

Sag Harbor Lighting Code

§ 300-9.8 Lighting. ^[1]

[Amended 9-9-2014 by L.L. No. 12-2014; 4-13-2021 by L.L. No. 6-2021]

All exterior lighting installed, replaced, changed, repaired or relocated after the effective date of this article shall conform to the provisions established by this article.

A. Residential standards.

(1) Exterior lighting shall be designed, installed, and maintained to minimize glare and light trespass across property lines, into roadways (whether public or private), and waterways.

(2) Irrespective of any other provision herein, all lighting on new construction for which a building permit is issued after the effective date of this chapter must be fully shielded. Building permit applications for exterior lighting shall include a drawing, photograph, or manufacturer's cut sheet, along with the installation mounting height from grade for each lighting fixture(s).

(3) No light source shall be visible beyond the boundary of the property on which it is located, including from a body of water or roadway.

(4) All lighting fixtures shall meet the specifications set forth herein and shall be aimed downward and installed as per the manufacturer's design and installation guidelines.

(5) Up to two outdoor lighting fixtures per lot are exempt from the shielding requirements, provided that such exempt fixtures have a total light output of 900 lumens or less (60 watts incandescent or less), regardless of the number of light sources.

(6) Residential landscape lighting shall not be controlled by dusk-to-dawn sensor(s) unless such lighting illuminates a walkway.

(7) Holiday lighting is exempt from the above provisions, provided the output per light source does not exceed 200 lumens, and said lighting is installed between November 15 and January 15 and extinguished thereafter.

B. Commercial lighting standards and requirements.

Exterior commercial lighting, which is improperly designed, insufficiently shielded, or unnecessarily intense can have a detrimental effect on many of the qualities which the Village seeks to foster and protect. Therefore, in reviewing site plans the Planning Board shall consider the impacts of any proposed exterior lighting on public safety, adjacent property (especially

residential property), the natural environment and the general appearance of the Village. To this end, the Planning Board is directed to apply the specific standards and requirements of this section to any proposed exterior lighting and distribute to all applicants the Village's Guidelines for Lighting Plans. The Planning Board shall have the power to vary or modify any standards or requirements, where appropriate, provided the Board finds that doing so will not negate the purposes of this section. The Board shall take into account the fact that not every aspect of a project will require lighting and that the use of alternatives to lighting should be encouraged, such as the use of reflective markers, pavement markings, signs or other nonilluminated measures to avoid the excessive or unnecessary use of lighting.

(1) Location of light fixtures.

All exterior light fixtures shall be located to avoid glare and the adverse effects of exterior lighting on nearby properties, especially residential property, roadways (whether public or private), and water bodies.

(2) Mounting height.

Light fixtures shall be mounted at the lowest practical height, taking into account the area to be illuminated and the relationship between the mounting height and the number of fixtures required to illuminate that area unless a greater mounting height is required by the nature of the use or the size of the structure (e.g., boat storage buildings, multiple-dwelling units and commercial garages); light fixtures shall not be mounted at a height greater than 12 feet above natural grade.

(3) Prohibited light sources.

The following types of light sources are prohibited:

- (a)** Mercury vapor;
- (b)** Neon, unless legally preexisting;
- (c)** Laser;
- (d)** Any light source with a color temperature greater than 2,700 Kelvin;
- (e)** Flashing, colored, or tracing lights;
- (f)** Lighting which outlines a structure;
- (g)** Metal halide; and
- (h)** Internally illuminated (cabinet) lighting and LED signs.

(4) Utility-pole-mounted lighting.

Utility-pole-mounted lighting to illuminate private property is prohibited.

(5) Shielding of light source.

Full cutoff, fully shielded, or zero upright light fixtures, as per the manufacturer's specifications, shall be used for all light sources in the Village.

For purposes of this chapter, the terms "full cutoff," "fully shielded," and "zero uplight," when used in relation to lighting fixtures, shall be synonymous.

(6) Landscape and facade lighting is discouraged.

Landscape and facade lighting, while discouraged, shall be subject to site plan approval by the Planning Board, and such lighting shall be extinguished at the close of business but no later than 11:59 p.m. by automated shutoffs, provided such lighting is not necessary for safe pedestrian passage after business hours.

(7) Automatic lighting controls.

Installation of automatic lighting controls is required so that lighting is automatically extinguished during daylight hours. Motion sensors shall be aimed and adjusted such that lights are not triggered by motion off the property and shall only be installed and utilized on doorways and areas which are not open to the public but available for emergency access after close of business.

(8) All lights are to be extinguished no later than 1/2 hour after close of business. "Dusk-to-dawn" sensors, without a shutoff control, are prohibited.

(9) Light levels at the property line and 10 feet beyond shall not exceed 0.1 footcandle adjacent to property zoned for commercial use, and 0.05 footcandle at residential property boundaries.

