

**ORDINANCE NO. 384**  
**CITY OF BLOOMFIELD HILLS**  
**COUNTY OF OAKLAND**  
**TEXT AMENDMENT TO ZONING**  
**ORDINANCE**

**AN ORDINANCE TO AMEND CHAPTER 24, THE ZONING ORDINANCE OF THE CITY OF BLOOMFIELD HILLS IN ORDER ADD SECTION 24-250, TO ESTABLISH LIGHTING REGULATIONS FOR ALL DISTRICTS WITHIN THE CITY OF BLOOMFIELD HILLS AND TO REPEAL ORDINANCE SECTIONS 24-229(b)(1)(b) AND 24-241.**

**THE CITY OF BLOOMFIELD HILLS ORDAINS:**

**Section 1 of Ordinance**

**Sec. 24-250. Lighting (all districts)**

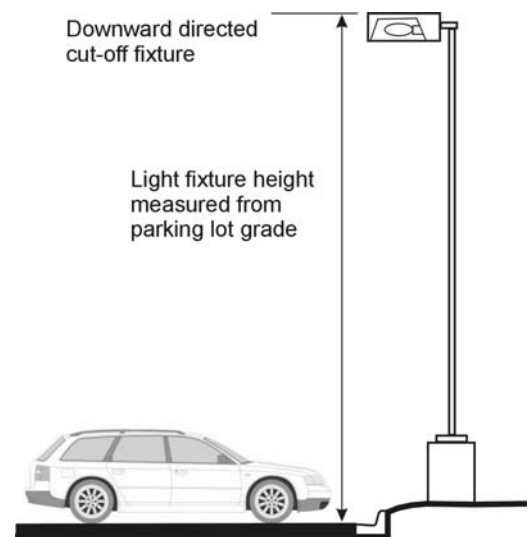
(1) *Intent and purpose.* It is the intent of this Section is to protect the health, safety, and welfare of the public by recognizing that buildings and sites need to be illuminated for safety, security, and visibility for occupants, users, pedestrians, and motorists. To do so, this Article provides standards for various forms of lighting that will: 1) minimize light pollution; 2) maintain safe nighttime driver performance on public roadways; 3) preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to “sky glow”; 4) reduce light trespass from light sources onto adjacent properties; 5) conservation of electrical energy; and 6) curtail the degradation of the nighttime visual environment.

(2) *Applicability.* The standards in this Article shall apply to any light source that is visible from any property line, or beyond, for the site from which the light is emanating. The City Manager or designee may review any building or site to determine compliance with the requirements under this Article. Whenever a person is required to obtain a building permit, electrical permit for outdoor lighting or signage, a special land use approval, subdivision approval or site plan approval from the City, the applicant shall submit sufficient information to enable the City Manager or designee to determine whether the proposed lighting will comply with this Article.

(3) *Lighting Definitions.* The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) Canopy Structure. Any overhead protective structure which is constructed in such a manner as to allow pedestrians/vehicles to pass under.

- (b) Footcandle. The standard imperial unit used to measure the amount of light falling onto a surface, such as a roadway or parking lot.
- (c) Flood or Spot Light. Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.
- (d) Glare. Direct light emitted by a lamp, luminous tube lighting or other light source.
- (e) Lamp. The component of the luminaire that produces the actual light including luminous tube lighting.
- (f) Light Fixture. The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.
- (g) Light Pollution. Artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties.
- (h) Light Trespass. The shining of light produced by a luminaire beyond the boundaries of the property on which it is located in an objectionable manner, as determined by the City Manager or his designee.
- (i) Luminaire. The complete lighting system including the lamp and light fixture.
- (j) Luminous Tube Lighting. Gas filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.
- (k) Outdoor Light Fixtures. Outdoor artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, used for flood lighting, general illumination or advertisement.
- (l) Fully Shielded Fixture. Outdoor light fixtures shielded or constructed so that zero percent (0.0%) of the lamp lumens are emitted above ninety degrees (90°). A luminaire mounted in a recessed fashion under a canopy or other structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this Article.



