



**Planning & Development
Scott County, Iowa**

Chris Mathias, Director

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Administrative Center
600 West Fourth Street
Davenport, Iowa 52801-1106

June 23, 2022

To: Mahesh Sharma, County Administrator
From: Alan Sabat, Planning and Development Specialist
Re: Public Hearing and First Reading of Proposed Outdoor Commercial Lighting Ordinance

Several months ago, Planning staff was approached by a County resident (Audrey Claussen, 14243 Kruse Avenue, Blue Grass Township) requesting that the County begin to consider the impacts outdoor commercial lighting may have on neighboring residential and agricultural properties. Since no language in the Zoning Ordinance currently exists that regulates outdoor commercial lighting, staff decided to bring the topic to the Planning & Zoning Commission for its consideration.

Staff introduced a basic framework of ordinance language at the September 7, 2021 meeting, followed by a review of proposed ordinance text at the November 16, 2021 meeting, and then a request to schedule a public hearing at the April 5, 2022 meeting. The Commission held a public hearing on June 21, 2022 and voted (5-0) to recommend the adoption of the outdoor commercial lighting ordinance text in accordance with staff's recommendation. No members of the public spoke for or against the request.

In short, the proposed text would require all commercial developments subject to Site Plan Review by the Planning & Zoning Commission to submit a lighting plan in their applications, wherein brightness levels and fixture cut-offs are regulated.

Staff would like to bring the Commission's recommendation to the Board of Supervisors and hold a public hearing on adopting the ordinance text at their regular meeting on July 7, 2022. Staff also requests that a first reading of the ordinance text occur in conjunction with the public hearing. Having received no public comments throughout the process, aside from Ms. Claussen's continued advocacy, staff does not expect extensive public comment at the hearing.

June 21, 2022 Planning & Zoning Commission Public Hearing Meeting:

- **Vote (recommend adoption of Lighting Ordinance): 5-0, All Ayes**
Schnekloth arriving after the vote

Members Present: Scheibe, Armstrong, Piatak, Schnekloth, Steward, Rochau
Members Absent: Maxwell



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To: Planning and Zoning Commission

From: Chris Mathias, Planning Director

Date: June 14, 2022

Re: Proposed Lighting Regulations for Scott County

Based on the direction from the Planning & Zoning Commission (**P & Z**), Staff has scheduled a public hearing for June 21st, 2022 to update the Zoning Ordinance with some lighting standards. Currently, Scott County has no ordinance to regulate exterior lighting. Lighting type, intensity, height and location can all have an effect on neighboring properties. We want properties to have adequate exterior lighting to ensure safety, but we need to minimize light pollution as well.

Staff are proposing changes to Section 6-29 "Site Plan Review" to require the lighting regulations as part of the Site Plan Review process. As we've already discussed, these lighting regulations would only apply to projects that require a site plan review. Any new multi-family, commercial, office, institutional or industrial uses in the County require a Site Plan Review at the **P & Z**, and if approved, these lighting standards would become part of that review. If you recommend approval of these proposed amendments, they will then go to the Board of Supervisors for approval.

The specific changes to the Ordinance are proposed as follows:

Add Section 6-29(D)(7)

- (7) All lighting shall be provided in accordance with the provisions of Section 6-29(G) of this Code.

