

**AGENDA  
CITY OF SWARTZ CREEK  
PLANNING COMMISSION  
PAUL D. BUECHE MUNICIPAL BUILDING  
VIRTUAL (ZOOM) MEETING AVAILABLE FOR GENERAL PUBLIC  
TUESDAY, JULY 9, 2024, 7:00 P.M.  
CALL TO ORDER:**

**1. PLEDGE OF ALLEGIANCE:**

**2. ROLL CALL:** Binder, Branoff, Campbell, Grimes, Henry, Krueger, Melen, Sturgess, Wyatt

**3. APPROVAL OF AGENDA:**

**4. APPROVAL OF MINUTES:**

**5. CORRESPONDENCE:**

- A. Resolutions
- B. Minutes: May 7, 2024
- C. Meeting Letter
- D. Lighting Ordinance Revisions

**6. MEETING OPENED TO PUBLIC (NON-PUBLIC HEARING ITEMS):**

**7. BUSINESS:**

- A. Lighting Ordinance Review (Public Hearing)

**8. MEETING OPENED TO THE PUBLIC:**

**9. REMARKS BY PLANNING COMMISSION MEMBERS:**

**10. ADJOURNMENT:**

**RESOLUTIONS  
CITY OF SWARTZ CREEK  
PLANNING COMMISSION  
PAUL D. BUECHE MUNICIPAL BUILDING  
TUESDAY, JULY 9, 2024, 7:00 P.M.**

**Resolution No. 240709-01**                      **AGENDA OF JULY 9, 2024**

Motion by Planning Commission Member: \_\_\_\_\_

**I Move** the Swartz Creek Planning Commission approves the agenda for the July 9, 2024 Planning Commission meeting.

Second by Planning Commission Member: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 240709-02**                      **MINUTES OF MAY 7, 2024**

Motion by Planning Commission Member: \_\_\_\_\_

**I Move** the Swartz Creek Planning Commission approves the Minutes for the May 7, 2024 Planning Commission meeting.

Second by Planning Commission Member: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 211102-03**                      **RESOLUTION TO RECOMMEND AMENDMENT TO  
ZONING APPENDIX A SECTION 19: LIGHTING  
STANDARDS**

Motion by Planning Commission Member: \_\_\_\_\_

**WHEREAS**, the Public Act 110 of 2006, the Michigan Zoning Enabling Act, enables cities to regulate land use through the creation and enforcement of zoning maps and regulations, and

**WHEREAS**, the planning commission, with the assistance of staff, and input by the public, reviewed specific changes to the zoning ordinance at their regular meeting on July 9, 2024, and;

**WHEREAS**, the planning commission, at a public hearing at their meeting on July 9, 2024 and in reviewing the criteria in Zoning Ordinance Section 24.02, found the proposed zoning ordinance amendments to be in the best interest of the public.

**THEREFORE, I MOVE** the City of Swartz Creek ordains:

**CITY OF SWARTZ CREEK  
ORDINANCE NO. 467**

An ordinance to amend the Code of Ordinances: Zoning Appendix A to add  
Amend Section 19: Lighting Standards

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Addition of Articles to Appendix A of the Code of Ordinances.

The City hereby Removes Section 19 to the Code of Ordinances of  
Appendix A and replaces it with Section 19 as follows:

**ARTICLE 19. LIGHTING STANDARDS**

**Section 19.00. Purpose.**

The purpose of this article is to protect the health, safety and welfare of the public by recognizing that buildings and sites need to be illuminated for safety, security and visibility for pedestrians and motorists. To do so, this article provides standards for various forms of lighting that will: minimize light pollution; maintain safe nighttime driver performance on public roadways; preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to "sky glow"; prevent glare from light fixtures onto adjacent properties; conserve electrical energy; and curtail the degradation of the nighttime visual environment.

**Section 19.01. Applicability.**

The standards in this article shall apply to any light source that is visible from any property line, or beyond, for the site from which the light is emanating. The building official/zoning administrator may review any building or site to determine compliance with the requirements under this article. Whenever a person is required to obtain a building permit, electrical permit for outdoor lighting or signage, a special land use approval, subdivision approval or site plan approval from the city, the applicant shall submit sufficient information to enable the building official/zoning administrator and/or planning commission to determine whether the proposed lighting complies with this article.

