

SECTION 120
LIGHT POLLUTION CONTROL ORDINANCE

A. INTRODUCTION

1. INCORPORATION BY REFERENCE

A.R.S., Title 49, Chapter 7, Light Pollution, § 49-1101 et seq., is hereby incorporated by reference.

2. MISSION STATEMENT

To afford every citizen of Yavapai County the flexibility to engage in the pursuit of safe, effective lighting practices for the purpose of commerce and private use without being impeded upon or impeding upon other citizens desiring a more pristine nighttime environment free from light pollution, waste, trespass, or clutter while providing nighttime safety, security and productivity.

3. PURPOSE AND INTENT

a. The use of outdoor lighting is often necessary for adequate nighttime safety and utility, but common lighting practices can also interfere with other legitimate public concerns. Principle among these concerns are 1) the degradation of the nighttime visual environment by production of unsightly and dangerous glare, 2) unnecessary waste of energy and resources in the production of too much light or wasted light, 3) interference in the use or enjoyment of property which is not intended to be illuminated at night, 4) the loss of the often-neglected scenic view of the heavens due to increased urban skyglow and 5) lighting practices that interfere with the health and safety of Yavapai County citizens and visitors. It is hereby recognized that these different interests of safety, utility and those of aesthetic appearance need not compete. Good modern lighting practices can provide adequate light for safety and utility without excessive glare or light pollution. Careful attention to questions of when and where and how much nighttime lighting is needed will lead to better lighting practice from all viewpoints.

b. It is also recognized that the topography and atmospheric conditions in northern Arizona are uniquely suited for government, military, commercial, and private astronomical observation and that unnecessary or excessive uses of outdoor nighttime lighting have an adverse impact on astronomical research and observation, even at relatively distant observatories.

c. Accordingly, it is the intent of this Section of the Planning and Zoning Ordinance to encourage lighting practices and systems which will minimize light pollution, glare, light trespass, and conserve energy while maintaining nighttime safety, utility, security and productivity.

4. CONFLICTING REGULATIONS

In the event of conflict between the regulations set forth in this Section of the Ordinance

and any other regulations applicable to the same area, the more stringent limitation or requirement shall govern.

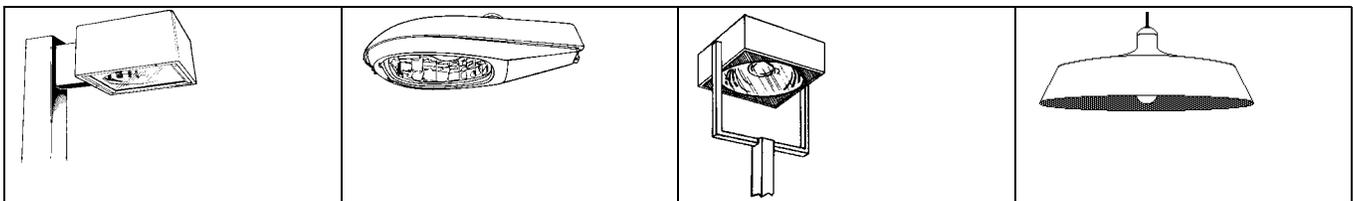
B. DEFINITIONS

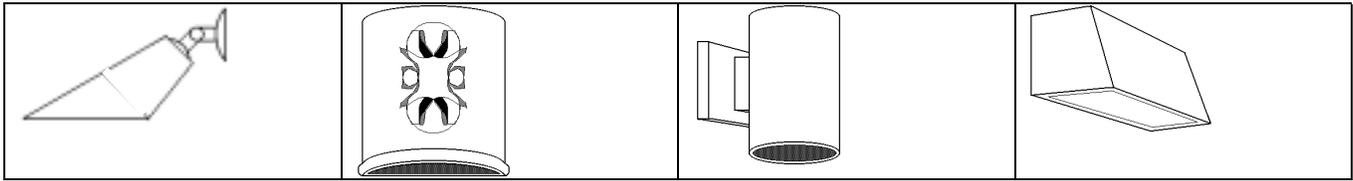
As used in this Ordinance, unless the context clearly indicates otherwise, certain words and phrases shall mean the following:

