

**BOROUGH OF ALLENDALE
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE 17-03

**AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE
BOROUGH OF ALLENDALE, ZONING, CHAPTER 270 AND LAND
SUBDIVISION AND SITE PLAN REVIEW, CHAPTER 147**

WHEREAS, the Borough of Allendale deems it appropriate, necessary and proper, and for the preservation of public health, safety, morals and general welfare to establish regulations relating to lighting of school athletic fields in such manner as to foster greater use and enjoyment of school athletic fields, and to preserve and protect adjacent residential neighborhoods from unnecessary adverse lighting impacts; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following amendments and revisions are made to the Revised General Ordinances of the Borough of Allendale, Chapter 270 entitled “Zoning” and Chapter 147 entitled “Land Subdivision and Site Plan Review”.

Section 1. Chapter 270 shall be amended to add the following:

§270-32.1. Lighting of School Athletic Fields.

A. Definitions. As used in this section, the following terms shall have the meanings indicated:

ATHLETIC FIELD AREA

For the purposes of this section, an Athletic Field Area is a demarcated field or track area located on school property where school associated or school authorized activities are conducted. An Athletic Field Area shall be lit to a maximum maintained illuminance target of 500 lux horizontal and 150 lux vertical with recommended uniformity ratios as stipulated in Section 35 of “The Lighting Handbook”, Tenth Edition, by the Illuminating Engineering Society.

CERTIFICATE OF FIELD LIGHTING APPROVAL

A certificate issued by the Borough Zoning Officer for each approval year, in consultation with the Borough Construction Code Official, after submission of a lighting plan prepared by a Certified Lighting Consultant (CLC) meeting the performance standards regulated by this ordinance, which approves and permits the installation, construction and/or use of Light Structures as permitted in this section. Approval year shall mean the period commencing on July 1st and ending on June 30th.

FIELD ANGLE

The angle between two planes of light where the intensity is 10%, or less, of the maximum intensity at the center beam.

FOOT CANDLE

A measurement of illuminance equal to one lumen per square foot.

GLARE

The sensation produced by luminance within the visual field that are sufficiently greater than the luminance to which the eyes are adapted, which causes annoyance, discomfort, or loss in visual performance and visibility.

LIGHT STRUCTURE

A complete lighting unit consisting of supporting structure(s), lamp(s), ballast(s), and/or power sources, together with the parts designed to distribute the light generated by the lamp(s), to position and protect the lamp(s) and to connect the lamp(s) to a power source, which light structure may be permanent or portable.

LIGHT TRESPASS

The shining of light produced by a Light Structure beyond the boundaries of the property on which it is located, in excess of the limitations specified by this ordinance.

OWNER

The party seeking authorization for the school field lighting, as applied to this Chapter 270-32.1 only.

B. Lighting of Athletic Field Areas by permanent and/or portable Light Structures shall be subject to the following requirements:

(1) The minimum distance from any Light Structure to any front, side or rear property line shall be 45 feet, excluding surface or subsurface electrical conduit. Light Structures are accessory structures, not accessory buildings. The requirements of §270-14 (Accessory Buildings) do not apply to Light Structures.

(2) The height of any Light Structure shall not be lower than 35 feet, nor exceed 90 feet, each as measured from grade at the base of said Light Structure to its highest point.

(3) The hours of operation for use of any Light Structure shall be limited as follows:

(a) Monday through Thursday 3 p.m. until 9:15 p.m.;

(b) Friday 3 p.m. until 10 p.m.;

(c) Saturday 12 noon until 9 p.m., limited to not more than ten (10) Saturdays per year;

(d) Use of any Light Structure shall not be permitted on Sunday with the exception of State and County interscholastic tournaments, in which case the Light Structures may be used from 12 noon until 8 p.m.;

(e) Use of Light Structures shall not be permitted between December 1st and March 1st, and between June 1st and August 15th.

(f) In the event of unforeseen circumstances, including but not limited, to overtime, inclement weather or injury, the use of the Light Structures may be extended for an additional thirty (30) minutes.

(g) More than one, but no more than two Athletic Field Areas may be illuminated at any one time.

(4) Light Structures shall use cut-off or directional shielding and all lamps shall be aimed toward the Athletic Field Area so as to minimize glare and light trespass onto adjacent properties. The upper limit of the Field Angle shall be no more than 80 degrees above nadir.

(5) Light trespass created by the Light Structure, shall not exceed 0.25 vertical foot candles at any adjacent residential property line calculated vertically at five feet above grade. Calculated light levels shall reflect buffering associated with existing or proposed vegetation, structures and fences. All buffering, vegetation, Light Structures and fences shall be maintained by Owner.

(6) A minimum aggregate lot area of ten (10) acres.

(7) To the extent required to comply with this ordinance, the Owner shall provide a buffering plan to be utilized to meet the performance requirements set forth herein.

(8) Opaque fencing to a height of not more than eight (8) feet shall be permitted up to an exterior lot line to meet the light trespass requirements of this Ordinance.

(9) In the event that Owner relocates a portable Light Structure from the location specified in its application for a Certificate of Field Lighting Approval, it shall be required to submit an amended lighting plan certifying that the relocated Light Structure complies with all requirements of this ordinance.