**Section 19.02. Lighting definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. *Canopy structure* means any overhead protective structure which is constructed in such a manner as to allow pedestrians/vehicles to pass under.

- B. *Flood or spot light* means any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.
- C. *Glare* means a direct light emitted by a light fixture, lamp, luminous tube lighting or other light source.
- D. *Lamp* means the component of the luminaire that produces the actual light including luminous tube lighting.
- E. *Light fixture* means the assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.
- F. *Light pollution* means an artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties.
- G. *Light trespass* means the shining of light produced by a luminaire beyond the boundaries of the property on which it is located.
- H. *Luminaire* means the complete lighting system including the lamp and light fixture.
- I. *Luminous tube lighting* means gas filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.
- J. *Outdoor light fixtures* means outdoor artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, used for flood lighting, general illumination or advertisement.
- K. *Shielded fixture* means outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, e.g., "shoebox-type" fixtures. A luminaire mounted in a recessed fashion under a canopy or other structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this article.
- L. *Light Fixture, fixed* means either a pole- or building-mounted fixture that is permanently directed downward, shielded, and cannot be adjusted at an angle.
- M. *Accessory String Lighting* means clear "Edison Style" string lighting in commercial or residential districts used for roof-top, porch, patio or deck for ambiance enhancement lighting that meet all other lighting and locational requirements of the ordinance.

### **Section 19.03. Submittal requirements.**

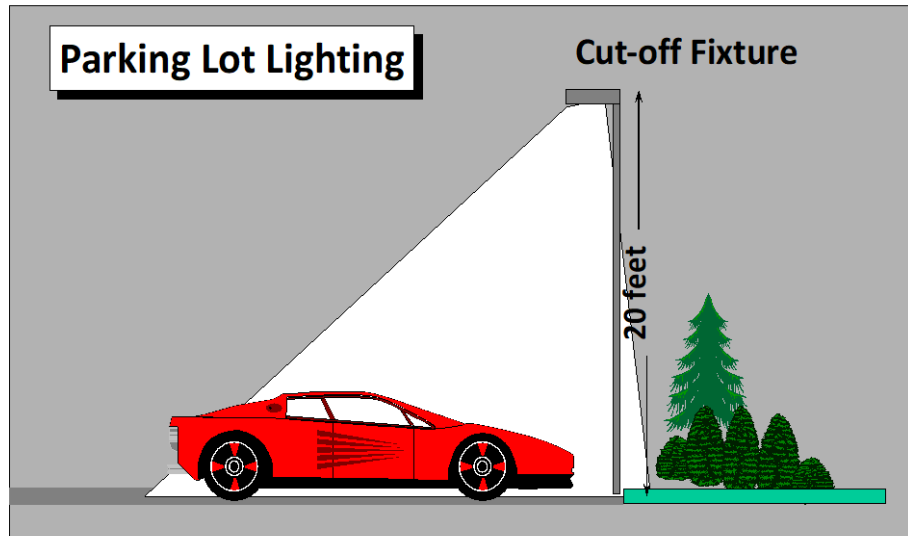
The following information must be included for all site plan submissions and where site plan approval is not required, some or all of the items may be required by the zoning administrator prior to lighting installation:

- A. Location of all freestanding, building-mounted and canopy light fixtures on the site plan and building elevations.
- B. Photometric grid overlaid on the proposed site plan indicating the overall light intensity throughout the site (in footcandles).
- C. Specifications and details for the type of fixture being proposed including the total lumen output, type of lamp and method of shielding.
- D. Purpose of the fixture proposed.
- E. Any other information deemed necessary by the zoning administrator to determine compliance with provisions of this article.

### **Section 19.04. Lighting standards.**

Unless exempted under section 19.05, Exemptions, all lighting must comply with the following standards:

- A. *Freestanding pole lighting:*
  - 1. Exterior lighting shall be cut-off, fully shielded, and directed downward to prevent off-site glare. The intensity of light within a site shall not exceed ten footcandles within any site or one footcandle at any property line, except where it abuts a residential district or use whereby a maximum of 0.5 footcandles is permitted. The only exception is with gas station canopy and automobile dealership lighting, where a maximum of 20 footcandles is permitted within the site but the above standards shall apply to intensity at the property line. In addition, lighting of parking lots should provide illumination adequate for security, typically at an overall intensity ratio of 10 to 1 throughout the site.



