

City Council Introduction: **Monday**, February 28, 2005  
Public Hearing: **Monday**, March 7, 2005, at **1:30** p.m.

Bill No. 05-26

## **FACTSHEET**

**TITLE:** **CHANGE OF ZONE NO. 05003**, by the Director of Planning, to amend Title 27 of the Lincoln Municipal Code by adding a section to Chapter 27.71, Additional Height and Area Regulations, to require that "all outdoor lighting" be designed, installed and maintained in accordance with all applicable lighting design standards adopted by the City Council.

**STAFF RECOMMENDATION:** Approval.

**ASSOCIATED REQUESTS:** Miscellaneous No. 05001, text amendment to the City of Lincoln Design Standards (05R-51)

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 02/16/05  
Administrative Action: 02/16/05

**RECOMMENDATION:** Approval (7-0: Marvin, Pearson, Carroll, Taylor, Krieser, Sunderman and Carlson voting 'yes'; Bills-Strand and Larson absent).

### **FINDINGS OF FACT:**

1. This text amendment to the Zoning Ordinance was heard in conjunction with a proposed text amendment to the City of Lincoln Design Standards (Miscellaneous No. 05001), and is being proposed by the Director of Planning in response to light trespass issues raised by neighborhood interests.
2. This is a request to amend Chapter 27.71 of the Lincoln Municipal Code to require that all outdoor lighting be designed, installed and maintained in accordance with all applicable lighting design standards. The specific text is found on p.4.
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2-3, concluding that these amendments modify the existing ordinances and standards to reflect adjustment to the lighting where residential uses/districts abut commercial uses and lighting. This language is consistent with specifications in the Comprehensive Plan. The proposed changes would extend protection from light trespass to residential properties in older as well as newer parts of the city. The staff has determined that a comprehensive study of the overall lighting standards is also needed.
4. The staff presentation is found on p.6-7. The staff intends to initiate a comprehensive study of the lighting standards.
5. Testimony in support is found on p.7-8, and the record consists of 20 communications in support (p.11-34).
6. There was no testimony in opposition.
7. On February 16, 2005, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** February 22, 2005

**REVIEWED BY:** \_\_\_\_\_

**DATE:** February 22, 2005

**REFERENCE NUMBER:** FS\CC\2005\CZ.05003

# LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

## for February 16, 2005 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items.

**P.A.S.:**                    **Change of Zone #05003** - Additional Height and Area, Lighting  
Misc # 05001 - Lighting Standards

**PROPOSAL:**            Text amendments to :

**Zoning, Title 27 LMC:**  
                                 Chapter 27.71 Additional Height and Area

*Title 3 -Lincoln Design Standards for Zoning and Subdivision Regulations;*  
                                 New Section 3.100 Outdoor Lighting

All relating to lighting standards.

**CONCLUSION:** These amendments modify the existing ordinances and standards to reflect adjustment to the lighting where residential uses/districts abut commercial uses and lighting. This language is consistent with specifications in the 2025 Comprehensive Plan. The proposed changes would extend protection from light trespass to residential properties in older as well as newer parts of the city. But research into the lighting standards indicates that a comprehensive overhaul is needed.

<b>RECOMMENDATION:</b>	Approval of attached text
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**HISTORY:** December 2004, application by Near South Neighborhood Association for lighting amendments. Now on hold pending the resolution of this application.

**COMPREHENSIVE PLAN SPECIFICATIONS:** The 2025 Comprehensive Plan states:

The most intensive commercial uses, such as restaurants, car washes, grocery stores, gasoline/ convenience stores and drive thru facilities should be located nearer to the major street or roadway and furthest from the residential area. Citizens of the community have become increasingly concerned about "light pollution" and its affects upon neighborhoods and the environment. Lighting, dumpsters, loading docks and other service areas should be shielded from the residential area. (F42)

Revise standards to ensure that residential and commercial development more efficiently provide night time lighting without intruding on adjacent uses or casting significant lighting skyward. (F72)

Design standards for field and parking lot lighting should seek to minimize glare, light spill-over onto adjacent properties, and impacts on the dark night sky. (F 135)

## **ANALYSIS:**

1. The proposed zoning ordinance and design standard changes are listed below. The amendment to the zoning code references all the lighting standards. The Design Standard amendments reflect a new section on lighting that includes light trespass language as well as references to other standards.
2. This change was initiated by a request from the Near South Neighborhood Association to modify the code to mitigate the lighting impact of commercial uses (such as convenience stores, all night facilities, auto sales lots and others) on adjoining residences. The Near South reasoned that older residential areas near older business districts should be protected from glare and light trespass just like the newer residential districts that have the protection of the Environmental Performance Standards.
3. During the review of this request, discussion with Building and Safety and LES brought to our attention that the Environmental Performance Standards have never been enforced, and they cannot be enforced, because of vague, antiquated language and some standards that are unreasonable. The current lighting standards also do not seem to fully address several other issues that may be of community concern, such as;
  - 1) Establishing maximum illumination under gas pump canopies and outdoor vehicle display lots.
  - 2) Establishing time frames and/or the time that existing lighting fixtures are replaced to bring lighting into conformance with adopted standards.
  - 3) Requiring businesses to reduce lighting intensity after closing time.
  - 4) Including provisions that are applicable to residential as well as nonresidential uses and districts.
  - 5) Regulating fixture types to preserve a “dark sky” for astronomy and minimize “sky glow” in urban areas.
4. A comprehensive review of the lighting standards is needed, but it will require outside technical assistance and a strong community education/input process. In the meantime, staff proposes to extend the protection of the “light trespass” standard, which is now applicable to all parking lots and to other outdoor lighting in the newer “Use Permit” districts, to all non-residential uses where abutting property in all residential districts. This should indirectly control glare and brightness to some extent.
5. Staff is conducting a study of illumination levels at a variety of locations to better evaluate the effectiveness of the light trespass standard. It is anticipated a report will be available by the time of the hearing.

