

Proposed PFM Amendment

**Street Light Modifications &
Waivers**

NVBIA/NAIOP
January 18, 2024

Overview of Proposed Changes

- Create New Section, PFM 7-0801.6
 - Clarify and add to provision regarding Director modification or waiver of required streetlights
 - Request must be certified by professional
 - List specific factors that must be considered by the Director
 - A minimum of one streetlight at each intersection

Proposed PFM Amendment

7-0000 STREETS, STREET LIGHTS, PARKING AND DRIVEWAYS

7-0800 STREET LIGHTS

7-0801 General Information

- 7-0801.1 Street lighting must be installed, unless modified or waived by the Director in accordance with Section 7-0801.6, with all developments as a requirement of subdivision and site plans for the purpose of enhancing crime deterrence and pedestrian safety, and improving potentially hazardous intersections. The extent of street lighting improvements required for each development must be based on the proposed density and land use. The installation costs of the required street lighting improvements must be paid by the Developer.
- 7-0801.2 The developer must bond 100 percent of the estimated street light installation cost as part of the overall bond required by the Director before plan approval in accordance with § 2-0500 et seq. This bonding estimate will be based on an average cost per street light as determined by the Director. All easements required by the electric utility company for street lighting must be provided by the developer.
- 7-0801.3 The required street lighting improvements must be installed by the electric utility company serving the new development. However, the developer may perform the civil portion of the installation with the prior approval of the utility company. All required VDOT permits for the purpose of installing street lights must be obtained by the electric utility. The fees for these VDOT permits will be included in the utility company cost estimate to be paid by the developer. The street lighting systems must be owned and maintained by the electric utility, unless the developer opts for a nonstandard street lighting system in accordance with § 7-0805.
- 7-0801.4 After the street lights are installed and energized, the County will be responsible for making payments to the electric utility company for the monthly operating and maintenance costs.
- 7-0801.5 The Board may approve a nonstandard street lighting system, if such a system satisfies all the criteria of § 7-0805.

Proposed new section

7-0801.6 The Director may modify or waive the number or location of streetlights that are required to be installed in accordance with § 7-0802. Under no circumstances will a waiver or modification be approved that will result in less than one streetlight at an intersection.

- A. The request for a modification or waiver must include justification and supporting information including a photometric design plan to be certified by a Lighting Professional certified professional by the National Council on Qualifications for the Lighting Professions (NCQLP), or by a licensed professional engineer addressing the considerations listed below:
- B. In considering a request to modify or waive the requirement, the Director will consider factors including, but not limited to the following:
 - 1. Existing conditions such as right-of-way constraints, significant topographic and geometric challenges, continuity and levels of roadway lighting, and impacts upon registered historical properties or adopted Virginia byways;
 - 2. Street and intersection design considerations such as safety, intersection classification and geometry, traffic volumes, speed limit and design speed;

Proposed new section (continued)

3. Levels of pedestrian activity and adjacent land uses, such as schools, community facilities, neighborhood retail, and transit stops and stations;
 4. Collision data and investigations related to illumination systems along the roadway within the surrounding area that are similar to the proposed intersection ;
 5. Crime data and investigations within the vicinity of the proposed development;
 6. Environmental considerations, such as tree clearing, light trespass, sky glow and offsite glare; and
 7. Other situations where the Director determines that there is good cause to support a modification or waiver.
- C. The Director may impose conditions to on any modification or waiver to ensure that the safety issues outlined in § 7-0801.1 are addressed.