



Date: June 25, 2014

To: Planning Commission

From: Cary Teague, Community Development Director

Re: Zoning Ordinance Amendment Consideration – Exterior Lighting

As part of the 2014 Planning Commission Work Plan, the Commission is asked to consider an Ordinance amendment regarding exterior lighting within all zoning districts.

Staff has conducted a survey of other cities regulations for light, and found that the City of Edina allows much brighter lighting in comparison. (See attached summary and regulations from other cities.)

The draft ordinance attached would more closely align with the standards in the Twin Cities.

The Planning Commission is asked to consider the amendment, recommend changes and direct staff to schedule a public hearing on the changes.

ORDINANCE NO. 2014-__
AN ORDINANCE AMENDMENT EXTERIOR LIGHTING REGULATIONS
IN ALL ZONING DISTRICTS

THE CITY COUNCIL OF EDINA ORDAINS:

Section 1. Subsection 36-1260 of the Edina City Code. Lighting is amended as follows:

Sec. 36-1260. Lighting.

All exterior lighting and illuminating devices shall be provided with lenses, reflectors or shades so as to concentrate illumination on the property of the owner or operator of the lighting or illuminating devices. Rays of light or illumination shall not pass beyond the property lines of the premises utilizing the lights or illumination at an intensity greater than **0.5** ~~three~~ footcandles measured at property lines abutting property zoned residential and **1** ~~ten~~ footcandles measured at property lines abutting streets or property zoned nonresidential. No light source, lamp or luminaire shall be directed beyond the boundaries of the lighted or illuminated premises.

Section 2. This ordinance is effective immediately upon its passage.

First Reading:
Second Reading:
Published:

Attest

Debra A. Mangan, City Clerk

James B. Hovland, Mayor

Existing text – XXXX
Stricken text – ~~XXXX~~
Added text – **XXXX**

<u>City</u>	<u># Foot Candles from Residential</u>	<u># Foot Candles from Commercial/Industrial</u>
Apple Valley	*	*
Blaine	0.4	1
Bloomington	1.5	1.5
Columbia Heights	0.5	1
Coon Rapids	3	3
Cottage Grove	0.5	1
Eagan	0.5	0.5
Hopkins	0	0
Lakeville	1	1
Maple Grove	1	1
Mnettonka	0.5	1
Burnsville	0.5	1
New Brighton	0.4	0.4
Plymouth	0.3	0.8
Robbinsdale	0.4	1
St. Louis Park	0.5	1
Eden Prairie	0.5	0.5
Wayzata	4	1
Edina	3	10
Minneapolis	0.5	5
Average	1.4	1.8

* Information not given

THE CITY OF APPLE VALLEY

§ 155.112 OUTDOOR LIGHTING.

(A) The goal of these guidelines is to allow outside lighting for the functional and security needs of the neighborhood convenience center, without adversely impacting adjacent properties.

(B) Lighting shall enhance the overall aesthetics of the site.

(C) Security lighting shall be provided, particularly at pedestrian walkways and all entries.

(D) Lighting standards and canopies shall be integrated with the architectural design of the buildings and shall be no more than 20 feet above finished grade. Detached canopies for gasoline sales shall be no more than 20 feet from finished grade to top of canopy. All exterior canopy materials shall match the color of the main building. Canopy support posts shall be enclosed in the same masonry materials utilized on the main entry face of the building. Light sources (other than signs) attached to canopies shall be concealed on the underside of the canopy, either built into the canopy ceiling or contained within concave lens illumination boxes which cast light vertically to the surface of the pavement.

(E) Exterior speakers may be used for required fire and safety purposes only. No advertising or entertainment broadcasting shall be permitted through exterior speakers mounted on the exterior of neighborhood convenience center building or auxiliary structures.

(F) Light sources (light bulbs) shall not be visible from adjacent properties and shall not project a glare on to adjacent properties. They shall be shielded to reflect light down onto the ground and not out onto the streets or neighboring property.

('81 Code, § A1-35) (Ord. 291, passed 4-21-83; Am. Ord. 436, passed 2-23-89; Am. Ord. 462, passed 10-12-89; Am. Ord. 471, passed 1-11-90)

City of Blaine Zoning Ordinance

33.00 Performance Standards

33.02 Lighting

(Entire Section Amended 7-9-98. Ord. No. 98-1732)

(a) In all commercial, industrial, or multi-family zoning districts, any lighting used to illuminate off street parking and driving areas, signs, or structures shall, except as permitted under 33.02(e), consist of downcast style fixtures with a concealed or shielded light source to prevent glare or spill to adjacent right-of-way or properties.

(b) Pole-mounted lighting in commercial, industrial, or multi-family residential zoning districts shall not have pole heights exceeding 20 feet. Pole heights exceeding 20 feet for larger commercial or industrial parking areas (exceeding 120 parking stalls or sites with developed area greater than 2.5 acres), or outdoor recreational facilities in all zoning districts may be considered with review and issuance of a Conditional Use Permit.

(c) No light or combination of lights that cast light upon a public street shall exceed one-foot candle meter reading as measured at the edge of roadway. No light or combination of lights that cast light upon a residentially-zoned property shall exceed .4 foot-candle meter reading as measured at the residential property line. All measurements shall be made after dark at the property line or edge of roadway. The City may limit the hours of operation of outdoor lighting if it is deemed necessary by the City to reduce impacts on the surrounding neighborhood.

(d) Direct or sky-reflected glare, whether from floodlights or from high-temperature processes, such as combustion or welding, shall not be directed into any adjoining property. No flickering or flashing lights shall be allowed. Lighting shall not be placed on a site if the light source or its reflected image can be viewed directly from a location off the site.

(e) Direct view ornamental fixtures shall only be approved when the developer can demonstrate that undesirable off-site impacts stemming from direct or reflected views of the light source are eliminated by reducing light intensity, fixture design, or location of the lighting fixture. City approval of direct view ornamental light fixtures shall be by City Council action in the form of either a Conditional Use Permit or subdivision approval.

(f) The City shall require submission of a light distribution plan to ensure compliance with the intent of this Ordinance for all new commercial, industrial, or multi-family residential developments, as well as commercial, industrial, or multi-family residential redevelopment or additions which exceed 20% of the floor area of the principal structure. This plan shall include the type, arrangement of proposed lighting, and proposed lighting levels in foot-candles at all locations on the site including its property boundaries and edge of all adjacent roadways.



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Part II. Code

Chapter 21 ZONING AND LAND DEVELOPMENT

Article III. DEVELOPMENT STANDARDS

Added by Ord. No. 2006-35, 9-11-2006

Division A. General Standards

Added by Ord. No. 2006-35, 9-11-2006

Amended by Ord. No. 2006-54, 12-18-2006

SEC. 21.301.07. EXTERIOR LIGHTING.

(a) **Purpose and intent.** The City of Bloomington recognizes the health, safety, welfare, and aesthetic value of providing lighting standards in the community. This Section's provisions are intended to:

- (1) Promote the public health, safety, and general welfare;
- (2) Establish efficient and cost effective lighting requirements adequate for safety and security;
- (3) Reduce light pollution, light trespass, glare, and offensive light sources;
- (4) Provide an environmentally sensitive nighttime environment;
- (5) Discourage inappropriate, poorly designed or installed outdoor lighting by requiring quality lighting design, light fixture shielding, and maximum uniformity ratios;
- (6) Protect motor vehicle operators, pedestrians, and adjacent land uses from glare; and
- (7) Implement the City's Comprehensive Plan.

(b) **Lighting plan.** Except for single and two-family dwellings, no exterior lighting may be installed prior to approval of a lighting plan by the Issuing Authority. Modifying approved lighting, including lamp or fixture substitution, requires Issuing Authority approval. Effective January 1, 2009, all plans must be signed by a registered Electrical Engineer or a Lighting Certified (LC) professional certified by the National Council on Qualifications for the Lighting Professions. The lighting plan must include the following information and attachments:

- (1) Name of project, developer, property owner, and architect/designer (all applicable);
- (2) Date of initial plan preparation and all amendments;
- (3) Scale of plan (engineering scale only, at a scale of one (1) inch equals fifty (50) feet or less) with North point indication;
- (4) An accurate site plan indicating the location of property lines and all existing and proposed land improvements including but not limited to buildings, parking lots, aisles and driveways, streets, walkways and accessory structures;
- (5) The location and description of all existing over story landscaping unless an approved or proposed landscape plan is provided;
- (6) The location and height above grade of all proposed and existing exterior fixtures (includes decorative and all mounted lighting) on the property;
- (7) Control descriptions including hours of operation and type of controls (timer, motion sensor, time clock, etc.), the light fixtures to be controlled by each type, and control schedule;
- (8) Two separate photometric plans superimposed on a site plan (See Section 21.301.07(b)(5)), one plan with the initial at-grade foot-candle levels and the other the maintained at-grade foot-candle levels. Photometric points must be on a grid ten feet by ten feet or less across the entire site and a minimum of ten feet or more beyond the lot or parcel property line. Each point must be to the nearest 0.1 foot-candle;
- (9) A luminaire schedule table indicating maximum to minimum uniformities for each specific use area such as parking and circulation areas, pedestrian areas, and other common public areas, the type of light source, light source wattage and initial light output lumens rating, color rendering index, color temperature and light loss factor of each lamp source;
- (10) Detailed information on each light fixture including copy of the manufacturers catalog information sheet and IESNA photometric distribution type, including any

(11)Energy use calculations showing compliance with the Minnesota Energy Code, without exemptions. All parking lots regulated by this Section are considered public parking lots in the Minnesota State Energy Code.

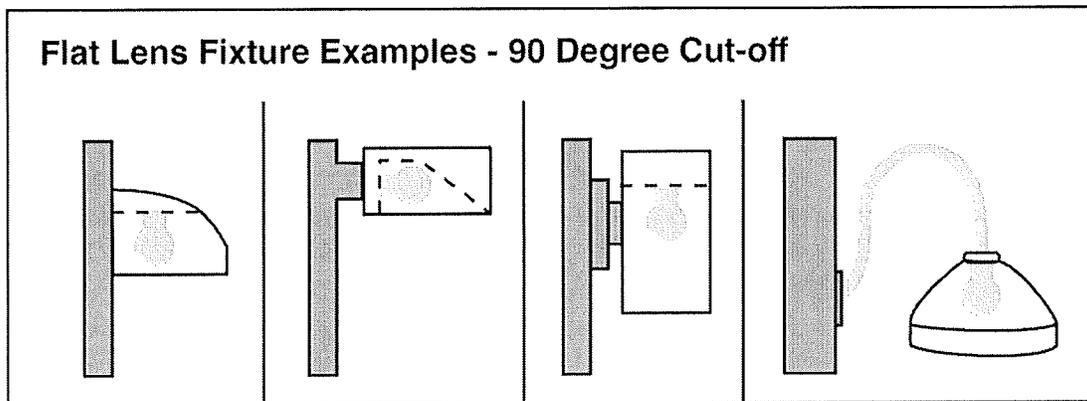
(c)**Lighting standards.** In addition to the following specific requirements, all exterior lighting must comply with the standards set forth in Section 21.301.07.

