



VILLAGE OF CORRALES

ORDINANCE NO. 13-003

An Ordinance to Amend in Its Entirety Chapter 18, Article II, Section 42, Regarding Exterior Lighting of the Code of Ordinances of the Village of Corrales, and to Amend Article II, Section 29, Definitions; Regulating Outdoor Lighting to Reduce or Eliminate Light Pollution; Requiring Conversion of Certain Existing Lighting to Comply with Amended Regulations; Providing for Enforcement

WHEREAS, the Planning and Zoning Commission (the “Commission”) of the Village of Corrales has undertaken a review of various provisions of the Code of Ordinances relating to zoning in the Village; and

WHEREAS, in connection with its review the Commission has recommended to the Village Council, the governing body of the Village (“Governing Body”) that it consider amending in its entirety Section 18-42, regarding exterior lighting requirements, by substituting new general standards, applicability, exemptions, submittals, and enforcement provisions for exterior lighting and insert in appropriate alphabetical order related definitions of terms used in Section 18-29, definitions; and

WHEREAS, the amendments recommended by the Commission protect the visual aesthetic of the Village, clarify the Night Sky Protection Act of the State of New Mexico, and provide for staff review and enforcement of regulations regarding exterior lighting,

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Village of Corrales, New Mexico, that Chapter 18 of the Code of Ordinances (the “Code”), is amended as follows:

Section 18-29. Definitions of the Code is amended to add, in appropriate alphabetical order, the following terms and definitions:

Accent lighting means any directional lighting that emphasizes a particular object or draws attention to a particular area.

Disabling glare means lighting that impairs visibility and creates a potentially hazardous situation for pedestrians or motorists.

Glare means the brightness of a light source sufficient to cause eye discomfort for an average person not suffering from any visual impairment.

Lamp or bulb means that portion of the fixture that produces light by attaching to a socket within the fixture.

Light pollution means excessive or inappropriate artificial light. Light pollution causes an adverse effect on the night sky in a number of ways by decreasing the ability to see the natural night sky.

Light trespass means light emitted by a luminaire that shines beyond the property on which the luminaire is installed.

Lumen means a unit of light or illumination from a lamp or bulb, as defined by the International System of Units (“SI”). One lumen is the radiant flux emitted over a solid angle of one steradian by a point source having a brightness of one candela. This measures the total amount of visible light emitted from a source so that the unit reflects the varying sensitivity of the human eye to different wavelengths.

Luminaire or fixture means a complete lighting unit, including the lamps or bulbs, as well as the parts that connect to power, the housing that protects the bulbs and parts that distribute the light.

Nuisance glare means light that creates an annoyance or aggravation but does not create a potentially hazardous situation.

Recreational use lighting means lighting devices designed for the purpose of illuminating a playing field so as to allow sports and recreation in the evening hours.

Shielding means that no light rays emitted by a fixture above the horizontal plane running through the lowest point of the fixture where light is emitted.

Spotlight or floodlight means any lamp that incorporates a reflector or a refractor to concentrate light output into a directed beam in a particular direction.

Watt means a unit of electric power flowing into a lamp or bulb, as defined by the International System of Units (“SI”). One watt is a rate of energy transfer of one joule per second.

Section 18-42 Exterior Lighting.

- (a) *Intent.* The purpose of this section is the regulation of outdoor lighting to reduce or prevent light pollution to maximize the preservation of the agricultural and rural heritage of the Village. The intention of regulating outdoor lighting is to reduce or prevent glare, light trespass, conserve energy and promote safety and security. The illustrations contained in this section are intended to help the public understand acceptable and unacceptable exterior lighting in the Village of Corrales.
- (b) *Applicability.*
 - (1) All non-conforming outdoor fixtures installed prior to and operable on the effective date of this Ordinance shall be removed or converted to a conforming fixture when the existing fixture is inoperable or un-repairable. The Village may require a non-conforming use to be corrected if the Village determines that the non-conforming use is creating a nuisance glare or disabling glare as defined in Section 18-29.
 - (2) All existing outdoor lighting fixtures owned and maintained by any public utility company within the Village are required to be removed or comply with the “Night Sky Protection Act”, NMSA 1978, Section 74-12-1 et.seq. and this Section within 12 months from the enactment of this Section.
 - (3) This Section does not apply to interior lighting.
 - (4) All new installations and modification to existing non-conforming fixtures shall comply with the Section.

