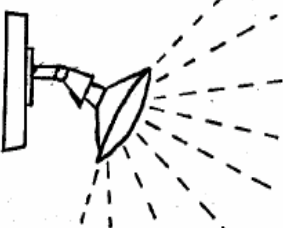
NOT PERMITTED



Typical "Wall Pack Fixture"

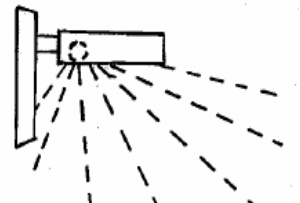


Typical "Barn Light"

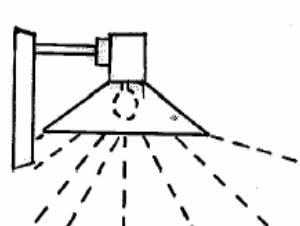


Area Flood Light

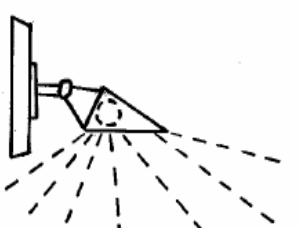
PERMITTED



Typical "Shoe Box Fixture"

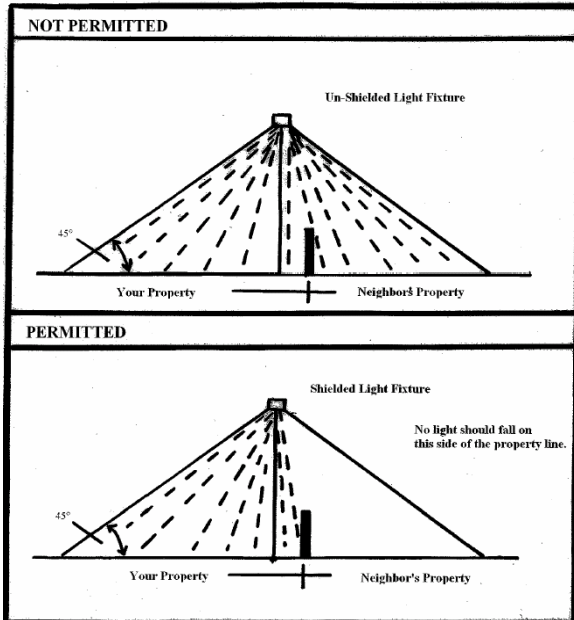
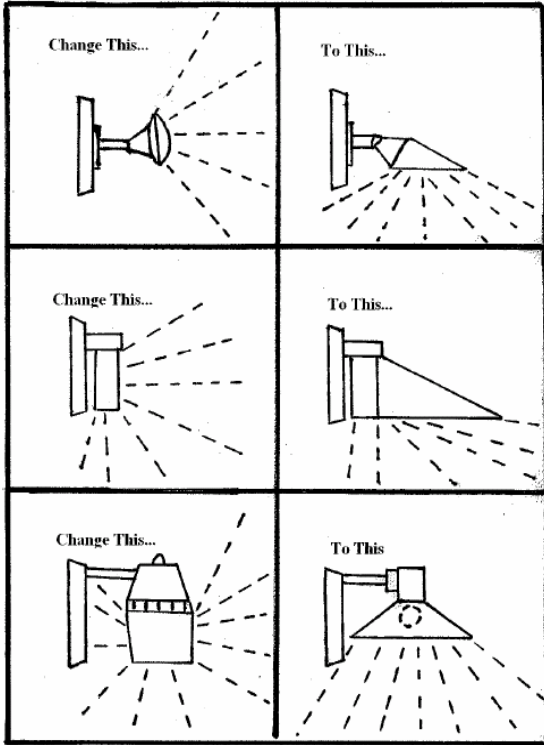


Opaque Reflector (lamp inside)



Area Flood Light with Hood/Shield

MODIFYING EXISTING FIXTURES



(Ord. 4714, 6-21-05; Ord. 4981, 2-06-07)