



Town of Middletown Planning Department

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To: Hon. Paul M. Rodrigues, President
Town Council Members

From: Paul A. Croce, Chairman
Middletown Planning Board

Date: June 14, 2021

Re: Recommended Zoning Ordinance amendments - Proposed new zoning ordinance
Article 27B – Outdoor Lighting.

At the request of the Town Council, the Planning Board undertook additional review of the proposed zoning ordinance amendments regarding outdoor lighting. Specifically, the Town Council requested that the proposed requirements for outdoor lighting in residential districts be reviewed. During the Town Council public hearing concern was raised that the proposed limitations in large-lot residential districts might be too restrictive. Following discussion of this concern, and review of the below information provided by Planning Dept. staff, the Planning Board voted to recommend that the Town Council proceed with adoption of the ordinance amendments as previously proposed.

Planning Department staff examined recommendations from the International Dark-Sky Association along with ordinances from other towns, and the Middletown draft's stated purpose (*A. Protect drivers and pedestrians from the glare of non-vehicular light sources; B. Protect neighbors, the environment, and the night sky from glare and light trespass; C. Promote energy efficiency; D. Protect the visual character of the town.*)

After reviewing the lighting ordinances of similar communities, including Portsmouth, North Kingstown, South Kingstown, Smithfield, and Westerly, Rhode Island, it was found that only Smithfield addresses lighting requirements by zoning district. Smithfield's zoning code does not allow any exterior lighting in a residential district other than streetlights; other zones are subject to lesser requirements. No examples were found which reduce lighting restrictions in residential districts.

The International Dark-Sky Association (IDA), however, does recommend that municipalities adopt lighting ordinances based on an underlying land-use-type. But the IDA recommendations are contrary to the concept of allowing more lighting on larger residential parcels. The IDA encourages stricter regulations for outdoor lighting in rural areas, with fewer restrictions in urbanized area. The reasoning is due to the rural area's value as a wildlife corridor, heightened sensitivity to light, and because human and specifically pedestrian activity is lower in rural areas. In more urbanized areas, outdoor lighting for pedestrian and vehicle safety is necessary due to higher levels of human activity. Additionally, the IDA contends that urban areas are less able to serve as wildlife corridors, and additional lighting is not as impactful on the surrounding environment. The IDA still advises that lighting in all contexts be minimized and shielded downward.

The ordinance amendments now proposed would impose consistent limitations throughout the town. It should be noted that there are no limitations on the number of lighting fixtures that could be used, only that each fixture comply with certain standards. Therefore, if there is a need to

illuminate larger areas, multiple compliant fixtures could be considered. Please see the attached sheet which illustrates this concept.

If adopted, the proposed new zoning ordinance article would result in the following:


- Impose criteria for use of outdoor lighting, including:
 - Require use of fully shielded fixtures, with fixtures approved by the International Dark Sky Association encouraged.
 - Light sources must have “warm” lamp correlated color temperature to limit adverse impacts of some LED lighting.
 - Fixtures must be aimed and shielded to ensure no glare that would adversely impact motorists, bicyclists and pedestrians.
 - The illumination projected onto an abutting residential use shall not exceed 0.1 foot-candle.
 - The illumination projected onto an abutting non-residential use shall not exceed 1.0 foot-candle.
 - For commercial properties outdoor lighting must be extinguished by 30-min. after closing.
 - For multi-family and mixed-use properties outdoor lighting must be extinguished by 11pm or 30-min. after business closing, whichever is later, except for lighting needed for parking and walkways for residents.
 - Fixtures limited to mounting height of 20 feet above ground.
- Administration
 - Single-family and two-family residential do not require approval for outdoor lighting but must comply with requirements to limit impacts on abutters.
 - Lighting plans must be submitted to the Planning Board or Building/Zoning Official as part of the applicable development approval process for subdivisions, multi-family, mixed-use and commercial projects.
 - Plans must include location and type of lighting fixtures and analysis of the intensity of light on and off site.
- Safety concerns and nuisance glare must be addressed when brought to the owner’s attention.
- Non-conforming lighting must be brought into conformance when the fixture(s) is replaced or when there is a change of use of the property.

In making its recommendation the Planning Board made the following findings:

(1) The proposed amendment is generally consistent with the Middletown Comprehensive Community Plan, including the goals and policies statement, the implementation program, and all other applicable elements of the comprehensive plan; and

(2) This recommendation is made in recognition and consideration of each of the applicable purposes of zoning, as presented in § 45-24-30 RIGL

Thank you for your consideration of this recommendation. Please contact me if you have any questions regarding this matter.



Paul A. Croce, Chairman
Middletown Planning Board

cc. Town Solicitor
Town Clerk

Residential Lighting Requirements

Single-family and two-family residential do not require Town approval for lighting but must comply with requirements to limit impacts on abutters. Safety concerns and nuisance glare must be addressed when brought to the owner's attention.

