

TOWN COUNCIL



STAFF REPORT Department of Growth Management

MEETING DATE:	March 10, 2015
PROJECT:	Ordinance Amending Article 5 Design Standards of the Unified Development Ordinance to Revise the Applicability of Lighting Standards - First Reading
PROJECT MANAGER:	Kendra Lelie, AICP Planning and Community Development Manager

RECOMMENDATION: The Planning Commission recommends that Town Council approve First Reading of the following application:

ZONE-1-15-8881. A Zoning Text Amendment to amend Article 5, *Design Standards*, revising the applicability of lighting standards.

INTRODUCTION: On January 20, 2015, Town Staff presented a draft ordinance to Town Council at a workshop meeting to revise the Lighting Standards expanding the requirement to provide lighting from parking lots larger than 10 spaces to any parking area serving a non-residential use or is shared between multiple residential dwelling units.

BACKGROUND: In coordination with the recent public safety ordinances reviewed by Town Council, the proposed ordinances ensures a safer environment for pedestrian and vehicular use of off-street parking areas with the requirement of installing lighting for all parking lots that serve a non-residential or shared amongst multiple residential dwelling units. Currently, the lighting ordinance only requires lighting for a parking lot containing 10 spaces or more. As development applications increase, especially in Old Town, the majority of the parking areas supporting the new development tend to be smaller than 10 parking spaces and require safety measurements including lighting.

At the February 25, 2015 meeting, the Planning Commission requested minor revisions to the ordinance including upgrading the sign lighting language to better represent the industry standards. The recommended revisions are included in the attached ordinance.

TOWN COUNCIL ACTIONS: The Town Council has the authority to take the following actions with respect to the application:

1. Approve the application as submitted by the Applicant;
2. Approve the application with conditions; or
3. Deny the application as submitted by the Applicant.

REVIEW CRITERIA & ANALYSIS: The Town Council is required to consider the criteria set forth in Section 3.5.3 of the Unified Development Ordinance in assessing an application for a Zoning Text Amendment. These criteria are provided below followed by a Staff Finding(s).

1. **Section 3.5.3.A.** The application demonstrates consistency with the Comprehensive Plan or, if conditions have changed since the Comprehensive Plan was adopted, consistency with the overall intent of the Comprehensive Plan, recent development trends and the general character of the area.

Finding. The application is consistent with the Comprehensive Plan and recent development trends.

The Comprehensive Plan emphasizes the need to consistently revise regulations to ensure the ordinance is consistent with present conditions and recommends that "appropriate lighting levels along certain streets or at major development access points may improve safety and convenience for motorists".¹ The proposed ordinance is consistent with the Comprehensive Plan's vision by recommending standards to provide a safer environment for off-street parking areas.

2. **Section 3.5.3.B.** The application shall show consistency with demographic changes, prevailing economic trends, and/or newly recognized best planning practices.

Finding. The application is consistent with demographic changes, new economic trends and best planning practices.

As the Town is experiencing increased growth rates, both in residential and commercial uses, the need to update the Lighting regulations in response to these recent changes is evident. Staff recognizes that the current standards require revisions especially as the UDO (as adopted in 2011) is just now being tested on an increased number of development plan applications and in response to recent land development plan applications requiring off-street parking areas.

3. **Section 3.5.3.C.** The application shall be an enhancement to the health, safety and welfare of the Town of Bluffton.

Finding. The application would enhance the health, safety and welfare of the Town of Bluffton.

The proposed amendment to the lighting standards will ensure that the design standards implemented in Bluffton are adequate for future growth,

¹ 2007 Comprehensive Plan, Chapter 9, Page 9-11.

are compatible with the existing Town character and will promote a safe environment.

4. Section 3.5.3.D. The application considers the impact on the provision of public services.

Finding. A positive impact on public services is associated with the proposed amendments to the lighting regulations.

The proposed amendment to the UDO will require lighting of all off-street parking areas associated with commercial uses and multiple residential dwelling units sharing a parking area thereby enhancing the safety on private property and reducing the need for increased police presence.

5. Section 3.5.3.E. The application must comply with applicable requirements in the Application Manual.

Finding. The application has been reviewed by Town Staff and has been determined to be complete, meeting all requirements of the Applications Manual.

