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| Policy Title: DarkSky | | Policy Number: P23 | |
| Policy Category: Planning and Development | | | |
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| Approved by: Board | | File Reference: 0340-50 | |

Purpose

1. To include a set of guidelines to be considered regarding exterior lighting for commercial, industrial, and multi-family residential unit development. These regulations include an interpretation section to define the various terms, standardize how light systems are designed, constructed and installed, and to reduce glare, light trespass and obtrusive light while conserving energy and resources. Safety, security and productivity shall be maintained and encouraged while reducing the degradation of the nighttime visual environment.

Scope

2. The scope of this policy includes the various electoral area official community plans that have a form and character development permit area for commercial, industrial or multi-unit family residential development.

Guiding Principle

3. To guide commercial, industrial and multi-family residential development to have exterior lighting that does not negatively impact the quality of life for adjacent neighbours nor create any light pollution.

Interpretation

4. The following are definitions relating to this DarkSky policy:
 - a) **Abandonment:** The relinquishment of a property, or the cessation of a use or activity by the owner or tenant for a period of six months, excluding temporary or short term interruptions for the purpose of remodeling, maintaining, or otherwise improving or rearranging a facility. A use shall be deemed abandoned when such use is suspended as evidenced by the cessation of activities or conditions that constitute the principle use of the property.
 - b) **Development project:** Any multi-family residential, commercial, industrial or mixed use subdivision plan or development plan which is submitted to the Comox Valley Regional District (CVRD) for approval.
 - c) **Direct illumination:** Illumination resulting from light emitted directly from a lamp or luminaire, not light diffused through translucent signs or reflected/bounced from other surfaces such as the ground or building faces.
 - d) **Filtered light:** Light from a light source that is covered by a glass, acrylic or other cover that restricts the amount of non-visible radiation (infrared, ultraviolet) emitted by the light fixture.
 - e) **Fully shielded fixture:** An outdoor light fixture shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below the horizontal as certified by the manufacturer.

- f) Glare: Harsh, uncomfortable bright light emitting from a luminaire causing reduced vision or momentary blindness when shining into one's cone of vision.
- g) Installed lighting: Attached, or fixed in place, whether or not connected to a power source.
- h) Light trespass: Exterior light fixtures shining light beyond one's property line.
- i) Multi-unit family residential: properties zoned and utilized for multi-unit family residential use.
- j) Outdoor light fixture: Outdoor electricity powered illuminating devices, outdoor lighting or reflective surfaces, lamps and similar devices, either permanently installed or portable, which are used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot and flood lights for: buildings and structures; recreational areas; parking lot lighting; landscaping and architectural lighting; billboards and other signs (advertising or other); street lighting; product display area lighting.
- k) Outdoor recreation facility: A facility used and equipped for the conduct of sports, leisure and/or entertainment.
- l) Partially shielded light fixture: An outdoor light fixture shielded in such a manner that more than zero but less than ten per cent of the light emitted directly from the lamp or indirectly from the fixture is projected at angles above the horizontal, as certified by the manufacturer.
- m) Sign: Any object, device, display, structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to any object, service, event or location by any means including words, letters, figures, design, symbols, fixtures, colours, illumination or projected image.
- n) Sign, indirectly lit: Any sign facing that reflects light from a source intentionally directed upon it.
- o) Sign, internally lit: Any sign that has the source of light entirely enclosed within the sign and not directly visible to the eye.
- p) Temporary lighting: Lighting which does not conform to the provisions of the DarkSky policy and will not be used for more than one, thirty-day period within a calendar year may be permitted, subject to approval from the CVRD, with a possible one, thirty-day extension. Temporary lighting is intended for uses that by their nature are limited in duration; example: holiday decorations, civic events or construction projects.
- q) Up light: Any light from a luminaire that shines above the horizontal plane causing illumination of the sky.

