



Town of  
**INDIAN TRAIL**  
north carolina

Indian Trail, North Carolina 28079

Telephone 704-821-5401

Fax 704-821-9045

**PLANNING BOARD TRANSMITTAL**

**Planning Board Transmittal for the May 10, 2011 Town Council Meeting**

<b>Reference Name</b>	Case: ZT 2011-001 Lighting Ordinance		
<b>PB Meeting Date</b>	April 19, 2011		
<b>Members Present</b>	Chair Whitehurst <input checked="" type="checkbox"/>	Gary Vaughn <input checked="" type="checkbox"/>	Larry Miller <input checked="" type="checkbox"/>
	Vice-Chair Cowan <input checked="" type="checkbox"/>	Kathy Broom <input checked="" type="checkbox"/>	Robert Rollins <input checked="" type="checkbox"/>
	Sidney Sandy <input checked="" type="checkbox"/>	Cathi Higgins <input type="checkbox"/> Alternate	Vacant Seat <input type="checkbox"/> Alternate
	Vacant Seat <input type="checkbox"/>		
<b>Case Found Complete</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
<b>Motion</b>	Recommend approval as transmitted.		
<b>Member making the motion</b>	Board member Sidney Sandy		
<b>Second the motion</b>	Board member Gary Vaughn		
<b>Vote</b>	7-0		

**Summary**

A request to amend Chapter 1330 Lighting Ordinance and Chapter 1660 Outdoor Lighting Definitions of the Unified Development Ordinance (UDO). The purpose is to: 1) simplify and clarify language within the chapters, 2) provide flexibility in lighting standards encouraging the use of decorative style lighting, and 3) clarify standards for special uses such as recreational fields.

**Town Council Action:** Receive transmittal report and public testimony and:

1. Concur with the findings and transmittal of the Planning Board to approve; or
2. Concur with the findings and approve as modified by Council; or
3. Do not make the findings and disapprove the amendment.

## Background

The Town is the applicant requesting to modify and simplify the Town's Lighting Ordinance. The goal is to provide easier application, be consistent with terminology and specification of the lighting industry, and provide flexibility to encourage creative and decorative lighting options. Staff worked with David M. Alber, LC of DMA Lighting Design, in the preparation of this amendment. The Board heard this item at its April 2011 public meeting. The lighting consultant provided an educational experience for the Board demonstrating proposed changes in their application. Discussions were focused around the following issues:

1. Auto Dealership Lighting: The proposed amendment provides for higher lighting maximums as it applies to foot candles for this specific type of business. This can be thought of as the amount of light that actually falls on a given surface. Concerns were related to auto dealerships leaving all their lights on during the evening and potential impacts for residential properties. The Board recommended the criteria be included that would require a total light output by 75% (or that amount needed to provide adequate security) after 11:00 pm. This would leave 25% of light output to remain on for security purposes. This is consistent with the practice of Dale Jarrett Ford.
2. Gas Station Canopy Lighting: The proposed amendment requests to increase lighting foot-candle maximum from 20 fc to 30fc. The Board discussed regarding potential impacts and supports the request.
3. Wood Light Poles: Staff requested flexibility in certain cases for light fixtures to be attached to existing wood utility poles in cases where existing neighborhoods and commercial developments have overhead utilities. This would allow residential neighborhoods to up fit their streets with light fixtures and allow existing commercial business to add security lighting on existing poles. This would not apply to new development.
4. Security Lighting for ATM's: The Board discussed the issue of security lighting for ATM and recommended regulations be included to allow for lighting consistent with the Illuminating Engineering Society North America (IESNA) standards for that industry.

At the conclusion of the discussions, the Board did make the required findings as follows:

1. The proposed UDO amendment is consistent with the following goals:
  - 1.3.2 of the Comprehensive Plan – Land Use because the amendment provides regulations encouraging the use of lighting design practices and systems that will minimize glare, light trespass and light pollution thus reducing the potential for land use conflicts between neighboring properties; and
2. This UDO ordinance amendment request is reasonable and in the best interest of the public because it provides clear guidance for better efficiency and the use of best lighting design practices..

Making the required findings the Board voted 7-1 to transmit a recommendation to approve.

Attachment 1 – Planning Board Report  
Attachment 2 – Draft Ordinance





Town of  
**INDIAN TRAIL**  
north carolina

P.O. Box 2430

Indian Trail, North Carolina 28079

Telephone (704) 821-5401

Fax (704) 821-9045

PLANNING AND NEIGHBORHOOD SERVICES DEPARTMENT

## Zoning Staff Report

<b>Case: ZT 2011-001 Lighting Ordinance Amendment</b>	
<b>Reference Name</b>	Amendment of Chapter 1330 & Chapter 1660
<b>Applicant</b>	Town of Indian Trail
<b>Submittal Date</b>	03/08/2011
<b>Location</b>	Town-wide
<b>Tax Map Number</b>	n/a
<b>Plan Consistency</b>	Yes – Goal 1.3.2 Land Use
<b>Recommendations &amp; Comments</b>	Planning Staff Recommend approval to Town Council.

A request to amend Chapter 1330 Lighting Ordinance and Chapter 1660 Outdoor Lighting Definitions of the Unified Development Ordinance (UDO). The purpose is to: 1) simplify and clarify language within the chapters, 2) provide flexibility in lighting standards encouraging the use of decorative style lighting, and 3) clarify standards for special uses such as recreational fields.