CIB Planning

2. Metal halide or LED fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and minimize "sky glow."
  3. The planning commission may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures are necessary to preserve the intended character of the site.
  4. Lighting fixtures shall not exceed a height of 20 feet measured from the ground level to the centerline of the light source, except that fixtures as high as 30 feet shall be permitted in Industrial Districts. These light fixture height standards shall not apply to public lighting in a road right-of-way.
    - a) The planning commission may modify these height standards in Commercial and Industrial Districts, based on consideration of the following: the position and height of buildings, other structures, and trees on the site; the potential off-site impact of the lighting; the character of the proposed use; and, the character of surrounding land use.
    - b) In no case shall the lighting exceed the maximum building height in the district in which it is located.
  5. Except where used for security purposes, all outdoor lighting fixtures, existing or hereafter installed and maintained upon private property within Commercial, Industrial and Office Zoning Districts shall be turned off between 11:00 p.m. and sunrise, except when used for commercial and industrial uses, such as in sales, assembly and repair areas, where such use continues after 11:00 p.m. but only for so long as such use continues.
- B. Building-mounted lighting:**
1. Building-mounted lighting shall be cut-off, fully shielded, and directed downward to prevent off-site glare. The intensity of light shall not exceed

ten footcandles within any site or one footcandle at any property line, except where it abuts a residential district or use whereby a maximum of 0.5 footcandles is permitted at the property line.

2. Metal halide or LED fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and prevent "sky glow."
  3. Luminous tube, exposed bulb fluorescent, and LED lighting is prohibited as an architectural detail on all buildings, e.g., along the roof line and eaves, around windows, inside windows, etc. The planning commission may approve internally illuminated architectural bands when it can be shown that the treatment will enhance the appearance of the building or is necessary for security purposes.
  4. The planning commission may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.
- C. *Window lighting:*
1. Any light fixtures visible through a window must be shielded to prevent glare at the property line.
  2. Luminous tube and exposed bulb fluorescent lighting (visible from the property line) is prohibited unless it is part of a sign that meets the requirements of the city's sign ordinance.
- D. *Other lighting:*
1. The internal illumination of canopies is prohibited.
  2. Indirect or non-primary illumination of signs, canopies and buildings is permitted provided a maximum 125-watt, or **LED lumen** equivalent, bulb is utilized and there is no glare.
  3. The use of laser light source, search lights or any similar high intensity light for outdoor advertisement or entertainment is prohibited.
  4. Lighting shall not be of a flashing, moving or intermittent type.

### **Section 19.05. Exemptions.**

The following are exempt from the lighting requirements of this article, except that the building official/zoning administrator may take steps to eliminate the impact of the below exempted items when deemed necessary to protect the health, safety and welfare of the public:

- A. Sports fields.
- B. Swimming pools.
- C. Holiday decorations.

- D. Window displays without glare.
- E. Shielded pedestrian walkway lighting, including bollard fixtures.
- F. Street lights.
- G. Decorative street lights with internal shields to prevent glare onto adjacent residential properties.
- H. Decorative Exterior String Lights including clear “Edison Style” string lighting in commercial or residential districts used for roof-top, porch, patio, deck specifically as ambiance enhancement lighting that meet all other lighting requirements of the ordinance.

**Section 19.06. Lamp or fixture substitution.**

Should any light fixture regulated under this article, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the zoning administrator for his approval, together with adequate information to assure compliance with this ordinance, which must be received prior to substitution.

**Section 19.07. Residential lighting.**

Permits are not required for lighting on single-family detached housing, but fixtures cannot create off-site glare on either the roadway or adjacent properties. For security lighting, residents are encouraged to utilize fixtures with motion detectors that only go on when caused by movement in the yard. The Building Official can require existing residential light fixtures to be re-directed or removed altogether if creating off-site glare on adjacent properties.

Section 2. Effective date.

This Ordinance shall take effect thirty (30) days following publication.

