

Ordinance No. 2023-05

At a regular meeting of the Lapeer City Commission on Monday, October 16, 2023, at 6:30 p.m. in the Lapeer City Commission Chambers of Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan, Commissioner Cattane moved for the adoption of the following amendment to Chapter 7 (Zoning) of the General Ordinances of the City of Lapeer. The motion was supported by Commissioner Pattison.

Pursuant to Public Act 279 of 1909, MCL 117.3 a summary of the regulatory effect of the ordinance is published below. A copy of the full text of the ordinance may be inspected or obtained at the office of the City Clerk, Lapeer City Hall, 576 Liberty Park, Lapeer, MI 48446 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday or via the City's website at http://www.ci.lapeer.mi.us/legal_notices_and_bids/legal_notices.php.

THE CITY OF LAPEER ORDAINS:

Summary of Changes to Chapter 7 (Zoning Ordinance):

Article 15 General Site Development Requirements

Section 7-15.05.D Lighting Standards.

The proposed amendment modifies portions of Section 7-15.05.D General Site Development Requirements of the zoning ordinance.

AYES: Atwood, Cattane, Pattison, Stroh, Swindell.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED. AMENDMENT TO CHAPTER 7 ADOPTED.

Introduced: 10/02/23 Published: 10/08/23

Adopted: 10/16/23 Published: 10/22/23

Effective: 10/29/23

Ordinance Effective Date: Shall take effect 7 days after publication, unless given immediate effect by City Commission.



ORDINANCE NO. 2023-05
City of Lapeer
Lighting Text Amendment

Article 15 General Site Development Requirements

Sec. 7-15.05.D

D. Lighting standards. Unless granted a variance under the provisions of § 7-23.04, all lighting must comply with the following standards:

1) All lighting.

[Added 12-19-2022^[1]]

- a) Lighting intensities shall average one footcandle measured at the surface of the parking area. Service drives shall have a lower intensity averaging 0.5 footcandle measured at the ground surface.
- b) The intensity of light within a site shall not exceed 10 footcandles within any site or one footcandle at any property line, except where it abuts a service drive or other public right-of-way.
- c) Lighting abutting a residential district or use can be a maximum intensity of 0.5 footcandle at the property line.
- d) Lighting intensity within 20 feet of a dumpster enclosure shall be appropriately illuminated.

[1] *Editor's Note: This ordinance also redesignated former Subsections D(1) and D(2) as subsections D(2) and D(3), respectively.*

2) Freestanding pole lighting.

- a) All parking lots shall be illuminated. No wiring shall be exposed. Wiring shall be UL listed for wet locations.
- b) Exterior lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward directed, shoebox fixtures shall be used in an effort to maintain a unified lighting standard throughout the City and prevent "sky glow."
- c) (Reserved)^[2]

[2] *Editor's Note: Former Subsection D(2)(c), regarding lighting intensities average, was repealed 12-19-2022 by Ord. No. 2022-05.*

- d) The Planning Commission may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures are necessary to preserve the intended character of the site.
 - e) The maximum height of parking lot light fixtures shall be 20 feet, except that the Planning Commission may permit a maximum height of 30 feet within commercial, industrial, and office zoning districts and for institutional uses in residential districts when the poles are no closer than 150 feet to a residential district or use.
 - f) Parking lot poles shall be located in parking lot islands or in the periphery parking lot area. Light poles shall be prohibited in parking spaces.
- 3) Building-mounted lighting.

- a) Commercial and industrial buildings are required to have adequate lighting at sides of the building with entries and exits.
- b) Building-mounted lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward-directed, fixtures shall be used in an effort to maintain a unified lighting standard throughout the City and prevent "sky glow."
- c) (Reserved)^[3]

[3]Editor's Note: Former Subsection D(3)(c), regarding intensity of light, was repealed 12-19-2022 by Ord. No. 2022-05.

- d) The Planning Commission may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.
 - e) Luminous tube and exposed bulb fluorescent lighting is prohibited as an architectural detail on all buildings, such as along roof eaves and around windows, etc. The Planning Commission may approve internally illuminated architectural bands when it can be shown that the treatment will enhance the appearance of the building or is necessary for security purposes.
- 4) Window lighting.
- a) Any light fixtures visible through a window must be shielded to prevent glare at the property line.
 - b) Luminous tube and exposed bulb fluorescent lighting (visible from the property line) is prohibited unless it is part of a sign that meets the requirements of Article **XVII**, Signs.
- 5) Residential streetlighting.
- a) In residential developments, substantial completion of streetlighting shall be constructed once 50% of build-out has occurred.
 - b) The developer may be required to furnish a surety in an acceptable form (cash, bond, etc.) in an amount determined by the City to ensure completion of streetlight installation.
- 6) Other lighting.
- a) The internal illumination of building-mounted canopies is prohibited.
 - b) Indirect illumination of signs, canopies and buildings is permitted provided a maximum 125 watt bulb is utilized and there is no glare.
 - c) Ground lighting (uplighting) used for the purpose of illuminating signs, landscaping and architectural details shall be shielded away from public view, directed solely at the object to be lit, and screened with landscaping as necessary.
 - d) The use of a laser light source, search lights or any similar high-intensity light for outdoor advertisement or entertainment is prohibited.
 - e) Lighting shall not be of a flashing, moving or intermittent type.
 - a) Luminous tube and exposed bulb fluorescent lighting is permitted as part of a sign meeting the requirements of Article **XVII**, Signs, of this chapter.