- (m) Sky Glow. The “haze” or “glow” that surrounds highly populated areas and reduces the ability to view the nighttime sky. Specifically, light that enters the sky from an outdoor lighting system by indirect light reflected from atmospheric particles such as fog, dust, or smog.

(4) Submittal Requirements. The following information must be included for all site plan submissions and where site plan approval is not required, some or all of the items may be required by the City Manager or designee prior to lighting installation:

- (a) Location of all freestanding, building-mounted and canopy light fixtures on the site plan and building elevations.
- (b) Photometric grid overlaid on the proposed site plan indicating the overall light intensity throughout the site (in footcandles).
- (c) Specifications and details for the type of fixture being proposed including the total lumen output, type of lamp and method of shielding.
- (d) Use of the fixture proposed.
- (e) Any other information deemed necessary by the planning commission, City Manager or designee to determine compliance with provisions of this Article.

(5) Lighting Standards. Unless exempted under (6) *Exemptions* herein, all lighting must comply with the following standards:

(a) Freestanding Pole Lighting

- 1. Exterior lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward directed, metal halide, LED or induction full cutoff fixtures or approved decorative fixtures shall be used in an effort to maintain a unified lighting standard throughout the City and prevent “sky glow”.
- 2. The intensity of light within a site shall not exceed ten (10) footcandles within any site or one (1) footcandle at any property line, except where it abuts a service drive or other public right-of-way. Footcandles abutting a residential district or use can be a maximum of 0.5 footcandles at the property line. The only exception is for gas station canopy and automobile dealership lighting, where a maximum of twenty (20) footcandles is permitted within the site but the above standards shall apply to intensity at the property line.
- 3. The planning commission, City Manager or designee (depending upon who has approval authority over the project) may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures are necessary to preserve the intended character of the site.
- 4. The maximum height of parking lot light fixtures shall be twenty (20) feet, except that the planning commission may permit a maximum height of thirty (30) feet within commercial and office zoning districts and in institutional districts when the poles are no closer than one hundred fifty (150) feet to a residential district or use.

5. Parking lot poles shall be located in parking lot islands or in the periphery parking lot area. Light poles shall be prohibited in parking spaces.
6. Except where used for security purposes and not creating off-site glare, all outdoor lighting fixtures, existing or hereafter installed and maintained upon private property within non-residential zoning districts shall be turned off between 11:00 p.m. and sunrise, except where such use continues after 11:00 p.m. but only for so long as such use continues.

(b) Building-Mounted Lighting

1. Building-mounted lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward directed, metal halide fixtures shall be used in an effort to maintain a unified lighting standard throughout the City and prevent sky glow.
2. The intensity of light within a site shall not exceed ten (10) footcandles within any site or one (1) footcandle at any property line, except where it abuts a service drive or other public right-of-way. Footcandles abutting a residential district or use can be a maximum of 0.5 footcandles at the property line.
3. The planning commission, City Manager or designee (depending upon who has approval authority over the project) may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.
4. Luminous tube and exposed bulb fluorescent lighting is prohibited as an architectural detail on all buildings, e.g. along the roof line and eaves, around windows, etc.

(c) Window Lighting

1. Any light fixtures visible through a window must be shielded to prevent glare at the property line.

Luminous tube and exposed bulb fluorescent lighting (visible from the property line) is prohibited unless it is part of a sign that meets the requirements of Chapter 16 of the City Code.

- (d) Accessory Lighting. Lighting provided for all accessory uses such as, but not limited to, tennis courts, swimming pools or other outdoor facilities shall be arranged and shielded so that the light pattern shall not extend beyond the property line and the light source shall not be directly visible from beyond the property line. In addition, the maximum height for fixtures that illuminate tennis courts is 24 feet and shall be turned off between 10:00 p.m. and sunrise.

