CITY OF STOUGHTON, 207 S. Forrest Street, Stoughton, WI 53589

ORDINANCE OF THE COMMON COUNCIL			
Amending Zoning Code Sections 78-707 and 78-704 of the Stoughton Municipal Code			
Committee Action:	Plan Commission recommends approval 7 - 0		
Fiscal Impact:	None		
File Number:	O-20-2020	**First Reading:** **Second Reading:**	September 22, 2020 October 9, 2020

The Common Council of the City of Stoughton do ordain as follows:

Sec. 78-707 – Exterior Lighting Standards.

(1) Purpose. The purpose of this section is to regulate the spill-over of light and glare on operators of motor vehicles, pedestrians, and land uses ~~in the vicinity of~~ near a light source in order to promote traffic safety and to prevent the creation of nuisances.

(2) Applicability. The requirements of this section apply to all private exterior lighting within the jurisdiction of this chapter, except for lighting within public rights-of-way and/or lighting located on public property.

(3) Depiction on required site plan. Any and all exterior lighting shall be depicted as to its location, orientation and configuration on the site plan required for the development of the subject property. (Refer to section 78-908.)

(4) Requirements.

a) *Orientation of Fixture.* In no instance shall an exterior lighting fixture be oriented so that the lighting element (or a clear shield) is visible from a property located within a residential zoning district. The use of shielded luminaries and careful fixture placement is encouraged so as to facilitate compliance with this requirement.

b) *Intensity of Illumination.*

~~1.~~ In no instance shall the amount of illumination attributable to exterior lighting, as measured at the property line, exceed 0.50 footcandles above ambient lighting conditions on a cloudless night.

~~2. The maximum average on-site lighting in non-residential zoning districts shall be 2.4 footcandles.~~

~~3. The maximum average on-site lighting in residential zoning districts shall be 0.90 footcandles.~~

~~4. The following exceptions shall be permitted:~~

~~a. Outdoor recreation facilities and assembly areas: Maximum average on-site lighting of 3.60 footcandles.~~

~~b. Auto display lots and gas station pump islands: Maximum average on-site lighting of 25.0 footcandles, all under-the-canopy fixtures shall be fully recessed.~~

c) *Location.* Light fixtures shall not be located within required bufferyards.

d) *Fixture heights.* The maximum fixture height in the CB, ER-1, NO, NB, SR-3, SR-4, SR-5, SR-6, TR-6, MR-10, and MR-24 Districts shall be 16 feet. The maximum fixture height in the RH, PO, PB, ~~CB,~~ PI, GI, HI, and I Districts shall be 25 feet.

e) *Flashing, Flickering and other Distracting Lighting.* Flashing, flickering and/or other lighting which may distract motorists are prohibited. ~~(Refer to Section 78-810(3)).~~

f) *Minimum Lighting Standards.* All areas designated on required site plans for vehicular parking, loading, or circulation and used for any such purpose after sunset shall provide artificial illumination in such areas at a minimum intensity of 0.4 ~~0.2~~ footcandles.

g) *Nonconforming Lighting.* All lighting fixtures existing prior to the effective date of this chapter shall be considered as legal conforming uses~~,~~ (see section 78-210).

Sec. 78-704 - Off Street Parking and Circulation Standards

(6) *Off-street parking and traffic circulation design standards.*

(c) *Lighting.* All off-street parking and traffic circulation areas serving 6 or more cars shall be lit ~~so as~~ to ensure the safe and efficient use of said areas during the hours of use. ~~An illumination level of between 0.4 and 1.0 footcandles is recommended for said areas, and said illumination level shall not exceed~~ Such parking areas shall meet the standards of section 78-707.

This ordinance shall be in full force and effect from and after its date of publication.

Dates

Council Adopted:_____

Mayor Approved: _____ _____

Tim Swadley, Mayor

Published:_____

Attest:_____ _____

Holly Licht, City Clerk

CITY OF STOUGHTON
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RODNEY J. SCHEEL
DIRECTOR

Date: September 9, 2020

To: Plan Commissioners and Common Council

From: Rodney J. Scheel
Director of Planning & Development

Michael P. Stacey
Zoning Administrator/Assistant Planner

Subject: Agenda Item for the September 14, 2020 Plan Commission Meeting and Common Council Meetings of September 8 and 22, 2020.

Proposed Zoning Ordinance Amendment to Section 78-707 and 78-704, Commercial Exterior Lighting Standards.

We have had several complaints regarding the current exterior lighting standards, that they are impossible to gain compliance. We checked other area communities and found that they had modified this section of code while still maintaining the maximum .5 footcandles at the property line and still require that the lighting element cannot be seen from a residential property. We believe these changes will provide consistency with other communities and allow applicants to comply with the requirements. The ordinance is provided. A public hearing and recommendation to Council is necessary.

NOTICE OF PUBLIC HEARING

The City of Stoughton Plan Commission will hold a **Virtual Public Hearing** on **Monday, September 14, 2020** at **6:00 o'clock p.m.,** or as soon after as the matter may be heard, to consider proposed ordinance amendments to the City of Stoughton Municipal Code of Ordinances sections 78-707 and 78-704. These proposed amendments are to update the commercial exterior lighting standards within the City of Stoughton, Dane County, Wisconsin.

Due to the COVID-19 Pandemic, this meeting will not be open to the public in an in-person capacity. For those wishing to view the meeting and/or ask questions, you may do so via the following options:

Please join the meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/547935901

You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)
United States (Toll Free): 1 877 309 2073
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If you wish to speak at or have your comments read aloud at the meeting, please register at http://speak.cityofstoughton.com by 5:45 on the day of the meeting. The Clerk will the receive comments and forward them on to the "Organizer". The public can click on the link or call in and use the access code. When connected the public will have to identify themselves in order for the "Organizer" to rename them on the "Attendee" screen. If you plan to speak, please mute TV or stream volume (if online) and do not use speakerphone, as it creates feedback, there may be a delay. The Public Comment participant will be unmuted by the "Organizer" when it is their turn and have up to 3 minutes to speak. After speaking, the "Organizer" will mute the Public Comment participant. The participant can log out or hang up and stream at WSTO, or watch on Channel 981 on Charter/Spectrum.

For questions regarding this notice please contact Michael Stacey, Zoning Administrator at 608-646-0421

Published August 20 and August 27, 2020 Hub