**Proposed Language:**

**Chapter 27.71 ADDITIONAL HEIGHT AND AREA REGULATIONS**

a) 27.71.165 - Outdoor Lighting

All outdoor lighting shall be designed, installed and maintained in accordance with all applicable lighting design standards adopted by resolution of the City Council.

**Design Standards - Title 3, Design Standards for Zoning Regulations**

add a new chapter as follows

3.100 Outdoor Lighting

Light trespass from a non-residential use abutting, or across the alley from, a Residential District shall not exceed 0.5 foot candles at the residential property line. Techniques may include such methods as shielding and controlled cut-off fixtures, as well as proper alignment and location for lighting of the subject.

If any existing uses are extended, enlarged, moved, structurally altered, or reconstructed, this standard shall apply with respect to such extended, enlarged, moved, structurally altered or reconstructed uses.

Other related adopted lighting standards may be found as follows:

Chapter 2.30 - Street Lighting Design Standards

Chapter 3.00 - Environmental Performance Standards for B-2, B-5, I-2, I-3 and O-3.

Section 8 / Performance standards for outdoor night time lighting

Chapter 3.45 - Design Standards for Parking Lots.

Section 3.8 / lighting

Chapter 3.55 - Design Standards for Recreational Facilities.

Section 5 / Outdoor Recreational Lighting

Zoning Chapter 27.69.030(a) and 27.69.035 ©), lighting for signs

Prepared by:

Mike DeKalb, AICP  
441-6370, [mdekalb@ci.lincoln.ne.us](mailto:mdekalb@ci.lincoln.ne.us)  
Planner

February 3, 2005

**APPLICANT:** Marvin Krout, Director  
Planning Department  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508  
(402) 441 - 7491

**CONTACT:** Mike DeKalb  
Lincoln/Lancaster County Planning Department  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508  
441-6370

**CHANGE OF ZONE NO. 05003  
and  
MISCELLANEOUS NO. 05001**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

February 16, 2005

Members present: Marvin, Pearson, Carroll, Taylor, Krieser, Sunderman and Carlson; Bills-Strand and Larson absent.

Staff recommendation: Approval.

Ex Parte Communications: Marvin disclosed that he talked to LES and found that it was not too problematic to meet this standard. Sunderman disclosed that he had visited with Dan Marvin.

Mike DeKalb of Planning staff submitted two additional letters in support.

Proponents

Mike DeKalb presented the proposal which was originally initiated by the Near South Neighborhood Association. There is an issue of light trespass, especially with newer construction next to older neighborhoods and older residential areas. The Planning staff did discuss this with Building & Safety, Parks, LES and others in coming forward with this approach. This proposal is an amendment to the zoning code under the additional height and area section, stating that outdoor lighting shall be designed, installed and maintained in accordance with lighting standards adopted by the city.

The proposed amendment to the Design Standards creates a new chapter, entitled "Outdoor Lighting", which requires that light trespass from a non-residential use abutting, or across the alley from, a residential district shall not exceed 0.5 foot candles at the residential property line. This matches the standard today for parking lot and recreational lighting. A reference to existing portions of the code that talk about lighting is also included.

DeKalb explained that the staff believes that a comprehensive review of the lighting standards is needed and will be pursuing with that effort in the future and will come back with further recommendations.

Carlson clarified that the proposal provides that the safety or security lighting of a commercial use that abuts a residential use is required to shine down on the commercial property. DeKalb agreed, citing the example of the canopies over pump stations where they are required to have drop down lights; or the lights at drive-up bank facilities where the lighting is flush with the ceiling of that canopy and shines down for the security purposes.

Pearson asked for an example of what 0.5 foot candle might look like. DeKalb suspects that most of the lighting today on commercial and residential exceeds the standards; however, he referred to

the Densmore Park ballfields, which do meet the standard. Another park north of town similarly meets the circumstance. The simple version of foot candle is usually described as light emitted from one candle at one foot away would be 1.0 foot candle. Pearson wanted to know how citizens will know if it is exceeding the standard. DeKalb stated that there must be a glare on their property line. A light meter could be used to measure it. Sunderman pointed out that DuTeau Chevrolet has a requirement of 0.5 foot candle 10 feet within the property line, which would be a good example.