(10) ATM and bank property lighting shall conform to the shielding, Kelvin, and light trespass requirements herein to prevent glare and excessive lighting and shall not exceed illuminance values set forth in New York State Banking Law (4677-A). Existing lighting in violation of this subsection shall be retrofitted to conform to the maximum levels set forth herein on or before six months from the date of this local law as set forth herein.

C. Flagpole lots.

In the case of a flagpole lot, the front lot line used for the determination of lot width and the required front yard shall be one of the internal lot lines designated by the owner.

D. Waterfront lots.

In the case of a waterfront lot:

(1) A waterfront lot line shall be considered the front lot line. The line opposite the front lot line shall be considered the rear lot line.

(2) When a lot is formed by a waterfront lot line and a street right-of-way or easement line intersecting, such lot shall be considered a corner lot.

(3) When a rear lot line is a street or right-of-way, the required rear yard setback for accessory buildings and structures shall be the same as the required rear yard for a principal building in the applicable district.

(4) Lighting for residential docks shall consist of fully shielded fixtures that illuminate only the surface of the dock itself and do not exceed 0.2 footcandle in any location on the dock.

E. Exceptions.

The following types of lighting are exempt from the foregoing provisions:

(1) Temporary lighting, as defined herein;

(2) Lighting which the Village Board has expressly allowed in connection with a special event;

(3) Flag up lighting, provided any such flag is not used for advertising purposes, and has a fixture as close to the pole as possible, and has a light source that emits a narrow beam of light. The light source must be recessed within a fixture with an opaque shield so that, as designed and installed, the light fixture projects all its light above the horizontal plane and is aimed directly at the flag. Pole-top-mounted "down" lighting is preferred. The light source shall not be visible across the property line or from public or private roadways and water bodies;

(4) U.S. Coast Guard approved maritime navigational lighting and all temporary emergency lighting needed by fire, ambulance, or police departments, or other emergency services;

(5) Municipal streetlighting, provided fully shielded replacements are not available in a similar design;

(6) All essential lighting for municipal emergency facilities;

(7) Marina-power-pedestal lighting, as defined herein, provided that the light source shall not exceed 2,700 Kelvin; and

(8) Sign lighting in which the light source is not visible across property lines or into public or private roadways and waterbodies may employ a top-mounted RLM-type dish fixture, provided all other provisions herein are met.

F. Enforcement and violations.

Any violation of this subsection or any violation of the approval or the conditions of the approval related to lighting that is imposed by the Planning Board or the Board of Historic Preservation and Architectural Review shall be deemed a violation of this chapter punishable under the provisions of § 300-17.6, whether such violation is committed by the actions of the property owner or the installer. Either party may be held liable under this section.

G. Legally preexisting and nonconforming lighting.

In order to further the public health, safety, and welfare, and to provide lighting consistency throughout the Village, the following "sunset" provisions shall be implemented. The residential provisions shall become effective upon adoption of this law and the commercial provisions shall become effective six months from the date this law is adopted, unless otherwise specified.

(1) Residential.

(a) Upon repair, replacement, or relocation of any exterior lighting, such lighting shall conform to the standards provided herein.

(b) Upon re-lamping (i.e., changing the light fixture/bulb), the maximum lumens per doorway on a structure for unshielded residential lighting shall not exceed 900 lumens (approximately the equivalent to a 60-watt incandescent light bulb), regardless of the number of light sources or fixtures.

(c) Upon re-lamping of any outdoor light fixture, the Kelvin for such light source shall not exceed 2700.

(d) Upon re-lamping of any unshielded nonessential fixture, including foliage lighting and stanchion light fixtures, the light source shall not exceed 400 lumens (equivalent to approximately 40 watts incandescent) per fixture.

(e) Nonessential lighting shall not be controlled by a dusk-to-dawn sensor. Any existing sensors shall be removed.

(2) Nonresidential and municipal lighting. Compliance with the following provisions shall be required for commercial structures within six months from the date this law is enacted.

(a) All legally preexisting and nonconforming exterior lighting shall be extinguished one-half hour after the close of business, exclusive of motion-sensor-activated light fixtures, provided such fixtures are not illuminated as a result of activity off the property, with the exception of lighting that illuminates public walkways.

(b) ATM and lighting for lending institutions shall conform to the shielding and light trespass requirements herein and shall not exceed the illuminance values set forth in the NY State Banking Law (4677-A).

(c) Lighting mounted on a utility pole which is intended to illuminate private property, and which does not meet the shielding, Kelvin, light trespass and shut-off provisions herein, shall be removed, including the pole itself if its use is dedicated to mount such light fixture.

(d) Mercury vapor light fixtures shall be removed.