(1)No person may install or operate any device with light levels other than as specified in this Section.

(2)**Luminaire.** A complete lighting unit extending from a support structure, parallel to the ground, consisting of a light source and all necessary mechanical, electrical and decorative parts. The light source, lens and other components do not extend below the cutoff angle for the luminaire where a 90 degree cut-off is required. A luminaire does not include a pole or other support. All lighting, unless specifically allowed in this Section, must be 90 degree cut-off with a flat lens design as shown in Section 21.301.07(c)(3)(A).

(3)**Graphic illustration**

(A)Examples of 90 degree cut-off, flat lens fixtures



(4)**Architectural lighting of building facades, signs, landscaping or other features.** The installation of lighting for architectural, aesthetic, or decorative purposes is permitted subject to the limitations in the Minnesota State Energy Code and the following restrictions:

(A)Upward aimed lighting (except for flagpoles) must not exceed 22,500 initial light output lumens per source and must not exceed an average of 15 initial light output lumens per square foot for each facade or must not exceed 35 initial light output lumens per square foot sign surface illuminated. All upward aimed light must be fully shielded from public view.

(B)Downward aimed lighting must not exceed 45,000 initial light output lumens per source, must not exceed an average of 30 initial light output lumens per square foot for each facade illuminated or 70 initial light output lumens per square foot of sign illuminated and must have a 90 degree cut-off with a flat lens.

(C)In no instance may the combined upward and downward lighting for building facades exceed 40 initial light output lumens per square foot for each facade illuminated; and

(D)All landscape lighting shall be less than 3,000 initial light output lumens per source or the light source must be fully shielded from view and limited to 10,000 initial light output lumens per source.

(5)**Flagpoles.** A flagpole may be illuminated by no more than three upward aimed fully shielded spotlight light fixtures per flag. For flag poles up to 35 feet in height, the fixtures must not exceed a combined 40,000 initial light output lumens for flags of 35 feet or less in height. An additional 500 initial light output lumens for each foot in flag height, not pole height, over 35 feet is allowed up to a maximum of 75,000 initial light output lumens. The light fixtures must be placed as close to the base of the flagpole as reasonably possible and recessed into the ground.

(6)**Canopy lighting.** Light fixtures mounted under roof overhangs and canopies must be recessed so that the lens cover is recessed or flush with the bottom surface (soffit) of the canopy and/or shielded by the fixture or the edge of the canopy so that light is restrained to no more than 85 degrees from vertical. Lights must not be mounted on the top or sides (fascia) of the canopy for the purposes of illuminating a portion or the entire canopy.

(A)Example of complying recessed canopy light:

(7)**Building entrances or exits.** A light source must be located at each building entrance and exit.

(8)**Glare.** In all zoning districts, all lighting must be arranged so as not to shine directly on any adjoining property. A person must not create light that produces glare clearly visible beyond a property line or creates a sensation of brightness within a visual field so as to cause annoyance, discomfort or impairment of vision. Lenses, deflectors, shields, louvers, or prismatic control devices must be used to eliminate nuisance and hazardous lighting to facilitate compliance with this requirement.

(9)**Parking structures.** Luminaires used for illumination of designated pedestrian walkways in parking structures must be at least two times the average illumination or of a significantly different color value than luminaires used for illuminating vehicle parking and drive aisles.

(10)**Proof of lighting.** A parking lot used exclusively for daylight use and secured to prohibit nighttime use is exempt from the lighting requirements subject to installation of all conduit and material, other than the lighting and lighting supports, subject to approval by the Issuing Authority.

(11)**Lighting standards.** All exterior lighting must comply with the following standards, which vary by use. In the event more than one use is present, the highest regulatory standards apply. Single family and two family dwellings and residential parking lots with fewer than eight parking spaces are exempt from the minimum light levels required but shall comply with the lights source and height requirements.

	Residential zones or uses	Non-residential uses within 300 feet of protected residential uses	Office / Industrial uses	Retail and service oriented uses
Maximum height (Grade to top of Luminaire -- Includes base)	28 Feet		33 Feet	
Maximum power for	30,000 Initial Light Output		50,000 Initial Light Output	

a 90 degree cut-off – flat lens single light source	in Lumens		in Lumens	
Maximum power for a zero cut-off single light source	4,000 Initial Light Output in Lumens		8,000 Initial Light Output in Lumens	
Special controls	All lights required for security must be on an alternate circuit. All other exterior lighting must be illuminated no earlier than one hour before the start of business and must be extinguished no later than one hour after the end of business.			
Uniformity Ratio (Max:Min) (25 foot parking perimeter exempt from this calculation)	6 Max : 1 Min		10 Max : 1 Min	
Minimum illumination on surface (up to a 50 percent reduction allowed for the perimeter 25 feet of parking, loading, access or other surfaced areas)	1.5 FC	As required for the specific uses	1.5 FC	2.0 FC
Minimum illumination for primary building entrance and exits	5.0 FC within 5 feet of the entrance/exit	As required for the specific uses	10.0 FC within 15 feet of the entrance/exit	10.0 FC within 30 feet of the entrance/exit
Minimum illumination for secondary and emergency building entrance and exits	2.0 FC within 3 feet of the entrance/exit	As required for the specific uses	2.0 FC within 10 feet of the entrance	2.0 FC within 15 feet of the entrance
Minimum illumination on the pedestrian access surface from a primary building entrance	2.0 FC within 20 feet	3.0 FC within 30 feet		4.0 FC with 60 feet
Minimum illumination on the designated Pedestrian Crosswalks to the	Two (2) times the minimum illumination level of the area where the crosswalk is located.			

primary entrance		
Minimum illumination on all pedestrian access surfaces to primary building entrances other than listed above	Same as the parking surface for the use.	
Maximum illumination at property line (No limit along public street)	0.5 FC	1.0 FC

(12)**Lighting for special uses.** All exterior lighting must comply with the following standards, which vary by use type. In the event more than one use is present within a development, the more restrictive requirements apply.

	Parking structures	Service stations and automobile dealers	Exterior storage
Maximum height	33 Feet(Open air level)	33 Feet	
Maximum power for 90 degree cut-off – flat lens single light source	50,000 Initial Light Output in Lumens	70,000 Initial Light Output in Lumens	50,000 Initial Light Output in Lumens
Maximum power for no cut-off single light source - Initial Light Output in Lumens	20,000 Lumens (source shielded) 3,000 Lumens (unshielded)	6,000 Lumens	6,000 Lumens
Special Controls	Required – All lights required for security must be on an alternate circuit. All other exterior lighting must be illuminated no earlier than one hour before the start of business and must be extinguished no later than one hour after the end of business.		Not Required
Max:Min Uniformity Ratio(25 foot perimeter exempt)	10 Max : 1 Min		Not Required
Minimum illumination on parking surface (up to a 50 percent reduction allowed for the perimeter 25 feet of the parking, loading, access or other	5.0 FC enclosed areas 2.0 FC open air level	2.0 FC	1.0 FC

surfaced areas)			
Minimum illumination for Pedestrian Entrance and Exits	10.0 FC within 15 feet of a pedestrian exit and entrance on all levels	10.0 FC within 20 Feet of primary entrances 5.0 FC within 10 feet of secondary entrances	Not Applicable
Vehicle entrance and exits	25.0 FC within 35 feet of 100 percent closed structure and within 20 feet for structure at least 45 percent open	2.0 FC	Not Applicable
Minimum illumination on the pedestrian access surface within 30 feet of a primary building entrance	4.0 FC		Not Applicable
Maximum illumination at property line(No limit along Public Street)	1.0 FC		0.5 FC

(d)**Points of measurement.** Illumination measurements taken at the property line will be measured at the greatest point of illumination of said property line. Illumination measurements to determine the minimum and maximum illumination internal to a site will be measured by positioning the meter horizontally at ground level at the highest and lowest points of artificial illumination for the area illuminated and shall not include exempt areas.

(e)**Prohibitions.** After the effective date of this ordinance, no person may install any of the following types of outdoor lighting fixtures:

- (1)Lights with a Color Rendition Index of less than 50 (except for approved architectural lighting);
- (2)Lights with a Color Temperature (k) of less than 2,500 K (except for approved architectural lighting);
- (3)Blinking, flashing, moving, revolving, flickering, changing intensity or color, and chase lighting, except lighting for temporary seasonal displays, lighting for public safety or required for air traffic safety;
- (4)Any light fixture that may be confused with or construed as a traffic control device; and
- (5)Any upward oriented lighting, including searchlights, beacons, and laser source light fixtures, except as otherwise provided for in this Section or approved by the City Council for a special event or purpose.

(f)**Preliminary and final inspection and certification.** Prior to the installation of outdoor lighting, an inspection to verify delivery of the approved lamp, fixture, and pole heights must be completed. Before a Certificate of Occupancy may be issued, a post-installation inspection by the Issuing Authority must verify compliance with the approved plan depicting the initial foot-candles levels. Individual points may not vary more than 20 percent with the average of all points within 10 percent of the initial foot-candle level on the

approved plans. Any deviation beyond these criteria must be remedied prior to the issuance of a Certificate of Occupancy.

(g)**Exceptions.** This Section's standards do not apply to the following types of exterior lighting:

- (1)**Ornamental lighting.** Low voltage light fixtures (12 volts or less), low wattage ornamental landscape lighting fixtures, and solar operated light fixtures having self-contained rechargeable batteries, where any single light fixture does not exceed 200 initial light output lumens;
- (2)**Right of way lighting.** Public lighting located within and intended for the right of way;
- (3)**Temporary lighting.** Temporary lighting for approved public sporting events and theatrical, television or performance areas;
- (4)**Required lighting.** Lighting required as part of the City of Bloomington adopted Electrical or Building Codes or required by the Federal Aviation Administration or other State or Federal Agency; and
- (5)**Public safety lighting.** Temporary lighting for police, fire or public safety construction and repair personnel.

(h)**Conformance triggers.** Any new lighting designed after the effective date of this ordinance must be in compliance with the requirements of this ordinance. Any lighting legally in existence before the effective date of this ordinance that does not comply with its requirements must come into compliance upon the occurrence of any of the following events. Any lighting illegally in existence before the effective date of this ordinance must come into compliance immediately upon adoption of this ordinance.

(1)**Alterations to existing lighting.**

- (A)When poles and support structures are removed and replaced for reasons other than acts of god or accidents, they must be replaced with luminaires, poles and supports that comply with this Section; and
- (B)When luminaires are replaced without replacement of poles or support structure, they must be replaced with luminaires that comply with all provisions of this Section except the minimum light intensity provisions of subsection 21.301.07(c)(11). In no event, however, may the existing light intensity levels be reduced below existing lighting levels for the parking area.

(2)**Removal and replacement of parking lot surface.** When less than 50 percent of the gross area of the parking lot surface on a particular site is removed and replaced, the parking area replaced must be provided with lighting in compliance with this Section within 30 days of parking lot completion. If 50 percent or more of the parking area on a particular site is removed and replaced within one year, the entire parking lot or lots on the site where the construction activity occurs must be brought into full compliance with this Section within 30 days of parking lot completion. A parking lot or portion thereof is "removed and replaced" when any portion of the existing parking surface material is removed and a new surface is installed.

