

**County of Fairfax, Virginia  
Planning Commission Meeting  
January 15, 2020  
Verbatim Excerpt**

ZONING ORDINANCE AMENDMENT (ARTICLE 14: OUTDOOR LIGHTING AND RELATED PROVISIONS) – (Countywide)

Decision Only During Commission Matters  
(Public Hearing held on January 8, 2020)

Commissioner Cortina: Thank you, Mr. Chairman. First, I'd like to acknowledge and thank the hard work that went into this amendment. This is the Outdoor Lighting Zoning Ordinance Amendment, by Carmen Bishop and Andrew Hushour from DPD. The major change in this ordinance is a new standard for LED lights not to exceed 3,000 lumens. This is supported by a recommendation from the American Medical Association to limit the higher color temperatures that emit blue light at night. Many of the outdoor lighting standards adopted in 2003, such as full cut-off, shielded fixtures, mounted horizontally, direct light down, rather than toward – up toward the sky. This amendment keeps dark sky friendly fixture standards in place, but makes some adjustments for single family dwellings, which comprise the bulk of citizen complaints. To be exempt from shield - shielding and full cut-off fixtures, lights must be 1,500 Lumens or less, down from 2,000 lumens; motion-activated lights are reduced from 6,000 lumens to 4,000 lumens or less; and the requirement to mount lights 5 feet off the ground, which was difficult to enforce and not practical in many situations, is now simply that light be directed onto the property. The shut-off hours for lights on residentially zoned playing fields and sports courts was reduced from 11:00 to 10:00 p.m., in line with the sound ordinance, and swim clubs and Park Authority properties are not impacted by this provision. Other updates include a change to the perimeter areas for lighting around playing fields and ARB review of Sports Illumination Plans in Historic Overlay Districts, in coordination with the Fairfax County Park Authority, which supports this amendment. Ms. Bishop conducted extensive outreach with citizens and industry stakeholders. Staff have acknowledged that this amendment will require more extensive public outreach than most and are working through a plan. I would like to acknowledge Commissioner Hurley's comments that information be provided to hardware stores, so buyers know which LEDs are legal in Fairfax County. We have two letters, one in full support from the Audubon Society applauding the lower color temperature for LED lights, and one letter in partial support from the Great Falls Citizen Association. No objections were raised by developer stakeholders. What does this amendment not include? The Great Falls Citizens Association, drawing on the most recent EQAC Report, that's the Environmental Quality Advisory Committee, on the Environment, request we go further in limiting the total light emitted from both commercial and residential properties. They also request Dark Sky Preserve overlays, particularly for the Observatory Park at Turner Farm Park in Great Falls, and other natural resource parks. And while I support additional measures for dark skies, I agree with staff's approach to go forward with this amendment now. Setting a standard for LED color temperature is crucial before too many lights are purchased and grandfathered over the life of the LED bulb. However, the legal department confirmed there is enabling legislation that would allow us to protect night skies around astronomical facilities. So, in consultation with P&D staff, the Dranesville District Supervisor's office, and the Fairfax County Park Authority, along with Supervisor Smith, whose committee this ordinance goes through, I will offer a follow-on motion to address a dark sky overlay or other zoning mechanism that would protect the night sky over the Observatory at Turner Farm Park in Great Falls. And as quick background, this was a former Department of

Defense Nike missile site that was turned over to Fairfax County in 1990 for use as a park. And through the vision and contributions of Charles Olin and the Analemma Society, part of this park is used to teach science through astronomy. And every clear night on – every clear Friday night, rather, for the past 15 years, the Analemma Society volunteers have setup their telescopes and shared a view into the universe with residents of all ages. And finally, in 2016, a roll-top observatory and educational classroom, with four high quality permanent telescopes, was opened at Observatory Park. It was supported by County taxpayers through park bonds, the Analemma Society, and neighborhood donors, such as Ric and Jeanne Edelman and the family of Tom Lemke, and other county residents. Our region has the largest astronomy club in the United States. The NOVAC, Northern Virginia Astronomy Club, and so support of Observatory Park is by no means limited to, or isolated to Great Falls Residents. I look forward to being able to see a Red Giant or a Carbon Star this January and many Januaries to come. As a follow-up to this ordinance, a dark sky preserve overlay at Observatory Park is strongly advised in the near term, along with more frequent updates to the outdoor lighting ordinance to further reduce light pollution as part of the Green Initiatives. Therefore, without objection, Mr. Chairman, I'm ready to make a motion.

