

ORDINANCE NO. 2022 - 13

AN ORDINANCE CREATING STANDARDS FOR MOTION-ACTIVATED LIGHTING IN NON-RESIDENTIAL STRUCTURES; LOCATION REQUIREMENTS FOR OUTDOOR MECHANICAL EQUIPMENT; AND PERIMETER SCREENING OF NEW RESIDENTIAL USES ADJACENT TO INDUSTRIAL USES OR NONRESIDENTIAL DRIVEWAYS AND OFF-STREET PARKING AREAS, THEREBY AMENDING CHAPTER 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [] with ~~strike through~~ text and adding those words that are underlined, to read as follows:

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CHAPTER 21: ZONING AND LAND DEVELOPMENT

* * *

ARTICLE III. DEVELOPMENT STANDARDS

DIVISION A. GENERAL STANDARDS

* * *

§ 21.301.07 EXTERIOR LIGHTING.

* * *

(c) Lighting standards. In addition to the following specific requirements, all exterior lighting must comply with the standards set forth in this section.

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(9) *Glare*. In all zoning districts, all lighting must be arranged so as not to shine directly on any adjoining property. A person must not create light that produces glare clearly visible beyond a property line or creates a sensation of brightness within a visual field so as to cause annoyance, discomfort or impairment of vision. Lenses, deflectors, shields, louvers or prismatic control devices must be used to eliminate nuisance and hazardous lighting to facilitate compliance with this requirement.

(A) Motion-Activated Lighting. Between 10:00 p.m. and 6:00 a.m., owners of nonresidential structures within 250 feet of property that is residentially zoned and used must extinguish interior lighting in unoccupied spaces on façades facing residential properties with the following exemptions:

(i) Nonresidential structures existing prior to May 5, 2022, unless required by conditions of approval;

(ii) Motion triggered lighting activated for safety and security purposes; or

(iii) Lighting approved by the Planning Commission or City Council.

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§ 21.301.12 NOISE ATTENUATION

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(e) Outdoor Mechanical Equipment.

(1) Applicability. The standards of this subsection apply to commercial grade mechanical equipment and similar noise sources including, but not limited to, generators, ventilation equipment or air heating or cooling equipment, commercial laundry appliances, and carwash equipment.

(2) Noise impact statements associated with outdoor mechanical equipment may be required in accordance with Section 10.29.04.

(3) Standard. When required, noise impact statements that analyze the operation of proposed outdoor mechanical equipment and similar noise sources including, but not limited to, generators, ventilation equipment or air heating or cooling equipment, commercial laundry appliances, and

carwash equipment must identify the code compliant location(s) of said equipment that is least impactful to nearby residential uses.

- (A) Placement. Equipment must be situated in the location that is least impactful to nearby residential uses, as determined in the noise impact statement.
- (B) Alternatives. At its discretion, the approving body may allow outdoor equipment at other code compliant locations when information is provided that addresses the following:
 - (i) The viability of code complying alternative locations for the outdoor mechanical equipment;
 - (ii) The impacts of the outdoor mechanical equipment at the proposed location relative to the impacts of the outdoor mechanical equipment at a code complying alternative location;
 - (iii) The extent to which the proposed equipment is the lowest impact design available;
 - (iv) The extent to which mitigation is provided to minimize impacts.

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§ 21.301.15 LANDSCAPING AND SCREENING.

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(d) Screening standards.

(1) Perimeter screening designed to buffer incompatible uses. Perimeter screening designed to buffer incompatible uses is required:

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- (A) Along any off-street parking area containing over six parking spaces that lies within 30 feet of an abutting site that is residentially used and either residentially zoned or guided;
- (B) Along any driveway to an off-street parking area containing over six parking spaces when the driveway is within 15 feet of an abutting site that is residentially used and either residentially zoned or guided;
- (C) On industrial sites, along any property line that directly abuts a site that is residentially used and either residentially zoned or guided and along any side or rear property line that faces across a street a site that is residentially used and either residentially zoned or guided;

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(G) On sites developed for residential use after May 5, 2022 and either residentially zoned or guided:

- i. Along any unscreened property line that directly abuts a site that is industrially zoned and used;
- ii. Along any unscreened property line shared with a nonresidential use within 15 feet of a driveway to an off-street parking area containing over six parking spaces located within the nonresidential use; and
- iii. Along any unscreened property line shared with a nonresidential use within 30 feet of an off-street parking area containing over six parking spaces located within the nonresidential use.

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Passed and adopted this 25th day of April, 2022.

/s/ Tim Busse
Mayor

ATTEST:

/s/ Matt Brillhart
Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied
City Attorney