(3)**New parking lots or parking lot additions.** When a new parking lot or addition to an existing parking lot is constructed, the new lot or lot addition must be provided with lighting in compliance with Section 21.301.06 of this Code.

- (4)**New structures, additions, or replacements.** When a site is improved with new structures or additions to or replacements of existing structures, the lighting for the new structure, addition or replacement on the site must be upgraded with complying lighting and the parking lot lighting must be upgraded with complying lighting over a portion of the parking area that is equivalent to the amount of parking that would be required for the new structure, addition or replacement by Section 21.301.06 of this Code. In the event the new structure, addition, or replacement is accompanied by new or replaced parking area, the amount of upgraded lighting area must be that required under this subparagraph (4), or that required under the combination of Section 21.301.07(h)(2) and (3), whichever is greater.
- (5)**Change of type of occupancy.** When the type of occupancy for a portion or entire site or structure is changed, site lighting must be upgraded throughout the site, as necessary, to comply with this Section for the structure, or portion thereof, and the parking lot be upgraded for the required parking for the occupancy as established in Section 21.301.06 of this Code. For purposes of determining the type of occupancy of a site, the occupancy classifications of the Minnesota State Building Code must be utilized.
- (6)**Unoccupied sites.** When a site has been unoccupied for a period of one year, the lighting must be upgraded to fully comply with this Section prior to any reoccupation of the site.
- (7)**Conditions of approval.** When a development application is made for a site, the City Council may as a condition of approval require compliance with any or all of the performance standards of this Section, and the extent of compliance required in such cases may be greater than that otherwise required under subdivision (d), if deemed reasonably necessary to protect the public health, safety or welfare and to achieve the purposes of this Section.
- (8)**Nuisance conditions.** Lighting that creates a public nuisance must be brought into compliance upon issuance of orders from the Issuing Authority.

(i)**Date for final compliance.** Notwithstanding any of the above, all site lighting within the City must be in compliance with the minimum illumination levels at ground level as specified in Section 21.301.07 no later than January 1, 2012, unless the site or portion thereof meets one of the following exemptions:

- (1)The site has an approved lighting plan with installation on or after August 19, 1996, and the lighting has been maintained at the levels on the approved plan;
- (2)The Issuing Authority has approved a lighting plan for the site with phased installation to occur no later than January 1, 2014;
- (3)The site has an approved lighting plan with installation prior to August 19, 1996, that documents illumination levels of no less than 75 percent of the illumination levels required in Section 21.301.07(C)(11) or (12) for the respective use, provided code complying light fixtures are used and illumination levels are maintained as per the approved plan;
- (4)The site or portion thereof is mapped and scheduled for acquisition by January 1, 2020, by a Federal, State or Local government agency. In the event that only a portion of the site is mapped, only that portion is exempt from compliance;
- (5)The site is planned for redevelopment prior to January 1, 2020, as evidenced by an approved Preliminary Development Plan; or
- (6)The City Council has approved a variance exempting compliance due to a hardship or special circumstance.

(Added by Ord. No. 2008-13, 4-21-2008; Amended by Ord. No. 2009-41, 12-7-2009; Ord. No. 2010-1, 1-4-2010)

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Columbia Heights

SECTION 300.28. PERFORMANCE STANDARDS.

1. Purpose.

The purpose of performance standards is to establish specific and quantifiable limitations on identified types of pollution and other activities which have a high nuisance potential. The performance standards apply in all zoning districts unless specifically stated to the contrary.

2. Performance Standards Regulating Exterior Lighting.

- a) Exterior lighting shall be designed and arranged to limit direct illumination and glare upon or into any contiguous parcel. Reflected glare or spill light shall not exceed five-tenths footcandles as measured on the property line when abutting any residential parcel and one footcandle on any abutting commercial or industrial parcel. Street lights installed in public right-of-way shall be excepted from these standards.
- b) Mitigative measures shall be employed to limit glare and spill light to protect neighboring parcels and to maintain traffic safety on public roads. These measures shall include lenses, shields, louvers, prismatic control devices and limitations on the height and type of fixtures. The city may also limit the hours of operation of outdoor lighting if it is deemed necessary to reduce impacts on the surrounding neighborhood.
- c) No flickering or flashing lights shall be permitted.
- d) Direct, off-site views of the light source shall not be permitted except for globe and/or ornamental light fixtures approved in conjunction with a site and building plan. Globe and ornamental fixtures shall only be approved when the developer can demonstrate that off-site impacts stemming from direct views of the bulb are mitigated by the fixture design and/or location.
- e) The city may require submission of a light distribution plan if deemed necessary to ensure compliance with the intent of this ordinance.

3. Performance Standards Regulating Noise and Vibration.

- a) Noises emanating from any use shall be in compliance with and regulated by the standards of the Minnesota pollution control agency. Any use established or remodeled after the effective date of this ordinance shall be so operated as to prevent vibration discernable at any point beyond the lot line of the site on which such use is located. The city may also limit the hours of operation of outdoor noise if it is deemed necessary to reduce impacts on the surrounding neighborhood.
- b) Ground vibration and noise caused by motor vehicles, trains, aircraft operations or temporary construction or demolition shall be exempt from these regulations. However, if deemed appropriate, the city may establish limits on the hours of operation of temporary construction or demolition operation to limit off-site impacts

4. Performance Standards Regulating Smoke and Particulate Matter.

Coon Rapids

11-1851 Glare. Lighting shall not be directed into a residential district from another property or obscure drivers' vision on public streets. No lighting fixture shall create more than three footcandles of light intensity at the property line.

ADDITIONAL AREA STANDARDS

11-1852 Fences and Walls. For the purpose of this Section, "Fence" includes any non-vegetative freestanding structure, including a wall, designed or functioning to impede movement across or mark a boundary; "Wall" is a fence made of rock, brick, concrete, or similar materials.

(1) Construction and Maintenance.

(a) Fences must be constructed in accordance with applicable building code provisions, and of materials suitable to the purpose for which constructed.

(b) Fences must be maintained in accordance with applicable building code provisions. Any side of a fence facing a neighboring property or street must be finished. For this clause, a "finished" side means a side whose framing, supports, or posts are not visible.

(c) Electric, barbed, razor, and wire fences are prohibited.

(d) Maximum height without building permit: Six feet.

(2) Location.

(a) A fence placed within a drainage or utility easement must not impede the flow of runoff or interfere with planned or installed utilities. The City or any utility company having authority to use such easement will not be liable for any damages, or to repair or replace such a fence, in the event it is moved, damaged, or destroyed in the maintenance of the easement or the installation, maintenance, or repair of utilities thereto.

(b) Walls are prohibited within drainage or utility easements.

(c) Fences are prohibited within site triangles as defined in Section 11-1825.

(3) Setbacks.

(a) Property Boundary: Within the boundary lines.

(b) Public Rights of Way, Trail or Sidewalk Easements: Three feet.

(4) Height Maximums.

(a) Front Yard Setback: Four feet, except as provided in subsection (4)(f).

(b) Street Side Yard, Single Family or Two-Family Residential Uses: Four feet; provided, if the front of the house faces the front yard, six feet between the rear lot line and the front of the house.

(c) Interior Side Yard: Six feet.

(d) Rear Yard: Six feet.

(e) Side and Rear Yards where a Residential District abuts a Commercial, Industrial, or Office District: Eight feet.

(f) Front or Street Side Yard, Commercial, Industrial or Office Districts: Four feet, except in an approved site plan. [Revised 3/18/08, Ordinance 1976]

11-1853 Prevailing Front Setbacks. Where adjoining principal structures existing at the time of adoption of this Ordinance have a lesser setback from that required, the minimum front setback of a new structure shall not be less than the average front yards of the principal buildings on each side lot for 240 feet in either direction. In no case shall the front yard setback be less than 20 feet or be required to set back more than 60 feet.

Cottage Grove

11-6-8: GLARE:

- A. In all districts, any lighting used to illuminate an off street parking area, sign, building, or yard shall be so arranged as to deflect light away from any adjoining residential zone or from the public streets and will be compatible with adjacent lighting in adjoining districts. Reflected glare of spill light shall not exceed five-tenths (0.5) foot-candle as measured on the property line when abutting any residential parcel and one foot-candle as measured at the property line when abutting any commercial or industrial parcel. Streetlights installed in public rights of way shall be exempt from these standards. Direct or sky reflected glare, whether from floodlights or from high temperature processes, such as combustion or welding, shall not be directed into any adjoining property.
- B. Exterior lighting shall be employed to limit glare and spill light to protect neighboring parcels and to maintain traffic safety on public roads. These measures shall include lenses, shields, louvers, prismatic control devices, and limitations on the height and type of fixtures. The city may also limit the hours of operation of outdoor lighting if it is deemed necessary to reduce impacts on the surrounding neighborhood.
- C. No flickering or flashing lights shall be permitted. Holiday lighting shall be exempt from this provision.
- D. The city may require submission of a light distribution plan if deemed necessary to ensure compliance with the intent of this section. (Ord. 711, 3-20-2002)

Eagan

Sec. 11.70. - Performance Standards.

Subd. Purpose. The guiding of urban development so as to develop a compatible relationship of uses depends upon certain standards being maintained. Uses permitted in the various districts, conditional and accessory uses shall conform to the following standards:

1.
 - A. Noise. Any use producing noise shall be in conformance with the minimum standards as adopted and enforced by the Minnesota Pollution Control Agency.
 - B. Smoke and particulate matter. Any use established, enlarged, or remodeled after the effective date of this chapter shall be so operated as to meet the minimum requirements of the state pollution control agency regarding emission of smoke and particulate matter.
 - C. Toxic or noxious matter. The discharge of toxic or noxious matter shall conform with the minimum standards as adopted by the Minnesota Pollution Control Agency.
 - D. Odors. The discharge of odors shall conform with the air quality standards as adopted by the pollution control agency.
 - E. Vibrations. Any use creating periodic earth shaking vibrations shall be in conformance with the minimum standards concerning vibration as adopted and enforced by the Minnesota Pollution Control Agency.
 - F. Glare and heat. Any use producing heat or light transmission shall be in conformance with the minimum standards as adopted and enforced by the Minnesota Pollution Control Agency.
 - G. Waste material. Waste material resulting from or used in industrial or commercial manufacturing, fabricating, servicing, processing or trimming shall not be washed into the public storm sewer system nor the sanitary sewer system, but shall be disposed of in a manner approved by the city engineer which is consistent with the policies and standards of the Minnesota Pollution Control Agency.
 - H. Bulk storage (liquid). All uses associated with the bulk storage of oil, gasoline, liquid fertilizer, chemical and similar liquids shall comply with the requirements of the state fire marshals and state department of agriculture offices and have documents from those offices stating the use is in compliance.
 - I. Radiation emission. All activities that emit radioactivity shall comply with the minimum requirements of the state pollution control agency.
 - J. Electrical emission. All activities which create electrical emissions shall comply with the minimum requirements of the Federal Communications Commission.
 - K. Explosives. Any use requiring the storage, utilization or manufacturing of products which could decompose by detonation shall be located not less than 400 feet from a residentially zoned property.

