

Township of Exeter, PA  
Friday, February 9, 2024

## Chapter 235. Lighting, Outdoor

[HISTORY: Adopted by the Board of Supervisors of the Township of Exeter 10-23-2017 by Ord. No. 784.<sup>[1]</sup> Amendments noted where applicable.]

### **GENERAL REFERENCES**

Building permits — See Ch. **126**.

Nuisances — See Ch. **261**.

Parks and recreation areas — See Ch. **274**.

Subdivision and land development — See Ch. **330**.

Zoning — See Ch. **390**.

[1] *Editor's Note: This ordinance repealed former Ch. 235, Lighting, Outdoor, adopted 1-23-2006 by Ord. No. 612, as amended.*

### § 235-1. Title.

A chapter establishing regulations, specifications and restrictions for the use and/or installation of outdoor lighting in the Township of Exeter, Berks County, Pennsylvania.

### § 235-2. Short title.

This chapter shall be known as, and may be cited as, the "Exeter Township Outdoor Lighting Ordinance of 2016, as amended."

### § 235-3. Purpose.

The purpose of this chapter is to establish requirements for the installation of new outdoor lighting or for the replacement of existing outdoor lighting in places on private property where the public gathers, parks or travels. It is the intent of this chapter to protect drivers and pedestrians from disabling glare from nonvehicular light sources, to protect neighbors from nuisance glare and light trespass, and to promote energy efficient lighting design and operation.

### § 235-4. Applicability.

- A. This chapter shall be applicable to uses that are proposed to operate during hours of darkness where there is public assembly or traverse. Lighting facilities shall be required for all off-street parking areas and off-street loading areas, and for all driveways providing ingress and egress thereto and for all subdivisions and/or land developments for business, commercial, retail, personal service, industrial, multifamily, recreational, institutional and public uses, and for all construction or reconstruction or improvement of any such use. In addition, the provisions of this section shall apply to signs, architectural lighting, and landscape lighting.
- B. Exceptions: For adaptive reuses of existing structures or for other types of building permits that do not involve a subdivision/land development application and where the lot area is less than 1/2 acre, the applicant is not required to submit a fully engineered lighting plan as defined in this chapter, but alternatively must submit other evidence of compliance with the intent of the provisions of this chapter. Specifically, the applicant shall comply with the following provisions of this chapter:
- (1) Section **235-6**, Lighting criteria, Subsections **A, D(3), E(1), (2), (3), (4), (6), (7), (8), (11), (12), (13), (14), F(1), (2), (3), I, J and K**.
  - (2) Compliance shall be determined by the Board of Supervisors with the review and recommendations of the Planning Commission.

## § 235-5. Definitions.

As used in this chapter, the following terms shall have the meanings set forth below:

### **CUTOFF**

A lighting fixture that has, either through its design or through separate shielding, no more than 10% of the lumens emanating from the light source traveling higher than 10° below the horizontal plane of the bottom of the fixture.

### **FOOTCANDLE**

A unit measuring lumens per square foot as measured by a light meter.

### **FULL CUTOFF**

A lighting fixture where none of the lumens emanating from the light source are traveling higher than 10° below the horizontal plane of the bottom of the fixture.

### **GLARE**

The sensation produced by lighting that causes annoyance, discomfort or loss in visual performance and visibility to the eye.

### **ILLUMINANCE**

The quantity of light measured in footcandles.

### **LIGHT TRESPASS**

Light emitted by a lighting installation that extends beyond the boundaries of the property on which the installation is located.

### **LUMEN**

The light output rating of a lamp or light source.

### **LUMINAIRE**

A complete lighting unit including the fixture housing and the light source or lamp, but not including the mounting structure or pole.

**POLE**

A vertical structure specifically designed for the mounting of a luminaire for use in exterior areas away from buildings.

**§ 235-6. Lighting criteria.**

During the plan review process applicants shall demonstrate compliance with the provisions of this chapter through the preparation of a lighting plan which shall be prepared and submitted in accordance with the following criteria:

- A. A lighting plan shall be submitted for review and approval for all applications and uses which require exterior lighting.
- B. The lighting plan shall include a schematic layout of all proposed exterior fixture locations, footcandle data, and a plat demonstrating intensities and uniformities within the limitations established with this chapter. The applicant shall also provide the manufacturer's description of the equipment (catalog cuts), glare control devices, lamps or light sources, mounting heights, and proposed hours of operation of the lighting. Illumination intensities shall be plotted on a ten-foot-by-ten-foot grid.
- C. The applicant shall submit a visual impact photometric plan that demonstrates both light coverage and light spillage resulting from the proposed lighting plan and the provision for adequate measures to mitigate nuisance from light pollution and disabling glare, both on the use or development site and on adjacent properties.
- D. The following design standards and illumination specifications:
  - (1) Lighting facilities located within off-street parking areas and loading areas for all uses and developments requiring exterior lighting, or in connection with signs and recreational and institutional activities, shall provide an illumination level utilizing using the chart below. The list is not all-inclusive, but provides the requirements for most common applications:

