

**ORDINANCE NO. 811**

**AN ORDINANCE TO ADD APPENDIX D: ZONING ORDINANCE OF  
THE CITY OF PETOSKEY**

THE CITY OF PETOSKEY ORDAINS:

**Section 1. The City of Petoskey Code of Ordinances is Amended by the Addition of a New Appendix D.**

The City of Petoskey Code of Ordinances is amended by the Addition of a New Appendix D, which reads in its entirety as follows:

**Appendix D  
OUTDOOR LIGHTING ORDINANCE**

**ARTICLE I – PREFACE**

**1.1 Authority**

On behalf of the City of Petoskey, this outdoor lighting ordinance is enacted on the effective date pursuant to, and in accordance with, the authority of the City Council.

**1.2 Purpose**

This outdoor lighting ordinance is established to protect the health and welfare of all residents within the City of Petoskey, enhance its character and quality of life, and preserve the naturally dark sky for the benefit of residents, visitors, wildlife, and the environment. It further aims to prevent inappropriate and poorly installed outdoor lighting, reduce lighting conflicts between property owners, and mitigate the harmful effects of Artificial Light at Night (ALAN), including diminished human visual performance, wasted energy, and escalating light pollution that brightens the night sky by up to 10% annually. The City of Petoskey will be guided by the Five Principles for Responsible Outdoor Lighting and recognizes that excessive and misdirected ALAN adversely affects wildlife and ecosystems and seeks to ensure responsible lighting practices that support safety, sustainability, and ecological health.

### 1.3 Applicability

- A. This ordinance applies to all sources of outdoor lighting installed or replaced within the City of Petoskey after the effective date of this ordinance. This includes, but is not limited to, newly permitted development and construction projects involving homes, dwellings, roadways, public right-of-way, buildings, facilities, properties, landscape, parking lots, hardscape, non-habitable structures, and monuments.
- B. Existing outdoor lighting lawfully installed prior to the effective date of this ordinance that does not meet the requirements of this ordinance shall be considered non-conforming and may continue to be used and maintained until one of the following occurs:
  - 1) A determination by the City that an outdoor light source constitutes a hazard to public safety or constitutes a nuisance.
  - 2) When a property is re-zoned for a new land use or an existing building is reconstructed, all outdoor lighting on the property shall meet the requirements of this ordinance before the new use commences.

## ARTICLE II – DEFINITIONS

### 2.0 The following terms, as used in this ordinance are defined as:

**ANSI:** American National Standards Institute.

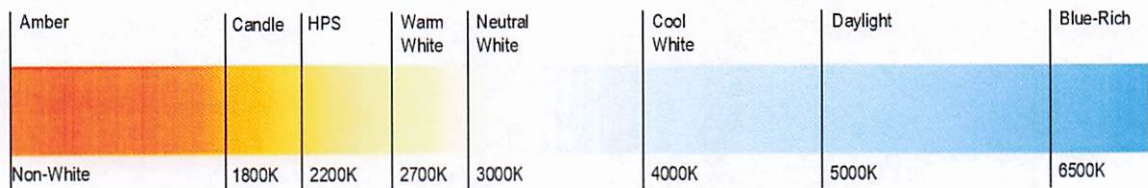
**ANSI/IES Lighting Standards:** Applicable outdoor lighting standards (Recommended Practices “RP”) and metrics include, but are not limited to:

- RP-2: outdoor retail spaces
- RP-6: outdoor sports and recreational areas
- P-7: outdoor industrial areas
- RP-8: roadway and parking facilities
- RP-40: port terminals
- RP-43: outdoor pedestrian areas

**ALAN (artificial light at night):** Light that is created from human technology, rather than a naturally occurring process. Also known as anthropogenic lighting.

**Candela (cd):** The unit of measure for luminous intensity.

**CCT (correlated color temperature):** The measured color appearance of light emitted by a light source described using a nominal value stated in kelvins (K). Lower CCTs (1800K to 2200K) appear very warm or amber. Medium CCTs (2700K to 3000K) appear “warm white,” similar to standard incandescent bulbs. High CCTs (4000K and higher) appear “cool white” or “blue.”



**DarkSky Approved Outdoor Sports Lighting:** A standalone program put forth by DarkSky International to guide and/or certify sports lighting that meets stringent glare and Light Trespass requirements.