Subd. Land reclamation and mining. Land reclamation and mining shall be permitted in all districts by conditional use permit and otherwise licensed or regulated by other Code provisions.

2.
 - A. The conditional use permit shall include, as a condition thereof, an approved finish grade plan that will not adversely affect the adjacent land.
 - B. An approved program for regulating the type of fill permitted, for control of rodents, fire, vehicular ingress and egress, hours of operation, unstable slopes, material dispersed from wind or hauling of material to or from the site and general maintenance of the site.

Subd. Design and maintenance of off-street parking areas.

3.
 - A. Drainage. All parking lots, except those for less than four vehicles, shall be graded according to a drainage plan that has been approved by the city engineer. Catchbasins, sumps, and underground storm sewers may be required, and all such lots and driveways shall be surfaced with a material to control dust and drainage as approved by the city engineer.
 - B. Lighting. Any lighting used to illuminate an off-street parking area shall be shaded or diffused so as to reflect the light away from the adjoining property and away from abutting traffic.
 - C. All off-street parking areas shall be constructed with curbs or similar barriers to contain all vehicles.
 - D. All off-street parking areas for four vehicles or more shall be constructed with concrete curbs.
 - E. Where a parking lot for four or more vehicles is located adjacent to or across the street from a residential use, a solid screen shall be constructed and maintained of not less than three and one-half feet in height to capture the vehicle light beams and muffle the vehicle noise.
 - F. Driveways may only exceed a grade of ten percent where approved by the city engineer. A level area shall be provided for an automobile in front of the garage on residential lots.

Subd. Off-site off-street parking and outdoor storage as conditional use.

4.
 - A. Scope of application. For purposes of this subdivision only, off-site off-street parking and off-site outdoor storage shall mean such activity as a principal use on a parcel of land which shall be deemed servient to a dominant parcel on which a principal use is located and served by the off-site off-street parking or off-site outdoor storage on the servient parcel. The council intends this provision to provide supplementary off-site off-street parking or off-site outdoor storage that which complements the existing off-street parking or outdoor storage on the dominant parcel. It is not the council's intention to allow off-

Sec. 11.60 - Subd. 21

Tilia cordata	Little Leaf Linden
Fraxinus mandshurica mancana	Mancana Ash

14. Signage:

- a. All signs erected on any building or land within the Cedar Grove District must comply with the standards of this section and other applicable sections of this title.
- b. Wall signs:
 - 1) Wall signage is allowed on buildings in the Cedar Grove District within a horizontal band no more than three feet in height, at least ten feet and no more than 15 feet above the ground.
 - 2) Wall signage may be either:
 - a. Attached: flat and parallel to the surface of the building and projecting no more than one foot from it, or
 - b. Projecting: perpendicular to the surface of the building and no more than one foot in thickness.
 - 3) Attached wall signage shall consist of individual letters or script logos mounted on the building.
- c. Projecting signs:
 - 1) Projecting signs may project no more than four feet from the front edge of the building and be no more than 12 square feet in area.
 - 2) Projecting signs may not extend over a public right-of-way or public property unless by conditional use permit.
 - 3) Projecting signs may not extend over a designated parking space or loading area.
- d. Box signs or cabinet signs, whether on a wall, projecting or on canopies/awnings, are prohibited.
- e. Signs on canopies are allowed only if they are on a surface perpendicular to the ground and if all other requirements of this section as to area and location are adhered to.
- f. Allowable area of wall signs is one and one-half square feet of signage per lineal foot of building frontage on a public street, public open space, or private parking area. Each wall shall be calculated individually and sign area may not be transferred from one side of a building to another side. In calculating the total allowable area of wall signage, only one side of a two-sided projecting sign shall be counted.
- g. Freestanding signs, intended to identify tenant(s), provided said signage does not exceed 12 feet in height, are allowed provided the sign is located within a landscaped area or landscaped island. Such signage shall be constructed with a base, constructed of the same materials and colors as the principal building, with a minimum height of three feet and a total sign area not to exceed 45 square feet. In calculating the total allowable area of identification signage, only one side of a two-sided freestanding sign shall be counted.
- h. Directional signs at driveways and within parking areas, if no more than five feet in height and no more than six square feet in area, are allowed. Directional signs must be setback at least two feet from right-of-way, lot lines, and parking spaces.

In Cedar Grove Business district

15. Lighting:

- a. All exterior lighting in the Cedar Grove District shall be downcast cutoff type fixtures, and shall follow the styles and types identified in the Framework Manual. No light source may be more than 20 feet above the ground, except by conditional use permit for buildings more than 24 feet in height.
- b. The applicant for any building project shall provide a photometric lighting diagram prepared by a qualified professional showing light levels, in foot-candles, from all exterior artificial lighting for all points on and within ten feet of the site.
- c. Lighting levels in exterior parking areas shall average one and one-half foot candle, with a minimum of one-half foot-candle in all locations.
- d. Lighting levels in interior parking areas shall average two foot-candles, with a minimum of one-half foot-candle in all locations.
- e. Lighting levels shall not exceed **one-half foot-candle** at the abutting property line or right-of-way line, and no direct glare from lighting on site shall extend onto the public street, public open space or neighboring properties.

K. Reserved.

L. Administration. *Cedar Grove Design Review*. The Advisory Planning Commission (APC) will identify design review conformance as part of their standard land use and zoning review for applications in the Cedar Grove District.

Subd. Reserved.

22. T Transitional District.

Hopkins

Planning Intern

From: Nancy Anderson <Nsanderson@HOPKINSmn.com>
Sent: Wednesday, June 15, 2011 10:54 AM
To: Planning Intern
Subject: RE: Exterior Lighting Ordinances
Attachments: image002.gif

The only language we have is that the light cannot shine on abutting properties.

Nancy Anderson

From: Planning Intern [mailto:planintern@ci.edina.mn.us]
Sent: Wednesday, June 15, 2011 10:49 AM
To: Nancy Anderson
Subject: Exterior Lighting Ordinances

Ms. Anderson,

I am currently researching exterior lighting ordinances for the City of Edina's Planning Department to re-write the ordinance in the City Code. I was wondering if you could possibly direct me to the exterior lighting ordinance in your own City Code online as I have had some difficulty locating it myself. Thank you!

Sincerely,
Elizabeth Montgomery



Elizabeth Montgomery, Planning Department Intern
| Fax
planintern@ci.edina.mn.us |
...For Living, Learning, Raising Families & Doing Business

Lakeville

11-16-17: EXTERIOR LIGHTING:

Exterior use of lighting systems shall conform to the following provisions to reduce light pollution:

A. Intensity:

1. The cumulative light cast by all lights on the property shall not exceed one hundred fifteen (115) foot-candles at ground level measured at any point on the property.
2. No light source or combination thereof which casts light on a public street shall exceed **one foot-candle meter reading** as measured at the right of way or property line.

B. Commercial, Industrial And Institutional Uses: Any lighting used to illuminate an off street parking area, structure, or area shall be arranged so as to deflect light away from any adjoining property or from any public right of way in accordance with the following provisions:**1. Shielding:**

- a. The light fixture shall contain a cutoff which directs the light at an angle of ninety degrees (90°) or less.
- b. For light fixtures located within thirty feet (30') of residential zoned property, additional shielding shall be required on the property line side of the fixture below the ninety degree (90°) cutoff to direct light away from the residential property.
- c. Lighting of entire facades of a building shall only utilize illuminating devices mounted on top and facing downward onto the structure.
- d. The following shall be exempt from the shielding requirements established by subsections B1a to B1c of this section.
 - (1) Internally illuminated signs and signs with electronic displays as may be allowed by chapter 23 of this title.
 - (2) Light fixtures used to illuminate outdoor recreation areas subject to approval of an interim use permit.

2. Searchlights: The use of searchlights, with incandescent lights only, shall require an administrative permit and shall be limited to not more than two (2) events per calendar year. During any one event, the use of searchlights shall be limited to five (5) days consecutively and shall only be used during business hours.

C. Height:

1. The maximum height above the ground grade permitted for poles, fixtures, and light sources mounted on a pole shall be thirty five feet (35').
2. A light source mounted on a building shall not exceed the height of the building.

D. Location: Except for building mounted fixtures within the C-CBD district, all outdoor light sources shall be set back a minimum of ten feet (10') from a public right of way and five feet (5') from an interior side or rear lot line.

E. Glare: Direct or reflected glare from high temperature processes such as combustion or welding shall not be visible from any adjoining property.

F. Exceptions: The provisions of this section shall not apply to the following:

1. Temporary outdoor lighting used during customary holiday seasons or civic celebrations.
2. Lighting required by a government agency for the safe operation of airplanes, or security lighting required on government buildings, structures, facilities or public right of way.
3. Emergency lighting by police, fire, and rescue authorities.
4. Illumination of United States, Minnesota or other flags with noncommercial speech.
5. Public parks, trails and recreational facilities, city of Lakeville, ISD 192, ISD 194 and ISD 196 only.

G. Prohibitions: The following outdoor lights are prohibited:

1. Laser, strobe or flashing lights.
2. Bare light bulbs shall not be permitted in view of adjacent property or public right of way, unless part of a permanent fixture. (Ord. 867, sec. 28, 5-17-2010)

Maple Grove

Sec. 36-819. - Glare.

- (a) Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged so as to deflect light away from any adjoining residential zone or from the public streets. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding, shall not be directed into any adjoining property. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent lightbulbs shall not be permitted in view of adjacent property or public right-of-way.
- (b) Any light or combination of lights which cast light on a public street shall not exceed **one footcandle** (meter reading) as measured from the centerline of the street. Any light or combination of lights which cast light on residential property shall not exceed **one footcandle** (meter reading) as measured from such property.

(Code 1984, § 375:12(9))

Minnetonka

SECTION 300.28. PERFORMANCE STANDARDS.

1. Purpose.

The purpose of performance standards is to establish specific and quantifiable limitations on identified types of pollution and other activities which have a high nuisance potential. The performance standards apply in all zoning districts unless specifically stated to the contrary.

2. Performance Standards Regulating Exterior Lighting.

- a) Exterior lighting shall be designed and arranged to limit direct illumination and glare upon or into any contiguous parcel. Reflected glare or spill light shall not exceed five-tenths footcandles as measured on the property line when abutting any residential parcel and one footcandle on any abutting commercial or industrial parcel. Street lights installed in public right-of-way shall be excepted from these standards.
- b) Mitigative measures shall be employed to limit glare and spill light to protect neighboring parcels and to maintain traffic safety on public roads. These measures shall include lenses, shields, louvers, prismatic control devices and limitations on the height and type of fixtures. The city may also limit the hours of operation of outdoor lighting if it is deemed necessary to reduce impacts on the surrounding neighborhood.
- c) No flickering or flashing lights shall be permitted.
- d) Direct, off-site views of the light source shall not be permitted except for globe and/or ornamental light fixtures approved in conjunction with a site and building plan. Globe and ornamental fixtures shall only be approved when the developer can demonstrate that off-site impacts stemming from direct views of the bulb are mitigated by the fixture design and/or location.
- e) The city may require submission of a light distribution plan if deemed necessary to ensure compliance with the intent of this ordinance.

