

**TOWNSHIP OF MILLBURN
ORDINANCE NO. 2539-19
AN ORDINANCE TO AMEND AND SUPPLEMENT THE DEVELOPMENT REGULATIONS AND
ZONING ORDINANCES OF THE TOWNSHIP OF MILLBURN, CHAPTER 5, SUBSECTION 512,
ENTITLED "LIGHTING"**

STATEMENT OF PURPOSE: the purpose of this ordinance is to amend the Township of Millburn's zoning code to include light emitting diodes or LEDs as an allowable lighting source for both residential and commercial zones. It further establishes the requirements for a Site Lighting and Illumination Plan when an applicant is subject to site plan approval by an approving authority.

WHEREAS, the Township Committee of the Township of Millburn wishes to revise the zoning ordinances of the Township to be inclusive of light emitting diodes (LEDs) and;

WHEREAS, the Township Committee further desires to outline the requirements of a "Site Lighting and Illumination Plan" when applicants are seeking approval from the appropriate approving authority;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Millburn in the County of Essex and State of New Jersey as follows:

Section 1. Article 5 "Design and Performance", Subsection 512 "Lighting" is hereby amended and supplemented by deleting existing text as per the strike throughs and adding new text as underlined below

512 LIGHTING

The purpose of this section is to set forth criteria to provide outdoor lighting to protect public health, security, and welfare; to protect drivers and pedestrians from the glare of non vehicular light sources that shine into their eyes and thereby impair safe traverse; to protect neighbors and the night sky from nuisance glare and light trespass from poorly aimed, placed, applied or shielded light sources; and to promote conservation through efficient lighting design.

512.1 Zones R-8, B-1, B-2, B-3, B-4, OR-1, OR-2, OR-3, CMO, CD, R-O, C-E

All area lighting for parking lots and security shall provide translucent fixtures with shields around the light source. The light intensity provided at ground level shall average between 0.5 and 1.0 foot candle over the entire area, with a maximum of 10 foot candles at any point. The uniformity ratios shall be as follows: average-to-minimum uniformity ratio ≤ 4 ; maximum-to-minimum uniformity ratio ≤ 10 . Outdoor lighting for all purposes, except the lighting of one- and two-family dwellings, shall be shown on the site plan, ~~in sufficient detail to allow determination of the effects at the property line and on nearby streets, driveways, residences, and overhead sky glow.~~ and shall be subject to site plan approval by the approving authority. A Site Lighting and Illumination Plan shall be submitted in sufficient detail to evaluate its conformance with the requirements of this section and shall include the following:

- a. A scalable drawing of the site with all outdoor light fixtures clearly depicted and accurately located.
- b. Specifications for all light fixtures for each fixture type, including manufacturer, model, shape, dimensions, color, lamp type, wattage, rated initial light output in lumens, reflector and lens type, shielding, etc.
- c. Mounting pole shape, material, color, and foundation details
- d. Mounting heights, details, shielding, tilt angles, and orientations
- e. A photometric plan providing illumination levels in footcandles, upon the points of a 10' x 10' calculation grid, superimposed upon pavement areas and pedestrian walkways, as well as site boundaries
- f. Tabulations demonstrating compliance with required uniformity ratios. Site plans with physically disjointed areas shall require a separate tabulation for each area.
- g. The approving authority shall make exception, where required, to permit increased average light intensity at ATM locations, as per NJ Statute 17:16K-10.

No lighting source shall shine directly into or reflect onto windows of nearby residential properties. No lighting source shall shine directly or reflect onto streets and driveways in a manner which will induce glare or interfere with driver vision. All lighting shall be a warm or neutral white in color, and shall be incandescent, light emitting diode (LED), or high intensity discharge (HID) lighting such as metal halide, high pressure sodium, and mercury vapor. No lighting shall be of a rotating, pulsating, flashing, or other intermittent frequency. ~~Light intensity, sources, shielding, direction, reflection, and similar characteristics shall be subject to site plan approval by the approving authority. The objective of these standards is to minimize undesirable offsite effects. Signs constructed in accordance with the standards set forth in Section 609.10, Street Graphics, shall not be illuminated. [Ord. 9-87, Ord. 15-95]~~

512.2 Zones R-3, R-4, R-5, R-6, R-7

Lighting on one and two-family residential properties, including accessory buildings or structures, shall be warm or neutral white in color, and further, shall be limited to incandescent light sources or LED lighting, which is shielded from streets and nearby properties to prevent glare onto streets and nearby properties, and to prevent light trespass across property boundaries. No above-ground lighting of recreational facilities on one- and two-family residential properties shall be permitted, except as provided in Section 609.11 regarding swimming pools. ~~Signs constructed in accordance with the standards set forth in Section 609.10, Street Graphics, shall not be illuminated. {Ord. 15-95}~~