

CASE 2-25-T “EXHIBIT A”

NEW Article 14, Sections 1400 – 1408 of the Zoning Resolution:

ARTICLE 14

LIGHTING

1400. General Purpose & Intent of Lighting Standards.

The purpose of this Article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor lighting of all types, and in all zoning districts. It is intended to preserve privacy, protect property from light spillover and trespass, improve safety, enhance and protect the physical appearance of the community, preserve scenic and natural beauty by reducing light pollution, and reduce lighting-related distractions and glare that may contribute to traffic and other accidents.

This Article shall apply to any and all exterior lighting in Union Township, emanating from any light fixture, flood light, spotlight, lamp or other source of lighting; with the exception of lighting specifically exempted from these regulations pursuant to Section 1401 herein.

1401. Lighting Exempt from Regulations

The following types of exterior lighting shall be exempt from the regulations set forth in this Article:

1. Lighting erected and maintained pursuant to and/or in discharge of any governmental function;
2. Lighting required by any law, ordinance, or other governmental regulation, order or approval; and
3. Temporary lighting necessary to address an emergent situation, provided the lighting is discontinued when the emergency ceases.

1402. Prohibited Lighting

The following types of exterior lighting shall be prohibited in Union Township:

1. Laser-source lighting;
2. Search lights;
3. Beam lighting;
4. LED window and building trim and/or accent lighting; and
5. Lights that pulse, flash, rotate, or simulate motion.

1403. General Requirements for Lighting, All Zoning Districts.

The Regulations set forth in this section shall apply to all lighting in all districts.

For additional rules regarding the illumination of signage, refer to Article 9.

1. In no event shall a lighting source be placed or directed so as to permit light originating from the source to illuminate a public or private thoroughfare, highway, sidewalk, or adjacent premises in a manner which may result in glare or reflection that could constitute a traffic hazard or nuisance.
2. Lighting shall be maintained in a manner so as to prevent light spillover onto adjacent property.
3. It is the responsibility of the property owner to maintain all lighting (excepting government-owned lighting) on the property in a safe and operable condition. Should Union Township determine that lighting has become, or is in danger of becoming, unsafe for any reason, the Zoning Director or his/her designee shall notify the property owner of the unsafe condition and the property owner shall thereafter promptly proceed to restore the safety and security of such lighting, or remove the lighting, in accordance with the Zoning Director's directives and the regulations set forth in this Article.

1404. Requirements for Lighting in Residential Districts.

The regulations set forth in this section shall apply to lighting in all Residential Districts and residential subdivisions.

1. All lighting within a subdivision shall be in accordance with all applicable regulations of the currently adopted and enforced electrical and building code and subdivision regulations of the Clermont County Building Department.
2. All lighting should be downward-directed, shielded, and dark-sky compliant in order to prevent light spillover upon adjacent properties, with a maximum illumination of 0.5 foot-candles at adjacent residential properties lines.
3. Lamp posts, or temporary lighting that is not prohibited under Section 1402 of this Article (such as lawn or yard lights, landscape lighting, string-lights, and other similar lighting devices) shall be classified as permissible lawn ornaments, and considered incidental accessory uses that do not require zoning permits per Article 7, Section 711.12 of this Resolution.
4. Subject to Section 1401 of this Article, all lighting not specifically provided for herein shall be prohibited.

1405. Requirements for Lighting in Commercial & Industrial Districts.

The regulations set forth in this section shall apply to lighting in all Commercial and Industrial Districts.

1. All lighting shall be downward-directed, shielded, and dark-sky compliant. Lighting devices shall be dark-sky compliant, in accordance with International Dark-Sky Association standards, with a maximum illumination of 0.5 foot-candles at adjacent residential properties lines.
2. Any exterior pole lighting, canopy lighting, or similar lighting shall be flat lens design and shielded so that all light is down directed. Sag lens lighting is prohibited. Where property of commercial uses adjoins or is within one hundred fifty (150') feet of a Residential District, lighting shall be directed away from the residential property so as not to illuminate the adjacent residential property.
3. Building-mounted lighting (other than recessed soffit mounted lights) located within fifty (50') feet of a Residential District shall be installed no higher than six (6') feet from grade.
4. All pole-mounted lighting shall be mounted to metal poles, with the lights mounted no higher than twelve feet (12') for cutoff lighting, or twenty-five feet (25') for non-cutoff lighting above grade.

5. Any parking area intended to be used during non-daylight hours shall be properly illuminated to avoid accidents and provide security, in accordance with Figure 1 herein.
6. Where the Zoning Director determines, in his or her reasonable discretion, that lighting is an integral component of a particular commercial or industrial development, the Director or his/her designee shall have the authority to specify maximum and/or minimum units of illumination measured in foot-candles or lumens, and required illumination patterns, based on the table illustrated below.
7. The required maximum light-levels in units of illumination measured in foot-candles or lumens shall be as specified in Figure 1.
8. Uniform lighting shall be provided to prevent various intensities or colors of lighting throughout a parking area.
9. Subject to Section 1401 of this Article, all lighting not specifically provided for herein shall be prohibited.

Article 14 Section 1405 Figure 1

General Application	Maximum Light	
	Foot-Candles (1)	Lumens (10.76)
<u>Building Exterior</u>		
Active Entrances	5.0	(53.80)
Inactive Entrances	1.0	(10.76)
Vital Locations or Structures	5.0	(53.80)
<u>Parking Areas</u>		
High Activity	3.6	(38.74)
Medium Activity	2.4	(25.82)
Low Activity	0.8	(8.61)

<u>Roadways – Non-Dedicated and Private</u>		
High Activity	2.0	(21.52)
Medium Activity	1.0	(10.76)
Low Activity	0.5	(5.38)

1406. Nonconformities

Lighting lawfully in existence prior to the effective date of this Resolution, and which violates or is otherwise not in conformity with the provisions of this Article, shall be deemed nonconforming. All such legal nonconforming lighting may be maintained in accordance with the provisions of Article 10 of this Resolution. The burden of establishing the legal nonconforming status of any lighting shall be upon the owner of the lighting.

1408. Variances.

The Board of Zoning Appeals may grant a variance from any requirement of this Article if it determines that such action is warranted, in accordance with Article 4 of this Zoning Resolution.

For lighting devices found to be cause of an issue not specifically listed in this Article of the Zoning Resolution, the Zoning Director, or his or her designee, may grant reasonable accommodation, provided that the lighting is downward-directed and shielded, dark-sky compliant, and results in less than a 25% adjustment to the standards set forth herein.