3. Performance Standards Regulating Noise and Vibration.

- a) Noises emanating from any use shall be in compliance with and regulated by the standards of the Minnesota pollution control agency. Any use established or remodeled after the effective date of this ordinance shall be so operated as to prevent vibration discernable at any point beyond the lot line of the site on which such use is located. The city may also limit the hours of operation of outdoor noise if it is deemed necessary to reduce impacts on the surrounding neighborhood.
- b) Ground vibration and noise caused by motor vehicles, trains, aircraft operations or temporary construction or demolition shall be exempt from these regulations. However, if deemed appropriate, the city may establish limits on the hours of operation of temporary construction or demolition operation to limit off-site impacts

4. Performance Standards Regulating Smoke and Particulate Matter.

Burnsville

10-7-36: EXTERIOR LIGHTING:

- (A) All exterior lighting shall be designed and arranged so as to not direct any illumination upon or into any contiguous residential districts.
- (B) No exterior lighting shall be arranged and designed so as to create direct viewing angles of the illumination source by pedestrian or vehicular traffic in public right of way.
- (C) Lenses, deflectors, shields, louvers and prismatic control devices shall be used so as to eliminate nuisance and hazardous lighting. (Ord. 244, 11-15-1982)
- (D) Reflected glare from exterior lighting or from high temperature processes such as combustion of welding shall not be directed into any adjoining property. Reflected glare or spill light from all exterior lighting shall not exceed **five-tenths (0.5) foot-candle** measured on the property line when adjoining residential zones and **one foot-candle** measured on the property line when such line adjoins a similar zone and land use. Lighting fixtures for new and renovated outdoor sports and recreational facilities that adjoin residential uses shall be designed to eliminate reflected glare and spill light from the bottom one-third ($\frac{1}{3}$) of the reflector, and to shield the view of the arc tube from the residential property. (Ord. 699, 12-15-1997)
- (E) Pole lighting shall be downcast and shielded on all faces. Wall pack lighting shall be downcast and shielded on all faces. (Ord. 851, 7-1-2002)
- (F) Headlights shall be screened as required in section 10-7-18 of this chapter. (Ord. 1132, 8-19-2008)

New Brighton

11-101-6

(6) Lighting.

A. Maximum site illumination shall be regulated as follows:

1. Site illumination shall not exceed .4 foot-candles at ground level when measured at an adjoining residential property.
2. Lighting on the site and building shall be directed downward, and installed so as to prevent direct light from being detectable at the lot line of the site on which the light source is located.

B. Lighting structures shall be located within a safety island or around the perimeter of the parking area and shall not be placed as freestanding structures within the parking area.

C. Lighting as described in this Subsection shall not shine directly into the public right-of-way or onto any residential use. (Ord. No. 567, 12-13-88; Ord. No. 662, 11-23-99; Code of 2001)

Section 11-020. Construction and Maintenance.

(1) **Surfacing.** All off-street driving, loading, and parking areas shall have a paved surface. No vehicle may be parked and no property owner shall allow a vehicle to be parked off-street unless the vehicle is on and over an approved bituminous, concrete, brick, or decorative block surface that spans the entire vehicle. The definition of a "vehicle" in Minn. Stats. §169.011 is hereby adopted for the purpose of this ordinance and includes any conveyance with an axle. (Ord 768, 11-25-2008)

(2) **Curbing.** All off-street driving, loading, and parking areas shall be constructed with poured-in-place concrete curb except for single and two family residences.

(3) **Striping.** All parking stalls shall be marked with white or yellow painted lines not less than four inches wide except for single and two family residences.

(4) **Traffic Safety Islands.** Traffic safety islands shall be installed at the ends of each parking tier. Additional traffic safety islands may be required to maintain safe and orderly flow of traffic within the parking lot.

(5) **Boulevard Parking.** The boulevard portion of the street right-of-way shall not be used for parking except for improved driveways serving single and two family residences.

PLYMOUTH ZONING ORDINANCE

21105.06. EXTERIOR LIGHTING: Exterior lighting shall comply with the following standards:

Subd. 1. Purpose and Scope. The purpose of this Section is to establish exterior lighting requirements that will 1) permit reasonable uses of lighting for night-time safety, utility, security, productivity, enjoyment and commerce, 2) minimize glare, obtrusive light and artificial sky glow by limiting outdoor lighting that is misdirected, excessive or unnecessary, 3) conserve energy and resources to the greatest extent possible and 4) help protect the natural environment from the damaging effects of night lighting from man-made sources.

Subd. 2. Applicability.

(a) All outdoor lighting fixtures (luminaires) in Lighting Zone 3, and all outdoor lighting fixtures on non-residential properties in Lighting Zones 1 and 2 shall be installed in conformance with the provisions of this Section and Section 21155 (Sign Regulations) as applicable as well as the latest rules, codes and regulations, including but not limited to OSHA, National Fire Codes of Fire Protection Association (NFPA), Minnesota State Building Code, and National Electrical Code. In addition, all lighting fixtures shall be installed under appropriate permit and inspection.

(b) Lighting on single- and two-family homes, manor homes, and townhouses is subject only to the regulations as outlined in Subd. 6 and in Subd. 7 (c) of this subsection. *(Amended by Ord. No. 2008-09, 03/25/08) (Amended by Ord. No. 2011-05, 02/22/11)*

(c) Lighting in the public right-of-way is not regulated by this Section. However, it is recommended that all such lighting conform to the regulations in this Section.

Subd. 3. Use of Lighting Zones.

(a) Using Table 1 as a guide, the City Council shall determine and maintain Lighting Zones within the boundaries of the City.

(b) The lighting zones established by this Ordinance are hereby set forth on the Plymouth, Minnesota Lighting Zone Map; and said map is hereby made a part of this Ordinance; said map shall be known as the "Plymouth, Minnesota Lighting Zone Map". Said map and all notations, references, and data shown thereon are hereby incorporated by reference into this Ordinance and shall be as much a part of it as if all were fully described herein. It shall be the responsibility of the Zoning Administrator to maintain said map, and amendments thereto shall be recorded on said Lighting Zone Map within thirty (30) days after official adoption of amendments. The official Lighting Zone Map shall be kept on file in the City Hall. The Lighting Zone of a parcel or project shall determine the limitations for lighting as specified in this Section. *(Amended by Ord. No. 2005-07, 05/10/05)*

(c) Amendments to the Lighting Zones shall be processed according to the procedures established in Section 21010 of this Chapter.

PLYMOUTH ZONING ORDINANCE

Table 1 – Lighting Zone Ratings and Characteristics

Zone	Ambient Illumination	Typical Locations
LZ1	Dark	Natural areas (City-owned open space as defined in the Plymouth Comprehensive Plan) <i>(Amended by Ord. No. 2009-14, 10/13/09)</i>
LZ2	Low	Low and medium density residential areas, (generally properties guided Living Area-1, Living Area-2, Living Area-3)
LZ3	Medium	High density residential areas (properties guided Living Area-4, Living Area-5), shopping and commercial districts (generally properties guided Commercial, City Center and Commercial Office), industrial parks and districts (properties guided Planned Industrial), City playfields and major institutional uses and mixed use districts

(Amended by Ord. No. 2011-08, 04/12/11)

Subd. 4. Light Trespass Limitations. The illuminance levels provided in Table 2 shall be used for enforcement should concerns of obtrusive lighting or questions of compliance arise. This provision shall apply to all exterior lighting, and to interior lighting if the light source is visible off-site. The illuminance values provided in Table 2 shall be measured at the lot line unless said lot line abuts a public street, in which case the illuminance values shall be measured at the centerline of such public street.

Table 2 – Light Trespass Limitations

Lighting Zone	Maximum Illuminance Level – Pre-Curfew	Maximum Illuminance Level – Post-Curfew
LZ1	0.1 foot-candle	0.1 foot-candle
LZ2	0.3 foot-candle	0.1 foot-candle
LZ3	0.8 foot-candle	0.2 foot-candle

Subd. 5. General Performance Standards:

(a) Luminaire lamp wattage, shielding and installation requirements.

(1) All outdoor lighting systems shall comply with the limits to lamp wattage and the shielding requirements in Table 3.

PLYMOUTH ZONING ORDINANCE

Table 3 – Maximum Wattage and Required Shielding

Lighting Zone	Full Shielding Required (IESNA Full Cut-off)	Must be Shielded (IESNA Cut-off)	Must be partly Shielded (IESNA Semi Cut-off)	Can be Unshielded* (IESNA Non Cut-off)
LZ1	70 watts	30 watts	None permitted	None permitted
LZ2	150 watts	55 watts	None permitted	Low voltage landscape lighting
LZ3	450 watts	100 watts	55 watts	Landscape and façade lighting 100 watts or less; ornamental lights of 55 watts and less

*Shielding is nevertheless highly encouraged.

(2) Only luminaires that are allowed to be unshielded in Table 3 may employ flexible or adjustable mounting systems. All other luminaires shall be permanently installed so as to maintain the shielding requirements in Table 3.

(3) The City may accept a photometric test report, demonstration or sample or other satisfactory confirmation that a luminaire meets the requirements of the shielding classification.

(4) Shielded fixtures must be constructed and installed in such a manner that all light emitted by the fixture meets or exceeds the specification given. This includes all the light emitted by the fixture, either directly from the lamp or by a diffusing element or indirectly by reflection or refraction from any part of the fixture. Any structural part of the fixture providing this shielding must be permanently affixed.

(5) Luminaires within 300 feet of a residential property line shall be equipped with side shielding (house side shielding), except that luminaires mounted at a height of twelve (12) feet or lower shall be exempt from this requirement provided they meet IESNA full cut-off specifications.

(6) All canopy lighting must be fully shielded. However, indirect up light is permitted under a canopy provided that no lamp or vertical element of a lens or diffuser is visible from beyond the canopy and such that no direct light is emitted beyond the opaque canopy.

(7) The wattages specified in Table 3 are initial Lamp Lumens as taken from the lamp manufacturer’s catalogue or lamp wattages, and do not include ballast or any other system losses.

PLYMOUTH ZONING ORDINANCE

(b) Height Limits.

(1) Pole mounted lighting. Lighting mounted onto poles or any structures intended primarily for mounting of lighting shall not exceed a mounting height of forty (40) percent of the horizontal distance of the light pole from the property line, nor a maximum height according to Table 4, whichever is lower. Height includes the base and the pole heights.