Second by Planning Commission Member: \_\_\_\_\_

Voting For: \_\_\_\_\_

Voting Against: \_\_\_\_\_

**Resolution No. 240709-04**

**ADJOURN**

Motion by Planning Commission Member: \_\_\_\_\_

**I Move** the Swartz Creek Planning Commission adjourns the July 9, 2024 Planning Commission meeting.

Second by Planning Commission Member: \_\_\_\_\_

Voting For: \_\_\_\_\_



Voting Against: \_\_\_\_\_

**CITY OF SWARTZ CREEK  
VIRTUAL PLANNING COMMISSION BOARD MEETING  
ACCESS INSTRUCTIONS  
TUESDAY, JULY 9, 7:00 P.M.**

The Planning Commission meeting of July 9, 2024 at 7:00 p.m. will be conducted as a hybrid meeting, with commissioners, staff, consultants, petitioners, and public attending in-person. The meeting will also be held virtually (online and/or by phone) to non-commissioners.

To comply with the **Americans with Disabilities Act (ADA)**, any citizen requesting accommodation to attend this meeting, and/or to obtain the notice in alternate formats, please contact Renee Kraft at 810.635.4464 48 hours prior to meeting,

**Zoom Instructions for Participants**

**To join the conference by phone:**

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID** number (also provided below) when prompted using your touch-tone (DTMF) keypad.

**Before a videoconference:**

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. Details, phone numbers, and links to videoconference or conference call is provide below. The details include a link to **“Join via computer”** as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

**To join the videoconference:**

1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](https://join.zoom.us) on any browser and entering the Meeting ID provided below.

If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID number** (also provided below) when prompted using your touchtone (DMTF) keypad.
3. If you have already joined the meeting via computer, you will have the option to enter your participant ID to be associated with your computer.

**Participant controls in the lower left corner of the Zoom screen:**



Using the icons in the lower left corner of the Zoom screen you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- Invite other participants
- View participant list-opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window
- Share your screen

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between “speaker” and “gallery” view. “Speaker view” show the active speaker.

Topic: City of Swartz Creek Planning Commission Meeting  
Time: July 9, 2024 07:00 PM Eastern Time (US and Canada)

**Join Zoom Meeting**

<https://us02web.zoom.us/j/83096401128>

**Meeting ID: 830 9640 1128**

**One tap mobile**

+13017158592,,83096401128# US (Washington DC)

+13126266799,,83096401128# US (Chicago)

**Dial by your location**

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

**Meeting ID: 830 9640 1128**

**If you have any further questions or concern, please contact 810-429-2766 or email [rkraft@cityofswartzcreek.org](mailto:rkraft@cityofswartzcreek.org). A copy of this notice will be posted at City Hall, 8083 Civic Drive, Swartz Creek, Michigan.**

**CITY OF SWARTZ CREEK  
VIRTUAL (ELECTRONIC) MEETING RULES AND PROCEDURES**

In order to conduct an effective, open, accessible, and professional meeting, the following protocols shall apply. These protocols are derived from the standard practices of Swartz Creek public meetings, Roberts Rules of Order, and city board & commission procedures. These procedures are adopted to govern participation by staff, councilpersons and members of the public in all City meetings held electronically pursuant to PA 228 of 2020. Note that these protocols do not replace or eliminate established procedures or practices. Their purpose is to augment standing expectations so that practices can be adapted to a virtual meeting format.

The following shall apply to virtual meetings of the city’s public bodies that are held in accordance with the Open Meetings Act.

1. Meetings of the City Council, Planning Commission, Zoning Board of Appeals, Downtown Development Authority, Park Board, or committees thereunder may meet electronically or permit electronic participation in such meetings insofar as (1) the Michigan Department of Health and Human Services restricts the number of persons who can gather indoors due to the COVID-19 pandemic; (2) persons have an illness, injury, disability or other health-related condition that poses a risk to the personal health or safety of members of the public or the public body if they were to participate in person; or (3) there is in place a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or other person authorized to declare a state of emergency or disaster.
2. All meetings held hereunder must provide for two-way communication so that members of the public body can hear and respond to members of the general public, and vice versa.
3. Members of the public body who participate remotely must announce at the outset of the meeting that he/she is in fact attending the meeting remotely and by further identifying the specific physical location (by county, township, village and state) where he/she is located. The meeting minutes must include this information.
4. Notice of any meeting held electronically must be posted at the City Offices at least 18 hours before the meeting begins and must clearly explain the following:
  - (a) why the public body is meeting electronically;
  - (b) how members of the public may participate in the meeting electronically, including the specific telephone number, internet address or similar log-in information needed to participate in the meeting;
  - (c) how members of the public may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting;
  - (d) how persons with disabilities may participate in the meeting.
5. The notice identified above must also be posted on the City’s website homepage or on a separate webpage dedicated to public notices for non-regularly scheduled or electronic public meetings that is accessible through a prominent and conspicuous link on the website’s homepage that clearly describes the meeting’s purpose.

