

CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN

**NOTICE OF ZONING PUBLIC HEARING**

PLEASE TAKE NOTICE that the Planning Commission of the Charter Township of Oshtemo will conduct a public hearing on Thursday, August 8, 2019, commencing at 6:00 p.m. at the Oshtemo Charter Township Hall, 7275 West Main Street, within the Township, as required under the provisions of the Michigan Zoning Enabling Act.

PLEASE TAKE FURTHER NOTICE that the item to be considered at said public hearing includes, in brief, the following:

1. Consideration of an amendment and replacement of Township Zoning Ordinance Article 54 Lighting, which, in summary, reads as follow:

ARTICLE 54: LIGHTING

**Section 54.10 INTENT**

- A. Purpose. Protect the public health, safety and general welfare by regulating lighting levels.
- B. Objectives. Outdoor lighting shall satisfy the following objectives.
  1. Avoid excessive light spillover
  2. Be shielded, and downward directed
  3. Control illumination of vertical architectural surfaces
  4. Provide for uniform lighting within sites
  5. Enable the fair and consistent enforcement

**54.20 APPLICABILITY**

These lighting requirements shall apply to all lighting within the Township.

- A. Alterations to existing lighting.
  1. When poles and support structures are destroyed or removed, they must be replaced with poles and supports that comply with all of the provisions of this Article.
  2. When luminaries are destroyed or removed, they must be replaced with luminaries that comply with all provisions of this Article.
- B. When a new parking lot or addition to an existing parking lot is constructed, the new lot or lot addition must be provided with lighting in compliance with this Article.
- C. When a site is improved with new structures, or replacements of existing structures, the lighting must meet the requirements of this Article.

**54.30 DEFINITIONS – The following definitions are more fully set forth in the Ordinance**

- A. Ambient lighting
- B. Baffle or light shield
- C. Building canopy
- D. Bulb or lamp
- E. Canopy structure
- F. Color rendering index (CRI)
- G. Encased

H. Existing lighting

**54.40 EXEMPTIONS**

- A. Emergency lighting
- B. Lighting operated by a public utility
- C. Temporary construction lighting
- D. Temporary holiday decorative lighting
- E. Lights on communication towers
- F. Lighting used to illuminate a flag of the United States
- G. Lighting associated with recognized agricultural activities
- H. Typical residential light fixtures
- I. Light fixtures legally installed prior to the effective date of this Ordinance

**54.50 PROHIBITED LIGHTING**

- A. Lighting of a blinking, flashing, rotating, or fluttering nature
- B. Beacon and/or search lights
- C. Fixtures that direct light upward
- D. Roof mounted lighting
- E. Lighting of an intensity that interferes with health, safety, and welfare
- F. Unshielded luminous tube, LED, incandescent, or fluorescent lighting as an architectural detail

**54.60 OUTDOOR LIGHTING STANDARDS**

- A. General Provisions
  - 1. All luminaires are required to be cut-off fixtures
  - 2. Security lighting shall be attached to buildings and controlled by motion sensors
  - 3. Lighting plans shall be designed to direct light into the development
  - 4. Nonresidential properties shall be designed so light levels do not exceed 0.1 foot-candles at the perimeter and 0.5 foot-candles adjacent to all other zoning and uses.
  - 5. Lighting to illuminate shared parking lots shall be exempt from the 0.5 foot-candle requirement at the shared property line only.
  - 6. The ratio of maximum to minimum levels of light within the parking lot and drive aisle areas of a nonresidential property shall not exceed 20:1.
  - 7. Lighting shall be significantly reduced during non-operational building hours.
  - 8. Color Temperature and Rendering. Lighting for all nonresidential developments shall have a minimum color rendering index (CRI) of 65 and a Kelvin rating between 4000-5000k.
- B. Pole-Mounted Lighting
  - 1. All pole-mounted luminaires shall be affixed horizontally and angled parallel to the ground.
  - 2. No more than two luminaires shall be allowed per pole.
  - 3. Luminaire 15 feet or less shall not exceed 12,000 lumens and spaced a minimum of 30 feet apart.
  - 4. Luminaire greater than 15 feet and not exceeding 25 feet shall not exceed 20,000 lumens spaced a minimum of 40 feet apart.
  - 5. Luminaire height exceeding 25 feet shall be subject to approval by the reviewing body.
- C. Building-Mounted Lighting
  - 1. Pedestrian walkways and doorways
    - a. Shall not exceed 14-feet in height
    - b. Each luminaire shall not exceed 8,000 lumens
  - 2. Luminaires used for the sole purpose of illuminating a building façade:

- a. May be up to 1.5 foot-candles averaged over the building façade.
  - b. May be located on the building or be ground-mounted.
  - c. Lights shall be appropriately shielded.
3. The use of architectural features, such as a canopy, to prevent light beyond the architectural feature may satisfy the intent of this Section.

**D. Landscape Features and Green Belt Lighting**

- 1. Landscape luminaires may include uplighting directed at the landscape or plant feature.
- 2. Shall be equipped with shields to help direct light to the landscape or plant feature.
- 3. Shall not exceed 300 lumens per luminaire.
- 4. Shall not exceed a height of 18-inches above grade.

**E. Special Uses**

- 1. Service station/fuel sales canopy structure.
  - a. Luminaires shall be recessed so that light is directed downward.
  - b. Indirect lighting may be used where uplighting is reflected from the underside of the canopy.
  - c. Luminaires shall not be mounted on the top or sides (fascia) of a canopy.
  - d. Internally illuminated signs in compliance with the Sign Ordinance.
  - e. The total light output directly below the canopy shall not exceed 30 foot-candles.
- 2. Outdoor dining areas
  - a. Decorative unshielded lighting may be used in outdoor dining areas as long as the lighting does not exceed 1.5 foot-candles.
  - b. Lighting in outdoor dining areas must be extinguished by 11:00 p.m.

**54.70 INTERIOR LIGHTING**

Where interior lighting and/or lighting displays are located within 10 feet of a bay of windows, lighting shall be shielded or screened to reduce visibility and glare.

**54.80 EXISTING LIGHTING**

All lighting established prior to this Ordinance shall be so arranged as to avoid glare or direct illumination onto any portion of any adjacent rights-of-way or onto any adjacent premises.

**54.90 ADMINISTRATION**

A site lighting plan for Site Plan review shall be submitted and shall provide the following information:

- A. Proposed location on premises of all outdoor light fixture(s).
  - B. Manufacturer specification sheets, cut-sheets, for all proposed luminaires.
  - C. The height of all luminaires and poles.
  - D. A photometric plan showing foot-candle readings every ten feet.
  - E. If building elevations are proposed for illumination, drawings shall be provided for all relevant building elevations.
2. Such other and further matters as may properly come before the Planning Commission at the public hearing.

You are invited to attend this hearing. If you are unable to attend, written comments may be submitted in lieu of a personal appearance by writing to the Planning Commission at the Township Hall, 7275 W. Main Street, Kalamazoo, MI 49009, up to the date of the hearing and may be further received

by the Planning Commission at said hearing. In addition, all materials relating to these requests may be examined at the Oshtemo Township Hall during normal business hours.

Oshtemo Charter Township will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Oshtemo Charter Township. Individuals with disabilities requiring auxiliary aids or services should contact the Oshtemo Charter Township by writing or calling the Township.

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

By: Julie Johnston, Planning Director

(269) 216-5223