Table 4 – Maximum Lighting Mounting Height in Feet

Lighting Zone	Lighting for Driveways, Parking, and Transit	Lighting for Walkways, Plazas, and other Pedestrian Areas	All Other Lighting
LZ1	25 feet	12 feet	4.5 feet
LZ2	25 feet	18 feet	8 feet
LZ3	30 feet	18 feet	15 feet

(2) Exceptions for pole heights.

a. Mounting heights greater than forty (40) percent of the horizontal distance to the property line but no greater than permitted by Table 4 may be used provided that the luminaire is side shielded (house side shielding) toward the property line.

b. Lights specifically for driveways, and then only at the intersection of the road providing access to the site, may be mounted at any distance relative to the property line, but may not exceed the mounting height listed in Table 4.

c. Landscape lighting may be installed in a tree.

(3) Lights mounted to buildings or structures. Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than four (4) feet higher than the tallest part of the building or structure at the place where the lighting is installed, nor higher than forty (40) percent of the horizontal distance of the light from the property line, whichever is less.

(4) Exceptions for building mounted lights.

a. Lighting for facades may be mounted at any height equal to or less than the total height of the structure being illuminated regardless of horizontal distance to property line.

b. For buildings less than forty (40) feet to the property line, including canopies or overhangs onto a sidewalk or public right of way, luminaires may be mounted to the vertical façade or underside of canopies at sixteen (16) feet or less.

PLYMOUTH ZONING ORDINANCE

c. The top exterior deck of parking garages shall be treated as normal pole mounted lighting rather than as lights mounted to buildings. The lights on the outside edges of such a deck must be side shielded to the property line.

(c) Total site lighting power limits. The following subsection applies to all outdoor lighting, whether attached to buildings, poles or structures or self-supporting.

(1) The maximum allowed lighting limit shall be determined as follows:

a. Following the rules in Item (2) below, multiply the area (square footage) of each of the application types in Table 5 by the allowed lamp wattage per square foot for the appropriate Lighting Zone.

b. Add up the total of the watts for each application type.

c. The power allowance for the application type shall not exceed the total application limit in Table 5.

(2) Rules

a. Power is not allowed for any use types not listed, except for those items given in Subd. 6 (Exempt Lighting) and 7 (Special Purpose Lighting) below.

b. Only one application type may be applied to any given area.

c. Canopy allowances include only the area within the drip line area of the canopy.

d. Areas that are not designed to be illuminated may not be counted toward the total site limit.

e. The entire area cannot be used for the power allowance.

PLYMOUTH ZONING ORDINANCE

Table 5 – Lighting Power Allowances
(maximum watts per square foot, unless otherwise noted)

Lighting Application	Allowed Area	LZ1	LZ2	LZ3
*Parking lots, plazas, hardscape lighting, driveways, on site private drives	Paved areas plus 5 feet of the perimeter of adjacent unpaved land. Includes planters and landscaped areas less than 10 feet wide that are enclosed by hardscape on at least three sides.	0.020	0.040	0.080
*Sidewalks, walkways and bikeways	Paved area plus 5 feet of unpaved land on either side of path of travel.	0.040	0.080	0.15
*Building entrances without canopy	Width of doors plus 3 feet on either side times a distance outward from the building from the surface of the doors 10 feet.	0.35	0.50	0.70
*Building entrances with canopy, and canopies for drive-up sales, loading docks, and general use	Drip line area under canopy. 13 watts plus the value in the LZ columns.	0.10	0.20	0.40
Vehicle service station	Drip line area under canopy; or 500 square feet per double-sided fuel dispenser unit not under canopy.	0.30	0.60	1.20
Building facades	Entire vertical area of façade.	Not allowed	0.18	0.20
Outdoor sales lot	Portion of uncovered outdoor sales lot used for display of vehicles or other merchandise for sale. All adjacent access drives, walkway areas, customer parking areas, vehicle service or storage areas that are not surrounded on at least three sides by sales area shall be considered hardscape.	Not allowed	0.50	0.50
Outdoor sales frontage (frontage in linear feet and the allowance is per linear foot)	Valid only for sections of an outdoor sales area that are along the frontage. A corner sales lot may include both sides provided that a different principal viewing location exists for each side.	Not allowed	Not allowed	20 w/lf
Ornamental lighting	Entire site.	By conditional use permit only	0.010	0.020

*There may be minimum lighting requirements pursuant to the Minnesota State Building Code.
(Amended by Ord. No. 2010-01, 02/23/10)

(d) Required lighting controls. Lighting systems for non-residential properties shall be extinguished or reduced in lighting by at least fifty (50) percent beginning at curfew and continuing until dawn or start of business, whichever is sooner. The reduction shall be determined as an overall average for a site. When possible, the lighting system should be turned off entirely.

PLYMOUTH ZONING ORDINANCE

- (1) Curfew. Curfew shall be as follows:
LZ1, the later of 8:00 PM or close of business
LZ2, the later of 10:00 PM or close of business
LZ3, the later of midnight or close of business
- (2) Exceptions to curfew:
 - a. When there is only one (conforming) luminaire for the site.
 - b. Code required lighting for steps, stairs, walkways, and building entrances.
 - c. When in the opinion of the City Council, reduced lighting levels at a given location will cause unacceptable increased risk and design levels must be maintained.
- (e) Prohibited lighting.
 - (1) Mercury vapor lamps
 - (2) Lighting fixtures mounted to aim light only toward a property line.
 - (3) Lighting fixtures mounted in a way so as to cause confusion or hazard to traffic or to conflict with traffic control signs or lights.
- (f) Following installation of any lighting on a site, the engineer or lighting professional who prepared the lighting plan shall certify in writing that the location, type, mounting height, wattage, and photometric data all comply with the approved lighting plan.
- (g) Any new lighting installed after the effective date of this ordinance shall be in compliance with the requirements of this Section. Any lighting in existence before the effective date of this ordinance that does not comply with the requirements shall be considered legally non-conforming. However, if a property owner proposes to replace fifty (50) percent or more of the existing exterior light fixtures or standards in any one (1) year period, the fixtures or standards must be replaced in conformance with this Chapter.

(Amended by Ord. No. 2007-05, 01/23/07)

Subd. 6. Exempt Lighting: The following luminaires and lighting systems are exempt from the provisions of this Section.

- (a) Lighting required and regulated by the Federal Aviation Administration or other federal or state agency.
- (b) Situations where fire, police, rescue or repair personnel need light for temporary emergencies or road repair work.

PLYMOUTH ZONING ORDINANCE

- (c) Temporary holiday lighting provided that individual lamps are ten (10) watts or less.
- (d) Temporary lighting for theatrical, television and performance areas.
- (e) Soffit or wall-mounted luminaires less than twenty (20) watts incandescent or nine (9) watts compact fluorescent and permanently attached to dwellings (including multi-family residence but excluding hotels or motels) not to exceed twenty (20) feet above the adjacent grade.
- (f) Lighting in swimming pools and other water features governed by Article 680 of the National Electrical Code.
- (g) Code required exit signs.
- (h) Code required lighting for stairs and ramps.
- (i) Interior lighting, except as addressed by Section 21105.06, Subd. 4 of this Section.

Subd. 7. Special Purpose Lighting.

- (a) High intensity lighting. The following lighting systems are prohibited from being installed except by administrative permit.
 - (1) Aerial lasers.
 - (2) Skytrackers.
 - (3) Motion detection security lighting, except that such lighting for single- and two-family homes shall be permitted and shall be exempt from the requirement for an administrative permit.

(Amended by Ord. No. 2009-07, 05/12/09)

- (b) Other special lighting.
 - (1) Lighting systems not complying with the technical requirements of this Section but consistent with its intent may be installed for the following applications upon issuance of a conditional use permit. Each request for a conditional use permit shall be evaluated based upon the standards and criteria set forth in Section 21015.02, Subd. 5 of this Chapter.
 - (i) Outdoor athletic fields and recreation areas.
 - (ii) Construction lighting.
 - (iii) National and State flag lighting with spotlights greater than 70 watts in LZ3 and greater than 39 watts in LZ1 and LZ2.

PLYMOUTH ZONING ORDINANCE

- (iv) Floodlighting of buildings over two (2) stories high.
 - (v) Public monuments, public buildings and religious institutions.
 - (vi) Ornamental lighting in LZ1.
 - (vii) Any other lighting application not listed in Table 5.
- (2) To obtain a conditional use permit, applicants shall demonstrate that the proposed lighting installation:
- (a) Is not within LZ1, except for ornamental lighting and necessary construction lighting.
 - (b) Utilizes fully shielded luminaires and, if required, side shielded and internally shielded luminaires that are installed in a fashion that maintains the shielding characteristics unless certified in writing by a registered engineer or by a certified lighting professional that such shielding is impractical. Where fully shielded fixtures cannot be utilized, acceptable luminaires shall include only those that are installed with minimum aiming angles of twenty-five (25) degrees downward from the horizontal. Said aiming angle shall be measured from the axis of the luminaire's maximum beam candlepower as certified by an independent testing agency.
 - (c) Has received every reasonable effort to mitigate obtrusive light and artificial sky glow, supported by a signed statement from a registered engineer or by a certified lighting professional describing the mitigation measures.
 - (d) Complies with all the technical requirements of this Section after curfew, with the following exception. No illumination of athletic fields shall be permitted after 11:00 PM, except to conclude a scheduled event that was in progress before 11:00 PM and circumstances prevented concluding before 11:00 PM.
- (c) Lighting for single and two family homes, manor homes, and townhouses.
- (1) Lighting systems for single family homes in Lighting Zone 2 or Lighting Zone 3 shall not produce glare beyond the lot line. Lighting systems for two family homes, manor homes, and townhouses in Lighting Zone 2 or Lighting Zone 3 shall not produce glare beyond the subdivision boundary.
 - (2) Motion activated lighting systems for single family homes in Lighting Zone 2 or Lighting Zone 3 shall not be activated by movement beyond the lot line, and motion activated lighting systems for two family homes, manor homes, and townhouses in Lighting Zone 2 or Lighting Zone 3 shall not be activated by movement beyond the subdivision boundary.

PLYMOUTH ZONING ORDINANCE

(3) Lighting systems for single family homes, two family homes, manor homes, and townhouses in Lighting Zone 2 or Lighting Zone 3 that provide lighting, or are intended to provide lighting, for recreational purposes (i.e., sport courts, hockey rinks, or other similar features) shall direct lighting downward and inward from the perimeter lot boundaries, shall not exceed fifteen (15) feet in height, and shall be turned off between 10:00 PM and 7:00 AM.

*(Amended by Ord. No. 2004-30, 11/23/04) (Amended by Ord. No. 2006-04, 02/07/06)
(Amended by Ord. No. 2008-09, 03/25/08)*

21105.07. SMOKE: The emission of smoke by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7017.

21105.08. DUST AND OTHER PARTICULATE MATTER: The emission of dust, fly ash or other particulate matter by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7011.

21105.09. AIR POLLUTION: The emission of air pollution, including potentially hazardous emissions, by any use shall be in compliance with and regulated by Minnesota Statutes 116, as may be amended.

21105.10. NOISE: Noises emanating from any use shall be in compliance with and regulated by 2025 of the City Code. *(Amended by Ord. No. 2000-06, 02/29/00)*

21105.11. OUTSIDE STORAGE/DISPLAY:

Subd. 1. General Provisions that apply to All Zoning Districts.

