

# MEMO



**TO:** Planning Commission

**FROM:** James Kramvik, Community Development Director

**DATE:** March 15, 2023

**RE:** Review Proposed Lighting Ordinance

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## **Amending [Section 515-4-8, Outdoor Lighting](#)**

At the last Planning Commission meeting on February 15, the Commission directed staff to further review the Outdoor Lighting Ordinance specifically for lighting attached to residential structures and structures in the PSP Zoning District. Staff reviewed the ordinance and are presenting revisions to the performance standards in Section 515-4-8.E. Staff used the language from the commercial performance standards and applied them to the residential standards specifically for 90-degree cutoff language and exemptions for architectural lighting.

At the Planning Commission meeting on January 18th, the Commission directed staff to draft an amended ordinance for outdoor lighting pertaining to outdoor lighting color temperature standards, dimmable lighting, and adding the Public Semi-Public District to the residential use outdoor lighting performance standards. Since the Zoning Code also regulates City parks, staff presented the proposed ordinance to the Park Board for their recommendation of the ordinance. The Park Board was in favor of a lighting ordinance requiring a 3,000 K or lower correlated color temperature standard except for recreational lighting. The Park Board is interested in dimmable lighting for their parks but would like to review this standard as part of any park addition or renovation. The dimmable lighting requirement is exempted for parks as part of the proposed ordinance. The Park Board goes through a rigorous review process for all new lighting in the parks and will review each light or park on a case-by-case basis.

## **Staff Recommendation**

The Planning Commission reviews, comments, and adds any necessary language to the proposed outdoor lighting ordinance. Direct staff to prepare a final ordinance for the next meeting and notice a public hearing.

O R D I N A N C E  
NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 515-4-8, OUTDOOR LIGHTING

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 515-4-8. D of the Zoning Code is hereby amended by adding the following underlined language:

**D. Light Trespass Lighting Restrictions and Trespass**

- 1. Color Temperature of Lamps. All new lighting must have a correlated color temperature (CCT) of 3,000 Kelvin (K) or lower.**
  - a. All new light fixtures displaying a non-intended correlated color temperature is considered in violation of this ordinance.**
  - b. Outdoor commercial or public recreational uses such as, but not limited to, baseball fields, football fields, hockey rinks, and tennis courts are exempted from this paragraph.**
- 2. Dimmable Lighting. All new nonresidential lighting must dim by at least 50% or turn off at 10PM or one hour after close of business, whichever is later.**
  - a. Lighting in the Park District is exempted from this paragraph.**
- 3. Maximum Light Levels. Light trespass shall not exceed one (1) foot candle at the center line of a public street or four-tenths (0.4) foot candles at the property line of adjacent residential property as measured at the property line per the method outlined in this Section.**
- 4. The foot candle level of a light source shall be measured at the property line and taken after dark with the light meter held six (6) inches above the ground with the meter facing the light source. A reading shall be taken with the light source on, then with the light source off. The difference between the two readings will be identified as the light intensity.**

SECTION TWO: Section 515-4-8. E.1 of the Zoning Code is hereby amended by adding the following:

**E. Performance Standards.**

- 1. Residential Use and PSP District Standards. All exterior lighting shall be directed away from adjoining residential property or from any public right-of-way. All lighting shall be installed in accordance with the following provisions:**
  - a. The luminaire shall contain a full cut off fixture which directs and cuts off light at an angle of 90 degrees or less.**
  - b. The light source shall be controlled so as not to light adjacent property in excess of the maximum light levels defined by this Ordinance.**
  - c. Architectural/ landscape lights that include fixtures that are not shielded, or lighting of entire facades or architectural features of a building are permitted. In no case shall the light affect adjacent property in excess of the maximum light levels defined in this Ordinance.**
  - d. The maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirteen (13) feet. A light source mounted on a structure shall not exceed the height of the structure.**

- e. If the bulb/light source is fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line, an increase in light source height to a maximum of twenty (20) feet may be allowed.**
- ~~f. Any luminaire affixed to a structure shall contain a full cut off fixture which directs and cuts off light at an angle of ninety (90) degrees or less.~~**
- ~~i. Any luminaire or light source not affixed to a structure shall be hooded and down cast to protect the night sky.~~**

**SECTION THREE:** This ordinance shall take effect and be in full force one week from and after its publication.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
KELLY BEVANS  
President of the Council

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
DAVE BADEAUX  
Mayor

ATTEST: \_\_\_\_\_  
JENNIFER BERGMAN  
City Administrator

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