PLANNING COMMISSION RECOMMENDATION: Planning Commission finds that the requirements of Section 3.5.3 of the Unified Development Ordinance are met and recommends that the Town Council approve the text amendment with the changes noted previously and as incorporated into the current Ordinance.

NEXT STEPS:

UDO Text Amendment Procedure	Step Completed
Step 1. Public Notification	✓
Step 2. Planning Commission Public Hearing and Recommendation – February 25, 2015	✓
Step 3. Town Council – 1 st Reading – March 10, 2015	
Step 4. Town Council Public Hearing, 2 nd Reading – April 14, 2015	

ATTACHMENTS:

1. Ordinance No. 2015-_____
 - a. Exhibit A: Article 5, *Design Standards*

ORDINANCE NO. 2015 - _____

TOWN OF BLUFFTON, SOUTH CAROLINA

AN ORDINANCE AMENDING ARTICLE 5 DESIGN STANDARDS OF THE UNIFIED DEVELOPMENT ORDINANCE TO REVISE THE APPLICABILITY OF LIGHTING STANDARDS

WHEREAS, the Town of Bluffton desires to improve the general safety, welfare, health and properties of the citizens of the Town of Bluffton; and,

WHEREAS, to establish the necessary provisions to accomplish the above, the Town of Bluffton has authority to enact resolutions, ordinances, regulations, and procedures pursuant to South Carolina Code of Laws 1976, Section 5-7-30; and,

WHEREAS, the Town of Bluffton’s Town Code and Ordinances provide guidance and requirements for development within the Town of Bluffton through regulations set forth to protect and promote the health, safety, and welfare of the Town’s citizens, as espoused through the provisions of the Town of Bluffton Comprehensive Plan and as authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Title 6, Chapter 29 of the Code of Laws for South Carolina; and

WHEREAS, the Town of Bluffton Town Council adopted the aforementioned standards, which are known as the Unified Development Ordinance, Chapter 23 of the Code of Ordinances for the Town of Bluffton, South Carolina on October 11, 2011 through Ordinance 2011-15; and

WHEREAS, The Unified Development Ordinance unifies the subdivision, land use, development/design regulations as well as the Old Town Bluffton Historic District Code into a single set of integrated, updated, and streamlined standards; and

WHEREAS, the Unified Development Ordinance, Article 5, Design Standards provides the current regulations pertaining to development standards related to lighting requirements for parking lots for development, redevelopment, changes of use, and public parking facilities; and,

WHEREAS, the Town Council shall from time to time examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest changes as deemed appropriate; and,

WHEREAS, the Town of Bluffton Town Council desires to amend Article 5, Design Standards, Section 5.12.3.A.1, General Standards to revise the applicability of lighting standards from parking lots larger than 10 spaces to any parking area

serving a non-residential use or is shared between multiple residential dwelling units.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, in accordance with the foregoing, the Town hereby amends the Code of Ordinances for the Town of Bluffton, Chapter 23, Unified Development Ordinance as follows:

SECTION 1. AMENDMENT. The Town of Bluffton hereby amends the Code Ordinances for the Town Of Bluffton, South Carolina, Chapter 23, Unified Development Ordinance by adopting and incorporating an amendment to Section 5.12.3.A.1, General Standards of Article 5, Design Standards as shown in Exhibit A, which is attached and incorporated hereto.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. ORDINANCE IN FULL FORCE AND EFFECT. This entire Ordinance shall take full force and effect upon adoption.

DONE, RATIFIED AND ENACTED this _____ day of _____, 2015.

This Ordinance was read and passed at first reading on _____, 2015.

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

Sandra Lunceford
Clerk, Town of Bluffton, South Carolina

A public hearing was held on this Ordinance on _____, 2015.

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

Sandra Lunceford
Clerk, Town of Bluffton, South Carolina

This Ordinance was passed at second reading held on _____, 2015.

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

Sandra Lunceford
Clerk, Town of Bluffton, South Carolina

ARTICLE V – DESIGN STANDARDS

Sec. 5.12 Lighting

5.12.1 Intent

It is the intent of this Section to protect the health, safety, and welfare of the public by recognizing that sites may need to be illuminated for safety, security, and visibility for occupants, users, pedestrians, and motorists. To do so, this Section provides standards for various forms of lighting that will:

- A. Minimize light pollution;
- B. Maintain safe nighttime environment;
- C. Preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to “sky glow”;
- D. Reduce light trespass from light sources onto adjacent properties;
- E. Conserve electrical energy; and
- F. Curtail the degradation of the nighttime visual environment.