C. Review Process.

(1) A Certificate of Field Lighting Approval shall be required prior to the installation, construction and/or use of any Light Structure regulated herein. Additionally, an annual Certificate of Field Lighting Approval shall be required prior to the use of any Light Structure each approval year. Site plan approval and land use board review is not required for the installation, construction and/or use of Light Structures as permitted in this Chapter 270-32.1, unless a variance is required from the provisions of this Chapter 270-32.1 in connection with the use of a Light Structure. The Borough Zoning Officer shall render a determination on any application within twenty-one (21) days of receipt of a completed application.

(2) Owner shall provide a lighting design and custom lighting aiming plan prepared by a Certified Lighting Expert specific to the Athletic Field Area where the Light Structures are to be used. All proposed light levels shall properly incorporate impacts associated with existing and proposed buffering.

(3) A Certificate of Field Lighting Approval shall be required for each Light Structure regardless of whether or not it is temporary or permanent in nature. Once a Certificate of Field Lighting Approval is issued, the Light Structure may be utilized on the property as provided in this Chapter 270-32.1 for the approval year for which the certificate was issued. Should a change in equipment be desired following the issuance of a certificate, it may be amended by an updated certificate application submitted to the Borough Zoning Officer for approval.

(4) The following shall be submitted to and approved by the Borough Zoning Officer prior to the issuance of a Certificate of Field Lighting Approval:

(a) A certificate of compliance submitted by a Certified Lighting Consultant on behalf of the Owner certifying that the Light Structures comply with all provisions of this Chapter 270-32.1.

(b) A certification from a licensed structural engineer or a qualified engineer certifying as to the safety of the Light Structures.

(c) A description of outdoor light fixtures including component specifications such as lamp type and wattage, reflector, optics, angle of cutoff, supports, poles and including manufacturer's catalog information.

(d) A plan at a defined scale of the school tract with the tract boundary and fields to be illuminated showing the boundary limits of where the Light Structures will be utilized.

(e) An application fee of \$100 for each lighting plan submitted pursuant to this Chapter.

D. Ongoing Compliance. Usage of Light Structures during each year of issuance of a Certificate of Field Lighting Approval is contingent upon ongoing compliance with all provisions of this section.

E. Penalties. Failure to comply with the provisions of this Chapter 270-32.1 may result in such fines as are set forth in Section 1-18 of the Borough Code and/or revocation of the Certificate of Field Lighting Approval. In the event of a revocation of the Certificate of Field Lighting Approval, the use of any Light Structure shall not be permitted until such time as a new Certificate of Field Lighting Approval is issued by the Borough Zoning Officer, in consultation with the Borough Construction Code Official.

Section 2. Chapter 270 shall be amended to add the following:

§270-49K. Lighting of Athletic Field Areas in accordance with §270-32.1.

Section 3. Chapter 270 shall be amended to add the following:

§270-51A shall be amended by adding the following last sentence: “The provisions of this section shall not apply to lighting of Athletic Field Areas regulated by §270-32.1.”

Section 4. Chapter 270 shall be amended to add the following:

§270-54A shall be amended by adding the following last sentence: “The provisions of this section shall not apply to lighting of Athletic Field Areas regulated by §270-32.1.”

Section 5. Chapter 270 shall be amended to add the following:

§270-57A shall be amended by adding the following last sentence: “The provisions of this section shall not apply to lighting of Athletic Field Areas regulated by §270-32.1.”

Section 6. Chapter 270 shall be amended to add the following:

§270-60A shall be amended by adding the following last sentence: “The provisions of this section shall not apply to lighting of Athletic Field Areas regulated by §270-32.1.”

Section 7. Chapter 270 shall be amended to add the following:

§270-103.1F. “A zoning permit in connection with lighting of Athletic Field Areas regulated by §270-32.1, shall not be issued until such time as a Certificate of Field Lighting approval is issued by the Borough’s Zoning Officer, in consultation with the Borough Construction Code Official.”

Section 8. Chapter 147 shall be amended to add the following:

§147-7E. “No site plan approval or land use board review shall be required prior to the issuance of a construction permit in connection with the installation, construction and/or use of Light Structures regulated by §270-32.1.”

Section 9. Chapter 147 shall be amended to add the following:

§147-32J. “The provisions of this section shall not apply to lighting of Athletic Field Areas regulated by §270-32.1.”

Section 10

“Opaque fences to a height of not more than eight (8) feet may be permitted on exterior lot lines, solely for the purpose of meeting the light trespass requirements of Section 270-32.1”

Section 11

All Ordinances of the Borough of Allendale which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 12

The terms and provisions of this Ordinance are hereby declared to be severable; should any part, portion or provision of this Ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole, or any other part hereof.

Section 13

This Ordinance shall take effect upon final passage, approval and publication as required by law.

BE IT FURTHER ORDAINED that, except as modified herein, all other provisions of Chapter 270 and 147 shall remain in full force and effect as previously adopted.

	Motion	Second	Yea	Nay	Absent	Abstain
Bernstein			✓			
Homan			✓			
McSwiggan		✓	✓			
Sasso	✓		✓			
Strauch			✓			
Wilczynski			✓			
White						

I hereby certify the above to be a true copy of an Ordinance adopted by the Governing Body of the Borough of Allendale on March 2, 2017



Anne Dodd, RMC
Municipal Clerk



Mayor Elizabeth White