

# Chapter 14

## UTILITIES

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### Section 14.1 Outdoor Lighting

#### Section 14.1.1. Generally

##### A. Intent and Purpose

This section addresses a critical component of community design by promoting effective, efficient, and attractive outdoor site lighting. The intent of this ordinance is to prevent excessive glare and unwanted light trespass, ensuring that all light emanating from a particular development is confined to that development site. The design criteria and review process establish overall lighting performance standards and provide flexibility in meeting site specific outdoor lighting needs.

##### B. Applicability

The provisions of this section shall be applicable to all properties located within the City of Baton Rouge and unincorporated East Baton Rouge Parish.

#### Section 14.1.2 Site Lighting

##### A. General Requirements

###### 1. Luminaire Requirements

###### a. Luminaire Design

Any luminaire with a lamp with an initial output rating greater than 10,000 lumens shall be either:

- (1) Full cutoff type fixture; or,
- (2) Shielded and adjustable.

###### b. Luminaire Height

- (1) Any luminaire with a lamp with an initial output rating of less than 10,000 lumens may be mounted at any height.
- (2) Any luminaire with a lamp with an initial output rating of 10,000 lumens or greater may be mounted up to a height of 35 feet provided that the luminaire is not aimed, directed, or focused such as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or on streets.
- (3) Maximum height of pole mounted fixtures shall not exceed 35 feet.

## 2. Illumination Levels

### a. Generally

The average levels of illuminance for all applications for buildings designed for human occupancy except one or two family dwellings shall conform to the requirements of the Louisiana State Fire Marshal as described in the Louisiana Commercial Buildings Energy Conservation Code pursuant to LRS 40:1730.41-48.

### b. Exception for Banking Facilities with Automated Teller Machines or Night Depositories

The levels of illuminance for this specific application shall be a minimum of ten foot candles at the face of the facility and extending in an unobstructed direction outward five feet with an average of two foot candles within 50 feet of the facility as required by LRS 6:1365.

## 3. Light Measurement

Light level measurements shall be made at a point eight feet outside the boundaries of the property upon which the outdoor luminaire is installed. Measurements shall be made with the light-registering portion of the meter held at ground level with the measuring instrument held in the horizontal plane parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five percent. Measurements shall be taken with a light meter that has been calibrated within the previous two years. Light levels shall be calculated and measured in maintained foot candles, unless specified otherwise.

## 2. Light Trespass

The maximum level of light trespass shall be:

a. Abutting single family or two family residential property – ½ foot candle at the edge of the property; and,

b. Abutting multifamily and nonresidential property -- two foot candles at the edge of the property line.

## B. Exceptions

The following lighting is exempt from the provisions of this section:

### 1. Police or Fire Departments or other Emergency Services

All temporary emergency lighting needed by a governmental entity, including the police or fire departments, performing any emergency services.

### 2. Federal Regulatory Agencies

All hazard warning luminaries required by Federal Regulatory Agencies, except that all luminaries used must be red and specific to the warning task required.

### 3. Airport Lighting

Lighting that is required for the safe and efficient movement of aircraft during flight, takeoff, landing, and taxiing.

4. Radio, Communication and Navigation Towers

All lighting used for radio, communication, and navigation towers, provided the owner or occupant demonstrates that the Federal Aviation Administration regulations can only be met through the use of lighting that does not comply with the provisions of this chapter.

5. Outdoor Performance Areas

Outdoor nighttime performance events (concerts, athletic contests, etc.) have unique lighting needs. Illumination levels vary, depending on the nature of the event. To ensure adequate lighting for such events while reducing glare and unwanted illumination of surrounding streets and adjacent properties, lighting fixtures shall be specified, mounted, and aimed so that their beams fall within the primary playing area and immediate surroundings, and no direct illumination is directed off the site.

6. Uplighting

The following features may be illuminated through uplighting, provided that the lighting fixtures are located, aimed, or shielded to minimize light spill into the night sky:

- a. National, state, municipal or foreign nation flags located on poles independent of other structures;
- b. Trees; and,
- c. Architectural details.

C. Certification of Compliance

The applicant for a building permit shall certify that the applicable provisions of this section will be satisfied. All site plan and subdivision plats must have a notation on the plat stating that the proposed development will comply with these provisions.

