

ZONING ORDINANCE CHANGE PETITION REVIEW REPORT

Petition Number: Z 23-02

Petitioner: City of Ballwin
1 Government Center
Ballwin, Missouri 63021

Project Name: Lighting Standards Text Amendment

Requested Action: Zoning Ordinance Regulations Change

Public Hearing Date: October 2, 2023

Code Section: Appendix A, Article XVI Section 31
(addition)

Project Description:

This Petition is for a Text Amendment to adopt standards for installation of new lighting and language to address light trespass violations in the City of Ballwin. Currently, the Zoning Ordinance for the City of Ballwin does not contain specific illumination standards. Citizen complaints have been received regarding light trespass, which the City cannot address due to that lack of standards. As a result, staff approached the Board of Aldermen with new requirements, which are being presented to you as a petition for text amendment.

The proposed language would create lighting standards for residential, non-residential and outdoor athletic or entertainment venues. The new section would be added to Appendix XVI, Additional Height and Area Regulations, of the Zoning Ordinance.

Proposed Language:

Section 31. – Lighting Standards

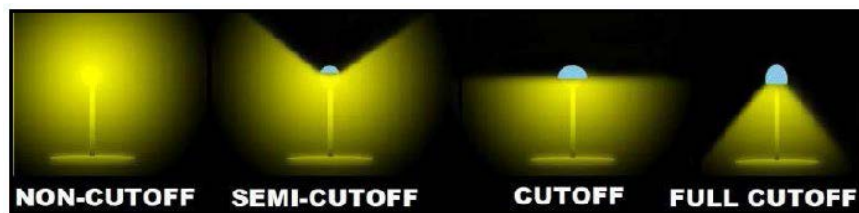
- (a) The following lighting standards shall be applicable to all residential properties within the City:
1. All lighting shall be aimed, located, designed, fitted and maintained so as not to create glare that presents a hazard or nuisance to drivers and/or pedestrians, generates nuisance glare or produces prohibited light trespass on neighboring properties.
 2. Lights must be of full cutoff design as depicted in Subsection (d) hereof and screened from adjacent properties in a manner that limits light trespass to one-tenth (0.1) of a foot-candle as measured at the property line.
- (b) The following lighting standards shall be applicable to all non-residential properties within the City:
- All lighting shall be aimed, located, designed, fitted and maintained so as not to create glare that presents a hazard or nuisance to drivers and/or pedestrians,

generates nuisance glare or produces prohibited light trespass on neighboring properties. Illumination from light trespass shall not exceed one-tenth (0.1) foot-candles as measured at the property line for adjacent residential property or one-half (0.5) foot-candles as measured at the property line for adjacent non-residential property.

(c) Outdoor Athletic Facility. High-intensity or special purpose lighting of outdoor athletic facilities or entertainment venues shall require a conditional use permit as governed by Article XIV, Special Use Exception Regulations. Conditions related to the following may be imposed by the Board of Aldermen:

1. Hours of operation.
2. Pole height.
3. Illumination levels at the property line.
4. Minimum setback distance from the property line.

(d) Lighting design for multifamily, office, commercial and industrial developments. All new exterior lighting fixtures installed within the City for multifamily, office, commercial or industrial developments shall utilize cutoff or full cutoff designs to ensure that no light is emitted above a horizontal plane, as depicted in the graphic below. The replacement of fixtures within existing projects in the City shall be brought into compliance with this section.



(e) The City of Ballwin shall have the right to inspect completed lighting installations to assure compliance with the requirements of this Chapter. Any lighting or light fixture which is not erected, installed or maintained in accordance with the

provisions of this Chapter shall be removed by the property owner of the land on which the lighting or light fixture is situated within fifteen (15) days of notice by the City. If the owner fails to act after fifteen (15) days' notice, the City may refer the matter to municipal court and the penalty provisions in Section 1 – 6 of this Code shall apply upon a plea or finding of guilt.

Staff recommendation:

All new development or re-development in the City would be required to meet these standards. Violations resulting from complaints of existing conditions would be addressed by letter (e) of the proposed ordinance. Staff recommends approval of this Petition as written.

A handwritten signature in black ink, appearing to read "Lynn M Sprick", is written over a horizontal line.

Lynn M Sprick
City Planner