(e) Private Road Street Lighting

1. Street lights along private residential roads may be required by the planning commission as part of a condominium or site condominium project. Where required, the applicant shall provide a full lighting plan including all of the information required by subsection 24-250(4) above.
2. Where such lighting is required, the planning commission shall use the following standards for guidance:
  - a. Lighting may be provided along both sides of the street, or staggered on opposite sides with spacing generally between four hundred (400) and six hundred (600) feet.
  - b. Fixtures should be fully shielded and downward directed unless decorative light fixtures are used that provide no off-site glare and are in keeping with the character of the site.
  - c. Fixture height should not exceed 20 feet.
  - d. Lighting intensity should be limited to a range between one (1) and six (6) footcandles, depending upon the fixture style, with the greater intensity at intersections and crosswalks.
  - e. A determination should be made that the proposed lighting plan will not adversely impact surrounding properties.

(f) Other Lighting

1. The internal illumination of building-mounted canopies is prohibited.
2. Indirect illumination of signs, canopies and buildings is permitted provided there is no off-site glare.
3. The use of laser light source, search lights or any similar high intensity light for outdoor advertisement or entertainment is prohibited.
4. Lighting shall not be of a flashing, moving or intermittent type.
5. Luminous tube and exposed bulb fluorescent lighting is permitted as part of a sign meeting the requirements of Chapter 16 of the City Code.
6. Sports field lighting is permitted to be in use no later than 10:00 p.m., provided it is located at least 500 feet away from any existing residential zone or use. Sports field lighting may be approved by the Planning Commission after a determination that the lighting is directed away from residential properties, to the extent feasible, and that all efforts possible were made to minimize negative impacts to surrounding uses.

(6) Exemptions. The following are exempt from the lighting requirements of this Article, except that the City Manager or designee may take steps to eliminate the impact of the exempted items when there is off-site glare and deemed necessary to protect the health, safety, and welfare of the public

- (a) Swimming pools (below the water surface only).

- (b) Holiday decorations.
- (c) Window displays without glare.
- (d) Shielded pedestrian walkway lighting.
- (e) Residential lighting with no light trespass.
- (f) Residential entry piers with no more than 1.0 footcandles along the front lot line.
- (g) Low voltage or solar powered landscape lighting.
- (h) Street or directional lighting in existing public rights-of-way.

(7) Lamp or Fixture Substitution. Should any light fixture regulated under this Ordinance, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the City Manager or designee for approval, together with adequate information to assure compliance with this Ordinance, which must be received prior to substitution.

#### Section 2 of Ordinance

Ordinance Sections 24-229(b)(1)(b) and 24-241 are hereby repealed.

#### Section 3 of Ordinance

Except as expressly set forth above, the Zoning Ordinance shall remain in full force and effect.

#### Section 4 of Ordinance

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed, only to the extent necessary to give this Ordinance full force and effect.

#### Section 5 of Ordinance

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

#### Section 6 of Ordinance

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law when they were commenced.

#### Section 7 of Ordinance

The provisions of this Ordinance are hereby ordered to take effect immediately upon publication in the manner prescribed by law.

Section 8 of Ordinance

This Ordinance is hereby declared to have been adopted by the City Commission of the City of Bloomfield Hills at a meeting thereof duly called and held on the 8th day of June, 2010, and ordered to be given publication in the manner prescribed by the Charter of the City of Bloomfield Hills.

**AYES: 4 (McCready, Zambricki, Toohey, McClure)**

**NAYES:0**

**ABSTENTIONS:0**

**ABSENT: 1 (Hardy)**

STATE OF MICHIGAN )

) ss.

COUNTY OF OAKLAND)

I, the undersigned, the duly qualified Clerk of the City of Bloomfield Hills, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 384 adopted by the Bloomfield Hills City Commission on the 8th day of June, 2010, the original of which is in my office.