D. Temporary Lighting

1. Generally

Any temporary outdoor lighting that conforms to the requirements of this section shall be allowed. Nonconforming temporary outdoor lighting may be permitted by the Building Official after considering:

- a. The public and/or private benefits that will result from the temporary lighting;
- b. Any annoyance or safety problems that may result from the use of the temporary lighting; and,
- c. The duration of the temporary nonconforming lighting.

2. Searchlights

The operation of permanent searchlights is prohibited. Temporary use of searchlights may be permitted by the Building Official provided that the light shall not be:

- a. Located within 500 feet of a residential area; and,

- b. Allowed to operate after 12:00 a.m.
- E. Prohibited Lighting  
The use of laser source light or any similar high intensity light is prohibited.
- F. Nonconforming Luminaries
  - 1. Nonconforming Luminaries  
A light trespass shall only be deemed to occur if the Building Official receives a complaint from a third party residential property owner within 100 feet of the property line and determines that there is a violation. In these situations, all offending outdoor lighting fixtures located on the subject property with an initial output rating of greater than 10,000 lumens that do not conform to this section shall be required to be shielded, redirected, or adjusted so that no more than two foot candles of light fall eight feet outside the boundaries of the property upon which the outdoor luminaire is installed. This level shall be measured 25 feet outside the boundaries of the property upon which the outdoor luminaire is installed. Ownership where at least 50 percent of ownership is common shall be deemed as one tract.
  - 2. Nonconforming Luminaries Causing Hazardous Glare  
Nonconforming luminaries with a lamp or lamps with an initial output rating greater than 10,000 lumens that are aimed, directed, or focused such as to cause or create glare perceptible to persons operating motor vehicles on public ways shall be shielded or redirected so that the luminaries do not cause a potential hazard to motorists or cyclists if determined to be hazardous by the Building Official.

### **Section 14.1.3 Street Lighting**

- A. General Requirements
  - 1. Luminaire Requirements
    - a. Luminaire Design
      - (1) Lighting shall conform to the recommendations of the Illuminating Engineering Society of North America as described in its publication *Recommended Practice 8, Roadway Lighting* (ANSI-IES RP-8-18).
      - (2) All street lighting fixtures shall be a full cut-off type fixture. If necessary, fixtures shall include “house side shields” to minimize light directed to the rear of the fixtures.
    - b. Luminaire Height
      - (1) The maximum height of pole mounted fixtures intended to light the street shall not exceed 30 feet.

(2) Mounting heights of fixtures designed to light bicycle paths or pedestrian paths, but not streets, shall not exceed 15 feet.

c. Alternatives

The design for an area may suggest the use of street lighting fixtures of a particular “period” or architectural style, or there may be existing historical fixtures to be retained. In such cases, alternative fixtures may be used if approved by the Director of Transportation and Drainage and Entergy with any additional costs associated with use of the alternative fixture absorbed by the neighborhood.

2. Light Level

Light levels shall be calculated using the illumination method specified in the Illuminating Engineering Society of North America’s publication *Recommended Practice 8, Roadway Lighting* (ANSI-IES RP-8-18), and measured in maintained foot candles, unless specified otherwise.

B. Street Lights within Subdivisions

1. Residential Subdivisions

a. A licensed Professional Engineer in electrical engineering shall design the lighting systems. Equipment used shall be manufactured specifically for street light application, and repair parts shall be available for the projected life of the installation. Any equipment other than the standard equipment used by the franchised servicing utility shall require that utility’s approval prior to that utility’s accepting maintenance and operation. The maximum spacing of lighting fixtures shall be 180 feet and the minimum shall be 60 feet. The minimum initial lumens shall be 100 watt high pressure sodium or the equivalent. The engineer shall ensure that the degree of illumination in divided or boulevard type streets is consistent with the degree of illumination required by this paragraph for undivided streets.

b. The provisions of this section shall not be construed to impose a duty on either the City-Parish or a franchised servicing utility as to the public, regardless of the activity in which any member(s) of the public is engaged.

2. Commercial and Industrial Subdivisions

In commercial and industrial subdivisions, street light illuminations shall meet all requirements set for them by the Illuminating Engineering Society of North America as described in its publication *Recommended Practice 8, Roadway Lighting* (ANSI-IES RP-8-18).