Add Section 6-29(G) Lighting

G. Lighting: All lighting shall be provided in accordance with the following provisions:

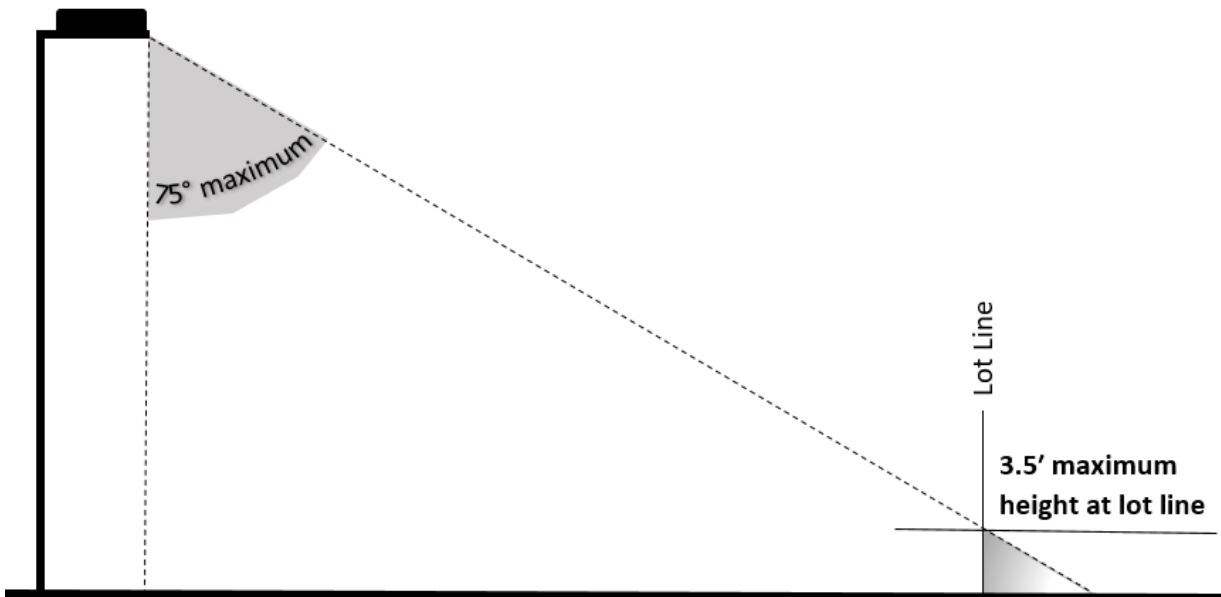
- (1) **Lighting Plan:** All proposed lighting is required to be shown on a lighting plan. The plan shall show all light poles, lights mounted on buildings, small bollard or monument lights and all other lighting to be installed on the property. Information to be included on the plan or as an attachment with the plan:
- a. Details on the pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.



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- b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.
 - c. Elevations of the site including all structures and luminaires sufficient to determine the total cut off angle of all luminaires and their relationship to abutting parcels may be required.
 - d. A Photometric plan that shows the foot-candle measurement at all lot lines.
- (2) Maximum Brightness.
- a. The maximum allowable foot-candle at any lot line is one foot-candle.
 - b. When additional security lighting is required for security reasons in excess of the foot-candle limit imposed by item 1 above, additional lighting may be allowed based on evidence for the need for additional security through site plan review.
 - c. No glare onto adjacent properties is permitted.
- (3) Luminaire with Cut Off Standards.
- a. To be considered a cut off luminaire, the cut off angle must be 75° or less.
 - b. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is 40 feet in the "C-2" and "I" Districts and 35 feet in all other districts.
 - c. A cut off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.

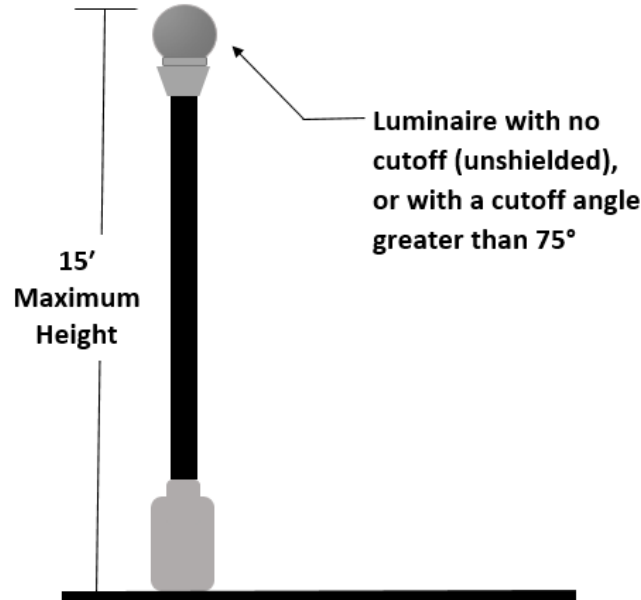




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- (4) Luminaire with No Cut Off Standards. Decorative and/or architectural lighting with no cut off is allowed and subject to the following standards:
- A luminaire is considered to have no cut off if it is unshielded or has a cut off angle greater than 75° .
 - The maximum permitted total height of a luminaire with no cut off is 15 feet.