1. *Class 1 Lighting* means all outdoor lighting used for but not limited to outdoor sales or eating areas, assembly or repair areas, advertising and other signs, recreational facilities and other similar applications where color rendition is important to preserve the effectiveness of the activity.
2. *Class 2 Lighting* means all outdoor lighting used for but not limited to illumination for walkways, roadways, equipment yards, parking lots and outdoor security where general illumination of the grounds is the primary concern.
3. *Class 3 Lighting* means any outdoor lighting used for decorative effects, including but not limited to architectural illumination, flag monument lighting, and illumination of trees, bushes, etc.
4. *Development Project* means any residential, commercial, industrial or mixed use subdivision plan or individual building development or remodeling plan, which is submitted to the County for approval.
5. *Direct illumination* means illumination resulting from light emitted directly from a lamp, luminaire or reflector, not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.
6. *Footcandle (fc)* is a unit of measure used to specify illuminance; how much light is falling per square foot onto a surface. One footcandle of illumination arises when one lumen is spread onto one square foot of surface. It is the luminous flux per unit area in the Imperial system. One footcandle equals approximately 0.1 lux.
7. *Fully Shielded Fixture* means that fixtures are shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below the horizontal from the lowest point of the bulb within the fixture.

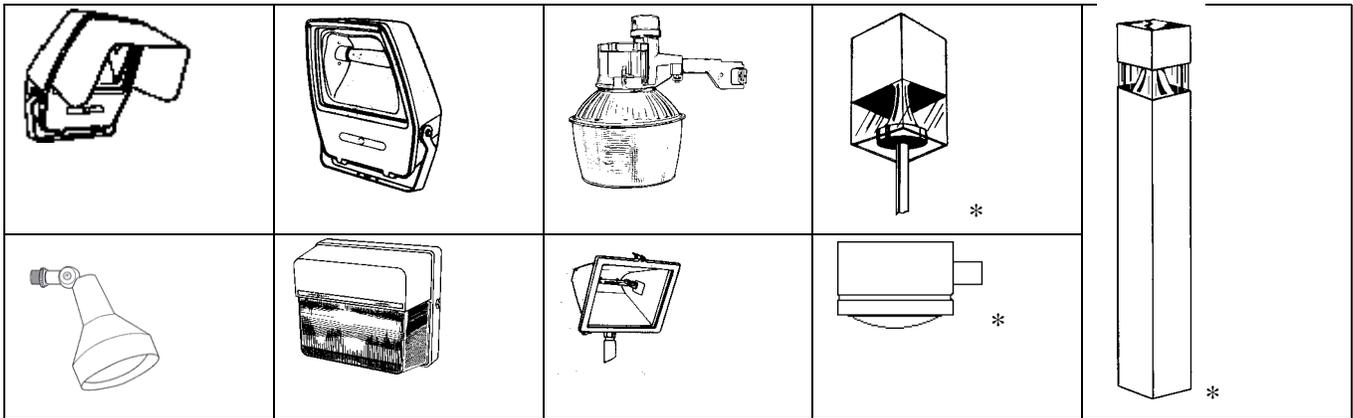
A practical working way to determine if a fixture or tube is fully shielded: if the lamp or tube, any reflective surface, or lens cover (clear or prismatic) is visible when viewed from above or directly from the side, from any angle around the fixture or tube, the fixture or tube *is not* fully shielded.

Examples of fixtures that are Fully Shielded (Note: to be fully shielded these fixtures must be closed on top and mounted such that the bottom opening is horizontal.):





Examples of fixtures that are NOT Fully Shielded:



*Note: even though the lamp in these fixtures is shielded from direct view when viewed from the side or above, reflective surfaces within the fixture and or lens covers *are* directly visible from the side.

Note for luminous (neon) tubes: when such lighting is installed under or behind a roof overhang, if the roof line or eave is not horizontal the tubing may be visible from above when viewed from the side and therefore be unshielded.

