

ORDINANCE NO. 98-11

Lighting Ordinance for Marine Turtle Protection of Franklin County, Florida

I. PURPOSE AND INTENT

This ordinance is intended to protect hatchling marine turtles from the adverse effects of artificial lighting, provide overall improvement in nesting habitat degraded by light pollution, and increase successful nesting activity and production of hatchlings on the beaches of Franklin County, Florida.

ii. DEFINITIONS.

(1) "Artificial light" or "artificial lighting" means the light emanating from any human-made device.

(2) "Beach" means the zone of unconsolidated material that extends landward from the mean low water line to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves.

(3) "Bug" type bulb means any yellow colored light bulb that is marketed as being specifically treated in such a way so as to reduce the attraction of bugs to the light.

(4) "Coastal construction activities" means any work or development on any of the barrier islands or Alligator Point in Franklin County, Florida.

(5) Coastal Construction Control Line (CCCL) means the portion of the Coastal construction line established pursuant to the provisions of section 161.053 Florida Statutes that lies within Franklin County.

(6) "Cumulatively illuminated" means illuminated by numerous artificial light sources that as a group illuminate any portion of the beach.

(7) "Directly illuminated" means illuminated as a result of glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source which is visible to an observer on the beach.

(8) "Dune" means a mound or ridge of loose sediments, usually sand-sized, lying landward of the beach and deposited by any natural or

artificial mechanism.

(9) "Frontal dune" means the first natural or man-made mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value.

(10) "Hatchling" means any species of marine turtle, within or outside of a nest, that has recently hatched from an egg.

(11) "Indirectly illuminated" means illuminated as a result of the glowing element(s), lamp(s), globe(s), or reflector(s) of an artificial light source which is not visible to an observer on the beach.

(12) Low-pressure sodium luminaire (LPS) means an electric discharge lamp containing sodium, neon, and argon, that when illuminated appears amber-yellow.

(13) "Marine turtle" means any marine-dwelling reptile of the families Cheloniidae or Dermochelyidae found in Florida waters or using the beach as nesting habitat, including the species: *Caretta caretta* (loggerhead), *Chelonia mydas* (green), *Dermochelys coriacea* (leatherback), *Eretmochelys imbricata* (hawksbill), and *Lepidochelys kempi* (Kemp's ridley). For purposes of this rule, marine turtle is synonymous with sea turtle.

(14) "Nest" means an area where marine turtle eggs have been naturally deposited or subsequently relocated.

(15) "Nesting season" means the period from May 1 through October 31.

(16) "Nighttime" means the period between sunset and sunrise.

(17) "Person" means individuals, firms, associations, joint ventures, partnerships, estates, trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.

(18) Pole lighting means a light fixture set on a base or pole which raises the source of the light higher than twenty (24) inches off the ground.

(19) Shield means a non-reflective covering, canopy or other such device fitted over and extended below a light source preventing light from illuminating the beach.

(20) "Tinted glass" means any glass treated to achieve an industry-approved, inside-to-outside light transmittance value of 45% or less. Such transmittance is limited to the visible spectrum (400 to 700 nanometers) and is measured as the percentage of light that is transmitted through the glass.

III. STANDARDS FOR NEW CONSTRUCTION ACTIVITIES.

In order to provide the highest level of protection for nesting marine turtles and their hatchlings, the following standards for artificial light sources on all new coastal construction seaward of the Coastal Construction Control Line (CCCL) are adopted:

(1) Exterior artificial light fixtures shall be designed and positioned so that:

- (a) The point source of light or any reflective surface of the light fixture is not directly visible from the beach;
- (b) Areas seaward of the frontal dune are not directly or indirectly illuminated; and
- (c) Areas seaward of the frontal dune are not cumulatively illuminated.

(2) Exterior artificial light fixtures within direct line-of-sight of the beach will be permitted only if designed and installed as follows:

- (a) Completely shielded downlight only fixtures or recessed fixtures having low wattage (i.e., 25 watts or less) "bug" type bulbs and non-reflective interior surfaces are used. Other fixtures that have appropriate shields, louvers, or cutoff features may also be used if they are in compliance with subsection (1)(a), (b), and (c) above; and
- (b) All fixtures are mounted as low in elevation as possible through use of low-mounted wall fixtures, low bollards, and ground-level fixtures.

(3) Floodlights, uplights or spotlights that are directly visible from the beach, or which indirectly or cumulatively illuminate the beach, are prohibited.

(4) No lighting shall be allowed on dune walkovers.

(5) Only low intensity lighting shall be used in parking areas within line-of-sight of the beach. Such lighting shall be:

- (a) Set on a base which raises the source of light no higher than 48 inches off the ground; and
- (b) Positioned or shielded so that the light is cast downward and the source of light or any reflective surface of the light fixture is not visible from the beach and does not directly or indirectly illuminate the beach.

(6) Tinted glass shall be installed on all windows and glass doors of single or multi-story structures within line-of-sight of the beach.

(7) Use of appropriately shielded low-pressure sodium-vapor lamps and fixtures shall be required for high-intensity lighting applications such as lighting parking areas and roadways, providing security, and similar applications.

(8) Temporary lighting of construction sites during the marine turtle nesting season shall be restricted to the minimal amount necessary and shall incorporate all of the standards of this section.

(9) Before granting any building permit, the Franklin County Planning and Building Department shall determine that all proposed development complies in all respects with the standards imposed in this section.

(10) Permits will not be required to install utility leased lighting, but all such lighting shall comply in all respects with the standards imposed in this