## Support

**1. Erik Hubl, Chair of the Board of Directors of Hyde Observatory**, testified in support. This continues a process that was began in 1994 when there was a light pollution committee appointed to examine standards for parking lots and recreational facilities. At each step, Hyde Observatory has offered assistance. The approach of Hyde Observatory has always been one of non-aggression, but they would like to serve as an educational resource. At each public opening, Hyde Observatory educates visitors on the seriousness of light pollution and provides easy solutions. It is remarkable that once you learn to recognize bad lighting, you can actually see it everywhere. This proposal provides an opportunity to address excessive glare that is produced at certain businesses and convenience facilities. Being too bright can actually pose hazards, e.g. he has witnessed drivers pulling away from these locations with their headlights off. Another hazard is a sheer contrast between the glare and the shadows that are created. Glare from car lights and the brightly lit sides of the street pose serious problems for individuals with macular degeneration. Excessive light is a tremendous amount of energy waste. We do need lighting for safety and security but it can be done without blasting the neighborhood. Properly shielded uniform lighting can be attractive. Hubl suggested that an example of a job well done is at 70<sup>th</sup> & Pioneers developed by Don Linscott, particularly the Walgreens building. It is properly lit with good illumination and does not detract the dark sky. Hyde Observatory and Prairie Astronomy Club of Lincoln support this change.

**2. Dr. Martin Gaskell**, astronomer at UNL, testified in support. He testified to the effect of bad lighting on astronomy teaching; the effect on the quality of life in Lincoln; and proposed changes to the wording. Introductory to Astronomy is the most popular science elective at UNL. Over the last 4-5 years, the brightness of light above the campus has doubled. It is hard for the students to go outside and actually see the sky. Brightness of the sky is a quality of life issue. He believes people have a right to have a dark sky.

Dr. Gaskell suggested that there be amendments to the proposal: 1) require full-cut-off fixtures; 2) make it clear that "security lights" are included; 3) change "nonresidential" to "residential and nonresidential"; 4) include a timescale for retro-fitting existing facilities to the new standards - perhaps two or three years; 5) restrict flood lighting of exteriors; 6) in any "neighborhood improvement project", additional lighting should also be fully-shielded and not exceed luminance standards.

**3. Jack Dunn**, coordinator of the **Planetarium at UNL**, testified in support. Citizens do not like to have glaring lights in their faces. His son commented that Lincoln is starting to look like Dallas as far as what the lighting has done in the community. He showed photographs of light trespass taken by UNL students. Glare is annoying and by doing various things to help alleviate the glare, the

quality of life is increased. There are a number of cities that have passed ordinances to help encourage people to put in proper lighting.

**4. Russell Miller**, 341 S. 52<sup>nd</sup>, spoke on behalf of Lincoln Neighborhood Alliance in support of this ordinance.

There was no testimony in opposition.

#### Staff questions

Pearson inquired whether the amendments proposed by Dr. Gaskell can be integrated into this ordinance. DeKalb concurred that they are all excellent suggestions, but this is being proposed as a two-step process and the staff would prefer to do the performance standard solution now and look at the amendments proposed by Dr. Gaskell in the overall comprehensive review.

Pearson wondered about pursuing the amendment to expand “nonresidential” to include “residential” as well. DeKalb stated that staff would prefer this not be done. The light trespass from apartment complexes and residential parking lots is an issue but the solution of commercial to residential is very easy to enforce. It would be preferable to have time to properly review and research it in the overall comprehensive review.

Marvin asked DeKalb to explain the follow-up process. DeKalb stated that the intention is to appoint a task force to review the issues and come forward with recommendations. The staff is now in the process of looking for interested people and those with expertise to develop a list of people that could sit on that committee. The intent is to have the task force work through the summer with a report by the end of the summer or early fall. There will certainly be recommendations for further amendments and standards to be developed. If anyone is interested in serving on the committee, they should contact the Planning Department by e-mail, letter, or fax.

#### **CHANGE OF ZONE NO. 05003**

#### **ACTION BY PLANNING COMMISSION:**

February 16, 2005

Taylor moved approval, seconded by Krieser.

Taylor expressed appreciation for the efforts being made to address light pollution.

Pearson commented that the proposal states that “all outdoor lighting” shall be designed, installed and maintained in accordance with all applicable lighting standards, and she supports this.

Motion for approval carried 7-0: Marvin, Pearson, Carroll, Taylor, Krieser, Sunderman and Carlson voting ‘yes’; Bills-Strand and Larson absent. This is a recommendation to the City Council.

**MISCELLANEOUS NO. 05001**

**ACTION BY PLANNING COMMISSION:**

February 16, 2005

Pearson moved approval, seconded by Taylor.

Pearson moved to amend section 3.100, "Light trespass from a residential and nonresidential use abutting, ....", seconded by Carlson.

Pearson commented that the nature of the whole section is "all" outdoor lighting. There is no timeframe required; there is no requirement to retrofit anything that is existing; there is going to be no undue burden on anyone except those that come in with new projects. If a neighbor comes in and puts a wallpack on the side of their garage and it shines in the neighbor's dining room window, nothing could be done about it. Or, if an apartment complex comes in and puts in large outdoor lighting fixtures and they shine in a neighbor's bedroom, the neighbor wouldn't be able to do anything. She thinks the intent is "all" outdoor lighting, and she does not believe it an undue burden to extend it to residential use.