Chairman Murphy: Please.

Commissioner Cortina: Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS ADOPTION OF THE PROPOSED ZONING ORDINANCE AMENDMENT REGARDING OUTDOOR LIGHTING, AS SET FORTH IN THE STAFF REPORT DATED NOVEMBER 19<sup>TH</sup>, 2019, INCLUDING THE FOLLOWING: ONE, A TURN-OFF TIME OF 10:00 P.M. FOR THE LIGHTING OF SPORTS FIELDS OR COURTS APPROVED WITH A SPORTS ILLUMINATION PLAN ON PROPERTIES THAT ARE BOTH ZONED TO A RESIDENTIAL DISTRICT AND DEVELOPED WITH A SINGLE FAMILY DWELLING; AND TWO, A MAXIMUM OF 4,000 LUMENS FOR EXEMPT MOTION ACTIVATED LIGHTING ON LOTS DEVELOPED WITH SINGLE FAMILY DWELLINGS.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded Mr. Migliaccio. Is there a discussion of the motion? All those in favor of the motion to – I'm sorry. Mrs. Hurley.

Commissioner Hurley: As has been mentioned, this is my last meeting so I just want to lay a charge on my fellow Commissioners as well as to staff. Commissioner Cortina mentioned that I asked about what are we – how are we actually going to notify the customer in the store that has ten thousand light bulbs in front of them. They just want a new lightbulb for their front porch. I personally went to a purveyor of lightbulbs yesterday, and said, "Okay, now what - what do I need?" "Well do you want LED or do you want incandescent? Is it going to be rained on or is it going to be..." – Now I, I just want a lightbulb. What, what can I buy? And, "Well this is 27-hundred something or another and this is three-thousand something or another." Well, I want it really bright so I can see. "Well this is five-thousand something or another" At which point, I pulled out my little Planning Commission card and I said, "You know tomorrow night, we're going to be voting on a recommendation on this, and how will I know, coming in off the street, that that five-thousand, whatever it is, is not legal?" And the store said, "Well, I'll – I'll know that, but you know we can't, we've got customers from Alexandria, we've got customers from

Arlington, and aside from that people but lightbulbs online.” So, this education piece – this is what I’m laying on – laying on the Commission and on the staff. This education piece, if it’s going to work at all, we’ve got to somehow educate the public on what in the world we’re talking about with these colors and watts versus volts versus LED versus etcetera, etcetera, because a whole lot of people will have no idea. If we want it to work we’ve got to get, you know, twelve, 1.2 million people educated on all this. Thank you.

Chairman Murphy: Further discussion of the motion? All those in favor of motion to recommend to the Board of Supervisors that it adopt the Zoning Ordinance Amendment, Article 14, Outdoor Lighting and Related Provisions, as articulated by Mrs. Cortina, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Sargeant: Mr. Chairman, I’m not voting.

Chairman Murphy: And Mr. Sargeant is not voting.

Commissioner Cortina: I FURTHER THAT THE PLANNING COMMISSION RECOMMEND THAT THE AMENDMENT BECOME EFFECTIVE AT 12:01 AM, THE DAY FOLLOWING ADOPTION.

Commissioner Migliaccio: Second.

Chairman Murphy: Seconded by Mr. Migliaccio. Is there a discussion of the motion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries and Mr. Sargeant is not voting.

Commissioner Cortina: I also have a follow-on motion. Mr. Chairman, recognizing the community interest in preserving dark skies around astronomical facilities, particularly the Observatory Park at Turner Farm, I MOVE, AS A FOLLOW-ON MOTION, THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT REVIEW OF ADDITIONAL ZONING PROVISIONS TO PROTECT DARK SKIES AROUND ASTRONOMICAL FACILITIES BE INCLUDED ON THE ZONING ORDINANCE AMENDMENT WORK PROGRAM, EITHER AS PART OF THE OVERALL GREEN INITIATIVES OR AS A STAND-ALONE AMENDMENT.

Commissioners Migliaccio and Ulfelder: Second.

Chairman Murphy: Seconded by Mr. Migliaccio and Mr. Ulfelder. Is there a discussion of the motion?

Commissioner Sargeant: Mr. Chairman, I will vote in favor of the motion.

Chairman Murphy: Alright, all those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Sargeant votes on that one.

The first and second motion carried by a vote of 11-0. Commissioner Sargeant recused himself from each vote.

The third motion carried by a vote of 12-0.

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