

Town of Carroll Outdoor Lighting Ordinance

Amend Article IV of the Carroll Zoning Ordinance by inserting a new Section 409 as follows:

Section 409. Outdoor Lighting

409.1 Statement of Purpose and Intent

The purpose of this section is to preserve the rural character and dark skies of the Town of Carroll. Appropriately regulated and properly installed, outdoor lighting will maintain and complement the Town's character and contribute to the safety and welfare of the residents of the Town and to its visitors. This ordinance is intended to enhance public safety and welfare by providing for adequate and appropriate outdoor lighting, providing for lighting that will complement the character of the Town, reduce glare, minimize light trespass, reduce the cost and waste of unnecessary energy consumption and prevent the degradation of the night sky. The goal of this lighting ordinance is to recognize the benefits of outdoor lighting and provide clear guidelines for its installation.

409.2 Regulations

a. All outdoor light fixtures shall be fully shielded so that no direct light is projected above a horizontal plane passing through the light source.

b. All outdoor lighting shall be designed, located, shielded and maintained in such a manner as to prevent light trespass or glare onto adjacent properties and public ways.

c. Lighting fixtures used to illuminate any outdoor advertising sign, street sign, or directive sign shall be mounted on top of the sign structure, shielded in such a manner as to prevent light trespass and/or glare and directed to the target area to avoid light spillage.

d. Exterior commercial and industrial lighting shall be designed to adequately illuminate the site and parking areas without causing glare, excessive illumination or light trespass on neighboring properties or streets.

e. Flood or spot lamps must be aimed no higher than 45 degrees above straight down (half way between straight down and to the horizontal plane).

f. For purposes of this section "light trespass" occurs when the light emitted directly from the lamp or fixture shines beyond the property boundary. For purposes of this section "glare" means any light, direct or indirect, which reduces a normal viewer's ability to see at any location beyond the property boundary.

409.3 Site Plan Review

When outdoor lighting installation or replacement is part of a development proposal for which site plan review approval is required, the Planning Board shall review and approve the lighting installation as part of its site plan review. The applicant shall submit to the Planning Board sufficient information in the form of an overall exterior lighting plan to enable it to determine that all regulations in this section will be satisfied. The Planning Board may enact additional or more detailed standards as part of its Site Plan Review Regulations. The lighting plan shall include at least the following:

- a. A site plan, drawn to the required scale, showing all proposed exterior lighting fixtures, including those associated with buildings, landscaping, signs and parking areas.**
- b. Proposed mounting height of all exterior lighting fixtures.**
- c. The aiming points for any remote lighting fixtures.**
- d. A designation of which lighting fixtures are considered necessary for safety or security purposes. All other exterior lighting shall be turned off within a reasonable time of the closing or cessation of the business or activity.**

409.4 Applicability

This Ordinance shall apply to commercial, industrial, agricultural, and residential structures and uses. Whenever an existing outdoor lighting fixture or installation is being modified, extended, expanded or added to, that fixture or installation shall be subject to the requirements of this Ordinance. Owners or operators of non-conforming fixtures and installations are encouraged to bring their outdoor lighting into voluntary compliance with these requirements.

409.5 Exceptions

This Ordinance shall not apply to the following structures and uses:

- a. Existing non-conforming structures and uses and those existing non-conforming structures and uses where the fixtures and installations are being replaced but not modified, extended, expanded or added to.**
- b. All temporary lighting required for construction projects related to road construction and repair, installation of sewer and water facilities and other public and private infrastructure.**
- c. All temporary emergency lighting needed by the police or fire departments or other emergency services including vehicular luminaries.**

d. All hazard warning luminaries required by Federal regulatory agencies except that those luminaries shall be in conformance with the Federally required minimum lumen output requirement for the specific task concerned.

e. Seasonal/decorative lighting displays using multiple low wattage bulbs.

409.6 Enforcement

a. This Ordinance shall be enforced as provided in Section 703 of the Town of Carroll Ordinances and as provided in New Hampshire RSA 676:15, 676:17, 676:17-a or 161:17-b. Each day during which the violation continues shall constitute a separate offense.

b. Determination of whether a violation exists shall be made in the first instance by the Board of Selectmen or the Building Inspector. Such a determination is subject to appeal to the Zoning Board of Adjustment under Section 704.2 of the Town Ordinances and New Hampshire RSA 676.5.