**Electronic Message Centers (EMC's):** Electronic Message Centers (EMCs) are also known as LED signs, LED displays, solid-state lighting signs, digital billboards, mobile digital billboards, changeable message signs, media facades, media towers, architectural lighting facades, or electronic signs.

**Five Principles for Responsible Outdoor Lighting:** Co-authored and published by DarkSky International and the Illuminating Engineering Society: 1) Use light only if needed; 2) distribute light only where it is needed; 3) use light that is no brighter than needed; 4) control light so it is on only when needed; and 5) use warmer color light when possible.

**Foot Candle:** A foot candle (fc) is a unit of illuminance, specifically one lumen of light per square foot. It is used to measure the intensity of light falling on a surface. One (1) foot candle approximately equals ten (10) Lux (lx). One (1) foot candle equals one (1) lumen per square foot.

**Fully Shielded:** A Luminaire designed or shielded in such a manner that no light is emitted, either directly or indirectly, at or above a horizontal plane running through the lowest light-emitting part of the luminaire.

**IES (Illuminating Engineering Society):** An ANSI-recognized Standards Development Organization. ANSI/IES Recommended Practices are universally recognized as authoritative references for lighting applications.

**Illuminance:** Measured in Lux or footcandles, the total luminous flux incident at a point on a surface.

**Light Level:** The maintained Luminance or Illuminance value.

**Light Pollution:** ALAN (Artificial Light at Night) traveling into areas where it is not needed or wanted. This can be in the form of Light Trespass, glare, or atmospheric sky glow.

**Light Trespass:** ALAN (Artificial Light at Night ) illuminating past property lines without permission. Unless specified otherwise, light trespass limits are measured at any location along a property line both horizontally at the ground plane facing upward and vertically at five (5) feet above grade with the meter aimed toward the light source in question.

**Lighting Zones:** An ANSI/IES/DarkSky system describing the luminous environment and related lighting conditions based on land uses and expected tasks. These range from natural and intrinsically dark zones to very bright zones.

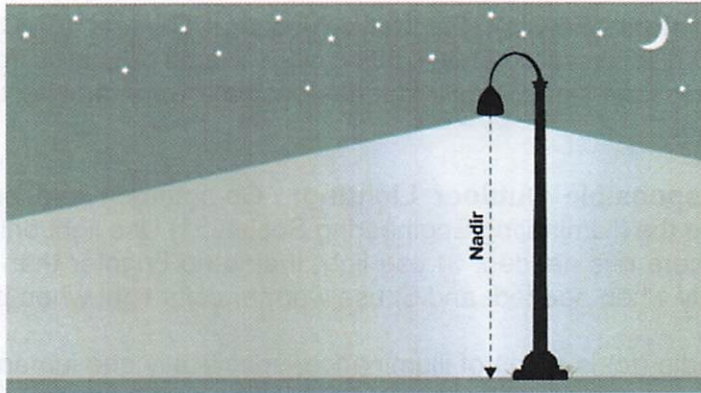
**Lumen (lm):** A unit of measure of the luminous flux of a light source.

**Luminaire:** A complete lighting unit, including the light source, housing, optics, electronics, and other necessary components for the purpose of providing outdoor illumination.

**Luminance:** The intensity of light emitted from a surface per unit area in a given direction.

**Lux (lx):** The SI metric system unit of measure for Illuminance.

**Nadir:** A downward vertical vector directly beneath a luminaire, opposite to zenith.



**Nighttime Hours:** The time between 11 PM and sunrise, or 7 AM (whichever comes earlier). For businesses and events with operating hours later than 11 PM, nighttime hours will begin one hour after closing.

**Non-essential:** Lighting that is not directly associated with the physical safety of motor vehicle and pedestrian threats, including but not limited to: landscape lighting, illuminated signage or advertising after business hours, façade lighting, vacant sports fields, and seasonal lighting.

**Reconstruction:** Reconstruction means the rebuilding, re-erection, or replacement of a structure following damage, demolition, decay, or destruction when the cumulative extent of the reconstruction equals sixty percent (60%) or more of the replacement cost, exclusive of the foundation.

**Residential Use:** Zoning districts dedicated exclusively to places of low-rise (i.e., 3 stories or less) human residence and dwelling. Examples include single-family, duplex, multi-family, apartment, townhouse, and mobile home. This does not include mixed-use or commercial districts with combined dwellings.