C. Installation Prohibited until Approval Obtained

No street lighting facilities shall be installed by any person or by any utility company within dedicated rights-of-way in any approved subdivision until and unless an application has been submitted to and approved by the Department of Transportation and Drainage.

D. Notice to Remove Facilities

If any person or any utility company shall install street lighting facilities in any subdivision in violation of the provisions of this chapter, the Director of Transportation and Drainage shall give

such person or utility company ten days written notice to remove the facilities from the rights-of-way, and upon the failure of such person to so remove the facilities, the Director of Transportation and Drainage may remove them without further notice. All costs of removal shall be chargeable to the owner of or to the person installing such facilities, as the case may be. This provision shall be supplemental and in addition to the penalties hereinafter provided.

## **Section 14.2 Wireless Communication Facilities**

Wireless transmission and relay equipment located in or on existing structures shall be exempt from the following requirements and may be permitted by right.

### **Section 14.2.1 General Requirements Applicable to All Wireless Communication Towers**

All wireless communication towers shall comply with the following requirements:

- A. Shall be located on properties meeting all dimensional requirements;
- B. Shall be located at least 20 feet from any street right-of-way;
- C. Shall not be located within 1,320 feet of any previously approved or existing wireless communication tower or any building taller than the proposed wireless communication tower, unless a waiver is granted by the Planning Commission upon the applicant demonstrating that the previously approved tower or building cannot accommodate the applicant's technical needs;
- D. Shall provide a solid wall or fence at least six feet in height or an alternative fence surrounded by an evergreen hedge composed of plant material at least four feet in height at time of planting that will grow to six feet in height at maturity around the equipment enclosure;
- E. Shall not use any metal buildings; and,
- F. Shall include the following information as part of any application:
  1. Identification of the owners of all antennae and equipment proposed to be located on the site;
  2. A site plan demonstrating compliance with all requirements;
  3. A map showing the location of all of the applicant's existing facilities serving any property with the parish; and,
  4. The following certifications:
    - a. That there are no Parish-owned sites in the area of the proposed facility that can accommodate the applicant's needs;
    - b. That the proposed equipment and antennae cannot be accommodated on any existing structure reasonably available within the search area;
    - c. That the tower is designed to withstand winds in accordance with the most current version of *Structural Standards for Antenna and Support Structures* (ANSI/TIA 222-G);

- d. That the proposed facility will comply with all Federal Communication Commission regulations; and
- e. That the proposed tower complies with all Federal Aviation Administration requirements, including lighting requirements.

**Section 14.2.2 Wireless Communication Towers Subject to the Following Limiting Conditions**

Wireless communication towers may be established in the zoning districts listed in Table 14.A, Wireless Towers Allowed by Right subject to the height and setback requirements shown.

**Table 14.A  
Wireless Towers Allowed by Right**

Districts	Maximum Height	Minimum Wireless Tower Setback
LC1, LC2, LC3, C1,	120 feet Unless a greater height is approved through a waiver by the Planning Commission upon a demonstration that the tower is designed to accommodate additional antennae and wireless transmission and relay equipment	1½ x tower height
HC1, HC2, C5, CW1, CW3, CG, C2, CW, CW2	250 feet Unless a greater height is approved through a waiver by the Planning Commission upon a demonstration that the tower is designed to accommodate additional antennae and wireless transmission and relay equipment	1½ x tower height
M1	None	200 Feet
M2	none	25 feet

**Section 14.2.3 Wireless Communication Towers Requiring Planning Commission Approval**

Wireless communication towers may be established in the REA-3, REA-1, A1, Rural, A2, A3.1, A3.2, A3.3, A4, and B1 zoning districts through the approval of a conditional use permit subject to the requirements identified below:

- A. Shall not exceed 85 feet in height, except in the Rural district. In the Rural district, a maximum height of 300 feet may be approved by the Planning Commission upon a demonstration that the tower is designed to accommodate additional antennae and wireless transmission and relay equipment following a public hearing;
- B. Shall be located at least one and one-half times the height of the tower from abutting property lines under different ownership; and,
- C. Shall not be located within any recognized residential subdivision.