

RECORD OF ORDINANCES

Ordinance No. 2023-O-7

December 11, 2023

City of Bellbrook State of Ohio

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AMENDING ARTICLE 18 – GENERAL PROVISIONS OF THE BELLBROOK ZONING CODE

WHEREAS, The City of Bellbrook has adopted Article 18 – General Provisions of the Bellbrook Zoning Code into the Bellbrook Code of Ordinances; and

WHEREAS, City Council wishes to amend Article 18 – General Provisions to include a new section for Light and Glare.

NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:

Section 1. That the following amendments to Article 18 – General Provisions of the Bellbrook Zoning Code be approved with the addition of Section 18.31 Light and Glare added in its entirety as follows:

18.31 Light & Glare:

(1) Purpose and Intent

These provisions are intended to control the use of artificial illuminating emitting rays into the night sky and to provide a level of illumination necessary for adequate, safe, and efficient movement of vehicles and persons. It is the intention of this section to accomplish the following:

- a. Encourage lighting systems that are designed to conserve energy;
- b. Minimize glare;
- c. Protect the use and enjoyment of surrounding property; and
- d. Increase nighttime safety, security, and productivity.

(2) Conformance and Applicable Codes

All outdoor, artificial illuminating devices shall be installed and maintained in conformance with the provisions of this section and the Ohio Building Code.

(3) Nonconforming Lighting – New Uses, Buildings & Major Additions, or Modifications

This section shall apply to all lots of proposed new land uses, developments, buildings, and structures that require a permit.

All building additions or modifications of 25 percent or more in terms of additional dwelling units, gross floor area, or parking spaces, either with a single approval or with cumulative approvals shall invoke the requirements of this sections for the entire property, including previously installed and any new exterior lighting.

Similarly, cumulative modification or replacement of the exterior lighting constituting 25 percent or more of the total exterior light output found on the site, measured in initial lamp lumens, shall invoke the requirements of this section for the entire property, including previously installed and any new exterior lighting.

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(4) Nonconforming Lighting – Minor Additions

Additions or modifications of less than 25 percent, as described in 18.31 (3), and that require any type of permit, shall require the submission of a complete inventory and site plan detailing all existing and any proposed new exterior lighting. Any new lighting on the site shall meet the requirements of this Code with regard to shielding and lamp type.

(5) Nonconforming Lighting – Resumption of Use after Abandonment

If a property or use with nonconforming lighting is abandoned for 6 months or more, then all exterior lighting shall be reviewed and brought into compliance with this Code prior to the property's reuse.

(6) Exceptions

The following shall be exempt from the standards of this Section:

- a. Public street luminaries;
- b. Emergency lighting: All temporary emergency lighting needed by the police, fire departments, or other emergency services, as well as all vehicular luminaries;
- c. Lighting used for construction crews making improvements of the public right-of-way.

(7) Shielding Standards

All exterior luminaries shall not be aimed, directed, or focused to cause direct light from the luminaire toward residential property or to persons operating motor vehicles on public ways; the luminaire shall be redirected, or its light output controlled as necessary to eliminate such conditions.

In addition, all exterior luminaires having an initial output greater than 2,000 lumens and that are mounted on a pole, building, structure, or tree, shall be full cutoff type luminaires. Such pole, building, structure, or tree mounted luminaires shall not be equipped with adjustable mounting devices permitting alteration of the luminaire's aim in the field.

(8) Light Trespass

All luminaires shall be located, aimed, or shielded to prevent light from trespassing across property boundaries. Light originating on a site shall not exceed the following foot-candles at any property line of said site for the following adjacent uses:

- a. Single Family Residential 0.1 foot-candles
- b. Multi-Family Residential 0.3 foot-candles
- c. Civic 0.5 foot-candles
- d. Office 0.5 foot-candles
- e. Commercial 1.0 foot-candles
- f. Industrial 1.0 foot-candles
- g. Street Rights-of-Way 1.0 foot-candles

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Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

PASSED BY City Council this _____ day of _____ 2023.

_____ Yeas; _____ Nays.

AUTHENTICATION:

Michael W. Schweller, Mayor

Robert Schommer, Clerk of Council

APPROVED AS TO FORM:

Stephen McHugh, Municipal Attorney