

**ARTICLE XVI
LIGHTING, NOISE AND ODOR/ODOROUS MATTER**

1600 (A) Lighting

Lighting shall be designed for security, safety and illumination without producing undue glare in order to minimize friction between land uses and prevent momentary blindness to motorists.

Section A of this Article is intended to reduce the problems created by improperly designed and installed outdoor lighting. It is intended to eliminate problems of glare, minimize light trespass by establishing regulations which limit the area of certain kinds of outdoor light fixtures can illuminate and by limiting the total allowable illumination of lots in Shelbyville, Simpsonville and unincorporated areas of Shelby County, Kentucky.

All public and private outdoor lighting installed in Shelbyville, Simpsonville and unincorporated areas of Shelby County shall be in conformance with the requirements established in this Article.

1600 (A) General

A. Lighting requirements

All lighting plans shall be approved by the Enforcement Officer and/or the Planning Commission according to a submitted LIGHTING PLAN as regulated by the Article and the requirements of ARTICLE XIII - DEVELOPMENT PLANS, Sections 1330(h) and 1340(g).

1. Where lighting is proposed, it shall be provided as follows:

- (a) No lighting shall be permitted which would glare onto any street, into any adjacent property, or be deemed as lighting trespass, e.g., the shining of light produced by a luminaire beyond the boundaries of the property on which such luminaire is located;
- (b) Any luminaire with a lamp or lamps rated at a total of more than 1800 lumens and all flood or spot luminaries with a lamp or lamps rated at a total of more than 900 lumens shall not emit any direct light above a horizontal plane through the lowest direct light emitting part of the luminaire;
- (c) Any luminaries with a lamp or lamps rated at a total of more than 1800 lumens and all flood or spot luminaries with a lamp or lamps rated at a total of more than 900 lumens shall be mounted at a height equal to or less than the value $3 + (D/3)$ where D is the distance in feet to the nearest property boundary.

The maximum height of the luminaries may not exceed 25 feet. Lighting for parking areas shall not exceed the maximum building height permitted, or 25 feet, whichever is less, and buffering of vehicular light shall follow ARTICLE XV, BUFFER ZONE REQUIREMENTS, and Section A.2. (b)(c);

- (d) LIGHTING IN THE RIGHT-OF-WAY: Perimeter lighting placed in a right-of-way (ROW) shall not exceed 25 feet in height unless a variance is requested and granted by the Planning Commission or Board of Adjustments and Appeals as applicable for adjoining roads and vehicular use areas and ingress/egress points upon approval by the responsible ROW agency. Written permission from the authority having jurisdiction over the ROW shall be submitted by the developer prior to the approval of the Lighting Plan which is proposed in the ROW. The Enforcement Officer, the Planning Commission or its designated Consultant may consult with a representative of the appropriate lighting utility agency to determine that glare from proposed lighting in the right-of-way will not be a hazard to drivers or a nuisance to adjacent properties. The developer will be responsible for the cost and maintenance of proposed lighting in the right-of-way;

Luminaries used for public roadway illumination may be installed at a maximum height of 25 feet in height unless a variance is requested and granted by the Planning Commission and may be positioned at that height up to the edge of the bordering property;

- (e) Lighting for walkways, building entrances, parking areas and loading areas shall be sufficient so that an object or a person may be seen directly;
- (f) Lighting for temporary construction projects shall consist of lighting sufficient to safely illuminate the site without producing glare onto adjacent properties and shall cease at 10:00 PM EST/EDT except in an emergency situation;
- (g) No flashing lights or strobe lights are permitted, either affixed, non-affixed, or internal which would be seen from any adjacent property, road or aerial location, except in situations involving public health or safety;
- (h) Installation of any new outdoor lighting other than for traffic control shall be approved by the Planning Commission and/or the Enforcement Officer.

2. The Planning Commission reserves the right to direct the developer and/or owner to conduct studies by a professional engineer using state of the art engineering methods to determine findings of fact as to objectionable lighting emanating from any existing or potential land use.

1600 (B) Noise

Noise produced by any land use, excluding Agricultural and Residential zones, shall conform to the following regulations for the purpose of minimizing friction between land uses of lesser or equal intensity and protecting the environment of Shelby County.

1600(B) General

1. All proposed or expanding developments except in Residential and Agricultural zones shall include a decibel analysis as regulated and required by the following:
 - a. A vicinity site plan depicting current land uses and zoning districts within 1000 feet of the property boundary of the site;
 - b. A noise contour overlay map depicting the anticipated noise as measured in decibels (dB) using a sound level meter that conforms to specifications published by the American National Standards Institute (specifications for Sound Level Meters S1.4 - 1971, or the latest edition of such noise standards, shall be used) of the proposed development;
 - c. When the noise contour overlay map depicts projected outdoor noise exceeding 55 dB or indoor noise exceeding 40 dB within 1000 feet of the property boundary should it overlap a land use of lesser intensity, effective noise abatement measures shall be incorporated with the Final Development Plan in text format. The Final Development Plan Map shall depict outdoor noise contours not to exceed 55 dB and indoor noise not to exceed 40 dB within the 1000 foot perimeter of the development property boundary.
2. The Planning Commission reserves the right to direct the Developer and/or owner to conduct studies by a professional engineer using state of the art engineering methods to determine findings of fact as to objectionable noise emanating from any existing or potential land use.

1600 (C) Objectionable Odors

Potential objectionable odors emitted by industrial, commercial and other land uses which rise to the level of intensity so as to be construed as commercial or industrial-like shall be regulated by Kentucky Administrative Regulations (KAR) Title 401, Chapters

50-65; Sections 1(a)(b)(c)(d) and Section 2 as follows to protect the general health, safety and welfare of the citizens of Shelby County.

1600 (C) General

1. Objectionable odors and odorous matter shall be kept to a minimum through technology and site planning strategies to the best degree possible as regulated by the requirements of this Article and Article XIII, Development Plans, and shall include the following as a minimum:
 - a. The PRELIMINARY DEVELOPMENT PLAN shall detail, in text format and on a vicinity map, where odors that could be objectionable, are likely to originate, and include the reasonable distance that odors can be detected. The PRELIMINARY DEVELOPMENT PLAN shall include the prevailing winds, the types of odors expected to be emitted, and shall comply with all State and Federal regulations which shall be cited in the text submitted with the PRELIMINARY DEVELOPMENT PLAN;
 - b. The vicinity map shall include all land uses (existing and proposed) and zoning districts within 2000 feet of the property line of the site. Should objectionable odors/odorous matter be expected to travel farther than 2000 feet, the Enforcement Officer shall determine the distance to be depicted on the Vicinity Map;
 - c. All reasonable mitigation measures shall be taken by the developer/owner to minimize anticipated objectionable odors/odorous matter and shall be submitted in text and Vicinity Map format with the FINAL DEVELOPMENT PLAN as required by ARTICLE XIII, DEVELOPMENT PLANS.
2. The Planning Commission reserves the right to direct the developer and/or owner to conduct studies by a professional engineer using state of the art engineering methods to determine findings of fact as to objectionable odor/odorous matter emanating from any existing or potential land use.