



IDA Model CC&Rs

Purpose

This document is intended to suggest outdoor lighting language elements that can be incorporated into the Covenants, Conditions & Restrictions (CC&Rs) of private homeowners' associations (HOAs) in the United States. It contains recommendations for principles to control obtrusive light in residential communities whether or not local municipal outdoor lighting policies exist while largely avoiding detailed technical specifications. To the extent that these recommendations impose restrictions on homeowners, they are consistent with other kinds of provisions typically found in CC&Rs that govern acceptable uses of private properties. The language herein can be adapted to suit community needs and preferences.

Scope

We recognize that the details of what can and cannot be written into CC&Rs is dependent on the local legal jurisdiction, such that no one "model" can apply well across multiple U.S. states. Instead, we have attempted to phrase a set of important outdoor lighting principles as concisely as possible such that they may be adapted to local requirements for CC&R language. We have examined a number of sources for this, including the [2018 International Dark Sky Community guidelines](#) and the [IES-IDA Model Lighting Ordinance \(MLO\)](#).

Principles

In 2020, the International Dark-Sky Association partnered with the Illuminating Engineering Society to promote [five principles for responsible outdoor lighting](#) that meet human needs for artificial light at night in outdoor spaces while protecting the integrity of natural nighttime conditions to the greatest practical extent:

1. Use light only if it is needed
2. Direct light so it falls only where it is needed
3. Use light only when it is needed
4. Light only to the brightness needed
5. Minimize blue light to the amount needed

These principles appear in model policies such as the MLO. They have also been tested in a number of municipal lighting policies actually written into law. Their provisions have generally withstood judicial review, giving us some confidence that they can be duly enacted. The suggested language in this document flows from this set of legally defensible principles.

Definitions

“Fully shielded” means lighting whose design prevents the direct emission of light at angles above the local horizontal. Fully shielded lighting generally consists of lighting products whose light sources (i.e., lamps) are concealed within an opaque housing and whose light emerges such that it is only directed toward the ground.

“Correlated color temperature” (CCT) means a numerical rating characterizing the color qualities of a light source. It is measured in units of kelvins (K). Under U.S. Energy Department rules, CCT must appear on the packaging of all new lighting products sold in the U.S.

“Light trespass” means a condition in which light emitted on one property is directly visible from any other property. Light trespass is defined to exist regardless of whether the receiving property owner finds the light objectionable.

Recommendations

Use light only if it is needed

- The purpose of outdoor lighting should be evident from its design, including placement, aiming angle, brightness and other characteristics.
- Note that this does not preclude the use of architectural, landscape and similar ‘aesthetic’ lighting, including lighting of water features and swimming pools, provided that their design minimizes any impacts on other property owners.
- Consider defining permitted and prohibited uses according to the preferences of the community.

Direct light so it falls only where it is needed

- All outdoor lighting should be designed, installed and aimed such that it only illuminates its intended target and prevents emission of light into the night sky.
- Allowable outdoor lighting should strictly avoid creating conditions of light trespass.

- Property owners must ensure that architectural, landscape and similar lighting is, to the greatest practical extent, confined to the surfaces and objects it intends to highlight.

Use light only when it is needed

- All night “security” lighting should not generally be permitted
- Outdoor lighting can enhance nighttime security through the use of active controls such as timers and motion-sensing switches.
- Property owners should be obligated to properly maintain control equipment in good working order.
- Motion sensors should be adjusted according to manufacturers’ specifications in terms of both trigger sensitivity and trigger duration
 - Sensitivity should be set such that triggering occurs only upon sensing large objects such as animals and people
 - Trigger duration should not exceed five (5) minutes, at which point the lamp is extinguished
- Controls must fail into the “OFF” condition and not the “ON” condition.

Light only to the brightness needed

- Light should be neither too bright nor too dim for the task.
- Selecting the proper amount of light, along with properly directing the light and limiting the duration of its use, is important to minimize glare.

Minimize the emission of blue light

- Lighting should use lamps with the “warmest” color appearance possible.
- For general applications, the correlated color temperature of lamps should not exceed 3,000 kelvins.
- It is not possible to determine the CCT of a lamp by visual inspection, so consult manufacturer data sheets or product packaging for the specification of a particular lighting product.

Special lighting applications

In some cases, HOAs own and operate certain facilities, such as clubhouses, swimming pools, tennis courts and playing athletic fields, for the benefit of the entire community. Many of the

same principles above apply, but there are certain additional considerations for these special circumstances.

For athletic fields, consider the elements of the [IDA Criteria for Community Friendly Outdoor Sports Lighting](#). The main points are minimizing off-site impacts, use of active controls, and lighting curfews based on scheduled hours of use.

If HOA-owned facilities make use of illuminated signage, consult the [IDA Guidance for Electronic Message Centers](#) for guidance on sign brightness, curfews, and other best management practices.