- (5) Compliance with this Section shall be administered and enforced by the Village of Corrales Planning and Zoning Administrator or designated Village personnel.
- (6) In the event of a conflict with any other section of this article, the more stringent requirement shall apply.
- (7) All exterior lighting must comply with the New Mexico “Night Sky Protection Act”, NMSA 1978, Section 74-12-1 et.seq.

(c) *Exemptions.* The following are exempt from the provisions of this Section:

- (1) Traffic control signals and devices.
- (2) Street lights installed prior to the effective date of this Section.
- (3) Temporary emergency lighting (i.e., fire, police, repair workers).
- (4) Moving vehicle lights.
- (5) Navigation lights (i.e., communications towers).
- (6) Seasonal decorations with light displays in place no longer than one month before a holiday nor ten (10) days after a holiday.
- (7) Special situations approved by the Village of Corrales for temporary or periodic events (i.e., fairs, fiestas, emergencies, or Village-sanctioned night-time construction).
- (8) Covered porch lighting on single-family or multi-family homes provided that each outdoor light fixture does not exceed 2600 lumens output (150 watts incandescent). See Table 1 for lumen conversions.

Watts	Lumens (brightness)
150 w	2600 lm
100 w	1600 lm
75 w	1100 lm
60 w	800 lm
40 w	450 lm

Table 1.
Watts/Lumens Conversion. Estimates based on typical incandescent bulbs.
Reference Standards for Lumens, 2012.

- (9) Security lights of any power that are controlled by a motion-sensor switch and which do not remain on longer than 30 minutes after activation.
- (10) Outdoor lighting fixtures necessary for safety at schools, fire stations, farms, dairies, ranches, feedlots, or oil and gas facilities.
- (11) Existing sport field outdoor sites.

- (12) Flagpoles that display the United States flag after sundown.
- (13) Any person or business may submit an application for a variance from the requirements of this Section to the Planning and Zoning Commission. The request shall state fully:
 - a. The circumstances and conditions relied upon as grounds for an exemption;
 - b. The circumstances and conditions by which strict application of the provisions deprive the applicant of reasonable use of the land, building or outdoor light fixtures; and,
 - c. The grounds by which the granting of the administrative exemption will not be injurious to the neighborhood or otherwise detrimental to the public, health, safety or welfare.

(d) *Submittals.*

- (1) Applications for building permits shall be submitted to the Village Planning and Zoning Department. If the application includes installation of outdoor lighting fixtures, evidence of compliance with the requirements of this Section shall be provided. The applicant shall provide the following:
 - a. Plans indicating the location, type, and height of luminaires including both building and ground-mounted fixtures;
 - b. Description of luminaires, including lamps, poles or other supports, and shielding devices;
 - c. Ganging of individual luminaries to achieve more than allowed lumens in a specific area is prohibited;
 - d. Photometric data, showing downward angle of light emission;]
 - e. Additional information may be required by the Planning and Zoning Department in order to determine compliance with this Section.
- (2) Requests for any lighting deviation or variance from the requirements of this Section are to be submitted in writing to the Planning and Zoning Commission. It shall be approved only when it is determined that a deviation or variance is warranted in order to provide even more security for personal property, business inventory, agricultural activities or special events.

(e) *General Standards*

The following general standards shall apply to all outdoor lighting installed after the effective date of Ordinance 192, adopted 11-13-89, which are not covered under subsection (c) *Exemptions* above:

- (1) Outdoor light must be hooded, shielded and aimed downward. Examples of acceptable and unacceptable light shielding and hooding are shown in Table 2.

