



# **Public Hearing: ZTR21-005**

## **Noise and Lighting**

**Mercer Island City Code (MICC) 19.02.020 and 8.24.020**

City of Mercer Island Planning Commission

January 26, 2022

Adam Zack, Senior Planner

Department of Community Planning and Development

# Purpose

- To brief the Planning Commission on the staff recommendation regarding ZTR21-005.
- To hold a public hearing on the proposed amendments.
- Obtain the Planning Commission recommendation for ZTR21-005.



# Process to date

- Initially requested through the 2020 Docket
- Added to the CPD work program by the City Council
- Planning Commission discussed at their meeting on November 17, 2021
- Staff recommendation provided in a report dated January 18, 2022



# SEPA

- Staff issued a determination of nonsignificance (DNS) on December 21, 2022
- Comment period: December 21, 2021, to January 12, 2022
- No comments were received on the SEPA determination



# Staff Recommendation

- Staff does not recommend amending MICC 8.24.020 to further regulate noise from gas-powered landscaping equipment;
- If the Planning Commission wants to recommend hours of operation, staff prepared an alternative. The PC would need to specify hours of operation for gas-powered landscaping equipment; and
- Amend MICC 19.02.020 to regulate external lighting fixtures in residential zones.



# Background: Noise

Noise from gas-powered landscaping equipment:

- MICC 8.24.020(Q)(3) currently limits this noise in the same way as other noises from activities that do not require a permit:

“Sounds related to activity that does not require a permit from the city of Mercer Island shall only be allowed between the hours of **7:00 a.m. to 8:00 p.m. on Mondays through Fridays, and between the hours of 9:00 a.m. and 8:00 p.m. on Saturdays, Sundays, and legal holidays.**” (emphasis added)



# Noise: Alternative Hours

Noise from gas-powered landscaping equipment:

If Planning Commission wants to recommend different hours: amend MICC 8.24.020(Q)(3) to set new hours:

**“Sounds caused by landscaping shall only be allowed between the hours of 8:00 a.m. to 8:00 p.m. on Mondays through Fridays, and between the hours of 9:00 a.m. and 8:00 p.m. on Saturdays, Sundays, and legal holidays.”**(emphasis added)



# Background: Noise

## Gas-Powered Leaf Blower Ban

- At the meeting November 17, the Planning Commission discussed a potential gas-powered leaf blower ban
- Recommending a ban is beyond the scope of the project docketed by the City Council
- If the Planning Commission would like to consider a ban, they can request further direction from the Council with their recommendation on ZTR21-005





