

March 26, 2003

To: Sutter County Planning Commission

Re: Proposed Lighting Ordinance

### **Background**

At the February 5, 2003 meeting, your Commission appointed Commissioners Maynard Dunn and Bruce Capaul as a committee to meet with staff and proceed with the development of draft exterior lighting requirements for your consideration.

On February 14, 2003, the Committee met and discussed the extent and nature of the lighting concerns and possible solutions. The committee expressed a concern over the issue of light trespass. Specifically, the problem is the spillage of obtrusive glare from one residential use on to another by high intensity lights. The example was given that a high intensity lighting fixture was installed in a neighbor's yard several years ago and that light from that fixture shines into the rear bedroom of a neighboring residence hindering the neighbors sleep and privacy.

Several lighting ordinances from around the country were reviewed and discussed. During the discussion, it was decided that there appeared to be "no reason to reinvent the wheel." It was felt that the light trespass issue could be addressed by examining different ordinances and that a solution crafted to Sutter County's particular needs could be assembled.

Consensus was reached that any lighting ordinance should contain requirements for cutoff shielding of lights, a maximum height limitation as well as other limitations on lighting height near property lines, and provisions addressing light trespass. It was also felt that a balance between the practical day-to-day issues and enforcement must be maintained and that the "Good Neighbor Outdoor Lighting" guide was a good example of where to start (see Exhibit A).

### **Staff Comments**

Staff has prepared a first draft of a simple ordinance for your Commission's review (see Exhibit B). In preparation of the draft, staff reviewed several different ordinances and selected the Kennebunkport, Maine ordinance as a starting point for its simplicity and style. Additionally,

provisions or portions of provisions from the Cloudcroft, New Mexico ordinance were included where it was felt by staff that that ordinance provided clearer language. The Eatontown, New Jersey and Tucson, Arizona ordinances also were both examined and rejected in that they both deal with a significantly more urban environment than Sutter County and are substantially more complicated than may be necessary for our community.

The draft ordinance contains provisions pertaining to other than just residential light trespass. In preparing the draft, staff felt that it may be appropriate to deal with other issues of glare and trespass that are now unregulated; therefore, included in the draft ordinance are provisions from the Kennebunkport and Cloudcroft ordinances pertaining to those issues.

For your Commission's information, staff has included a copy of the lighting ordinances from Kennebunkport and Cloudcroft (see Exhibits C and D).

After your Commission reviews the draft ordinance and you are satisfied with it, staff will need to make any changes you desire and prepare it in final draft form, prepare an environmental document, and notice and agenize it for your Commissions' action.

### **Recommended Action**

Review and discuss the draft lighting ordinance and provide direction to staff.

Sincerely,  
LISA WILSON  
INTERIM PLANNING DIVISION CHIEF

Dale Follas  
Associate Planner

Attachments: Exhibit A - Good Neighbor Outdoor Lighting Guide  
Exhibit B - Draft Lighting Ordinance  
Exhibit C - Lighting Ordinance from Kennebunkport, Maine  
Exhibit D - Lighting Ordinance from Cloudcroft, New Mexico

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