

PLANNING & ZONING REVIEW NOTES

VII. A.

SUBJECT:

Public hearing request by the Chatham County Board of Commissioners to consider adoption of the **Chatham County Lighting Ordinance**. The purpose of the ordinance is to establish outdoor lighting standards for residential and non-residential uses, establish lighting design review and enforcement procedures, and establish an amortization schedule for vehicular canopies in the unzoned areas of the county.

ATTACHMENTS:

1. Copy of the "Draft" proposed Chatham County Lighting Ordinance

The following can be viewed on the Planning Department webpage under Rezoning & Subdivision Cases, 2009:

2. Letter of support from Loyce Hurley, CCEC, dated August 17, 2009

INTRODUCTION & BACKGROUND:

A legislative public hearing was held on the "draft" proposed lighting ordinance on August 17, 2009. Ms. Loyce Hurley spoke in favor of the ordinance stating she was part of the original recommendation to incorporate the ordinance county wide when the current regulations were adopted as part of the Chatham County Zoning Ordinance. She noted safety concerns, protection of the ambience of rural character, dark sky and starlit nights, and light pollution as reasons to have county wide lighting regulations. Mr. Anthony Bright, a resident of Chatham County, spoke at the hearing and stated that in his opinion the lights his neighbor has on their property help him by lighting up one of his buildings. He stated he has been "blinded" more by the sun than lights at night on a country road. He thinks that enforcement of such an ordinance will cost the County more money than it needs to spend on something he feels not to be a problem. Ms. Rebecca Crabtree, owner of Frosty's Store on Jones Ferry Road also spoke. Her concerns were directed toward the compliance she was being required to make for the vehicular canopy on her store property. Ms. Crabtree was sent a notice of the lighting regulations when they were adopted into the Zoning Ordinance in November 2007 advising of a five (5) year amortization schedule for compliance to be met.

Also present was Marty Clayton, Manager of Community Relations, Progress Energy who stated he is available to answer questions of staff, Boards, or citizens. Mr. Clayton also addressed Ms. Crabtree's concerns on cost for replacing her canopy in that Progress Energy is offering a rebate for those properties that qualify for retro fitting for replacement cost. She is to contact him for the information.

Re: Chatham County Lighting Ordinance

DISCUSSION & ANALYSIS:

Planning staff has incorporated additional definitions into the county-wide version of the lighting regulations that will also need to be adopted into a revision of Section 13 Lighting Regulations of the Chatham County Zoning Ordinance once adopted by the Board of Commissioners. The additional information was taken from the Model Lighting Ordinance (MLO) developed by the International Dark Sky Association (IDA) and Illuminating Engineering Society (IES) in February 2009. Mr. Clayton stated they are hopeful the new regulations will be adopted this year by the end of the third quarter.

There was no information taken from the proposed MLO that would alter the way light readings, interpretation, or enforcement would be handled. Only additional clarifying definitions and regulations that complement the existing wording were used and which will offer a head start in the revisions to the lighting ordinance that will be required once the new standards are adopted by the lighting industry.

RECOMMENDATION:

It is requested by the Board of Commissioners that the Planning Board review the proposed ordinance and provide their recommendation/s in a revised version if applicable and provide a recommendation whether to approve or deny the adoption of said ordinance.