Table 2
Examples of Acceptable and Unacceptable Exterior Lighting Fixtures

Examples of Acceptable Lighting Configurations	Examples of Unacceptable Lighting Configurations
<p>Wall-mounted fixtures control upward and horizontal glare</p>	<p>Wall-mounted fixtures with inadequate shielding</p>

Table 2 (continued)

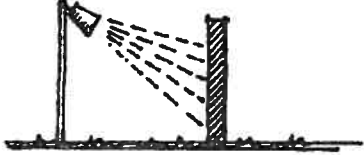

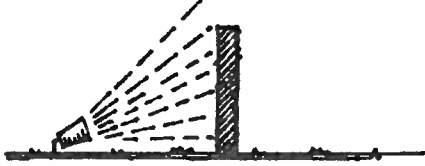

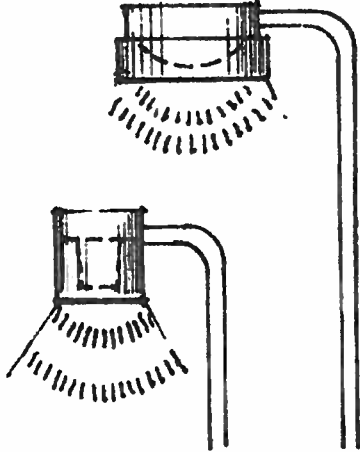
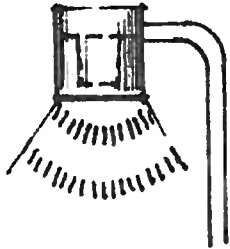
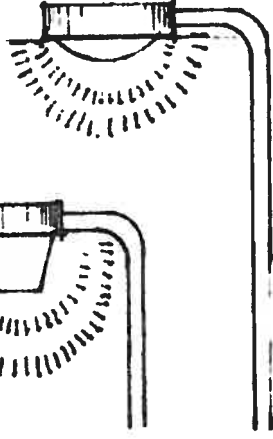
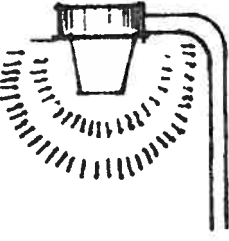
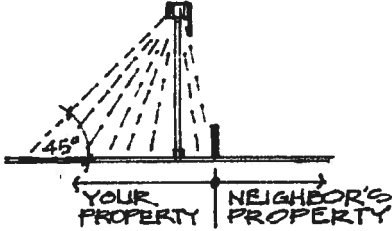
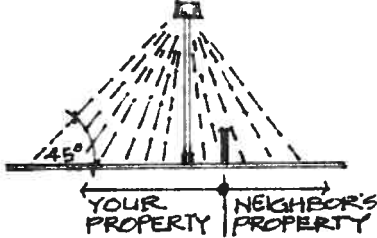
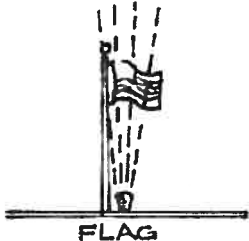
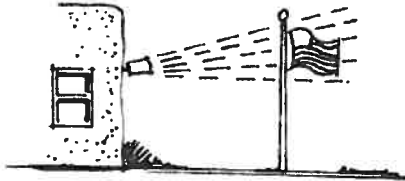

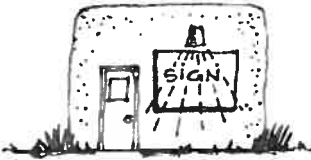
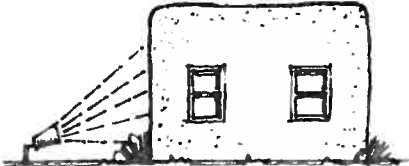
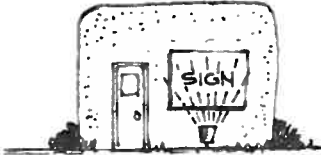
Examples of Acceptable Lighting Configurations	Examples of Unacceptable Lighting Configurations
<p data-bbox="256 321 740 352">Landscape lighting limited to foliage only.</p>  	<p data-bbox="797 321 1328 352">Landscape lighting points upward; stray light.</p>  
<p data-bbox="256 1119 769 1178">Light poles illuminate downward and have a height maximum of 15'.</p>  	<p data-bbox="797 1119 1386 1178">Light poles illuminate downward and outward from the horizontal plane.</p>  