| Use  | Maintained Footcandles | Uniformity<br>(average: minimum) |
|--|------------------------|----------------------------------|
| <b>Streets</b>   |                        |                                  |
| Nonresidential   | 0.9 average            | 6:1                              |
| Residential  | 0.4 average            | 6:1                              |
| <b>Parking</b>   |                        |                                  |
| Multifamily residential  | 0.8 average            | 4:1                              |
| Nonresidential   |                        |                                  |
| High activity - shopping centers, restaurants, athletic facilities, entertainment facilities | 0.9 minimum            | 4:1                              |
| Medium activity - single mercantile buildings, convenience stores, office fa-                | 0.6 minimum            | 4:1                              |

| Use   | Maintained Footcandles | Uniformity<br>(average: minimum) |
|---|------------------------|----------------------------------|
| ilities, hospitals/medical facilities, commuter lots  | 0.2 minimum            | 4:1                              |
| Low activity - industrial facilities, public/private schools, churches, recreational facilities/municipal parks | 20 avg/30 max          | 4:1                              |
| Fueling stations  | 20 avg/30 max          | 5:1                              |
| Car dealerships   | 0.5 average            | 5:1                              |
| Public sidewalks  | 5.0 average            | —                                |
| Commercial building entrances   |                        |                                  |

Levels for the maintained footcandles are to be at the surface of the pavement or area being served. The maximum to minimum ratio for parking areas shall not exceed 20:1 max:min. If a particular use or facility is not listed above, the Township will determine which category applies to the proposed facility.

- (2) For all applications, the Township may impose a more stringent lighting standard requiring less illumination as a condition of any such approval when it determines the same to be necessary to protect adjoining properties or streets from light pollution and/or glare.
  - (3) As part of any application, the Township may consider alternative design methods and specifications, provided that such alternative meets the purpose statement and community development objectives of this chapter.
  - (4) In no case shall illumination exceed 0.1 footcandle measured at the property lines, except at driveway entrances, provided the illumination at the cartway center line of the contiguous street shall not exceed 1.0 footcandle, unless a more stringent standard is ordered by the Township.
- E. The following general design standards, illumination specifications, installation provisions and maintenance requirements shall apply for exterior lighting for residential and/or nonresidential uses:
- (1) Lamp types and colors shall be in harmony within the adjacent community, any special circumstances existing on the site, and with surrounding lighting facilities. Lamp types and colors shall be consistent and shall not create a mix of colors.
  - (2) Canopy lighting shall be located on the undersurface (ceiling) of the canopy and shall be limited to flush lens fixtures mounted on the canopy ceiling. Drop-lens fixtures shall be prohibited. In no event shall any other lighting fixtures be located on or otherwise attached to or used to light a canopy or any area of the property adjacent to the canopy. Outdoor canopies include, but are not limited to, the following applications:
    - (a) Fuel island.
    - (b) Canopies associated with service stations and convenience stores.
    - (c) Exterior canopies above storefronts, mini-malls, shopping centers and shopping malls.
    - (d) Exterior canopies above driveways and building entrances.

- (e) Soffits.
  - (f) Pavilions.
  - (g) Gazebos.
- (3) With the exception of security lighting, all exterior lighting for any commercial, industrial, institutional and recreational use shall be reduced by 50% between the hours of 10:00 p.m. and 6:00 a.m. Security lighting shall only be considered to illuminate specified areas between building and off-street parking area, as considered necessary and appropriate by the Township.
  - (4) All new lighting fixtures shall meet full cutoff criteria. No lighting shall be permitted which shines directly into residential units, or results in glare beyond an angle of 30° from a vertical plane, measured from the light source.
  - (5) Light fixtures, including mounting base, shall not exceed 25 feet in height above finished grade unless the applicant can demonstrate to the satisfaction of the Township that higher pole mounting is required and will not provide nuisance light sources to any residential areas or facilities that can view the fixtures. The applicant shall consider the spacing and height of the lighting standards as well as the intensity of the illumination to disperse the desired lighting in a uniform manner within the off-street parking area.
  - (6) All lighting sources shall be effectively shielded and shall be installed and/or aimed so as to shield nearby public or private streets and neighboring properties from direct-glare light radiation, or light pollution which may create a safety hazard or a nuisance.
  - (7) The use of vegetation, fences and similar screening methods may be utilized to supplement glare or cutoff control devices.
  - (8) Fixtures used for architectural lighting, such as facade, feature and landscape lighting, shall be directed so as to preclude light projection beyond the immediate objects, which are intended to be illuminated as an architectural feature.
  - (9) Within the HC, GI, LI, and SCC Zoning Districts, the use of floodlighting, spotlighting, or other high-intensity lighting over 100 watts shall be located, directed and aimed in a manner so that it does not produce light trespass in excess of 0.1 footcandle at the lot line of any adjacent property line. All such lighting fixtures shall be installed, directed and aimed so that they do not project their output into windows of neighboring residences, adjacent uses, skyward or public street. All such lighting shall be reduced by 50% between the hours of 10:00 p.m. and 6:00 a.m. Lighting for commercial, industrial, and institutional uses shall be controlled by automatic switching devices, such as time clocks, to permit the reduction of exterior lighting in order to mitigate nuisance glare and sky lighting consequences.
  - (10) Electrical feeds to all lighting standards shall be installed underground, not overhead.
  - (11) The lighting support structures and poles utilized to illuminate an off-street parking area or loading area shall be placed a minimum of five feet from the curb stops or curblines, or placed on a concrete pedestal at least 30 inches above the surface of the pavement.
  - (12) The applicant or landowner shall be responsible for the replacement of any damaged or nonfunctional lighting standards, bulbs, light shields or cutoff fixtures, lens, timing devices, electrical components and/or other lighting feature.
  - (13) The applicant or property owner shall install all required lighting fixtures and facilities at his expense. Light fixtures and poles shall be in accordance with a lighting plan approved by the Township, as part of the application for subdivision, land development conditional use, special exception and/or building permit.