(a) Passenger automobiles and trucks not currently licensed by the State, or which are incapable of movement under their own power due to mechanical deficiency, which are parked or stored outside for a period in excess of ninety-six (96) hours, and all materials stored outside in violation of the City Ordinances are considered refuse or junk and shall be disposed of pursuant to City regulations.

(b) Any accumulation of refuse not stored in containers which comply with City Code, or any accumulation of refuse including car parts is hereby declared to be a nuisance and may be abated by order of the Zoning Administrator, as provided by Minnesota Statutes and Section 2010 of the City Code. The cost of abatement shall be recovered in accordance with the applicable provisions of Section 2010 of the City Code.

(c) Outside storage, including but not limited to equipment storage and the parking of vehicles, shall be prohibited as a principal use of property. *(Amended by Ord. No. 2001-*

(g) Surfacing.

- (1) In all R-3, R-B, B-1, B-2, B-3, B-4 and B-W districts, areas intended to be utilized for self-propelled vehicle parking spaces and driveways shall be surfaced with blacktop, concrete, other hard surface material approved by the city, to control dust and drainage. Plans for parking lots in these districts shall be submitted to the city engineer for review
- (2) and the final drainage plan shall be subject to the city engineer's approval. Compliance with the hard surfacing requirement may be scheduled over a period of time, not to exceed five years, if approved by the city council.
- (3) For new construction of new garages and/or homes in all R-1 and R-2 districts, areas intended to be used for self-propelled vehicle parking spaces and driveways shall be surfaced with blacktop, concrete and/or other hard surfaced material approved by the city. Parking areas and driveways for existing garages and/or homes shall be surfaced with a material suitable to control dust and drainage. A grass covering does not constitute an acceptable surfacing material. (Amended, Ord. No. 03-33)

(h)

Lighting. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light away from adjoining property, abutting residential uses and public rights-of-way and be in compliance with subsection 510.25, subdivision 5.

(i) Curbing, screening, and landscaping.

- (1) All open off-street parking areas of five spaces or more designed to have head-in parking along the property line shall provide a bumper curb not less than five feet from the side property line or a guard of normal bumper height not less than one foot from the side property line. A fence or evergreen planting of three feet in height shall be erected along the front yard setback line with grass, planting, or surfaced material occupying the space between the sidewalk and curb, fence or evergreen planting.
- (2) All open off-street parking areas of five or more spaces shall be screened and landscaped from abutting or surrounding residential uses in compliance with subparagraph (1) above and subsection 510.25, subdivision 2 of this code.

(j) Maintenance of off-street parking. It shall be the joint and several responsibility of the operator and owner of the principal use, uses, or building, or both, to maintain, in a neat and adequate manner, the parking space, accessways, landscaping, and required fences.

Subd. 3. Location. All accessory off-street parking facilities required by this code shall be located and restricted as follows:

- (a) Space accessory to one and two family dwellings shall be on the same lot or on a directly adjacent lot under the same ownership as the principal use served.

Subd. 4. Refuse.

- (a) All waste materials, debris, refuse or garbage shall be subject to section 605 of the code.
- (b) Passenger vehicles and trucks in an inoperative state or unlicensed or unregistered, or combination thereof, shall not be parked or stored in an outside location for a period exceeding 30 days; inoperative shall mean incapable of movement under their own power and in need of repairs or junk yard. All exterior storage not included as a permitted accessory use, a permitted use, or included as part of a conditional use, or otherwise permitted by provisions of this code shall be considered as refuse.

Subd. 5. Glare. Any lighting used to illuminate an off-street parking area, sign or other structure, shall be arranged as to deflect light away from any adjoining residential zone or from the public streets. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed into any adjoining property. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one foot candle meter reading as measured from the center line of said street. Any light or combination of lights which cast light on residential property shall not exceed 0.4 foot candles meter reading as measured from said property.

Subd. 6. Smoke. The emission of smoke by any use shall be in compliance with and regulated by the state of Minnesota pollution control standards, Minnesota regulation APC 1-15 and as subsequently expanded, modified or amended.

Subd. 7. Dust and other particulated matter. The emission of dust, fly ash or other particulated matter by any use shall be in compliance with and regulated by the state of Minnesota pollution control standards, Minnesota regulation APC 1-15 and as subsequently expanded, modified or amended.

Subd. 8. Odors. The emission of odorous matter in such quantity as to be offensive, shall not be permitted. The emission of odor by any use shall be in compliance with and regulated by the state of Minnesota pollution control standards, Minnesota regulation APC 1-15 and as subsequently expanded, modified or amended.

Subd. 9. Noise standards.

- (a) These standards describe the limiting levels of sound established on the basis of present knowledge for the preservation of public health and welfare. These requirements are consistent with speech, sleep, annoyance, and hearing conservation requirements for receivers within areas grouped according to land activities by the land use districts herein described. However, these standards do not, by themselves, identify the limiting levels of impulsive noise, needed for the preservation of public health and welfare.

2. Changing signs.
 3. Rotating signs.
 4. Electronic signs.
(Ord. No. 2384-10, 5-28-10)
- b. The maximum height of a billboard shall be 35 feet, including extensions, measured as required by subsection (c) of this section.
 - c. Billboards which have been destroyed or damaged must be removed when the cost of repair equals more than 50 percent of the appraised physical value of the structure.
- (6) All lawful nonconforming signs existing at the time of passage of the ordinance from which this section is derived, except temporary signs, real estate signs and billboards, must be removed or made to conform by January 1, 2000, unless the existing sign was made nonconforming by a provision of this section. Those nonconforming signs must be removed or made to conform to this section by January 1, 2005.

(j) Forfeiture. Any sign installed or placed on public property shall be forfeited to the public and subject to confiscation, unless it conforms to the requirements of this section. In addition to other remedies granted to it by this section, the city shall have the right to recover from the owner or person placing the sign the full costs of removal and disposal of the sign in a civil action.

(Code 1976, §§ 14:6-2.0--14:6-2.9; Ord. No. 2167-00, 5-15-2000; Ord. No. 2201-01, § 2, 7-2-2001; Ord. No. 2250-03, 9-2-2003; Ord. No. 2271-04, 5-17-2004; Ord. No. 2320-06, 12-1-2006; Ord. No. 2350-08, 3-28-2008; Ord. No. 2384-10, 5-28-2010; Ord. No. 2391-10, 11-12-10)

Cross reference(s)--Parking, § 30-150 et seq.

Sec. 36-363. Special provisions regulating exterior lighting.

(a) Purpose. The purpose of this section is to minimize the adverse effect of light and glare on operators of motor vehicles, pedestrians, and on residential and other land uses in the vicinity of a light source in order to promote traffic safety and to prevent the nuisances associated with the intrusion of spillover light and glare.

(b) Applicability. The requirements of this section apply to all exterior lighting except lighting for signs which is covered under section 36-362 and street lighting within public rights-of-way.

(c) General provisions.

- (1) The city shall require submission of a light distribution plan to ensure compliance with the intent of this section for all new development, redevelopment, and additions other than single-family and two-family dwelling units, which exceed 20 percent of the floor area of the principal structure after the effective date of the ordinance from which this section is derived. This plan shall include the type and arrangement of proposed lighting and proposed lighting levels in footcandles at all locations on the site including its property boundaries.
- (2) Upon completion of any lighting project, measurement of lighting levels of properties within the project must be shown to be within Illuminating Engineering Society (IES) standards as specified in the IES Handbook 5th Addition and shall comply with the provisions of this section. Mitigative measures shall be employed to limit glare and spill light to protect neighboring parcels and to maintain traffic safety on public streets and roadways. These measures shall include lenses, shields, louvers, prismatic control devices and limitations of the height and type of fixtures used.

- (3) Measurements shall be made after dark at the property line.
- (4) Exterior lighting shall be designed and arranged to limit direct illumination and glare in any contiguous parcel of land. Reflected glare or spill light shall not exceed five-tenths footcandle when the source of light abuts any residential parcel or one footcandle when the source of light abuts any commercial or industrial parcel or any public right-of-way measured at one foot above the ground.
- (5) The city may limit the hours of operation of outdoor lighting equipment if the city believes it necessary to reduce the impact of light on the surrounding neighborhood.
- (6) No flickering or flashing lights shall be permitted.
- (7) Lighting equipment shall not be placed or permitted to remain on a site if the light source or its reflected image can be viewed directly from a location off the site unless ornamental light fixtures are installed in the manner provided in a site and building plan approved by the city. Ornamental fixtures shall only be approved when the developer can demonstrate that undesirable off-site impacts stemming from direct or reflected views of the light source are eliminated by the fixture design or location of the lighting fixture.
- (8) Light poles or standards for exterior lighting shall not exceed a height of 45 feet, except that poles or standards on the top level of parking structures shall not exceed 25 feet.

(d) Outdoor recreational lighting.

- (1) Outdoor recreational facilities, such as baseball diamonds and other athletic playing fields which are in existence at the time of the ordinance from which this section is derived, are exempted from the exterior lighting standards of this section because of their unique requirements for nighttime visibility and their limited hours of operation. Outdoor recreational lights shall only operate between the hours of 4:00 p.m. and 11:00 p.m.
- (2) Any new lighting or replacement lighting shall meet the provisions of this chapter except for subsection (c)(9) of this section. Lighting facilities for these outdoor recreational uses shall not exceed a maximum height of 80 feet.

(Code 1976, §§ 14:6-3.0--14:6-3.4)

Sec. 36-364. Landscaping

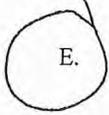
(a) Purpose. The City recognizes the aesthetic, ecological, and economic value of landscaping in both the natural and built environments and requires its use to serve the following objectives:

- (1) Protect the health, safety and general welfare of the community.
- (2) To deter crime through the use of good environmental design practices.
- (3) Promote the reestablishment of vegetation in the community for aesthetic, health, and wildlife reasons.
- (4) Improve ground water quality.

Eden Prairie

visible grey smoke, shall also apply to visible smoke of a different color but with an equivalent apparent opacity.

COPE



- D. Odor. No activity or operation shall cause at any time the discharge of toxic, noxious, or odorous matter beyond the limited of the immediate site where it is located in such concentrations as to be detrimental to or endanger the public health, welfare, comfort or safety or cause injury to property or business.
- E. Glare. Glare, whether direct or reflected, such as from spotlights or high temperature processes, and as differentiated from general illumination, shall not be visible beyond the limits of the immediate site from which it originates.
- F. Wastes. All solid waste material, debris, refuse, or garbage shall be kept within a completely enclosed building or properly contained in a closed container designed for such purpose. All liquid wastes containing any organic or toxic matter shall be discharged with into a public sanitary sewer or treated in a manner prescribed by the City. The rate of liquid waste discharge into the City sanitary sewerage system shall not exceed 200 gallons per site acre per hour between the hours of 9:00 o'clock a.m. and noon. Use for the dumping or storage above ground or under the surface of chemical waste and other hazardous waste products will not be permitted because of the potential hazards that may be created to public health, safety, and welfare in all Districts.