**Seasonal Lighting:** Outdoor or site lighting that is portable, temporary, decorative, and used in connection with holidays and traditions. This includes but is not limited to string lighting, icicle lighting, and lighted inflatables, none of which are intended for general illumination.

**Security Lighting:** Illumination used specifically to protect people, property, and infrastructure from criminal threat.

**Shielding:** A Luminaire design, optical intervention, or physical accessory (such as a louver) preventing light emission from traveling into a particular area, angle, or region.

## ARTICLE III – OUTDOOR LIGHTING REQUIREMENTS

### 3.0 General

- A. **Legal:** All outdoor Luminaires and Luminaire installations shall comply with federal and state law; county and municipal codes; applicable energy and building codes; product safety labeling; the requirements of this ordinance; and shall be subject to the appropriate permit and inspection requirements thereof.
- B. **Light Level:** Unless otherwise specified in this ordinance, lighting installed for an outdoor use shall not exceed 50% more than the Light Level recommended by the applicable ANSI/IES Lighting Standard, or enumerated in Table 3.4.1, whichever is more restrictive.
- C. **Distribution:** Unless otherwise specified in this ordinance, Luminaires emitting more than 1,000 Lumens (60 watts incandescent) shall be Fully Shielded and shall emit no more than 5% of their total Lumen output above 80 degrees from Nadir. Exceptions are:
- 1) Festoon string lighting where no individual lamp emits more than 50 lumens, and the lumen density of the string is no greater than 25 lumens per foot.
  - 2) Directional Luminaires used for façade illumination, which are shielded and aimed to hit their target such that the light is contained by architectural elements.
- D. **Trespass:** Unless otherwise specified in this ordinance, Light Trespass shall meet the following:
- 1) Luminaire light sources shall not be visible from federal or state-designated wilderness, natural area, habitat, or reserves, and Light Trespass shall measure no greater than 0.01 foot candles.
  - 2) Light Trespass onto Waters of the United States shall measure no greater than 0.1 foot candles.
  - 3) Light Trespass onto Residential Use property shall measure no greater than 0.1 foot candles.
  - 4) Light Trespass leaving Residential Use property shall be no greater than 0.1 foot candles.
  - 5) Light Trespass leaving non-Residential Use property onto adjacent public right-of-way shall be no greater than 0.3 foot candles when measured 20 feet past the property line.
- E. **Lighting Controls:**
- 1) All exterior lighting shall have controls suitable for reliable nightly operation, in compliance with this section and with applicable energy and electrical codes. Selection of luminaires, power supplies, and installation techniques shall be properly coordinated with the control means to ensure adherence to this section.
  - 2) All exterior lighting shall be automatically turned OFF between dawn and dusk daily, with the following exceptions:
    - a) Photo sensor-controlled lighting at drive and pedestrian areas may be triggered ON when the sky is sufficiently overcast to reduce natural light to dusk levels.

- b) Adaptive illumination at garage entries, tunnels, or other covered drive and pedestrian areas where ocular adjustment from the daylit zone is necessary.
- c) Residential properties with fewer than five (5) dwelling units.

3) Landscape and accent lighting in zone LZ1 shall be automatically shut off before 11 PM nightly.

4) Landscape and accent lighting in zone LZ2 shall be automatically shut off before 11 PM nightly, or within 30 minutes of closing, whichever is later.

5) Site and area lighting in all zones shall have output reduced at least 50% by 11 PM nightly. Luminaires required to satisfy code-required illumination at exit discharge or path of egress shall be exempted from this requirement.

- a) If controls include motion sensors for each area, then lighting levels may be permitted to rise above 50% when pedestrian scale activity is detected, for a duration of no longer than ten minutes after last detection.

6) Controls: Luminaires activated by motion detection shall automatically turn off or return to their dimmed state no more than five [5] minutes after activity is no longer detected.

7) Site and area lighting in all zones shall be turned off by 11 PM nightly, with the following exceptions:

- a) Operations that are open later than 11 PM. These shall be shut off within one (1) hour of closing or at dawn, whichever is earlier.
- b) Security lighting as approved by the Planning Commission. Such lighting shall still comply with Section E(5).

