

November 8, 2023

To the Henrietta Township Board of Trustees,

On September 26, 2023 the Henrietta Township Planning Commission held a Public Hearing and approved recommendation of the following text amendments. On October 12, 2023 the Jackson County Planning Commission review and approved recommendation concerning the following text amendments:

PROPOSED TEXT AMENDMENTS ON SIGN LIGHTING and HEIGHT in all Districts, and addition of OUTDOOR LIGHTING, and ARTICLE V, R-1 RESIDENTIAL DISTRICT, SECTION 501.4 – USES PERMITTED. Text updates are in **Bold**.

Add the following text to Article IV, Agricultural District, Section 401.8

A single sign not exceeding forty (40) feet in area which may be illuminated with a **shielded** lamp, not exceeding a total of five hundred (500) watts intensity (**or the mean lumen equivalent, using “warm” or low-color-temperature lamp, directed downward to prevent off-site glare**); indicating the sale of goods or the sale of any one property, except that trespassing, and similar signs not exceeding two (2) square feet, shall be allowed. Signs larger in size, greater in light intensity than herein specified are allowed only on approval of the Board of Appeals.

Add text to ARTICLE V R-1 RESIDENTIAL DISTRICT, Section 501 6. ; ARTICLE VI R-2 RESIDENTIAL DISTRICT, Section 601.5

A single sign not exceeding four (4) square feet in area which may be illuminated with a **shielded** lamp, not to exceed one hundred (100) watts intensity (**or the mean lumen equivalent, using “warm” or low-color-temperature lamp, directed downward to prevent off-site glare**); indicating the name and occupation of the occupant, and placed thirty-five (35) feet from the centerline of the street, or on the setback line when such line is less than thirty-five (35) feet from the street centerline.

Add text to ARTICLE VII MHD-1 MOBILE HOMES DISTRICT, Section 706, Signs

Identifying signs in this district shall not exceed twelve (12) square feet. A single business sign shall not exceed thirty (30) square feet which may be illuminated with a **shielded** lamp not to exceed one hundred fifty (150) watts intensity (**or the mean lumen equivalent, using “warm” or low-color-temperature lamp, directed downward to prevent off-site glare**), and set back not less than five (5) feet from the highway right-of-way.

Add the following text to COMMERCIAL-1-2-3 and Industrial.

ARTICLE IX, SECTION 901. 4 b.; and SECTION 927.8 b.; and SECTION 951. 8 b.

4. Sign regulations are as follows:

- a. No sign shall be erected on or at any location which by reason of its position, size, shape, color, movement of illumination will interfere with or obstruct the view of traffic, or be confused with any authorized traffic sign, signal, or device, nor shall such sign be such as to interfere with the use of the adjoining property.

- b. A single sign only may be placed on property and shall not exceed twenty (20) square feet in area. It may be illuminated by a **shielded lamp** not more than five hundred (500) watts (**or the mean lumen equivalent, using “warm” or low-color-temperature lamp, directed downward to prevent off-site glare**); of power supplied by one or more lamps, said limit being the total power allowed regardless of the number of lamps used. **A freestanding sign shall not exceed six (6) feet in total height, and supported by a solid base that is at least as wide as the sign’s display area.** Said sign may indicate of the sale of goods or services provided on the property or the sale or lease of property.
- c. **Illuminated Wall Signs are permitted on one wall facing the front lot. The sign shall not exceed 10% of wall area or forty (40) square feet whichever is less.**
- d. **Wall Signs and Architectural lighting. The illumination of building facades and wall signs shall be limited to fully shielded fixtures directed toward the façade or wall sign. The light intensity or brightness will not create off-site glare to surrounding areas.**

ARTICLE X

SECTION 1007 - SIGNS

A single sign not exceeding forty (40) square feet which may be illuminated with a **shielded lamp** of not more than five hundred (500) watts intensity (**or the mean lumen equivalent, using “warm” or low-color-temperature lamp, directed downward to prevent off-site glare**; indicating business or firm name or any one property, except that trespassing and similar signs not exceeding two (2) square feet shall be allowed. **A freestanding sign shall not exceed six (6) feet in total height, and supported by a solid base that is at least as wide as the sign’s display area.** Signs larger in size and greater in light intensity than herein specified shall be allowed only on the approval of the Board of Appeals.

Illuminated Wall Signs are permitted on one wall facing the front lot. The sign shall not exceed 10% of wall area or forty (40) square feet whichever is less.

Wall Signs and Architectural lighting. The illumination of building facades and wall signs shall be limited to fully shielded fixtures directed toward the façade or wall sign. The light intensity or brightness will not create off-site glare to surrounding areas.

