



Legislation Details (With Text)

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File created:	8/2/2021	In control:	City Council		
On agenda:	9/7/2021	Final action:	9/7/2021		
Enactment date:		Enactment #:	ORD-21-23		
Title:	An Ordinance to Amend Sections 5.25, 5.33, 5.37.2.B, 5.37.2.C, 5.37.2.F, 5.37.2.G, 5.37.2.I, 5.37.2.L, 5.37.2.P, and 5.37.2.S Of Chapter 55 (Unified Development Code) Of Title V of The Code of The City of Ann Arbor (Outdoor Lighting) (ORD-21-23)				
Sponsors:	Lisa Disch, Erica Briggs, Kathy Griswold, Jeff Hayner				
Indexes:					
Code sections:					
Attachments:	1. ORD-21-23 Briefed and Approved.pdf, 2. ORD-21-23 Briefed.pdf, 3. Outdoor Lighting Staff Report 081420.pdf, 4. LightingOrdinanceREV.pdf, 5. 8-18-2020 CPC Approved Minutes.pdf, 6. 8-27-21 - UMICH Outdoor Lighting measures summary.pdf, 7. ORD-21-23 Approval Notice.pdf, 8. WLN clipping Outdoor Lighting - Public Hearing Notice.pdf, 9. WLN clipping Outdoor Lighting ORD-21-23 - Approval Notice.pdf				

Date	Ver.	Action By	Action	Result
9/7/2021	1	City Council	Held and Closed	
9/7/2021	1	City Council	Adopted on Second Reading	Pass
8/2/2021	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Sections 5.25, 5.33, 5.37.2.B, 5.37.2.C, 5.37.2.F, 5.37.2.G, 5.37.2.I, 5.37.2.L, 5.37.2.P, and 5.37.2.S Of Chapter 55 (Unified Development Code) Of Title V of The Code of The City of Ann Arbor (Outdoor Lighting) (ORD-21-23)

Beginning in 2019, a working group formed with members of the Energy, Environmental, and Planning Commissions performed research, and presented a proposed ordinance amendment to add more robust outdoor lighting regulations to the Code. This resulted in a series of engagement with staff, then the Planning Commission toward refinement and recommended adoption of the ordinance presented here.

After the Planning Commission recommend adoption in August of 2020, additional research was conducted to determine if alternative approaches could be considered that included some of the proposed regulations outside of the Unified Development Code (UDC). This was investigated to consider whether an alternative police powers ordinance might result in a more rapid realization of the ordinance goals than zoning regulations would typically achieve. After determination that such alternative approaches would likely not achieve that result, the Ordinance, is now presented for Council consideration in the form adopted by the Planning Commission.

Section 5.25 of the Unified Development Code (UDC) currently regulates outdoor lighting. The standards are basic and apply mainly to parking lots in site plan projects, where minimum light levels are required throughout the night while allowing only a few site-planned exceptions in residential neighborhoods. Non-parking lot lighting has general requirements for shielding and screening.

The proposed amendments would expand the regulation of outdoor lighting in the following ways:

- The regulations apply to any outdoor lighting in the City.
- Temporary light installations on private property are allowed for 90 days in the exemptions. This could include holiday lights, art installations, special event lighting, etc. (Note, when such temporary displays occur on Non-Residentially zoned property, then they must comply with other provisions of the proposed code that prohibit movement, flashing, and other such characteristics).
- Light trespass is limited to certain levels at the property line. Properties abutting residential zones have the strictest limits; D1 and D2 districts allow higher levels of light.
- New light fixtures are to be fully or partially shielded, depending on the type of installation.
- Decorative building and landscaping illumination is largely prohibited between midnight and 6 am, except for businesses open during those hours.
- Parking lot lighting is limited to 6 Foot-candles and must be extinguished beyond business hours for non-residential uses. (Currently, the UDC requires less than one Foot-candle of lighting minimum, but it must remain on all night. No maximum is specified.)
- Nonconforming lighting may be maintained, however any replacement of outdoor luminaires must be compliant (i.e. use of compliant fixtures), and site plan would require full compliance.

Prepared by: Brett Lenart, Planning Manager

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Tom Crawford, City Administrator

[\(See Attached Ordinance\)](#)

Sponsored by: Councilmembers Disch, Briggs, Hayner and Griswold