5.12.2 Applicability

The standards in this Section shall apply to any proposed exterior light source. The UDO Administrator shall review any building or site to determine compliance with the requirements under this Section. Whenever a person is required to obtain a Development Permit, Certificate of Appropriateness, Building Permit, or Electrical Permit for outdoor lighting from the Town of Bluffton, the Applicant shall submit sufficient information to enable the UDO Administrator to determine whether the proposed lighting will comply with this Section.

5.12.3 Standards

A. General Standards

1. Any parking lots area larger than 10 spaces serving a non-residential use or is shared by three or more residential dwelling units shall meet the requirements set forth in this Section. These standards do not apply to shared private driveways.
2. Exterior architectural, display and decorative lighting visible from ~~the corridor~~ adjacent properties shall be generated from a concealed light source with low-level fixtures.
3. Any lighting fixture shall be of such design, so as to minimize the amount of ambient lighting perceptible from adjacent properties.
4. In no case shall any lighting impair the vision of motorists.
5. All interior lighting shall be so designed to prevent the light source or high levels of light from being visible from ~~the corridor~~ adjacent properties.

6. Entrances into developments from the highway may be lighted for traffic safety reasons, provided such lighting is approved by the agency maintaining the roadway ~~and does not exceed the applicable footcandle requirements specified in this Section or~~ is in conformance with the American Association of State Highway and Transportation Officials (AASHTO) Roadway Lighting Guide.
7. A combination of pole, building, ground, and sign mounted lighting, including accent lighting, can be used to meet the lighting requirements of this section.

B. Light Fixtures

1. Any light fixture shall be a cutoff luminaire whose source is completely concealed with opaque housing and shall not be visible from any street. This provision includes lights on mounted poles, as well as architectural display and decorative lighting visible from ~~the corridor~~ adjacent properties.
2. Fixtures shall be mounted in such a manner that the cone of light is not directed at any property line of the site.
3. Only incandescent, fluorescent, metal halide, LED, mercury vapor or color corrected high-pressure sodium light may be used. The same type of lighting must be utilized for all fixtures and light sources on the site.
4. Only white or off-white (light yellow tones) may be used for any light source.
5. Lighting poles may not exceed a height of 20 feet.

C. Sign Illumination

1. The brightness of an illuminated sign shall not exceed 30 foot-candles at any one point on the sign face. Illumination shall be by an externally located steady stationary light source, shielded and directed solely at the sign. Light sources to illuminate signs shall neither be visible from any street right-of-way nor cause glare hazardous to pedestrians or vehicle drivers or so as to create a nuisance to adjacent properties.
2. Spotlighting of signs shall be restricted to not more than one shielded light fixture per side for sign faces up to 40 square feet and not more than two shielded light fixtures per side for larger sign faces.
3. No face lit sign or light boxes are permitted where light projects through the face of the sign. Signs shall not have light-reflecting or translucent backgrounds, ~~but may use halo glow or reverse channel lettering.~~
4. Colored lamps are not permitted.
5. Backlighting of signs ~~text and graphics using halo glow or illumination behind opaque channel lettering or logos~~ shall be permitted provided the sign ~~text and graphics are~~ is opaque and the rear surface is not reflective. Only internally illuminated signs are

permitted where reverse channel letters are used with a light source projected to the rear of the sign to permit a halo effect.

6. Exterior lighting shall be designed and arranged so as to minimize glare and reflection. Lighting shall be low-intensity, shielded from adjacent parcels.

D. Illumination Levels

1. All site lighting shall be designed so that the level of illumination measured in foot-candles (fc) at any one point meets the standards below. The UDO Administrator shall have the discretion to allow limited flexibility as to variations in the illumination levels, if the proposed levels deviate from the following standards.

Table 5.12.3.D.1 Illumination Levels			
Location or Type of Lighting	Minimum Level (FC)	Average Level (FC)	Maximum Level (FC)
Landscape and decorative	0.0	0.50	5.0
Commercial parking areas	0.6	2.40	10.0
Multifamily residential parking areas	0.2	1.50	10.0
Canopy Area Lighting	2.0	12.0	20.0
Areas for display or outdoor merchandise	1.0	5.0	15.0
Walkways and streets	0.2	1.0	10.0