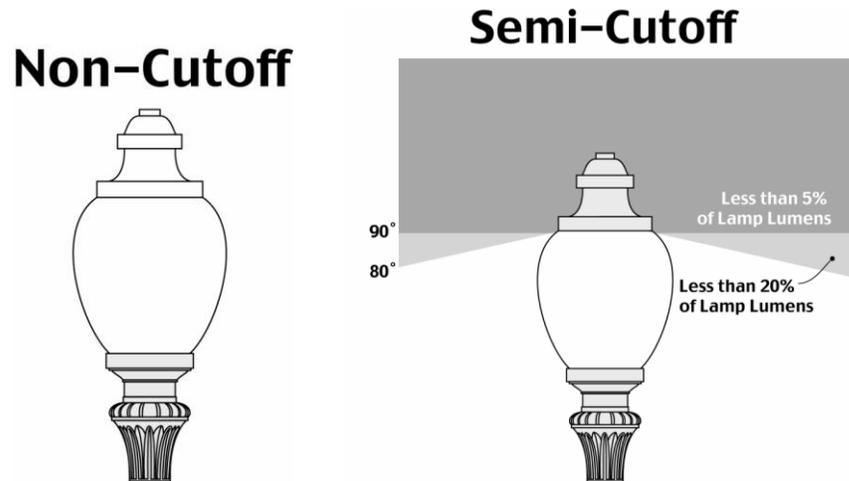
### Analysis

As with most new regulations, implementation often reveals the need to amend these regulations to address identified deficiencies, clarification, and/or changes in technology. Such is the case with Chapter 1330 – Lighting Standards of the UDO. The proposed amendment is prepared by David M. Alber, LC of DMA Lighting Design, hired by the Town in an effort to develop regulations that are clear, concise, simple to apply, and in keeping with industry standards.

The amendment modifies the following sections of the UDO:

- Section 1330.010 Purpose – formatting and addition of semi-cut off light fixtures to sub-item (B).
- Section 1330.020 Applicability was expanded for clarification.
- Section 1330.030 General Exemptions was expanded to include NCDOT lighting.
- **Section 1330.040 Prohibited Lights – moved to 1330.070**  
**New Section Inserted** in its place– **Light Measurement Technique** needed for establishment of methodology for compliance with the Chapter.

- Section 1330.050 General Lighting Standards – this section is amended as follows:
  - Maximum foot-candles (FC) at property lines were increased as follows:
    - Residential – one (1) FC (previously 0.0)
    - Commercial – two (2) FC (previously 1.0)
  - Criteria from General Standards for lighting fixtures (Section 1330.060) were relocated to this section with modifications such as:
    - Flexibility to use non-cutoff or semi-cutoff lighting fixtures depending upon watts used in addition to the standard full-cutoff



- Maximum light levels for automotive sales lots higher than general businesses.
  - All wall pack lighting fixtures shall be full-cutoff.
- Section 1330.060 – Maximum fixture height modified for commercial use from 30-feet to 32 feet in height.
- Section 1330.070 - Standards for Specific Uses moved to 1330.080 to make room for relocated Prohibited Uses of Lighting Section.
- Section 1330.080 – Standards for Specific Uses
  - Gas Station criteria simplified and modified consist with industry standards.
  - General Outdoor Sporting Facility/Performance Area Lighting Standards – expanded to provide specific criteria to meet competitive play standards while providing guidance to meet the intent of the ordinance of minimizing glare, light trespass and light pollution.
  - Security & Display Lighting - simplified.
  - Architectural Accent Lighting – minor clarifications.
  - Public and Private Roadways – minor modifications consolidating and simplifying information.
- Section 1160 – Outdoor Lighting Definitions – Streamlined (Attachment 2)  
The consultant will be attending the planning board meeting to explain proposed modifications and industry standards.

### Required Consistency Findings

The Planning Board is required to make two findings with their recommendation. One for consistency with Town adopted plans and another regarding the benefit of the public. Staff is of the opinion the following findings can be made:

1. The proposed UDO amendment is consistent with the following goals:

1.3.2 of the Comprehensive Plan – Land Use because the amendment provides regulations encouraging the use of lighting design practices and systems that will minimize glare, light trespass and light pollution thus reducing the potential for land use conflicts between neighboring properties; and

2. This UDO ordinance amendment request is reasonable and in the best interest of the public because it provides clear guidance for better efficiency and the use of best lighting design practices..

**Staff Recommendation**

Staff recommends that the Planning Board make the required consistency findings and recommend adoption of the UDO ordinance amendment to the Town Council.

**Staff Contact**

Shelley DeHart, AICP

Director of Planning

[srd@planning.indiantrail.org](mailto:srd@planning.indiantrail.org)

Attachment 1 – Draft Lighting Ordinance-Chapter 1330

Attachment 2- Draft Outdoor Lighting Ordinance-Chapter 1660

Attachment 3- Existing Lighting & Definition Ordinance dated 12/31/2008

**TC ATTACHMENT 2**



**Section 1 – Hereby amends Chapter 1330 as attached herein as Exhibit A.**

**Section 2 – Hereby amends Chapter 1660 as attached herein as Exhibit B.**

**Section 3 - This ordinance shall be effective immediately upon adoption.**

SO ORDAINED THIS 10TH DAY OF MAY, 2011.

THE TOWN COUNCIL OF INDIAN TRAIL

By \_\_\_\_\_  
Honorable John J. Quinn, Mayor

Attest:

\_\_\_\_\_  
Peggy Piontek, Town Clerk