8. *Glare* is the sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss of visual performance and visibility; blinding light; glare and blinding light may be dangerous to the public health and safety, as they may contribute to vehicular or other accidents. The magnitude of glare depends on such factors as the size, position, brightness of the source, and the brightness level to which the eye is adapted.
9. *Installed* means attached, or fixed in place, whether or not connected to a power source.
10. *Light Pollution* is any adverse effect of manmade light.
11. *Light Trespass* is spill light falling over property lines that illuminates adjacent grounds or buildings. Direct illumination shall be confined to the property boundaries of the source.
12. *Lumen* is the unit used to measure the actual amount of visible light, which is produced by a lamp as defined by the manufacturer. For purposes of determining compliance with this Ordinance, initial (not “maintained” or “mean”) lumen outputs of lamps (not fixtures) are the values to be considered. Examples of lumen output of typical generic incandescent bulbs (W= Watt and L= Lumen) 60 W = 840 L, 75 W = 1125 L, 100 W = 1600 L, 150 W = 2780 L, 300 W = 4620 L.

13. *Luminaire* means the complete lighting assembly, less the support assembly; a light fixture.
14. *Multi-class Lighting* means any outdoor lighting used for more than one purpose, such as security and decoration, when those purposes fall under the definitions for two (2) or more lighting classes as defined for Class 1, 2 and 3 Lighting above.
15. *Motion Sensing Security Lighting* means a fixture designed, and properly adjusted, to illuminate an area around a residence or other building by means of the automatic switching on a lamp when motion is detected inside the area or perimeter, and automatic switching of the lamp off when the detected motion ceases.
16. *Neon Lighting* means lighting using luminous gas filled tubes often formed into text, symbols or decorative elements. Neon Lighting includes tubes with typical diameters of ten (10) to twenty (20) millimeters filled with neon, argon, xenon, or other gasses and producing various colors of light. Not included are replaceable fluorescent tubes.
17. *Net Acreage* means the remaining ground area of a parcel after deleting all portions for proposed and existing public rights-of-way and undeveloped area.
18. *Outdoor Light Fixtures* means all outdoor illuminating devices, reflective surfaces, lamps and other 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 floodlights for:
 - a. buildings and structures
 - b. recreational areas
 - c. parking lot lighting
 - d. landscape and architectural lighting
 - e. billboards and other signs (advertising or other)
 - f. street lighting
 - g. product display area lighting
 - h. building overhangs and open canopies
 - i. security lighting
 - j. pedestrian areas or walkways
19. *Outdoor Recreation Facility* means an area designed for active recreation, whether publicly or privately owned, including but not limited to parks, baseball and softball diamonds, soccer and football fields, golf courses, tennis courts, roping/equestrian activities and swimming pools.
20. *Person* includes a corporation, company, partnership, firm, association or society, as well as a natural person.
21. *Security Lighting* is lighting designed to illuminate a property or grounds for the purpose of visual security. This includes fully shielded lighting designed to remain on during nighttime hours in the absence of business activity as well as motion sensing lighting fixtures.

22. *Street Lighting* refers to lighting installed by or at the direction of the County or other governmental agency to illuminate public roadways.
23. *Temporary Lighting* means lighting which does not conform to the provisions of this Ordinance and which will not be used for more than one (1) thirty (30) day period within a calendar year. Temporary lighting is intended for uses, which by their nature are of limited duration, e.g., business grand openings or special civic event. Road and construction projects are excluded.
24. *Total Outdoor Light Output* means the maximum total amount of light, measured in lumens, from all lamps used in outdoor light fixtures on a property. For lamp types that vary in their output as they age (such as high pressure sodium and metal halide), the initial output, as defined by the manufacturer, is the value to be considered. Includes lighting from all area lighting fixtures, external sign illumination and decorative (non-sign) neon tubes, but does not include lighting used for permitted internally illuminated signs. Also does not include interior lighting, provided however such lighting is directed and or shielded in such a manner that it will not project primarily outside the building or create glare or light trespass. Lighting used under service station canopies is included toward the total output at twenty-five percent (25%) of the rated output of the lamps (see subsection C.4.d.4). Street lighting is exempt from total lumen count.
25. *Unshielded Fixture* means an outdoor light fixture that allows light to be emitted above the horizontal direction from the lowest point of the bulb within the fixture.
26. *Watt* is the unit used to measure the electrical power consumption (not the light output) of a lamp.