(14) The applicant or property owner shall be responsible for all costs involved in the maintenance, upkeep and operation of all required lighting facilities.

F. For agricultural uses the following criteria shall apply:

- (1) No lighting shall be permitted that shines directly onto an adjacent residence.
- (2) No lighting shall be permitted that creates a hazard by shining onto a public right-of-way.
- (3) Floodlights and other directional light fixtures visible from an adjacent residential use shall be extinguished no later than 11:00 p.m. or shall be controlled by a motion sensor.

G. For outdoor athletic stadiums or complexes the following criteria shall apply:

- (1) No lighting poles shall be higher than 150 feet without express approval of the Township's Planning Commission. Applicant must demonstrate the reason for the poles to be higher and provide sufficient documentation to the Planning Commission to reach a decision.
- (2) Lighting shall be extinguished no later than 11:00 p.m. unless written permission is obtained from the Township for special events.

H. Signs and billboards.

- (1) Illuminated signs, other than electronic, changeable signs and billboards, shall have an internal lighting source, an external indirect lighting source or/and external shielded source. Billboards and externally illuminated signs shall be lighted by fixtures mounted at the top of the sign and aimed down toward the ground. Uplighting of signs is not permitted.
- (2) The maximum initial illumination of the vertical face of the sign or billboard shall be 30 footcandles. The maximum lamp rating for internally illuminated signs shall not exceed 1,000 lumens.
- (3) Rotating, flashing, pulsing, marching or oscillating light sources, lasers, beacons or strobe lighting are not permitted.
- (4) Electronic and/or LED signs: Refer to § **390-69E** of the Township's Zoning Ordinance regarding operational requirements for the signs. Electronic and/or LED signs shall not exceed a luminance level of 340cd/m<sup>2</sup>.

I. The Township reserves the right to conduct a postinstallation nighttime inspection to verify compliance with the requirements of this chapter. If it is determined that any lighting source or installation creates a safety or personal security hazard due to insufficient illumination levels or produces unacceptable levels of nuisance glare, light pollution, or skyward light, the property owner shall be so notified and required to take timely remedial action at his expense to resolve the problem. If the appropriate remedial or corrective action has not been completed within 30 days of notification, the property owner shall be issued an enforcement notice and shall be subject to the penalty provisions specified by the Township.

J. The Township may consider optional design and site development alternatives if the standard requirements are determined to be unwarranted or inappropriate based upon the existing site conditions. If approved, the optional design and site requirements shall be considered as part of the zoning permit, building permit, subdivision or land development plan.

K. Nonconforming lighting. Any lighting system or fixture legally installed prior to the adoption of this chapter which does not comply with the requirements of this chapter shall be deemed an existing nonconforming installation. Nonconforming lighting systems are to be

maintained/kept operational in their existing format. However, any expansions, alterations or replacements of these systems must comply with the requirements of this chapter.

## § 235-7. Plan/permit submissions.

- A. For the installation of new exterior lighting in conjunction with a new land development plan, the lighting plans shall be submitted as part of the plan set for review and approval by the Township's Planning Commission and by the Board of Supervisors. The plans shall comply with the requirements of this chapter.
- B. For the installation of new exterior lighting at an existing developed site or for the redesign/replacement of an existing exterior lighting system as provided for in § **235-4B** of this chapter, the applicant shall prepare a plan as noted in § **235-6** of this chapter. The plan will be reviewed by the Township as part of the approval process for an electrical permit, building permit or land development application. The plan shall comply with the requirements of this chapter.

## § 235-8. Violations and penalties.

Any person who violates or permits a violation of this chapter shall, upon being found liable in an enforcement proceeding commenced by the Township before the local District Judge, be required to correct the violation and pay a fine of not more than \$500 plus court costs. The time duration for the correction of the violation shall be not more than 30 calendar days from the date of the hearing with the District Judge.

## § 235-9. Severability.

The various parts, sections and clauses of the chapter are hereby declared to be severable. If a court of competent jurisdiction adjudges any part, sentence, paragraph, section or clause to be unconstitutional or invalid, the remainder of this chapter shall not be affected thereby.

## § 235-10. Repealer.

Any ordinance or parts thereof in conflict with the provisions of this chapter are hereby repealed to the extent of such conflict.

## § 235-11. When effective.

This chapter shall take effect immediately upon adoption by the Exeter Township Board of Supervisors.