

BOROUGH OF MENDHAM
MORRIS COUNTY, NEW JERSEY

ORDINANCE #02-2024

**ORDINANCE OF THE BOROUGH OF MENDHAM, IN THE COUNTY OF MORRIS AND
STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE TO MODIFY CHAPTER 195 ENTITLED
SUBDIVISION OF LAND AND SITE PLAN REVIEW TO CLARIFY COMMERCIAL OUTDOOR LIGHTING
REQUIREMENTS**

WHEREAS, the Mendham Borough Joint Land Use Board has reviewed the existing lighting standards in the Borough Code; and

WHEREAS, the Governing Body desires to minimize adverse effects of commercial outdoor lighting on surrounding residential uses; and

WHEREAS, the Borough Planner has proposed certain amendments to the Borough Code to improve and clarify the existing outdoor lighting standards; and

WHEREAS, the Governing Body recommends the amendments with respect to outdoor lighting.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Mendham, in the County of Morris and State of New Jersey, as follows:

SECTION 1. Chapter 195, Subdivision of Land and Site Plan Review, is hereby amended to read as follows:

“Article II **Definitions**

§ 195-4 **Definitions and word usage.**

A. **Definitions.** Unless the context otherwise indicates, the following definitions shall be used in the interpretation and construction of this chapter:

FULL CUTOFF OR FULLY SHIELDED LIGHTING FIXTURE

Luminaires, or lighting units, which have no direct uplight, or light emitted above horizontal.

LIGHT TRESPASS

The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

SECTION 2. Chapter 195, Subdivision of Land and Site Plan Review, is hereby amended to read as follows:

“Article XI **Design Standards for Site Plan Approval**

§ 195-47 **Lighting and signs.**

B. **Lighting.** The objective of these design standards is to minimize effects of commercial outdoor lighting fixtures on residential uses. In connection with every site plan, the applicant shall submit plans for all proposed exterior lighting. These plans shall include the location, type of light, radius of light and height and intensity in footcandles. The following design standards shall be followed:

- (1) The style of the light and light stanchion shall be consistent with the architectural style of the principal building.
- (2) The maximum height of freestanding lights shall not exceed the height of the principal building or 25 feet, whichever is less.
- (3) All lighting shall be designed and installed in a manner which shall result in the direct or diffused source of illumination not being visible at any point on the property boundary at a height of three (3) feet or greater. Full cutoff or fully shielded lighting fixtures and screening shall be utilized to accomplish this.

- (4) Spotlight-type fixtures shall be prohibited. This prohibition shall not apply to spotlights or other types of artificial lighting controlled by a motion detector that automatically turns off within 10 minutes of activation caused by motion.
- (5) Freestanding lights shall be so located and protected to avoid being damaged by vehicles.
- (6) Lighting shall not be permitted which requires flashing or intermittent illumination. Lighting which requires change in color, intensity or hue shall likewise be prohibited. All sign lighting shall be by white light only with a maximum temperature of 3,500 Kelvin. Said lighting shall in no way interfere with, detract from or diminish in any way the effectiveness of any traffic signal or similar safety or warning device.”

SECTION 3. Chapter 195, Subdivision of Land and Site Plan Review, is hereby amended to read as follows:

“Article XIA **Special Civic Design Elements for Main Street Corridor**

§ 195-57.5 **Outdoor lighting.**

The following outdoor lighting requirements for all site plans shall apply:

- A. Site lighting fixtures shall be Stemberg "Carson City" or approved equal. The poles/fixtures shall be black. The light source and optics shall be fully shielded in the cap of the luminaire. The lantern shall include a frosted glass chimney. The mounting height to the source shall be a maximum of 16 feet. For parking lots with less than 15 stalls, the maximum mounting height shall be 14 feet. The light source shall be white of appropriate minimum wattage. Poles shall be straight, tapered poles. Fixture and pole details may be obtained from the Borough Engineer's office.
- B. Sites shall provide adequate lighting with fixtures in compliance with Subsection A above. All fixtures shall minimize light trespass and adverse visual impacts, such as glare, light spillage and overhead sky glow, on adjacent properties and on any public right-of-way. Light cutoff shields shall be provided, if required in addition to the standard internal light shields, where fixtures abut residential uses and in other locations as directed by the Planning Board or Board of Adjustment.”

SECTION 4. This Ordinance may be renumbered for the purpose of codification.

SECTION 5. All ordinances of the Borough of Mendham that are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

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Introduced: February 26, 2024

Public Hearing: March 13, 2024

Adopted:

ATTEST

BOROUGH OF MENDHAM

Lauren McBride, Acting Borough Clerk

Christine Serrano Glassner, Mayor