8) Exceptional uses. The following exceptional use types shall be required to submit lighting plans to the Planning Commission for approval of lighting associated with this use type, subject to the allowances and conditions identified herein:

- a) Automobile sales and rental areas.
- b) Fuel station canopies.
- c) Sports and recreation fields and play areas.
- d) Emergency entrances and ambulance loading/unloading areas in Health Campus Districts.
- e) Planning Commission shall use best practices as identified by IES for evaluation of suitability.

F. **Spectrum:** Unless otherwise specified in this ordinance, the maximum allowable correlated color temperature (CCT) for outdoor Luminaires is 3000K.

- 1) Exception: CCT exemptions are allowed if a public safety need is documented
- 2) Exception: Outdoor recreation and sport fields lighting per Section 3.5.

### 3.1 Exemptions

- A. **Jurisdiction:** Lighting requirements mandated by a legal jurisdiction with broader authority (e.g., federal, state, or territorial) than the City of Petoskey, including but not limited to:
- 1) Navigational lighting systems regulated by the Federal Aviation Administration and the US Coast Guard.
  - 2) Any contradictory building code or U.S. Department of Transportation illumination requirements.
  - 3) Lighting for worker safety as mandated by the Occupational Safety and Health Administration.
- B. **Safety:** Luminaires installed for the benefit of public safety, including but not limited to:
- 1) Security Lighting as approved by the Planning Commission.
  - 2) Temporary lighting used by authorized first responders during emergency procedures.
- C. **Historic:** Luminaires replicating the time period, historical character, and lighting effect that are protected by historical registration, or otherwise permitted by the City of Petoskey's Historic District Commission or other authority having jurisdiction.
- D. **Permitted:** Temporary and semi-permanent lighting approved by permit for special events, festivals, and community benefit, provided the permitted lighting still meets light trespass requirements and does not add further disruption to ecological migration or habitat.
- E. **Seasonal:** Seasonal Lighting used from October 1 through February 28.

### 3.2 Prohibitions

- A. ALAN (Artificial Light at Night ) must not interfere with the safe movement of motor vehicles. Any lighting that distracts or disables the vision of a motor vehicle operator (e.g., excessively bright or rapid blinking, flashing, and/or motion video) or contributes to traffic control confusion (e.g., sources resembling or imitating traffic or railroad signals) is prohibited.
- B. Beacons and searchlights, except for emergency use by authorized first responders.

### 3.3 Lighting Zones

"Lighting zones" (LZ) in Table 3.4.1 reflect the base (or ambient) light levels desired by a community.

- A. **LZ0: No Ambient Lighting:** Undeveloped park and recreation areas, and nature preserves.
- B. **LZ1: Low Ambient Lighting.** One and two-family residential areas, developed park and recreation areas, and industrial areas. After 11 PM, most lighting shall be extinguished or reduced as activity levels decline.

- C. **LZ2: Moderate Ambient Lighting.** Multiple family residential, all business districts except shopping centers, offices, hospitals, and college campuses. After 11 PM, lighting should be extinguished or reduced as activity levels decline.
- D. **LZ3: Moderately High Ambient Lighting.** Shopping Centers. After 11 PM, lighting should be extinguished or reduced in most areas as activity levels decline.

### **3.4 Lighting Levels**

- A. **Minimum Illumination:** The minimum lighting level refers to the lowest amount of illumination (measured in lux or foot-candles) required in a space to ensure safe, comfortable, and functional visibility for its intended use. This level varies depending on the environment and activity being performed.
- B. **Average Illumination:** The average lighting level is the mean illuminance measured across a defined area, typically expressed in foot-candles. It represents the overall brightness of a space and is calculated by taking multiple light level readings at different points and averaging them.

**Table 3.4.1 Lighting Levels – Exterior Entries, Drives and Parking Lots**

<b>LZ1: Low Ambient Lighting (Footcandles)</b>		
Zoning Districts: R-1, R-2, R-3, RM-1, RM-2, PR, I-1 and I-2		
Application/Task	Lighting Levels (fc)	
	Minimum	Average
Building Entries	0.5	2.0
Pedestrian Walkways	0.2	0.5
Drive Canopies	2.0	5.0
Vehicular Drives	0.2	0.5
Parking Areas	0.1	0.2-0.5