Table 2 (continued)

Examples of Acceptable Lighting Configurations	Examples of Unacceptable Lighting Configurations
<p>Control of light trespass on adjacent property.</p> 	<p>No control of light trespass onto adjacent property.</p> 
<p>American Flag Pole lighting: Narrow focus.</p> 	<p>American Flag Pole unacceptable lighting.</p> 

Examples of Acceptable Lighting Configurations	Examples of Unacceptable Lighting Configurations
<p>Accent lighting is directed downward toward wall or object.</p>  	<p>Accent lighting is unacceptable directed upward or onto adjacent property.</p>  

- (2) The hood or shield must mask the direct horizontal surface of the light source. The light must be aimed to ensure the illumination is only pointing downward onto the ground surface, with no upward escaping light permitted to contribute to light pollution.
- (3) Existing fixtures may be adapted to comply with this Section by adding a properly designed hood or shield, or by pointing any upward-mounted, shielded fixture downward toward the ground surface.
- (4) Any light falling onto adjacent property or streets that results in nuisance glare or disabling glare shall not be permitted. Light trespass beyond property boundaries or above the horizontal plan shall be considered non-compliant.
- (5) Any outdoor lighting fixtures shall be designed, installed, located and maintained such that glare onto other properties or streets shall be eliminated and all direct illumination kept within the boundaries of the fixture owner's property.
- (6) Accent or landscape lighting shall be directed onto foliage or objects and not toward the sky or onto adjacent properties. Direct light emissions shall not be visible above the roofline or beyond the building edge.
- (7) Spotighting on landscaping, foliage, and flagpoles shall be limited to 2600 lumens output (150 watt incandescent). The lamp shall be shielded and not create disabling or nuisance glare.
- (8) Rotating, flashing, moving or stationary beacons of light used for advertising purposes or public events are prohibited.
- (9) Exterior light fixtures shall be limited to fifteen (15) feet in height from grade.
- (10) Where exterior lighting is used for security purposes or to illuminate walkways, entrances, driveways, equipment yards and parking lots outdoor shielded lights shall be used.
- (11) This section shall be enforced on the basis of a formal complaint in writing with the Planning and Zoning Department.

(f) Enforcement and Penalties for Violation

This Section shall be enforced when the Planning and Zoning Administrator or Village-designated code enforcement officer determines a violation has occurred or when any citizen makes a complaint in writing to the Village and investigation by the Village determines that there is a violation of this Section. The Planning and Zoning Administrator or Village-designated code enforcement officer will contact the owner, tenant, agent, or person in charge of the premises where the violation has occurred and notify them of the violation in writing.

SEVERABILITY CLAUSE: Should any section, paragraph, clause or provision of this Ordinance be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance. The Governing Body of the Village of Corrales hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, word or phrase thereof


irrespective of any one or more sections, subsections, sentence, clauses, words or phrases being declared unconstitutional or otherwise invalid.

COMPILING CLAUSE: This Ordinance shall be incorporated in and compiled as a part of the Code of Ordinances of the Village of Corrales.

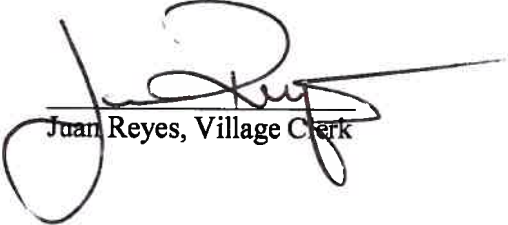
EFFECTIVE DATE AND PUBLICATION: This Ordinance shall become effective and be in full force and effect from and after its passage, publication and posting, according to law.

PASSED, APPROVED AND ADOPTED by the Governing Body of the Village of Corrales, New Mexico, this 26th day of March, 2013.

APPROVED:


The Honorable Philip Gasteyer
Mayor, Village of Corrales

ATTEST:


Juan Reyes, Village Clerk