



## Town of Middletown Planning Department

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350 East Main Rd., Middletown RI 02842 (401) 849-4027

To: Hon. Robert J. Sylvia, President  
Town Council Members

From: Paul A. Croce, Chairman  
Middletown Planning Board

Date: January 12, 2021

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

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During an advertised public workshop meeting held on January 7, 2021, the Planning Board presented proposed Zoning Ordinance amendments to better regulate the use of outdoor lighting, and then voted to recommend that the Town Council adopt Article 27B – Outdoor Lighting. Please see the attached proposal. This recommendation is in accordance with a Middletown Comprehensive Community Plan policy and action item regarding regulating outdoor lighting to limit light pollution and glare as follows:

Comprehensive Plan Policy N-V.C. Encourage the use of outdoor lighting that limits glare and light pollution

Action N-V.C.1. Consider regulations on outdoor lighting to limit night sky light pollution and glare.

The following discussion is included in the Comprehensive Plan, Natural Resources Element, p. III-19:

“Middletown recognizes the adverse impact resulting from light pollution. Excess and poorly designed lighting causes glare that can be problematic for drivers and adversely impacts residential neighborhoods. It reduces resident's ability to view the night sky, and impacts wildlife. The town's commercial development design standards call for the mitigation of such impacts through the use of dark sky compliant lighting in commercial development applications. The zoning ordinance calls for parking lot lighting to be directed away from abutting streets and residential properties. The town should take measures to ensure that light pollution is mitigated to the extent possible, including in new developments as well as existing situations, such as when considering street lighting fixtures. Adoption of a night sky light pollution ordinance should be considered. In drafting such an ordinance recommendations of the International Dark-Sky Association should be considered.”

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

- Impose criteria for use of outdoor lighting, including:

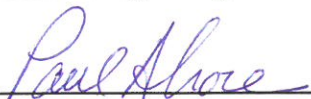
- Require use of fully shielded fixtures, with fixtures approved by the International Dark Sky Association encouraged.
- Light sources must have “warm” lamp correlated color temperature to limit adverse impacts of some LED lighting.
- Fixtures must be aimed and shielded to ensure no glare that would 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.




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Paul A. Croce, Chairman  
Middletown Planning Board

cc. Town Solicitor  
Town Clerk