Taylor moved to amend the amendment with "commercial residential" as opposed to "residential". Motion failed for lack of a second.

Pearson believes that it is the residential property line where the trespass is occurring. If you are a commercial property owner or apartment complex owner you won't have the same requirements. Taylor thinks the problem would be more with commercial residential than non-commercial residential. Pearson does not believe there is a definition for "commercial residential", i.e. rental homes, more than two-family, etc. Taylor stated that he is referring to commercial type apartment complexes.

Carroll suggested that a complete full review of the lighting standards will be done this summer with more in-depth study, so he does not believe adding residential now is appropriate. It needs to be studied to see what the effect might be. He wants to move forward with the recommendation today until there is more study.

Marvin will not support the amendment because it would be a big change that would not have been properly advertised. It would be a significant change and he does not believe it is appropriate to do it at this point.

Sunderman thinks it is a very complicated issue and it should be kept simple until there is further study.

Pearson responded, suggesting that if it is to be simple, it should cover all uses. By saying nonresidential you cut off the discussion. If it provided, "light trespass from any uses abutting", then you could at least study and determine whether it is an issue for residential. The way it is written now is very confining in comparison to the actual chapter that refers to "all outdoor lighting".

Carlson believes this is an attempt to get the most egregious example taken care of first, and he agrees.

Motion to amend failed 1-6: Pearson voting 'yes'; Marvin, Carroll, Taylor, Krieser, Sunderman and Carlson voting 'no'; Bills-Strand and Larson absent.

Main motion to approve the staff recommendation carried 7-0: Marvin, Pearson, Carroll, Taylor, Krieser, Sunderman and Carlson voting 'yes'; Bills-Strand and Larson absent. This is a recommendation to the City Council.



"Lisa Good"  
<lgood@alltel.net>  
02/06/2005 01:26 PM

To: <lina-l@lincolnneighborhoods.org>, "Carol Brown"  
<carolserv@hotmail.com>  
cc: <plan@ci.lincoln.ne.us>, <plan@ci.lincoln.ne.us>  
Subject: Lighting Standards and multi-family dwellings

The new lighting standards will beg the clarification: are multi-family apartment complexes also "businesses"? I say yes.

Here's why:

When you allow multi-family dwellings in residential neighborhoods, what happened in my case, is that three commercial style dusk-to-dawn flood lights were installed in the multi-family "parking lot"--which is a cement slab 50 feet wide and 25 feet deep, with spaces for six cars. Since this "lot" isn't "striped", B & S, and hence the lighting design standards, did not previously apply. This loophole needs clarified.

But, the effect is just the same as a residential neighborhood that is subject to horrific glaring lights of a business.

Before on my block, eight abutting properties used to enjoy an occasional porch light being turned on and off when there was only a single family residence there. (You may recall that was bulldozed and replaced with an 8-bedroom duplex monstrosity and one single family home, dba 3021, 23 and 25 Arlington).

Now the entire neighborhood is tortured with grocery-store, prison-yard style dusk-to-dawn glaring lights. My neighbor's back porch, which is at least 80 feet from this commercial lighting, is so lit up at night now that you could seriously read a book from the light spillage from the commercial multi-plex, ahem, I mean lovely residential use dwelling that is almost a football field away!

While I believe and support the Lincoln Neighborhood's endorsement of better lighting standards, delineating what constitutes "business/commercial property" concern must be addressed.

And is it true that the proposed ordinance "grandfather's in" existing wrongs in lighting? Does this mean that the new lighting standards can't fix "old" problems?

My neighborhood's experience is that Building and Safety is not able to "easily" or "effectively" enforce any of these "piddly little problems" that wreck people's quality of life and their property values. I don't see how they can---they are placed in a compromised and awkward position with these builder/developers. It will be cause for a city-wide celebration if B&S ever does anything for the "little people", and this includes the continuously reported illegal commercial use of this multi-family property in our backyards.

This lighting blight has really screwed up my block...and we won't even mention the constant hums of all the heat pumps this "commercial", I mean "residential" multi-family property had to

install....or the fact that the landscaping submitted for planning's approval that was supposed to happen to filter some of this crap out was never enforced.....

And, will this new ordinance have some "teeth" for once?

LGood  
[lgood@alltel.net](mailto:lgood@alltel.net)

-----Original Message-----

**From:** Carol B  
**Date:** 02/04/05 16:45:13  
**To:** [lina-l@lincolnneighborhoods.org](mailto:lina-l@lincolnneighborhoods.org)  
**Subject:** [lina-l] lighting standards

Neighborhood Leaders,

Please take a moment to read about an important change to the business lighting standards that will help protect neighborhoods. This change would regulate the amount of light that spills into residential districts from adjacent businesses. The Lincoln Neighborhood Alliance fully supports this change and we would like to ask you and your associations to send a letter or email in support as soon as possible. Please pass this information along as you see fit.