6. The City must also post on the City website an agenda of the meeting at least 2 hours before the meeting begins.
7. Members of the public may offer comment only when the Chair recognizes them and under rules established by the City.
8. Members of the public who participate in a meeting held electronically may be excluded from participation in a closed session that is convened and held in compliance with the Open Meetings Act.

## **MAINTAINING ORDER**

Public body members and all individuals participating shall preserve order and shall do nothing to interrupt or delay the proceedings of public body.

All speakers shall identify themselves prior to each comment that follows another speaker, and they shall also indicate termination of their comment. For example, "Adam Zettel speaking. There were no new water main breaks to report last month. That is all."

Any participants found to disrupt a meeting shall be promptly removed by the city clerk or by order of the Mayor. Profanity in visual or auditory form is prohibited.

The public body members, participating staff, and recognized staff/consultants/presenters shall be the only participants not muted by default. All other members must request to speak by raising their digital hand on the Zoom application or by dialing \*9 on their phone.

## **MOTIONS & RESOLUTIONS**

All Motions and Resolutions, whenever possible, shall be pre-written and in the positive, meaning yes is approved and no is defeated. All motions shall require support. A public body member whom reads/moves for a motion may oppose, argue against or vote no on the motion.

## **PUBLIC ADDRESS OF BOARD OR Commission**

The public shall be allowed to address a public body under the following conditions:

1. Each person who wishes to address the public body will be first recognized by the Mayor or Chair and requested to state his / her name and address. This applies to staff, petitioners, consultants, and similar participants.
2. Individuals shall seek to be recognized by raising their digital hand as appropriate on the digital application.
3. Petitioners are encouraged to appropriately identify their digital presence so they can be easily recognized during business. If you intend to call in only, please notify the clerk in advance of your phone number.
4. The city clerk shall unmute participants and the members of the public based upon the direction of the mayor or chair. Participants not recognized for this purpose shall be muted by default, including staff, petitioners, and consultants.
5. Individuals shall be allowed five (5) minutes to address the public body, unless special permission is otherwise requested and granted by the Mayor or Chair.
6. There shall be no questioning of speakers by the audience; however, the public body, upon recognition of the Mayor or Chair, may question the speaker.

7. No one shall be allowed to address the public body more than once unless special permission is requested, and granted by the Mayor or Chair.
8. One spokesperson for a group attending together will be allowed five (5) minutes to address the public body unless special permission has been requested, and granted by the Mayor or Chair.
9. Those addressing the public body shall refrain from being repetitive of information already presented.
10. All comments and / or questions shall be directed to and through the Mayor or Chair.
11. Public comments (those not on the agenda as speakers, petitioners, staff, and consultants) are reserved for the two "Public Comment" sections of the agenda and public hearings.

## **VOTING RECORD OF PUBLIC BODIES**

All motions, ordinances, and resolutions shall be taken by "YES" and "NO" voice vote and the vote of each member entered upon the journal.

**CITY OF SWARTZ CREEK SWARTZ CREEK, MICHIGAN  
MINUTES OF PLANNING COMMISSION MEETING  
MAY 7, 2024**

Meeting called to order at 7:00 p.m. by Commissioner Henry.

Pledge of Allegiance.

**ROLL CALL:**

Commissioners present: Binder, Sturgess, Grimes, Henry, Branoff, Campbell, Melen, Krueger.

Commissioners absent: Wyatt.

Staff present: Adam Zettel-City Manager.

Others present: Walter Melen.

Others Virtually Present: Justin Sprague-CIB Planning, Lania Rocha.

**APPROVAL OF AGENDA:**

**Resolution No. 240507-01**

**(Carried)**

Motion by Planning Commission Member Branoff  
Second by Planning Commission Member Binder

**I Move** the Swartz Creek Planning Commission approves the agenda as amended for the May 7, 2024, Planning Commission meeting.

