



**CHATHAM COUNTY
BOARD OF COMMISSIONERS
AGENDA ABSTRACT**

ITEM NUMBER:
MEETING DATE:
10-15-07

PART A

Subject:

Request by the Chatham County Board of Commissioners for proposed text amendments to the Chatham County Zoning Ordinance to include a section to regulate outdoor lighting. The amendments include standards for outdoor lighting, establish lighting design review and enforcement procedures, and establish an amortization schedule for vehicular canopies.

Action Requested:

See Recommendations.

Attachments:

1. Chatham County Lighting Ordinance (Rev. 4 Draft) dated March 8, 2007
2. Response to Public Hearing (March 19, 2007) on Chatham County Lighting Ordinance (Rev. 4 Draft) by John Henville-Shannon

Submitted By:

Keith Megginson, Planning Director

Date

County Manager Review:

Charlie Horne, County Manager

Date

This abstract requires review by:

County Attorney

Date Reviewed

Finance Officer

Date Reviewed

Budget Officer

Date Reviewed

PART B

Re: Lighting

Introduction / Background / Previous Board Actions:

This issue was addressed at a public hearing March 19 as an amendment to the County Zoning Ordinance. The comments received may be read on line on the Commissioner's page of the County web site on pages 6 and 7 of the March 19 regular meeting minutes. Written comments submitted by John Henville-Shannon are attached.

Issues for Further Discussion and Analysis:

The Board of Commissioners has approved a motion to proceed with amending the Zoning Ordinance to include more specificity concerning lighting and to formulate a separate ordinance to make the lighting regulations applicable throughout the County's jurisdiction.

During their last meeting the Planning Board discussed the following issues addressing various non-conforming situations. Only the gas station canopy lighting fits into the category of a safety issue.

On page 8, Section 1 (h) (4) addresses when Outdoor Sports Field existing non-conforming lights have to be brought into compliance. The draft proposes that when 30% are replaced all have to be upgraded to current standards. The Planning Board discussed this item and has recommended that the lighting fixtures be brought into compliance as needed. This recommendation if approved would eliminate the upgrading of all fixtures when 30% are replaced. To replace the sports field light fixtures on four poles with compliant fixtures would cost approximately \$15,500 according to one lighting firm's estimates. The requirement that outdoor sports field lighting be replaced would have a budgetary impact on the County Recreation Department and the Schools.

On page 11, Section 1 (q) (3) addresses when existing vehicular canopies have to be brought into compliance. The draft proposes that when 25% or more of the fixtures are replaced then all have to be upgraded or within five years of the adoption of the ordinance whichever occurs earlier. The Planning Board discussed this issue and recommends that the percentage when fixtures have to be replaced is increased to 50% instead of 25%. The Board should consider the legal opinion of the County Attorney on the time period of this issue. The Planning Department staff is checking to find out the cost for making gas station canopy upgrades. Additional information may be available prior to the Commissioners' meeting but it appears to upgrade canopy lighting to meet the ordinance would cost approximately \$6,000 for a typical one canopy station.

Page 7, Section 1 (f) (4) a. addresses non-cutoff decorative post-mounted fixtures such as those found in Governors Club. Bob Henderson with Progress Energy has provided revised language that the Board may want to consider. It reads as follows: "Non-cutoff decorative post-mounted fixtures may be used but must be equipped with a solid top." This should allow similar fixtures provided by both Duke Energy and Progress Energy to be used. This eliminates the cutoff classification requirement. The Planning Board recommends including the wording Bob has proposed and to include the wording, "and when available", so that other fixtures are required as they come on the market.

The Planning Board discussed Page 7; Section 1 (f) (4) b. addressing security lighting which requires full cutoff classification. Likewise page 6, Section 1 (f) (1) requires full cutoff classification for flood lights. The Planning Board decided to maintain the wording requiring full cut off fixtures. You can visit Lystra Baptist Church on the south side of Lystra road to see the full cut off and non-cutoff fixtures provided as security lights.

Re: Lighting

Recommendation: The Planning Board has recommended the changes specified above. The Planning Department proposes that the Board decide on the issues listed above and that final wording be available for adoption at the November 19 meeting. A date for implementation will be recommended at the time of adoption.