- (5) Exceptions to Lighting Standards.
- Uplighting of buildings is allowed but all light must be directed onto the facade of the structure and cannot glare onto other properties.
 - Because of their unique requirements for nighttime visibility and limited hours of operation, outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, golf driving ranges, show areas, and other similar uses are exempt from the requirements of this section. Recreational facilities are permitted a total luminaire height of 65 feet in any district. Luminaires greater than 65 feet in total height may only be approved by special use permit.
 - Temporary uses.
 - Holiday and seasonal lighting is not subject to the requirements of this section.
- (6) Prohibited Lighting.
- Flickering or flashing lights are prohibited.
 - Searchlights, laser source lights, or any similar high intensity lights are prohibited.
 - Neon or LED lighting to outline doors, windows, architectural features, and building facades is prohibited.

Prepared by: Scott County Planning & Development, 600 West Fourth Street, Davenport Iowa

SCOTT COUNTY ORDINANCE NO. 22 - _____

AN ORDINANCE TO AMEND A PORTION OF SECTION 6-29 SITE PLAN REVIEW REGULATIONS OF THE ZONING ORDINANCE FOR UNINCORPORATED SCOTT COUNTY.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY IOWA:

Section 1. Amend Section 6-29 SITE PLAN REVIEW REGULATIONS of the Zoning Ordinance for Unincorporated Scott County by adding:

Section 6-29(D)(7) All lighting shall be provided in accordance with the provisions of Section 6-29(G) of this Code.

Section 6-29(G) Lighting. All lighting shall be provided in accordance with the following provisions:

- (1) Lighting Plan: All proposed lighting is required to be shown on a lighting plan. The plan shall show all light poles, lights mounted on buildings, small bollard or monument lights and all other lighting to be installed on the property. Information to be included on the plan or as an attachment with the plan:
 - a. Details on the pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.
 - b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.
 - c. Elevations of the site including all structures and luminaires sufficient to determine the total cut-off angle of all luminaires and their relationship to abutting parcels may be required.
 - d. A Photometric plan that shows the foot-candle measurement at all lot lines.
- (2) Maximum Brightness.
 - a. The maximum allowable foot-candle at any lot line is one foot-candle.
 - b. When additional security lighting is required for security reasons in excess of the foot-candle limit imposed by item 1 above, additional lighting may be allowed based on evidence for the need for additional security through site plan review.
 - c. No glare onto adjacent properties is permitted.
- (3) Luminaire with Cut-Off Standards.
 - a. To be considered a cut-off luminaire, the cut-off angle must be 75° or less.

- b. The maximum total height of a cut-off luminaire, either freestanding or attached to a structure, is 40 feet in the “C-2” and “I” Districts and 35 feet in all other districts.
 - c. A cut-off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.
- (4) Luminaire with No Cut-Off Standards. Decorative and/or architectural lighting with no cut-off is allowed and subject to the following standards:
- a. A luminaire is considered to have no cut-off if it is unshielded or has a cut-off angle greater than 75°.
 - b. The maximum permitted total height of a luminaire with no cut-off is 15 feet.
- (5) Exceptions to Lighting Standards.
- a. Up-lighting of buildings is allowed but all light must be directed onto the facade of the structure and cannot glare onto other properties.
 - b. Because of their unique requirements for nighttime visibility and limited hours of operation, outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, golf driving ranges, show areas, and other similar uses are exempt from the requirements of this section. Recreational facilities are permitted a total luminaire height of 65 feet in any district. Luminaires greater than 65 feet in total height may only be approved by special use permit.
 - c. Temporary uses.
 - d. Holiday and seasonal lighting is not subject to the requirements of this section.
- (6) Prohibited Lighting.
- a. Flickering or flashing lights are prohibited.
 - b. Searchlights, laser source lights, or any similar high intensity lights are prohibited.
 - c. Neon or LED lighting to outline doors, windows, architectural features, and building facades is prohibited.

Section 2. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 3. Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

Section 4. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Public Hearing / First Consideration _____,

Second Consideration _____,

Third Consideration _____,

Ken Beck, Chair
Scott County Board of Supervisors

Attested by: _____

Kerri Tompkins, County Auditor

Published on _____