Thanks,  
Carol Brown

Residential Anti-glare Initiative

Change of Zone #05003 & Miscellaneous #05001

A change to the lighting standards for businesses that abut residential zoning districts:

No more than .5 foot candles of light are allowed to shine past the business property boundary onto residential properties.

POINTS:

- While it is very important for businesses to have adequate lighting for safety and security, there is no reason that light needs to shine onto and into neighboring homes.

· Businesses should have whatever lighting is needed within the limits of their property, but they must direct the light or shield it so it doesn't spill over onto residential properties.

· This change to the lighting standards is simple to measure and easy to enforce.

· Normal maintenance and minor light replacement are grand-fathered, but major replacement, structural replacement, or new facilities would be required to meet the new standard.

· This standard for businesses is the same requirement currently used easily and successfully for recreational facilities and parking lots.

· This change protects neighborhood quality of life and residential property values.

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Additional questions, please call Mike Dekalb at 441-6370

Please send your comments to the Planning Department:

Email: <mailto:plan@ci.lincoln.ne.us>&gt;[plan@ci.lincoln.ne.us](mailto:plan@ci.lincoln.ne.us)

Fax: 441-6377

Mail: Planning Department 555 S. 10th Street Lincoln, NE 68508

Testify at the Planning Commission Hearing Wednesday February 16th @ 1:00pm at City Hall.



Alene Swinehart  
<swinehart@alltel.net>  
02/10/2005 06:36 PM

To: plan@lincoln.ne.gov  
cc:  
Subject: lighting standards

Dear Planning Department and Planning Commissioners,

The Irvingdale Neighborhood Association supports the changes to the lighting standards for businesses adjacent to residential areas that will be coming before you February 16th. Light spilling over into neighborhoods adversely impacts the quality of life for those residents living near a business.

Thank you,  
Alene Swinehart, Issues Chair  
Irvingdale Neighborhood Association



Michael V Dekalb  
02/14/2005 04:08 PM

To: Jean L Walker/Notes@Notes  
cc:  
Subject: Lighting standards

----- Forwarded by Michael V Dekalb/Notes on 02/14/2005 04:11 PM -----



"James Arter"  
<jea@artergroup.com>  
02/14/2005 02:55 PM

To: <mdekalb@lincoln.ne.gov>  
cc:  
Subject: Lighting standards

Mike DeKalb,  
Planning

Dear Mike;  
Please distribute my email to the commission members regarding items 3.2 a and 3.2b on your agenda for the meeting on February 16, 2005.

I am in support of any and all efforts to reduce the negative impact of stray light in Lancaster County. Light pollution may not have the immediate adverse impact on citizens and generate the same demand for attention that water or air pollution would, although it is pollution none the less as it is slowly being introduced where it is not wanted. Light pollution is no less intrusive than noise or odors, but is actually easier to control.

Having been a resident in the area of South 56th and Yankee Hill Road for over 20 years, I have personally experienced a growing problem with light pollution as the city has grown to the south. While I would not consider myself an avid astronomer, I do own and use a telescope and I do enjoy being a sky watcher. My chances of seeing an occasional Aurora Borealis from my yard are now more diminished than ever. I see a few less stars from my yard every year and fondly recall the dark, starlit skies I enjoyed 20 years ago, even on the outskirts of Lincoln. I feel fortunate my children experienced seeing "millions of stars" and am concerned that fewer children will experience this wonder of nature with each passing generation.

The glow from the recent development at 84th and Hwy 2, even though it is miles away, is surprisingly bright and evident at my location. Even though this light is not directly overhead, it is extremely obvious when trying to spot any interesting sky features to the north of my home and has contributed to an overall increase in the glow seen from my neighborhood. Allowing that trend to continue would truly constitute a trespass.

I accept that as the city grows some amount of "city glow" is inevitable, although giving the issue proper attention in an effort to mitigate and minimize the lighting impact on neighborhoods and residential uses, and the community in general, is necessary and appropriate. Prevention is much easier and much less expensive than an attempt to cure it after the fact.

As a business owner, I would welcome standards that are easily met during the design and development stages and which are uniformly applied. As a resident, I welcome any effort to reduce the negative impacts of stray lighting on our skies.

With growing liability concerns for the safety of patrons and customers, adopting lighting level standards will also provide a "safe harbor" for these businesses and help protect them from claims regarding inadequate security lighting. Such concerns can cause a design professional to over react and provide too much lighting; the business owner "paying the penalty" in

maintenance and energy costs for many years, and neighbors paying the price with unwanted glare as well.

Focusing light only where it is needed, and only in the amounts necessary, not only helps prevent stray light where it is not wanted, but reduces the amount of energy wasted lighting the sky. This includes everything from residential security lighting (such as the pole lights that LES installs for a small monthly fee) to road and street illumination, to billboards. There is no reason that these types of lights can't have better shading using a downward reflector that will provide the same illumination with less wattage, and reduce unwanted upward light at the same time. The reflectance of paving materials, i.e. concrete versus asphalt, is also a factor in lighting design.

Please consider that an instance of light pollution is not only the homeowner in the near south neighborhood that lives next to a newly constructed convenience store, but it is also the homeowner that can see the glow from the new Wal-Mart from his formerly "dark" yard 3 miles away.