Unanimous Voice Vote  
Motion Declared Carried

**MINUTES OF APRIL 2, 2024:**

**Resolution No. 240507-02**

**(Carried)**

Motion by Mayor Krueger  
Second by Planning Commission Member Grimes

**I Move** the Swartz Creek Planning Commission approves the Minutes for the April 2, 2024, Planning Commission meeting.

Unanimous Voice Vote  
Motion Declared Carried

**MEETING OPENED TO THE PUBLIC:**

None.

**BUSINESS:**

**LIGHTING ORDINANCE REVIEW:**

Discussion ensued regarding the review of the current Lighting Chapter of the City of Swartz Creek zoning ordinance. Discussed pros and cons for ordinance changes, including lumens, string lighting and security lighting. There only needs to be around 50 words added to update this ordinance.

**MEETING OPENED TO THE PUBLIC:**

None.

**Remarks by Planning Commission:**

Commissioner Grimes questioned if there were any prospects for the corner of Miller and Elms. Mr. Zettel responded not yet.

**ADJOURN:**

**Resolution No. 240507-03**

**(Carried)**

Motion by Planning Commission Member Binder  
Second by Mayor Krueger

**I Move** the Swartz Creek Planning Commission adjourns the May 7, 2024, Planning Commission meeting.

Unanimous Voice Vote  
Motion Declared Carried

Meeting adjourned at 7:49 p.m.

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Betty Binder, Secretary



Date: July 1, 2024

**To: Planning Commissioners**  
**From: Adam Zettel, AICP**  
**RE: July 9, 2024 Planning Commission**

Hello everyone,

**We will be meeting at 7:00 p.m. on Tuesday, July 9, 2024.** Commissioners **MUST** attend in-person. However, we shall be conducting the meeting using the Zoom application for the benefit of the public. If you cannot attend, please let me know.

**The primary purpose of this meeting will be to have a look at what should be a near-final version of the lighting ordinance with our planner. A revised draft of the ordinance is included in the packet!**

To recap our progress so far, some PC members and staff have had concerns about new and replacement lighting in the community. With the advent of LED's, small lights have the ability to light up public areas, roadways, and private property like an like never before, creating offsite glare. We are seeing many businesses update lighting fixtures on buildings and in parking lots that used to be angled or open fixtures with high pressure sodium bulbs (yellow lighting). With new LED's, they are able to direct beams of very bright light all over, creating new glare issues.

In April, we had the complete ordinance in our packet, as well as a letter from the city planner, Carmine. We had healthy discussion on the matter, which has resulted in a draft of the ordinance which was reviewed in May. Some modifications were recommended, and this new draft is included in the packet. Please take a look at the materials and come prepared to participate in the discussion. Note that this meeting serves as a public hearing for this item, which will require final approval by the city council to be implemented.

Concerning updates, the DDA and council are fully engaged in a wayfinding sign study and review of the Holland Square project. Two steering committees have been formed by the council to consider these matters. I do not expect any movement on the potential for a social district.

For these and other happenings, please read the city manager's report in every council packet. Looking ahead, there is a design team working on a site plan for southwest Miller and Elms, where the demolitions have occurred. I expect a small-scale retail proposal. In addition, one or more of these DDA initiatives could easily find its way to a planning commission agenda. I encourage members to participate directly in the DDA meetings or potential steering committees.

If you have any comments or questions, please contact me directly.

Sincerely,

A handwritten signature in blue ink that reads "Adam Zettel". The signature is fluid and cursive, with the first name "Adam" and the last name "Zettel" clearly legible.

Adam H. Zettel, AICP  
City Manager

City of Swartz Creek  
[azettel@cityofswartzcreek.org](mailto:azettel@cityofswartzcreek.org)

## ARTICLE 19. LIGHTING STANDARDS<sup>1</sup>

### Section 19.00. Purpose.

The purpose of this article is to protect the health, safety and welfare of the public by recognizing that buildings and sites need to be illuminated for safety, security and visibility for pedestrians and motorists. To do so, this article provides standards for various forms of lighting that will: minimize light pollution; maintain safe nighttime driver performance on public roadways; preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to "sky glow"; ~~prevent glare, from light fixtures, onto~~ adjacent properties; conserve electrical energy; and curtail the degradation of the nighttime visual environment.