C. LIGHTING REQUIREMENTS

1. PREFERRED SOURCE

Due to their high energy efficiency, long life and spectral characteristics, low-pressure sodium (LPS) lamps are currently the preferred illumination source throughout the County. Their use is encouraged for outdoor illumination whenever its use would not be detrimental to the use of the property.

- a. **Class 1 Lighting:** Businesses who choose to use at least eighty percent (80%) LPS for their Class 1 application are eligible to apply for an additional ten percent (10%) increase in the lumens per acre allowed for their site.
- b. **Class 2 Lighting:** LPS lamps are required though up to ten percent (10%) of the total lumens used for Class 2 lighting may be non-LPS light. Ten percent (10%) white light added to the LPS light permits nearly normal color perception.

2. GENERAL

- a. Outdoor floodlighting by flood light or spot light projection above the horizontal is prohibited except for unshielded fixtures specifically permitted under subsections C.4.e and C.4.f and properly adjusted motion sensing security

lighting fixtures as defined in subsection B.15.

- b. All commercial light fixtures are required to be shielded and shall be installed in such a manner that the shielding complies with the definition of fully shielded fixtures. Residential requirements and exceptions are provided in subsection C.3. Building lighting that incorporates the colors of a company logo, trademark or sign shall be considered as signage.
- c. All light fixtures, including security lighting, except street lamps, shall be aimed or shielded so that the direct illumination shall be confined to the property boundaries of the source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing lighting fixtures shall be properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases.
- d. Installation of new mercury vapor light fixtures has been prohibited since May 22, 1985 in Yavapai County. Only mercury vapor replacement bulbs shall be sold or installed for use as outdoor lighting within Yavapai County and the use of mercury vapor light fixtures for outdoor lighting is prohibited after January 1, 2005.
- e. Search lights, laser source lights, strobe or flashing lights, or any similar high-intensity portable and or temporary light shall not be permitted, except for those utilized by law enforcement, emergency services personnel, public utilities and road construction/maintenance crews or at their direction.
- f. Class 1 Lighting, including but not limited to, sales, service, commercial, assembly, repair, maintenance, and industrial areas, may only continue in operation until 10:00 p.m., or for as long as the area is in active use but once off remain off during non-business hours.
- g. Class 2 Lighting shall have no time restrictions unless stipulated as a condition of approval for new projects.
- h. Class 3 Lighting shall be extinguished after 10:00 p.m. or when the business closes, whichever is later and remain off during non-business hours, low-wattage decorations for recognized holidays shall be counted towards the business properties total lumen count. Flagpole lighting is exempt.
 1. Up lighting or ground mounted lighting may be allowed to accent unique features of a building (such as outstanding architectural features but not an entire building) and or surrounding landscaping (specimen trees with dense year round foliage or large native shrub masses) subject to approval by the Development Services Director or his designate. Up lighting or ground mounted lighting shall be designed and installed in such a manner as to minimize glare with special consideration in areas where there is vehicle and pedestrian traffic, or where such lighting will not unduly interfere with use and enjoyment of adjacent or nearby properties.

2. All feature lighting which is directed upwards shall be placed in such a manner that the angle of the lamp shall not be greater than forty-five (45) degrees measured from a horizontal plane to a line projected through the center of the lamp, and fixtures shall be shielded to contain and direct the light onto the feature to be lighted.

- i. Multi-class lighting, except for security lights, must conform to the time limitations of the most strict class.
- j. Except as permitted in subsections C.4.b, C.4.d and C.4.f, total outdoor light output (see definition), excluding streetlights used for illumination of public rights-of-way, of any development project other than single-family residential (see subsection C.3) shall not exceed one hundred thousand (100,000) lumens per net acre, averaged over the entire property. Of this total no more than five thousand five hundred (5,500) lumens per net acre may be used in unshielded fixtures.