<b>LZ2: Moderate Ambient Lighting (Footcandles)</b>		
Zoning Districts: B-1, B-2, B-2A, B-2B, O-S, H, C, and P-1		
Application/Task	Lighting Levels (fc)	
	Minimum	Average
Building Entries	1.0	3.0
Pedestrian Walkways	0.5	1.0
Drive Canopies	5.0	10.0
Vehicular Drives	0.5	1.0
Parking Areas	0.2	0.5-1.0

<b>LZ3: Moderately High Ambient Lighting (Footcandles)</b>		
Zoning Districts: B-3, B-3A, and B-3B		
Application/Task	Lighting Levels (fc)	
	Minimum	Average
Building Entries	1.5	5.0
Pedestrian Walkways	0.8	2.0
Drive Canopies	7.0	15.0
Vehicular Drives	0.8	2.0
Parking Areas	0.6	1.5-2.0

Source: RP-8-22

**Table 3.4.2 Lighting Levels – Building Facades**

Lighting Zone	Requirements
LZ1: Low Ambient Lighting	Avoid facade lighting unless for safety; use $\leq 0.5$ fc and fully shielded fixtures.
LZ2: Moderate Ambient Lighting	Accent lighting allowed; $\leq 1-2$ fc average on vertical surfaces. Use warm CCT ( $\leq 3000K$ )
LZ3: Moderately High Ambient Lighting	Decorative and branding lighting permitted; $\leq 5$ fc average, with dimming after curfew.

### 3.5 Sports Lighting

Lighting for sports and recreational areas shall also meet the following requirements:

- A. Eighty-five percent (85%) of the lumens generated by sports lighting luminaires shall be confined to within 33 feet or a distance of one pole height, whichever is greater, of the playing field or the spectator track or bleacher area, whichever is greater.
- B. Lighting installations for aerial sports are allowed a maximum of 8% of the total lumen output to be emitted above 80 degrees from Nadir.
- C. When the recommended sports field Light Level is higher than 100 lux, installed lighting shall not exceed 10% more than the Light Level recommended by the applicable ANSI/IES lighting standard, or a state-approved alternate.
- D. The maximum CCT for outdoor sports lighting should be the lowest possible for the sport, class of play, and viewing audience as defined by the relevant ANSI/IES lighting standard, or any state-approved alternative, but never exceeding 5700K.
- E. The maximum luminous intensity from any luminaire lighting a sports field shall not exceed 10,000 candelas (cd) as measured along a perimeter that is 150 feet from the edge of the field, at 5 feet above grade.
- F. Lighting used to illuminate landscape, flags, statues, or other decorative elements shall consist of full cut-off sources or shall be directionally controlled and shielded so that illumination is substantially confined to the object being lit.

### **3.6 Landscaping Lighting.**

- A. Landscape lighting levels shall not exceed the prescribed illuminance criteria for pedestrian walkways as identified in Table 3.4.1.
  - 1) Luminaires used for this purpose shall not emit more than 500 initial absolute lumens each, unless an exception is granted by the Planning Commission.
  - 2) Exception: approved lighting submitted as part of a PUD.
- B. Landscape lighting shall never be aimed in a manner that will cause the source to be directly visible to motorists.
- C. Under no circumstance shall landscape lighting result in glare or light trespass that violates other requirements of this Section.

### **3.7 Electronic Message Centers**

- A. During the nighttime hours, which commence no later than one hour after sunset, luminance levels shall not exceed the maximum values provided in Table 3.7 as measured:

**Table 3.7 Electronic Message Center Nighttime Illumination**

<b>Lighting Zone</b>	<b>Nighttime Maximum Luminance (candelas per square foot)</b>	<b>Nighttime Maximum Luminance (candelas per square meter)</b>
LZ0	0	0
LZ1	2	20
LZ2	4	40
LZ3	8	80

- B. **Curfew:** EMCs shall be switched off completely after 2300h/11 PM (or 30 minutes after the close of business for on-premises signs, whichever is later), and remain off until one hour before sunrise. EMC applications for traffic and safety information shall be exempt from curfew.
- C. **Monitoring:** The EMC device owner or the permit holder should continuously monitor signs, including monitoring of the reliability of hardware, software, network, and other support infrastructure. Should a problem occur, the EMC shall remain unlit.
- D. **Sensitive Area Setback:** EMCs should not be placed within or adjacent to sensitive areas. These may include, but are not limited to: natural areas, beaches, wetlands, state parks, wildlife refuges, and residential areas. Setbacks in excess of one (1) mile from sensitive areas may be warranted. Distance setbacks should be assessed on a case-by-case basis, considering the cumulative effect of multiple EMCs.
- E. **Gradual Brightness Reduction –** EMC luminance levels shall gradually dim between day and night modes (from sunset to 1 hour after sunset) to provide the proper contrast ratio with the ambient illumination level, and similarly before sunrise.