(Ord. No. 440 , § 10, 6-10-19)

**Deleted:** reduce light pollution and

**Deleted:** light trespass

**Deleted:** sources

### Section 19.01. Applicability.

The standards in this article shall apply to any light source that is visible from any property line, or beyond, for the site from which the light is emanating. The building official/zoning administrator may review any building or site to determine compliance with the requirements under this article. Whenever a person is required to obtain a building permit, electrical permit for outdoor lighting or signage, a special land use approval, subdivision approval or site plan approval from the city, the applicant shall submit sufficient information to enable the building official/zoning administrator and/or planning commission to determine whether the proposed lighting complies with this article.

(Ord. No. 440 , § 10, 6-10-19)

### Section 19.02. Lighting definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. *Canopy structure* means any overhead protective structure which is constructed in such a manner as to allow pedestrians/vehicles to pass under.
- B. *Flood or spot light* means any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.
- C. *Glare* means a direct light emitted by a light fixture, lamp, luminous tube lighting or other light source.
- D. *Lamp* means the component of the luminaire that produces the actual light including luminous tube lighting.

<sup>1</sup>Editor's note(s)—Ord. No. 440 , § 10, adopted June 10, 2019, renumbered Art. 27 §§ 27.00—27.06 as Art. 19 §§ 19.00—19.06, as set out herein.

See editor's note at Art. 12 pertaining to renumbering the former Art. 19.

- E. *Light fixture* means the assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.
- F. *Light pollution* means an artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties.
- G. *Light trespass* means the shining of light produced by a luminaire beyond the boundaries of the property on which it is located.
- H. *Luminaire* means the complete lighting system including the lamp and light fixture.
- I. *Luminous tube lighting* means gas filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.
- J. *Outdoor light fixtures* means outdoor artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, used for flood lighting, general illumination or advertisement.
- K. *Shielded fixture* means outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, e.g., "shoebox-type" fixtures. A luminaire mounted in a recessed fashion under a canopy or other structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this article.

L. *Light Fixture, fixed* means either a pole- or building-mounted fixture that is permanently directed downward, shielded, and cannot be adjusted at an angle.

M. *Accessory String Lighting* means clear "Edison Style" string lighting in commercial or residential districts used for roof-top, porch, patio or deck for ambiance enhancement lighting that meet all other lighting and locational requirements of the ordinance.

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(Ord. No. 440 , § 10, 6-10-19)

**Section 19.03. Submittal requirements.**

The following information must be included for all site plan submissions and where site plan approval is not required, some or all of the items may be required by the zoning administrator prior to lighting installation:

- A. Location of all freestanding, building-mounted and canopy light fixtures on the site plan and building elevations.
- B. Photometric grid overlaid on the proposed site plan indicating the overall light intensity throughout the site (in footcandles).
- C. Specifications and details for the type of fixture being proposed including the total lumen output, type of lamp and method of shielding.
- D. Purpose of the fixture proposed.
- E. Any other information deemed necessary by the zoning administrator to determine compliance with provisions of this article.

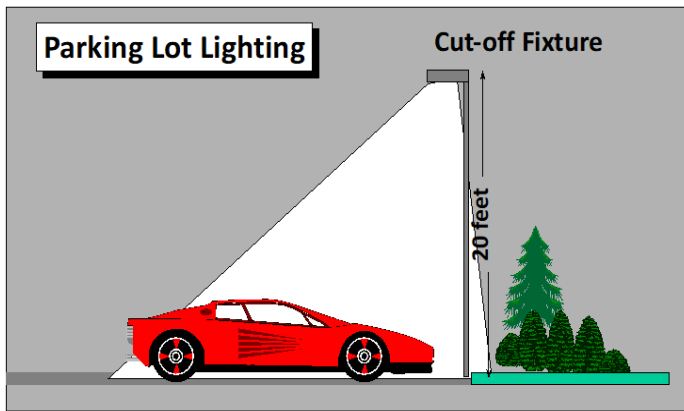
(Ord. No. 440 , § 10, 6-10-19)

**Section 19.04. Lighting standards.**

Unless exempted under section 19.05, Exemptions, all lighting must comply with the following standards:

A. *Freestanding pole lighting:*

1. Exterior lighting shall be cut-off, fully shielded, and directed downward to prevent off-site glare. The intensity of light within a site shall not exceed ten footcandles within any site or one footcandle at any property line, except where it abuts a residential district or use whereby a maximum of 0.5 footcandles is permitted. The only exception is with gas station canopy and automobile dealership lighting, where a maximum of 20 footcandles is permitted within the site but the above standards shall apply to intensity at the property line. In addition, lighting of parking lots should provide illumination adequate for security, typically at an overall intensity ratio of 10 to 1 throughout the site.