3. RESIDENTIAL

- a. Class Lighting: Residential lighting, as it may contain certain aspects of any of the lighting classes as may be found in Class 1, 2 or 3 (see definitions) shall be considered allowed so long as the intended use is allowed within the particular Zoning District.
- b. Shielding: Fully shielded fixtures are required for any lamp over two thousand (2000) lumens, but full shielding shall be encouraged for all fixtures. If all fully shielded lighting fixtures are to be utilized as defined herein, a twenty-five percent (25%) increase in the total allowed lumens will be made to a given property.
- c. Lighting Amount: Residential parcels containing more than one (1) acre are allowed twenty thousand (20,000) lumens of lighting. Residential parcels containing one-half (½) acre to one (1) net acre are allowed ten thousand (10,000) lumens of lighting. Residential parcels containing less than one-half (½) acre are allowed seven thousand five hundred (7,500) lumens of lighting. Fifty percent (50%) of any residential lighting limit on one (1) acre or less is allowed to be unshielded lighting. A maximum of five thousand (5,000) unshielded lumens is allowed on larger parcels. Motion sensing lights as defined subsection B.15 shall not be subject to the noted lumen cap. Motion sensing lights can be turned to “constant on” for the purposes of illuminating yard areas for private recreational activities such as barbeques, parties, working with livestock or other similar gatherings without need for a temporary permit so long as they are returned to their automatic settings at the conclusion of the activity.
- d. Certification: Applicant to provide manufacturer's cut-sheet/catalog information detailing fixture shielding and lumen output of bulbs to be installed, and where required by the Development Services Director or his designate, a drawing/illustration of the proposed shielded fixture.
- e. Curfew: None

- f. Exemptions: Street lighting, low wattage decorative lighting for recognized holidays, permanent low wattage landscape lighting (four [4] watts or less per bulb) and flag lighting are exempt from the total lumen count for a given property.

4. COMMERCIAL/NON-RESIDENTIAL

a. AIRPORT

Airport lighting which is required for the safe and efficient movement of aircraft during flight, take-off, landing and taxiing is exempt from the provisions of this Ordinance. Lighting used for illumination of aircraft loading, unloading, and servicing areas is exempt from the lumens per net acre limits of subsection C.2.j, although it must conform to all other requirements of this Ordinance. All other outdoor lighting at airport facilities shall comply with the provisions of this Ordinance.

b. OUTDOOR DISPLAY LOTS

1. Class: Lighting for Outdoor Display Lots shall be considered Class 1 (Color Rendition).
2. Shielding: All such lighting shall utilize fully shielded luminaires that are installed in a fashion that maintains the fully-shielded characteristics.
3. Lighting Amount: Lighting amounts may exceed the limit listed in subsection C.2.j for the area of the display only. However, when the proposed lumens per acre exceed the limits of subsection C.2.j the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA). If IESNA has more than one applicable recommended practice, then the lowest figure shall apply. Street lighting is exempt from the total lumen count for a given property.
4. Off-Site Spill: The installation shall limit off-site spill (off the parcel containing the display lot) to a maximum of 0.5 fc at any location on any non-residential property, and 0.05 fc at any location on any residential property, as measurable from any orientation of the measuring device.
5. Curfew: Outdoor Display Lot lighting exceeding the lumens per acre cap of subsection C.2.j shall be turned off at 10:00 p.m. or within thirty (30) minutes after closing of the business or activity whichever is later and once off remain off during non-business hours. Lighting in the Outdoor Display Lot after this time shall be limited to Class 2 lighting, and shall conform to all restrictions of this Ordinance applicable for this class,

including the lumens per acre caps in subsection C.2.j and lamp type standards of subsection C.1.

6. Certification: Every such lighting system shall be certified by an Arizona registered engineer, other certified lighting specialist or equivalent manufacturer documentation as conforming to all applicable restrictions of this Ordinance as installed.

c. PARKING LOT

Lighting Standards (poles) shall be sized in such a manner that the top of any luminaire does not exceed eighteen (18) feet above adjacent grade, unless otherwise stipulated as a condition of approval for new projects.

d. SERVICE STATION

1. Class: Lighting for Service Station or similar canopies shall be considered Class 1 lighting.
2. Shielding: All luminaires shall be flush with the lower surface of canopies and utilize flat glass or plastic covers.
3. Canopy Lighting Amount: The total light output used for illuminating service station canopies, defined as the sum of under-canopy initial bare-lamp outputs in lumens, shall not exceed sixty (60) lumens per square foot of canopy. All lighting mounted under the canopy, except internally illuminated signs, shall be included in the total.
4. Inclusion Toward Total Outdoor Light Output: Twenty-five percent (25%) of the lumen output of all lamps mounted within or under a canopy, except internally illuminated signs, is included in the lumen caps in subsection C.2.j. Street lighting is exempt from the total lumen count for a given property.