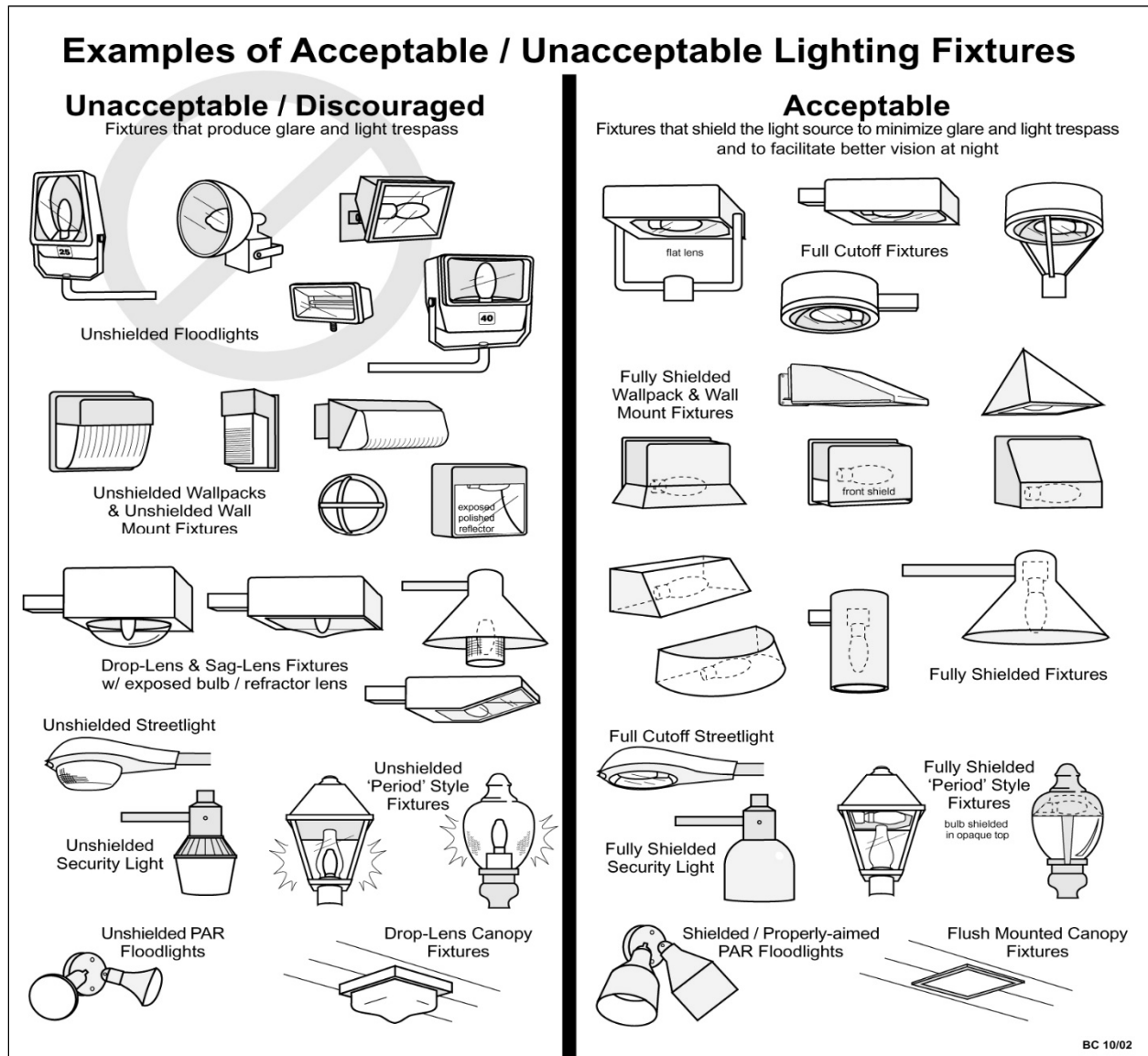


Figure One: Sample of light fixtures that are discouraged and recommended as part of the DarkSky policy.

Policy Statements

5. Shielding of outdoor light fixtures
 - a) All outdoor lighting fixtures shall be shielded to minimize up-light. Mounted incandescent type fixtures shall be shielded. Lighting is encouraged to be activated by motion sensors versus being on all the time.
 - b) Outdoor floodlighting shall be shielded in such a manner that the lighting system will not produce light trespass.
6. Limiting trespassing of light beyond property lines
 - a) All light fixtures shall be located, aimed and or shielded so as no direct light trespasses beyond the property line on which the light is mounted.
7. Non-conforming light fixtures

- a) In addition to other exemptions provided in the CVRD DarkSky policy, an outdoor lighting fixture not meeting these provisions shall be allowed if the fixture is extinguished by an automatic shutoff device between sundown and sunrise.
 - b) No outdoor recreational facility, whether public or private, shall be illuminated after sundown except when the facility is in use. Outdoor lighting is encouraged to be on only when the field is in use, such as by a user pass activation system.
 - c) The use of searchlight, laser light, or any similar high intensity light for outdoor advertising or entertainment, except in emergencies by police and fire personnel is prohibited. Temporary exemption to this may be granted if approved by the General Manager of Community Planning Services.
8. Effective Date
- a) The development permit must conform to the DarkSky policy that exists at the time of application. When existing lighting fixtures are considered inoperable, all replacements are subject to all the provisions of the DarkSky policy. The light will be considered inoperable when the housing of the fixture requires replacement or when the lens, lamp, and ballast need to be replaced.
9. New Construction
- a) All exterior lighting installed shall be approved by the International DarkSky Association (IDA) and must be installed correctly.
10. Exemptions
- a) The following are exempt from the requirements of the DarkSky policy:
 - i. Single-family development (less than or equal to three dwelling units on one property and zoned residential). Note: the CVRD does encourage single-family development to seriously consider the installation of IDA approved lighting.
 - ii. Outdoor lighting fixtures existing and legally installed prior to the implementation of the DarkSky policy.
 - iii. Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding. Dark backgrounds with lighter coloured lettering or symbols are preferred to minimize detrimental effects.
 - iv. Navigational and general life safety lighting systems required at airports and other transportation installations.

Revision History

| Approval Date | Approved By | Description of Change |
|-----------------|-------------|-----------------------|
| August 11, 2020 | Board | Housekeeping |
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