Sincerely,

James Arter  
6201 Rebel Drive  
Lincoln, NE 68516



Michael V Dekalb  
02/14/2005 04:10 PM

To: Jean L Walker/Notes@Notes  
cc:  
Subject: New Lighting Standards

----- Forwarded by Michael V Dekalb/Notes on 02/14/2005 04:12 PM -----



Martin Gaskell  
<gaskell@uniserve.unl  
.edu>  
02/14/2005 03:55 PM

To: mdekalb@ci.lincoln.ne.us  
cc:  
Subject: New Lighting Standards

Dear Mike,

I'm DELIGHTED to see that the City is proposing to take further action to reduce light pollution and light trespass. Such steps are going to help maintain an important part of our quality of life in Nebraska.

Here are some comments on the proposal, and an additional "wish list".

First, I note that on the web site there are links to two PDF files on the topic, but they turn out to be one and the same file. So I cannot comment on the other file if it is substantially different.

Analysis 3.5 - I would change the wording to "to preserve the beauty of a dark sky around Lincoln and to minimize 'sky glow' in urban areas."

The point is that this is not something that affects astronomers (a small minority), but the quality of life of everyone.

Analysis 4 - I would like to see "non-residential" changed to "residential and non-residential" everywhere. Although businesses are almost always the worst offenders, it doesn't matter to someone whether the bright lights glaring onto their property are from a residence or from a business.

Analysis 4 (same section) - I would like to see the phrase "where abutting property" to be removed. There is a light pollution issue regardless of whether there an abutting property or not, and regardless of whether the district is residential or not. Also the nature of abutting property might change through sale and development.

Analysis 5 - is the anticipated report now available?

3.100 - again change "non-residential" to "residential and non-residential"

3.100 - I would like to see full-cutoff required in all cases.

Other: (1) it would be good to have a prohibition of flood-lighting exteriors of buildings without a special permit.

(2) there should be a timescale for retro-fitting facilities to the new standards (e.g., two years)

There are other issues that need addressing, like the proliferation of ornamental lights in the "neighborhood improvement" projects. These

lights, put in by the City, are a major source of light pollution and glare.

Since lighting issue are a topic I cover in classes I teach at the University, I would be happy to be of any assistance on these issues.

Best wishes,

Martin Gaskell

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Martin Gaskell  
Dept. Physics & Astronomy  
Univ. Nebraska  
Lincoln, NE 68588-0111

E-mail: mgaskell1@unl.edu  
Tel: (402) 472-4788  
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IN SUPPORT

ITEM NO. 3.2a&b: **CHANGE OF ZONE NO. 05003**  
**MISCELLANEOUS NO. 05001**  
(p.49 - Public Hearing - 2/16/05)



"Connie Campbell"  
<c\_campbell72@hotmail.com>

To: plan@ci.lincoln.ne.us  
cc:  
Subject: Residential Anti-glare Initiative

02/10/2005 09:30 AM

Dear Planning & Zoning Representatives,

I am writing in support of the Residential Anti-glare Initiative, Change of Zone #05003 & Miscellaneous #05001.

This change to the lighting standards for businesses that abut residential zoning districts is important because it would allow no more than .5 foot candles of light to shine past the business property boundary onto residential properties.

While it is very important for businesses to have adequate lighting for safety and security, there is no reason that light needs to shine onto and into neighboring homes. This measure would provide for the appropriate amount of lighting for safety but protect residences from having unwanted lights shining in their windows from neighboring businesses.

Please support this Initiative.

Sincerely,

Connie Campbell

IN SUPPORT

ITEM NO. 3.2a&b: **CHANGE OF ZONE NO. 05003**  
MISCELLANEOUS NO. 05001  
(p.49 - Public Hearing - 2/16/05)



"Greg McCown"  
<gmccown@neb.rr.com>  
m>

To: <plan@ci.lincoln.ne.us>  
cc:  
Subject: Change of Zone #05003

02/09/2005 04:45 PM

Planning Department, City of Lincoln,

I'd like to share with you my support of change of zone #05003. Area businesses have the right to provide adequate lighting for their business operations, but light spillage into residential areas is a problem. Change of zone #05003 addresses this issue and provides a measure of .5 foot candles at the property boundary. This is easy to measure and enforce.

Our Near South neighborhood enjoys a mixed use environment where business and residential properties many times abut. However we must try to maintain a distinct separation between these uses. Decreasing the amount of light pollution spilling into adjacent homes is an essential part of this separation. The end result will be a higher quality of life enjoyed by those residents that live next to or near businesses.

I hope that you too will support this action.

Sincerely,

Greg McCown - Board Member,

Near South Neighborhood Association



**"William Carver"**  
**<Williamc@MidwestPa  
raMedical.com>**

02/09/2005 04:53 PM

To: <plan@ci.lincoln.ne.us>  
cc:  
Subject: Residential Anti-Glare Initiative

Please support Change of Zone #05003 and Misc #05001.

Thank You!