e. SIGNS

1. Externally Illuminated Signs: Lighting used for all externally illuminated signs shall conform to all restrictions of this Ordinance, shall be fully shielded, and shall be turned off at 10:00 p.m. or when the business closes, whichever is later. Such lighting is included in the Total Outdoor Output (see subsection C.2.j).
2. Internally Illuminated Signs: Outdoor internally illuminated advertising signs shall either be constructed with an opaque background and translucent letters and symbols or with a colored (not white, cream, off-white, yellow or other light color) translucent background, with either translucent or opaque letters and symbols. Opaque means only that the

material must not transmit light from the internal illumination source; the color of such opaque backgrounds is not restricted by this section. Lamps used for internal illumination of such signs shall not be included in the lumens per net acre limit set in subsection C.2.j.

3. All illuminated signs shall be turned off at 10:00 p.m. or when the business closes, whichever is later and once off remain off during non-business hours. Signs subject to this curfew must have functioning and properly adjusted automatic timers.
 - a. All neon lighting (indoor or outdoor), except for that used in permitted signage, shall be fully shielded and shall be turned off at 10:00 p.m. or when the business closes, whichever is later.
 - b. The requirements for shielding of light emissions for outdoor light fixtures are as follows:

Shielding/Use Code:

A = allowed, unshielded, F = allowed, fully shielded

<u>LAMP TYPE</u>	<u>SHIELDING</u>
------------------	------------------

Class 1, 2 and 3 Lighting:

All lamp types above 2050 lumens	F (See Note 1)
All types below 2050 lumens	A (See Note 2)
All neon tube lighting	F
Lamps in Motion Sensing Security Lights (See B.15)	A (See C.2.c)

Note 1. Examples of lamp types of 2050 lumens and below (the acceptability of a particular light is decided by its initial lumen output, not wattage. Values listed here are approximate. Check manufacturer’s specifications):

- a. 100 Watt Standard Incandescent and less
- b. 100 Watt Midbreak Tungsten-Halogen (quartz) and less
- c. 25 Watt T-12 Cool White Fluorescent and less
- d. 18 Watt Low Pressure Sodium and less

Note 2. Lights shall be shielded or directed to minimize light spilled into the night sky or adjacent properties.

f. **SPORTS FIELD**

1. Class: Lighting, in all cases, for all outdoor athletic fields, courts, pools, tracks or ranges shall be considered Class 1 (Color Rendition). Sports field lighting at schools is exempt from this ordinance as provided for in Section 104 regarding publicly owned and operated facilities used for

essential government purposes.

2. Shielding: Fully shielded lighting shall be required for fields designed for amateur, recreational or non-professional sports activity. For professional level sports facilities where fully shielded fixtures are not utilized, acceptable luminaires shall include those which:
 - a. are provided with internal or external glare control louvers, or both, and installed so as to minimize up-light and off-site light trespass as defined in subsection B.11; and
 - b. are installed and maintained with aiming angles that permit no greater than two percent (2%) of the light emitted by each fixture to project above the horizontal.
3. Lighting Amount: When the proposed lumens per acre exceeds the limits of subsection C.2.j, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA). If IESNA has more than one applicable recommended practice, then the lowest figure shall apply. Street lighting is exempt from the total lumen count for a given property.
4. Off-Site Spill: The installation shall also limit off-site spill (off the parcel containing the sports facility) to a maximum of 0.5 fc at any location on any non-residential property, and 0.05 fc at any location on any residential property, as measurable from any orientation of the measuring device. If lighting products are not available to meet these standards, then the product providing the lowest off-site spill levels shall be required.
5. Curfew: All events shall be scheduled so as to complete all activity by 10:00 p.m. Illumination of the playing field, court, track or range shall be permitted after 10:00 p.m. only to conclude a scheduled event that was unable to conclude before 10:00 p.m. due to unusual circumstances and once off remain off during non-business hours.
6. Certification: Every such lighting system shall be certified by an Arizona registered engineer, other certified lighting specialist or equivalent manufacturer documentation as conforming to all applicable restrictions of this Ordinance as installed.
7. Non-Field Lighting: All site lighting not directly illuminating the field, court, track or range shall conform to all applicable standards of this Ordinance

5. NON-CONFORMING USES

- a. Mercury vapor lamps in use for outdoor lighting on the effective date of this Ordinance shall not be so used after January 1, 2005.