Add the following text to COMMERCIAL-1-2-3 and Industrial;

ARTICLE IX, SECTION 901.8.; and SECTION 927.10.; SECTION 951.10.; and
ARTICLE X SECTION 1008.

Outdoor Lighting subject to the provisions and requirements of Article XIV.1

Add the following text to new **ARTICLE XIV.1** (This follows Article XIV Landscaping and Screening Requirements)

OUTDOOR LIGHTING

SECTION 1400.1 – GENERAL

Outdoor Lighting as provided in this Section shall be subject to standards in the following cases: whenever a site plan is required. The regulations are not intended to apply to new construction or redevelopment of single-family dwellings in zoning districts where single-family uses are permitted as a use-by-right.

SECTION 1401.1a. – PURPOSE

The purpose of this Section is to protect the health, safety, and welfare of the public by recognizing the need to regulate outdoor lighting levels to reduce off-site impacts, prevent reflection, and glare in a manner that creates a nuisance or safety hazard to operators of vehicles, pedestrians, and neighboring land uses, and promote dark sky environments in keeping with the rural character of Henrietta Township.

SECTION 1401.1b.– DEFINITIONS

Artificial skyglow. The brightening of the night sky attributable to man-made light sources that directs and/or shines upward, which obscure stars, comets, the moon, northern lights, and other natural phenomena.

Kelvins (K). A scientific measurement for the color of the light itself. Warm or low-color-temperature less than 3000 Kelvins mimic soft glow of incandescent lighting. Cooler or higher blue light temperature are not brighter, just whiter such as 5000K mimic tones of daylight.

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.

Light Trespass. The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Lumen. The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).

Luminaire. The complete lighting unit (fixture), consisting of a lamp, or lamps, and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect to the power supply.

Off-site Glare. Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

Shielded Fixture. Outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, i.e., "shoebox-type" fixtures. A luminaire mounted in a recessed fashion under a canopy or other opaque structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this Ordinance.

SECTION 1401.1c. - LIGHTING PLAN SUBMITTAL REQUIREMENTS

The following information must be included on all site plan submissions:

1. Location of all free-standing, building-mounted and canopy light fixtures on the site plan and/or building elevations.
2. Specifications and details for the use, and type of fixture being proposed, including the total foot-candle output, type of lamp, and method of shielding.
3. Any other information deemed necessary to determine the appropriateness of lighting by the Building Department and/or Planning Commission.
4. Free-standing Pole Lighting. Exterior lighting shall be fully shielded, directed downward to prevent off-site glare, and uniform in lighting. Pole height shall be based on assessment of safety needs within the given topography. Site shall be designed and maintained such that illumination levels shall not trespass along adjacent property lines or roadways.
5. Outdoor lighting intensity shall be rated as a "warm" light source, and low-color-temperature (up to 3000 Kelvins).
6. Except where used for security or safety purposes, as approved in advance by the Planning Commission, all outdoor lighting fixtures, existing or hereafter installed and maintained upon private property within commercial, and industrial districts, shall be turned off or reduced in lighting intensity between 11:00 p.m. and sunrise, except when used for commercial and industrial uses, such as in sales, assembly, and repair areas, where such use continues after 11:00 p.m., but only for so long as such use continues.

7. Prohibited lighting types:
- a. No exposed luminous tube lighting shall be used.
 - b. Flashing, fluttering or similar light intensity changes in nature.
 - c. Unshielded
 - d. Exempt lighting: Temporary seasonal (holiday), lighting required by public safety agencies, airport, and temporary construction lighting is not prohibited by this subsection.
 - e. The design and/or screening of the development shall ensure that glare from automobile and commercial or industrial vehicle headlights shall not be directed into any adjacent property, particularly residential property.
 - f. Variances. The Zoning Board of Appeals may grant a variance to the standards of this Section if all the following are met:
 - f1. Neighboring properties will not be adversely affected.
 - f2. Unique conditions exist on the site.
 - f3. Photometric test report or other satisfactory confirmation that luminaires meet the requirements of shielding.
 - f4. No modification shall be granted with respect to the standards regarding luminaire shielding.

The following is to clarify and maintain consistency of the text between Residential-1 and R-2.

ARTICLE V, R-1 RESIDENTIAL DISTRICT
SECTION 501 – USES PERMITTED

ADD TEXT 4. Detached garages for the storage only of not more than three (3) motor vehicles customarily incidental to any of the above permitted uses when located on the same parcel of land and not involving the conduct of any business.