William Carver  
2202 Washigton St  
Lincoln NE 68502



**Rjganim@aol.com**

02/09/2005 07:17 PM

To: plan@ci.lincoln.ne.us

cc:

Subject: Lighting Ordinance

To whom it may concern,

I write to express my support for the current proposal to limit commercial lighting in residential neighborhoods.

Sincerely,

Russ Ganim



Cathy Beecham  
<cathy\_beecham@yahoo.com>

02/09/2005 04:37 PM

To: Planning Commission <plan@ci.lincoln.ne.us>  
cc:  
Subject: Change of Zone #05003 & Miscellaneous #05001

Dear Planning & Zoning Representatives,

I am writing in support of the Residential Anti-glare Initiative, Change of Zone #05003 & Miscellaneous #05001.

This change to the lighting standards for businesses that abut residential zoning districts is important because it would allow no more than .5 foot candles of light to shine past the business property boundary onto residential properties.

While it is very important for businesses to have adequate lighting for safety and security, there is no reason that light needs to shine onto and into neighboring homes. This measure would provide for the appropriate amount of lighting for safety but protect residences from having unwanted lights shining in their windows from neighboring businesses.

Please support this Initiative.

Sincerely,

Cathy Beecham  
2540 C Street  
Lincoln, NE 68502

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**Peggy Struwe**  
<pstruwe@unlnotes01.  
unl.edu>

02/09/2005 04:01 PM

To: plan@ci.lincoln.ne.us  
cc: timdfrancis@aol.com, astone59@earthlink.net, astone@lps.org,  
rachelmurrayusa@netscape.net, jmehrens@neb.rr.com  
Subject: Change of Zone #05003 & Miscellaneous #05001

Dear Planning Staff and Commissioners,

Hawley Area Neighborhood Association supports the change to the lighting standards for businesses that abut residential zoning districts. The standard this change proposes for businesses, is the same requirement currently used successfully for recreational facilities and parking lots. The lighting need for security purposes is warranted but the protection from the spillage of light for a neighborhoods' quality of life must be considered.

Many of our neighbors abut businesses along 27th, 25th, 23rd, 19th, O, P, Q, R, W, Y Street and UNL parking lots. Excess light spills over from all directions into our neighborhood.

Thank you,  
Peggy Struwe, President  
Hawley Area Neighborhood Association



**Laura Edwards**  
<bgreen@neb.rr.com>

02/09/2005 02:54 PM

To:  
cc:  
Subject: Please support lighting amendment

We must protect our neighborhoods from overflow light pollution!

Best Regards

Laura Edwards



**Scott Baird**  
<[scottandleirion@earthlink.net](mailto:scottandleirion@earthlink.net)>

To: [plan@ci.lincoln.ne.us](mailto:plan@ci.lincoln.ne.us)  
cc:  
Subject: Fw: Our lighting change

02/09/2005 04:08 PM  
Please respond to Scott  
Baird

I am writing to support the proposed Residential Anti-glare Initiative - Change of Zone #05003 & Miscellaneous #05001. I think this important for residential property values and quality of life, especially in older, mixed-use neighborhoods.



Scott Baird Lighting1.doc

IN SUPPORT

ITEM NO. 3.2a&b: CHANGE OF ZONE NO. 05003

MISCELLANEOUS NO. 05001

(p.49 - Public Hearing - 2/16/05)



Blake and Laura  
Edwards  
<bedwards@neb.rr.co  
m>

To: <plan@ci.lincoln.ne.us>  
cc:  
Subject: Please support lighting standard change

02/06/2005 12:01 PM

Please support lighting standard change.

Blake Edwards  
Near South

IN SUPPORT

ITEM NO. 3.2a&b: CHANGE OF ZONE NO. 05003  
MISCELLANEOUS NO. 05001  
(p.49 - Public Hearing - 2/16/05)



"Jane Stricker"  
<jane@footloosebirken  
stock.com>

To: <plan@ci.lincoln.ne.us>  
CC:  
Subject: Residential anti-glare initiative

02/09/2005 12:38 PM

I am writing in favor of the Residential Anti-glare initiative. It is important that business' have adequate lighting, but not at the cost of neighbors quality of light. Thank you, Jane Stricker



"Heidi Uhing"  
<heiduhing@hotmail.com>

To: plan@ci.lincoln.ne.us  
cc:  
Subject: testimony on anti-glare initiative zone change

02/09/2005 11:42 AM

Dear Planning Commission members,

I live in the Near South neighborhood and am concerned about areas of our neighborhood being affected by excessive lighting used for businesses' parking lots. It seems reasonable that a business could control the lighting used to illuminate their lot without having to shine light onto neighboring residences. Attention to this matter will preserve the older and historic atmosphere of the neighborhood as businesses grow and change.

I will be unable to testify in person Feb. 16th, but I do support the change of zone #05003 and misc. #05001.

Thank you.

Heidi Uhing  
1635 S. 21st Street  
Lincoln, NE 68502  
(402) 770-5756

IN SUPPORT

ITEM NO. 3.2a&b: CHANGE OF ZONE NO. 05003  
MISCELLANEOUS NO. 05001  
(p.49 - Public Hearing - 2/16/05)



mwatt@lps.org  
02/09/2005 12:02 PM

To: plan@ci.lincoln.ne.us  
cc:  
Subject: Change of Zone # 05003; Misc # 05001

The proposed changes to lighting standards for businesses that abut residential zoning districts, listed above, are important protections for Lincoln residents.