- b. No new bottom or side-mounted outdoor advertising sign lighting shall be issued permits after January 1, 2005.
- c. No other outdoor lighting fixture or use which was lawfully installed or implemented prior to the enactment of this Ordinance shall be required to be removed or modified except as expressly provided herein; however, no modification or replacement shall be made to a non-conforming fixture unless the fixture thereafter conforms to the provisions of this Ordinance, except that identical lamp replacement is allowed. Time restrictions described in subsections C.2.f, C.2.g, C.2.h, C.2.i, C.4.b.5, C.4.e.3, and C.4.f.5 shall however be applied to such existing lighting.
- d. In the event that the use of an outdoor lighting fixture is discontinued for six (6) months or is damaged to the point of requiring repairs for safe operation, the repaired or replacement fixture shall comply with the provisions of this Ordinance.

D. PERMITS

1. APPROVED MATERIALS AND METHODS OF CONSTRUCTION OR INSTALLATION/OPERATION

- a. The provisions of this Section of the Ordinance are not intended to prevent the use of any design, material or method of installation or operation not commercially available or specifically prescribed by this Ordinance, provided any such alternate has been approved.
- b. The Development Services Director or his designate may approve any such proposed alternate provided that such alternate:
 - c. provides at least equivalence to the applicable specific requirements of this Ordinance; and
 - d. is otherwise satisfactory and complies with the intent of this Ordinance.

2. PERMITS AND DEVELOPMENT PLAN REVIEWS

- a. Whenever a person is required to obtain a building or electrical permit for outdoor lighting or signage (residential or commercial), a Use Permit, subdivision approval or any development plan approval by the County, including all County projects, or whenever a person requests a rezoning, the applicant shall, as a part of the lighting permit application, submit sufficient information to enable the Development Services Director or his designate to determine whether the proposed lighting will comply with this Ordinance.
- b. All applications shall include the following:
 - 1. A site plan indicating the proposed location of all outdoor lighting fixtures;

2. A description of each illuminating device, fixture, lamp, support and shield. This description may include, but is not limited to, manufacturer's catalog cuts and drawings (including sections where required), lamp types and lumen outputs; and
 3. Such other information as the Development Services Director or his designate may determine is necessary to ensure compliance with this Ordinance.
- c. If the Development Services Director or his designate determines that the proposed lighting does not comply with this Ordinance, the permit shall not be issued or the plan approved.

3. TEMPORARY PERMITS

- a. The Development Services Director or his designate may grant a permit for temporary lighting if he or she finds all of the following:
 1. The purpose for which the lighting is proposed is not intended to extend beyond thirty (30) days;
 2. The proposed lighting is designed in such a manner as to minimize light pollution as much as is feasible;
 3. The proposed lighting will comply with the general intent of this Ordinance; and
 4. The permit will be in the public interest.
- b. The Development Services Director or his designate shall rule on the application within five (5) business days from the date of submission of the request and notify the applicant in writing of his or her decision. The Development Services Director or his designate may grant one (1) renewal of the permit for an additional thirty (30) days if he or she finds that, because of an unanticipated change in circumstances, a renewal would be in the public interest. The Development Services Director or his designate is not authorized to grant more than one (1) temporary permit and one (1) renewal for the same property within one (1) calendar year.

4. VARIANCES

Any person desiring to install an outdoor lighting fixture in violation of this Ordinance may apply to the Board of Adjustment for a variance from the regulation in question. Such variances shall be allowed only as provided by Section 113 of the Planning and Zoning Ordinance. Commercial light installations that are removed or relocated during a building remodel will be required to meet the then current Ordinance requirements.