**3.8 Sign Illumination: On-Premise and Off-Premise**

Sign illumination for on-premise and off-premise signs shall be governed by the Sign Ordinance, Appendix C of the City of Petoskey City Code.

**ARTICLE IV – ADMINISTRATIVE REQUIREMENTS**

**4.0 ADMINISTRATIVE REQUIREMENTS**

**4.1 Permit Application**

- A. **Submittal:** Whenever a building permit, subdivision, site plan, or zoning permit is applied for, an outdoor lighting plan must be submitted along with a compliance statement that the proposed work will comply with all ordinance requirements. The outdoor lighting plan must follow one of the following:
  - 1) **Schedule Method:** Only available for renovation and Residential Use lighting; projects to be documented using a spreadsheet format by listing the Luminaire identifications (i.e., manufacturer, model number, type), Luminaire quantities, installation locations, and Lumen outputs for each; or

2) **Calculation Method:** Available for all project types but required for sports lighting and when specifically requested by the Planning Commission; an outdoor lighting design shall be prepared by a certified lighting professional or licensed professional engineer using lighting design software and Luminaire .ies files. This outdoor lighting plan shall include:

- a) Luminaire identification (model number), installation locations, mounting heights, targeted directions, buildings, and other physical objects within the site that could affect the lighting outcome.
- b) Site plan and Illuminance calculation plots demonstrating conformance with this ordinance, including the sports lighting luminous-intensity Light Trespass limit.

**B. Review:** Submitted spreadsheets, site lighting plans, and compliance affidavits shall be subject to review and approval by the Zoning Administrator or designee. The Zoning Administrator shall have the authority to refer an application to the Planning Commission.

**C. Appeals:** Any appeals related to decisions regarding outdoor lighting shall be made to the Zoning Board of Appeals.

#### **4.2 Enforcement and Penalty**

**A. Enforcement:** Unless otherwise noted in this ordinance, the Zoning Administrator, or designee, shall be responsible for implementing, administering, and enforcing this ordinance, including investigations of alleged violations.

- 1) The Zoning Administrator charged with enforcing this ordinance shall have the authority to grant a partial waiver of specific ordinance requirements for up to one year from the date of the zoning permit if a property owner demonstrates that compliance creates unreasonable hardship, as balanced against the potential impacts of non-compliance, or results in conditions that are materially detrimental to health, safety or welfare.

#### **B. Penalties**

- 1) **Civil Infraction:** Any violation of this ordinance shall be a municipal civil infraction. The fee of the civil infraction will be established by City Council in the fee schedule. Any person, firm, or corporation found to have violated any portion of this ordinance shall correct the violations within ninety (90) days of the citation date. Each day a violation continues beyond ninety (90) days of the citation date without having been corrected shall be a separate offense.
- 2) **Equitable Relief:** In addition to issuing a municipal civil infraction, the City may seek injunctions, damages, or other equitable relief to enforce this ordinance.

#### **Section 2. Repealer.**

Any ordinances in conflict with this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

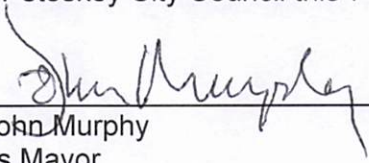
**Section 3. Conflict and Severability.**

Each section of this Ordinance and each subdivision of any section thereof is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Ordinance. To the extent that the requirements of this Ordinance conflict with another City ordinance, the more stringent standard shall control.

**Section 4. Enactment and Effective Date.**

This Chapter is hereby determined by the City Council to be immediately necessary for the interest of the City. Consistent with City Charter Sec. 6.3, the effective date of this Chapter shall not be less than fourteen (14) days after enactment and shall be published once within seven (7) days after its enactment as provided by City Charter.

Adopted, enacted and ordained by the City of Petoskey City Council this 7<sup>th</sup> day of May, 2026.

  
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John Murphy  
Its Mayor

  
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Sarah Bek  
Its Clerk