It is important for BOTH businesses and residents to have the appropriate amount of light to meet their needs. Businesses should be required to shield lightning so that it does not negatively impact the quality of life or property values of nearby residents. The proposals listed above appropriately address these concerns.

Please vote for these changes and enact them in a timely manner.

Mark Watt  
1448 B Street  
Lincoln, NE 68502

IN SUPPORT

ITEM NO. 3.2a&b: ~~CHANGE OF ZONE NO. 05003~~  
MISCELLANEOUS NO. 05001  
(p.49 - Public Hearing - 2/16/05)



Clark E deVries  
<cdevries@unlnotes.u  
nl.edu>

To: plan@ci.lincoln.ne.us  
cc: jcjc@navix.net  
Subject: Residential Anti-glare Initiative

02/09/2005 12:12 PM

Please add my support to the initiative to limit the amount of light spillage onto residential properties from businesses. Older homes near businesses shouldn't have to look at the bright lights of these establishments.

We all hate have obtrusive bright lights shine in our windows. Lighting Engineers are able to design well lit areas so that the light is maximized at the point of use and minimized the light pollution to other areas.

Please help our quality of life around our homes by limiting the lighting amounts to .5 foot-candles out side the boundaries of the businesses.

Clark deVries P.E.  
Director of Utilities  
Office Ph (402) 472-9444  
cdevries@unl.edu



"Carol B"  
<carolserv@hotmail.co  
m>

To: plan@ci.lincoln.ne.us  
cc:  
Subject: Change of Zone #05003 & Miscellaneous #05001

02/09/2005 12:35 PM

Dear Planning Staff and Commissioners,

Landons Neighborhood Association supports the change to the lighting standards for businesses that abut residential zoning districts. The standard this change proposes for businesses, is the same requirement currently used successfully for recreational facilities and parking lots. The lighting need for security purposes is warranted but the protection from the spillage of light for a neighborhoods' quality of life must be considered.

Thank you,  
Carol Brown, Secretary  
Landons Neighborhood

IN SUPPORT

ITEM NO. 3.2a&b: **CHANGE OF ZONE NO. 05003**  
MISCELLANEOUS NO. 05001  
(p.49 - Public Hearing - 2/16/05)



"melissa@landisarts.com" <melissa

02/14/2005 09:43 AM

Please respond to  
melissa

To: plan@lincoln.ne.gov, council@ci.lincoln.ne.us

cc:

Subject: Support Change of Zone #05003 & Miscellaneous #05001

I am writing to support the change of zone 05003 & Misc. 05001. Please protect our residential neighborhoods from light pollution. This change to the lighting standards is simple to measure and easy to enforce. While it is very important for businesses to have adequate lighting for safety and security, there is no reason that light needs to shine onto and into neighboring homes.

Thank you for your time and attention.

Sincerely,  
Melissa Landis  
1735 South 16th  
Lincoln, NE 68502

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mail2web - Check your email from the web at  
<http://mail2web.com/> .



**Michael V Dekalb**  
02/17/2005 08:57 AM

To: Jean L Walker/Notes@Notes  
cc:  
Subject: Re: FW: Lighting standards (fwd)

Got to this one to late but it can still go to council.  
---- Forwarded by Michael V Dekalb/Notes on 02/17/2005 09:00 AM ----



**Mark Dahmke**  
<mdahmke@infoanalyt  
ic.com>  
02/16/2005 01:40 PM

To: mdekalb@lincoln.ne.gov  
cc:  
Subject: Re: FW: Lighting standards (fwd)

Mike DeKalb  
Planning

Dear Mike,

This is in regard items 3.2a and 3.2b on your agenda for the meeting on February 16, 2005. Please distribute this email message to the commission members.

I support all efforts to reduce light pollution and stray light in the county. It's very apparent that in recent years there has been an explosive growth in light trespass as businesses and homeowners try to increase security on their property. Unfortunately a lack of standards and lack of understanding has caused a situation where inappropriate lighting produces dangerous glare, not to mention a waste of energy. For example, filling stations are now so brightly lit that when reentering traffic your eyes can't adjust quickly enough to the relative darkness of the street, causing the potential for accidents. I see other examples of poor lighting design almost everywhere I go in Lincoln.

Any form of lighting that is installed such that light is aimed upward above the horizon is a complete waste of energy and money, and lights that don't have full cutoff fixtures cause glare and actually decrease security rather than increasing it. Light trespass has lately become a problem in my own neighborhood, where neighbors have installed motion detectors that turn on bright floodlights aimed so they light up the interior of my house at night. A uniform illumination at about the same brightness as the full moon, with full cutoff fixtures is more than adequate for security purposes, especially in residential areas, and allows the eye to adapt more easily to variations in brightness.

As both a business owner and resident of Lincoln, I would welcome standards that are uniformly applied, and that encourage safety as well as reduced energy costs.

Sincerely,

Mark Dahmke  
625 Pier 1  
Lincoln, NE 68528