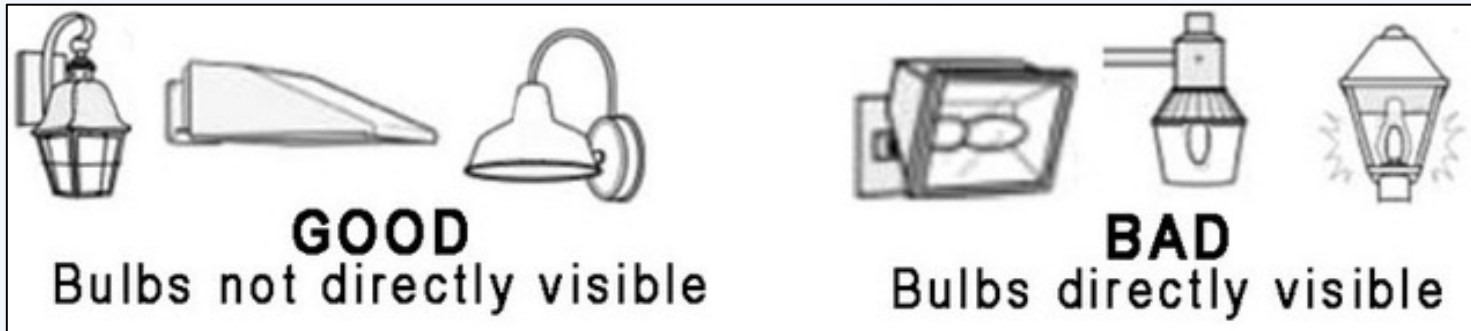
# Background: Lighting

## Residential Lighting


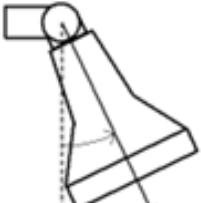
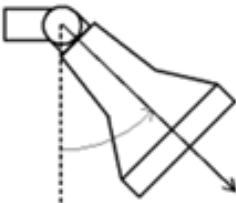
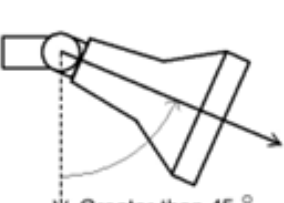
- Exterior lighting in residential zones is not currently regulated by Chapter 19.02 MICC
- Two commonly regulated aspects of lighting:
  - Direction and shielding of lighting fixtures, and
  - Brightness of lighting fixtures



## Shielding



## Direction

			
Straight down	Less than 45°	45°	Greater than 45°
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Fully Shielded</b>	<b>Partially Shielded</b>	<b>Partially Shielded</b>	<b>Unshielded</b>

## Background: Lighting

Shielding: opaque barrier around light bulb

Direction: where the fixture is pointed. Typically, a requirement that directional lights point downward



# Background: Lighting

## Residential Lighting: Brightness

- Measured in lumens (watts measure energy usage)
  - 1,600 lumens roughly 100-watt incandescent bulb
  - 450 lumens roughly 40-watt incandescent bulb
- Very common for regulations limit lumens combined with directional/shielding requirements



# Staff Recommended Lighting Regulations

- Adds a new subsection (K) to MICC 19.02.020 Development standards.
- Requires most external lighting fixtures to be shielded or directed downward
- Limits the lumens allowed for external lighting fixtures



# Staff Recommended Lighting Regulations

## K. Exterior Lighting.

1. Applicability. This section applies to all exterior lighting installed after the effective date of this ordinance in the R-8.4, R-9.6, R-12, and R-15 zones. The following lighting types are exempt:

- a. Lighting within a public right-of-way or easement for the purpose of illuminating roads, trails, and pedestrian ways;
- b. Repair of lighting fixtures existing prior to the effective date of this ordinance;
- c. Emergency lighting;
- d. Temporary seasonal lighting; and
- e. lighting required by state or federal law.



# Staff Recommended Lighting Regulations

## 2. Standards.

- a. All exterior lighting shall be designed to minimize light trespass onto neighboring properties.
- b. All exterior lighting must be either fully or partially shielded except that one unshielded lighting fixture not exceeding 450 lumens is allowed at the main entry of each residence.
  - i. Fully shielded means the lighting fixture has a solid opaque barrier at the top of the fixture in which the bulb is located and the fixture is angled so the bulb is not visible below the barrier.
  - ii. Partially shielded means the fixture is shielded by a solid opaque barrier or angled no more than 45 degrees above straight down, which is half-way between perpendicular and parallel to the adjacent grade.



# Staff Recommended Lighting Regulations

- c. Each exterior lighting fixture shall not exceed 1,600 lumens.
- d. Exterior lighting fixtures shall be designed so that they do not project their output:
  - i. Onto neighboring properties;
  - ii. Past the object being illuminated;
  - ii. Skyward;
  - iii. Onto a public roadway; or
  - iv. Onto a pedestrian way.
- e. Exterior lighting fixtures with a motion sensor must not be activated by off-site movement.



# Criteria for Approval of Zoning Code Amendments

Established in MICC 19.15.250(D), which states:

D. *Criteria.* The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.





# Process

1. Public testimony
2. Planning Commission deliberations and recommendation
3. Recommendation taken to City Council in March



# Questions?

Adam Zack, Senior Planner

[Adam.Zack@mercerisland.gov](mailto:Adam.Zack@mercerisland.gov)

206-275-7719