Source: Ordinance No. 35-94
Effective Date: 9-30-94

Subd. 5. Performance Standards - Tests.

- A. By Owner. In order to assure compliance with the performance standards set forth above, the Council may require the owner or operator of any permitted use to have made such investigations and tests as may be required to show adherence to the performance standards. Such investigation and tests as are required to be made shall be carried out by an independent testing organization as may be agreed upon by all parties concerned, or if there is failure to agree, by such independent testing organization as may be selected by the Council after 30 days notice. The costs incurred in having such investigations and tests conducted shall be shared equally by the owner or operator and the City, unless the investigation and tests disclose noncompliance with the performance standards, in which event the entire investigation or testing cost shall be paid by the owner or operator.
- B. By City. The procedure above stated shall not preclude the City from making any tests and investigations it finds appropriate to determine compliance with these performance standards.

Source: City Code
Effective Date: 9-17-82

Subd. 6. Site Plan and Architectural Design Review.

- A. Approval Required. No building permit shall be issued for the construction of any (i) building or structure situated or to be constructed within any District, except, (a) those within the Rural District or One-Family Residential Districts, and (b) duplexes (dwellings designed for or occupied by two families), or (ii) building or structure constituting a public infrastructure, situated or to be constructed within any District, including but not limited to Rural and One-Family Residential Districts, unless it shall conform to a Site Plan and Architectural Design as described in C. hereof, or an amendment thereof, which has been approved by the Council and such approval is effective as hereinafter provided.

No building permit shall be issued for the construction of an alteration or enlargement of a (i) building or structure situated within any District, except, (a) those within the Rural District or One-Family Residential

Lighting Standards Policy (2011) from Planner Scott Kipp

Next to residential:

20' height (does not include base) down cast, cut off lens, shoe box fixture.

Commercial not next to residential:

20' to 30' height (does not include base) down cast, cut off lens, shoe box fixture.

Foot candles:

Not to exceed ½ foot candle at the property line.

Wayzata

801.16.5: TRAFFIC SIGHT VISIBILITY TRIANGLE:

Except for a governmental agency for the purpose of screening, no wall, fence, structure, tree, shrub, vegetation or other obstruction shall be placed on or extend into any yard or right-of-way area so as to pose a danger to traffic by obscuring the view of approaching vehicular traffic or pedestrians from any street or driveway. Visibility from any street or driveway shall be unobstructed between the height of three (3) feet and six (6) feet, measured from where both street, driveway or railway center lines intersect within the triangle described as beginning at the intersection of the projected curb line of two intersecting streets or drives, thence thirty (30) feet along one curb line, thence diagonally to a point thirty (30) feet from the point of beginning along the other curb line (see attached drawing). The exception to this requirement shall be where there is a tree, planting or landscape arrangement within such area that will not create a total obstruction wider than two (2) feet. These requirements shall not apply to conditions that legally exist prior to the effective date of this Ordinance unless such conditions are determined to constitute a safety hazard by the Zoning Administrator.

801.16.6: GLARE:

Any lighting used to illuminate an off-street parking area, sign or other structure, shall be arranged as to deflect light away from any adjoining residential property, over public water or from the public streets. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed into any adjoining property or over public water. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property or over public water. Bare incandescent light bulbs shall not be permitted in view of adjacent property, over public water, or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one (1) foot candle (meter reading) as measured from the center line of said street. Any light or combination of lights which cast light on residential property or over public water shall not exceed four (4) foot candles (meter reading) as measured from said property.

801.16.7: SMOKE:

The emission of smoke by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

801.16.8: DUST AND OTHER PARTICULATED MATTER:

The emission of dust, fly ash or other particulated matter by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

801.16.9: ODORS:

The emission of odor by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

801.16.10: NOISE:

Noises emanating from any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations NCP 7010, as amended.

state that the design of the building and site has been prepared under the direct supervision of the architect.

Subd. 9 Building Coverage Computations; Exclusions and Inclusions.

A. The following structures and improvements shall be excluded when computing building coverage:

1. Driveways and sidewalks, but not patios.
2. Parking lots and parking ramps.
3. Accessory recreational facilities not enclosed by solid walls and not covered by a roof, including outdoor swimming pools, tennis courts and shuffleboard courts; but facilities which are constructed above grade, such as paddle tennis courts, shall be included when computing building coverage.
4. Unenclosed and uncovered steps and stoops less than 50 square feet.
5. Overhanging eaves and roof projections not supported by posts or pillars.

B. Building coverage computations, however, shall include all other principal or accessory buildings, including, but not limited to:

1. Decks and patios subject to allowances provided by this Section.
2. Gazebos.
3. Balconies.
4. Breezeways.
5. Porches.
6. Accessory recreational facilities constructed above grade, such as paddle tennis courts.

Subd. 10 Lighting. All exterior lighting and illuminating devices shall be provided with lenses, reflectors or shades so as to concentrate illumination on the property of the owner or operator of the lighting or illuminating devices. Rays of light or illumination shall not pass beyond the property lines of the premises utilizing the lights or illumination at an intensity greater than three foot-candles measured at property lines abutting property zoned residential and ten foot-candles measured at property lines abutting streets or property zoned non-residential. No light source, lamp or luminaire shall be directed beyond the boundaries of the lighted or illuminated premises.

Subd. 11 Frontage of Lots on a Street. All lots shall have at least 30 feet of frontage on at least one street other than alleys or limited access roadways to which private access is prohibited. Private easements shall not be considered as frontage for purposes of this Subdivision. Notwithstanding the requirements of this subdivision, lots in a townhouse plat

Minneapolis

535.590. - Lighting.

(a) *In general.* No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) *Specific standards.* All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half ($\frac{1}{2}$) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.
- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

(c) *Exceptions.* The uses listed below shall be exempt from the provisions of this section as follows:

- (1) Publicly controlled or maintained street lighting and warning, emergency or traffic signals shall be exempt from the requirements of this section.
- (2) Athletic fields and outdoor recreation facilities serving or operated by an institutional or public use that otherwise meet all of the requirements of this zoning ordinance shall be exempt from the requirements of sections (b)(1), (b)(2), and (b)(3) between the hours of 7:00 a.m. and 10:00 p.m., because of their unique requirements for nighttime visibility and limited hours of operations.

(2001-Or-063, § 5, 5-18-01)

535.600. - Glare and heat.

(a) *In general.* No use or structure shall be operated or occupied as to create glare or heat from high temperature processes such as welding or metallurgical refining in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) *Specific standards.* All uses shall comply with the following standards:

- (1) On property within or adjacent to any zoning district except the I3 District, uses producing glare or heat shall be performed within a completely enclosed building in such manner as to make such glare or heat completely imperceptible from any point along the property line.
- (2) On property within the I3 District, uses producing glare or heat shall be performed within an enclosure or with other effective screening in such manner as not to create an objectionable condition or hazard at any point along the property line and as to make such glare or heat completely imperceptible from any point along any zoning district boundary line.

Section 1. - 1963 Zoning Code site plan review standards.

Site plan reviews for automobile combination convenience facilities, automobile convenience facilities, automobile wash facilities, convenience food restaurants, food and grocery stores, restaurants (including coffee shops), self-service car washes, service stations, shopping centers and video stores shall be subject to the following standards, and the "Design Guidelines for Site Plan Review."

- (1) *Alley access.* If the zoning lot is located in a block which contains any residential zoning (R1—R6A and RR) or B1 zoning, alley access shall be allowed only for commercial deliveries, when approved by the city engineer.
- (2) *Parking and driveways.*
 - (a) Screening and landscaping. Screening and landscaping shall be subject to section 540.290 paragraph (4).
 - (b) Driveways. Driveways shall conform to the requirements of the city engineer and to the specifications for monolithic concrete sidewalk, concrete driveway, concrete curb, gutter and concrete alley of the department of public works. In addition, no driveways shall be allowed on freeway ramps and combined freeway ramp frontage roads.
 - (c) Driveway and parking areas. Driveway and parking areas shall be paved according to section 540.290 paragraph (3). All driveway and parking areas shall be bounded by six-inch by six-inch (6" X 6") continuous concrete curb. The curb along parking areas shall be at least two (2) feet clear of any yard or buffer and four (4) feet clear of the frontage property line.
 - (d) Bumper stops. Requirement along business- or manufacturing-zoned boundary: Along the property line which abuts other property in said district or property which is zoned other than residential (R1 through R6A and RR), or B1, a bumper stop shall be constructed. The bumper stop shall consist of three-inch by twelve-inch (3" X 12") timbers supported by eight-inch by eight-inch (8" X 8") posts, eight (8) feet on center, set in concrete, or an approved equal. Where there is no building on the abutting property, a six-inch by six-inch (6" X 6") box curb may be substituted for the bumper.
- (3) *Landscaping/site design.*
 - (a) At the boundaries of a B1 or residentially zoned district, a strip not less than five (5) feet wide shall be organically landscaped.
 - (b) A minimum of twenty (20) per cent of the lot area, minus the area of the building, must be landscaped in accordance with the criteria stated in the "Design Guidelines for Site Plan Review," available at the planning department.
 - (c) In case of hardship, lesser areas than described in (3)(b) above may be landscaped, subject to the provision of enhanced site amenities as indicated in Section E of the "Design Guidelines for Site Plan Review." However, under no circumstances shall less than ten (10) per cent of the lot area minus the building be landscaped.
 - (d) The area between the public sidewalk and the private curbs defining the limits of the driveways and the parking areas on the site shall be landscaped.
 - (e) On street frontages having business zoning abutting the applicant's zoning lot, the minimum lot width shall be fifty (50) feet. The building shall be located as close to the front lot line as allowed by the ordinance, unless amended by the city planning commission.
 - (f) This requirement is a continuous requirement and imposes on business owners the care and maintenance of healthy plants and shrubs.
- (4) *Lighting.* All exterior lighting used to illuminate open space or light up the exterior of buildings shall be directed away from residential property and public streets in such a way that residential structures shall be shielded from direct rays of light and so as not to exceed an intensity of illumination greater than three (3) footcandles measured at the residence district boundary, or ten (10) footcandles measured at the contiguous street right-of-way line.
- (5) *Refuse and litter.*
 - (a) *Refuse.* All refuse must be stored in a building, a trash transport (dumpster), or in covered cans. The storage area must be enclosed on all four (4) sides by screening, compatible with the exterior design of the building, not less than two (2) feet higher than the refuse container.
 - (b) *Litter.* Facilities subject to the requirements of this chapter shall regularly inspect their premises from lot line to lot line, all adjacent streets, sidewalks and alleys adjoining their premises and sidewalks and alleys within one hundred (100) feet of such facility for purposes of removing any litter found thereon.
The provisions of this subdivision shall be enforced by the director of inspections. Upon failure of any facility to comply with the requirements of this section, after seven (7) days written notice to the facility, any costs incurred by the city in cleaning up such litter shall be assessed against the facility that is the source of the litter.