CIB Planning

2. Metal halide or LED fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and minimize "sky glow."
3. The planning commission may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures are necessary to preserve the intended character of the site.
4. Lighting fixtures shall not exceed a height of 20 feet measured from the ground level to the centerline of the light source, except that fixtures as high as 30 feet shall be permitted in Industrial Districts. These light fixture height standards shall not apply to public lighting in a road right-of-way.
  - a) The planning commission may modify these height standards in Commercial and Industrial Districts, based on consideration of the following: the position and height of buildings, other structures, and trees on the site; the potential off-site impact of the lighting; the character of the proposed use; and, the character of surrounding land use.
  - b) In no case shall the lighting exceed the maximum building height in the district in which it is located.

5. Except where used for security purposes, all outdoor lighting fixtures, existing or hereafter installed and maintained upon private property within Commercial, Industrial and Office Zoning Districts shall be turned off between 11:00 p.m. and sunrise, except when used for commercial and industrial uses, such as in sales, assembly and repair areas, where such use continues after 11:00 p.m. but only for so long as such use continues.

B. *Building-mounted lighting:*

1. Building-mounted lighting shall be cut-off, fully shielded, and directed downward to prevent off-site glare. The intensity of light shall not exceed ten footcandles within any site or one footcandle at any property line, except where it abuts a residential district or use whereby a maximum of 0.5 footcandles is permitted at the property line.
2. Metal halide or LED fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and prevent "sky glow."
3. Luminous tube, exposed bulb fluorescent, and LED lighting is prohibited as an architectural detail on all buildings, e.g., along the roof line and eaves, around windows, inside windows, etc. The planning commission may approve internally illuminated architectural bands when it can be shown that the treatment will enhance the appearance of the building or is necessary for security purposes.
4. The planning commission may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.

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C. *Window lighting:*

1. Any light fixtures visible through a window must be shielded to prevent glare at the property line.
2. Luminous tube and exposed bulb fluorescent lighting (visible from the property line) is prohibited unless it is part of a sign that meets the requirements of the city's sign ordinance.

D. *Other lighting:*

1. The internal illumination of canopies is prohibited.
2. Indirect or non-primary illumination of signs, canopies and buildings is permitted provided a maximum 125-watt, or LED lumen equivalent, bulb is utilized and there is no glare.
3. The use of laser light source, search lights or any similar high intensity light for outdoor advertisement or entertainment is prohibited.
4. Lighting shall not be of a flashing, moving or intermittent type.

(Ord. No. 440 , § 10, 6-10-19)

### Section 19.05. Exemptions.

The following are exempt from the lighting requirements of this article, except that the building official/zoning administrator may take steps to eliminate the impact of the below exempted items when deemed necessary to protect the health, safety and welfare of the public:

- A. Sports fields.
- B. Swimming pools.
- C. Holiday decorations.

- D. Window displays without glare.
- E. Shielded pedestrian walkway lighting, including bollard fixtures.

~~F. Street lights.~~

~~G. Decorative street lights with internal shields to prevent glare onto adjacent residential properties.~~

H. Decorative Exterior String Lights including clear "Edison Style" string lighting in commercial or residential districts used for roof-top, porch, patio, deck specifically as ambiance enhancement lighting that meet all other lighting requirements of the ordinance.

(Ord. No. 440 , § 10, 6-10-19)

**Section 19.06. Lamp or fixture substitution.**

Should any light fixture regulated under this article, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the zoning administrator for his approval, together with adequate information to assure compliance with this ordinance, which must be received prior to substitution.

(Ord. No. 440 , § 10, 6-10-19)

**Section 19.07. Residential lighting.**

Permits are not required for lighting on single-family detached housing, but fixtures cannot create off-site glare on either the roadway or adjacent properties. For security lighting, residents are encouraged to utilize fixtures with motion detectors that only go on when caused by movement in the yard. The Building Official can require existing residential light fixtures to be re-directed or removed altogether if creating off-site glare on adjacent properties.

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