

**153.102 Outdoor Illumination** numbered for inclusion in current Zoning Ordinance  
draft **2-29-12, as recommended by Planning Board**

## **153.102 OUTDOOR ILLUMINATION**

### **(A) Purpose and Intent**

It is the purpose and intent of this Outdoor Illumination Section to accomplish the following:

1. To encourage the use of lighting design practices and systems that will: 1) minimize glare, light trespass and light pollution; 2) conserve energy and resources while maintaining nighttime safety, security and productivity; and 3) to curtail the degradation of the nighttime visual environment.
2. To establish clear and comprehensive outdoor lighting standards with an emphasis on reducing glare and light trespass by requiring, in most circumstances, full cut-off (preferred) lighting fixtures.
3. To allow for outdoor lighting that is appropriate for the task and to establish light fixture height, wattage, distribution and illumination limits that will help prevent light trespass to adjacent properties.
4. To establish specific standards for certain land uses that typically have unique lighting requirements, such as (but not limited to) automotive dealerships, service stations, and outdoor sporting facilities.

### **(B) Applicability**

This outdoor lighting standard applies to any development, expansion or improvement within non-residential districts and non-residential uses in residential districts, any multi-family housing or mixed development which incorporates residential units, athletic fields, and the construction of parking lots where such developments include the installation of new outdoor lighting fixtures or the replacement of existing lighting fixtures. All new construction projects shall have enough exterior lighting to meet the minimum safety and security requirements of the ICC, the National Electrical Code (NEC) and the North Carolina Building Code (NCBC) family of codes including the NC Energy Conservation Code. The replacement of an existing lighting fixture is defined as a change of the type of fixture; a change in the mounting height of a fixture on a pole, building, or other structure; or a change in the location of a lighting fixture. All of these applications require compliance with this section. Routine lighting fixture maintenance such as replacement of lamps, ballast, starter, photo control, or similar components will not constitute the need to comply with this ordinance, and is permitted provided such changes do not result in a higher wattage or higher lumen output.

### **(C) Definitions**

**Direct Glare** – The effect causing visual discomfort resulting from insufficiently shielded light sources in the field of view.

**Direct Illumination** – Center of a beam, or main beam angle of a lighting fixture.

**Fixture** – A gas-powered, battery-powered, solar-powered or electrically powered device that is secured to a wall, ceiling, pole, or post that is used to hold one or more lamps (or jets) and is intended to emit light.

**Flood Light** – Any light fixture or lamp that incorporates a reflector or a refractor to concentrate light output into a directed beam in a particular direction.

**Footcandle (FC)** - A quantitative unit measuring the amount of light cast onto a given point, measured as one lumen per square foot.

**Full Cutoff Fixture** - An outdoor light fixture shielded or constructed in such a manner that it emits no light above the horizontal plane of the fixture.

**IESNA** - The Illuminating Engineering Society of North America, a non-profit professional organization of lighting specialists that has established recommended design standards for various lighting applications.

**Initial (Burn-in) Illumination** – The measured amount of illumination after approximately one hundred (100) hours of burn-in time.

**Lamp** – The component of a luminaire that produces the light.

**Light Source** - The element of a lighting fixture that is the point of origin of the lumens emitted by the fixture.

**Light Trespass** - Effects of light that strays from the intended purpose and becomes an annoyance, a nuisance, or a deterrent to visual performance. As such, light trespass should always be considered negative, unlike spill light, which can have positive or negative attributes. Light trespass is the encroachment of light causing annoyance, loss of privacy, or other nuisance.

**Lumen** – A unit of luminous flux.

**Luminaire** – A complete lighting system including a lamp or lamps and a fixture.

**Maintained Illumination** – The amount of illumination below which the light level is not supposed to fall throughout system life measured at 70% of rated lamp life.

**Mounted Fixture Height** – The height of a complete fixture from the top point of any part of the fixture to the ground directly below where the supporting pole or wall or other support structure meets the ground surface.

**Outdoor Lighting** – The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

**Outdoor Performance Area.** A facility other than a sports field or stadium predominantly or completely without roofed structures intended for spectators to observe educational, recreational, or cultural programming, and where tickets may be sold or fees collected for the activity. This may include but is not limited to an outdoor amphitheater, an outdoor movie theater, or similar facility with seating around the perimeter.

**Shielding** - A design feature or a device that is applied to a luminaire to prevent its luminous output from being visible from selected locations or horizontal and/or vertical angles.

**Sky Glow** - The brightening of the night sky that results from the reflection of radiation (visible and non-visible) scattered from the constituents of the atmosphere (gaseous molecules, aerosols, and particulate matter), in the direction of the observer. It comprises two separate components:

**Natural sky glow** - that part of the sky glow, which is attributable to radiation from celestial sources and luminescent processes in the earth's upper atmosphere.

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**Spill Light.** – Visible light (usually unwanted) which extends beyond the limit of the area which the light is intended to illuminate.

**Temporary Light** – Any lighting fixture or instrument producing light that can be moved or relocated in a moments notice.

**Wall Pack** - A type of light fixture typically surface-mounted on a vertical wall surface.

**Watts** – The measure of the amount of energy (electricity) an incandescent fixture uses. Lamps are typically rated for efficiency by noting lumens per watt.

## **(D) General Exemptions**

The following lighting applications are exempt from the requirements of this section:

1. Emergency Lighting: Lighting required for public safety, in the reasonable determination of the inspection official holding authority.
2. DOT Lighting: Department of Transportation highway signage luminaires, which must comply with federal DOT standards.
3. Decorative Lighting: Low wattage fixtures (lamps under eight watts or 100 lumens) used for holiday decorations and annual civic events, or temporary or permanent building tubing fixtures which follow architectural features on buildings.
4. Individual residential lighting that is not reviewed as part of a development plan.
5. Illumination being installed for temporary usage only, refer to section 153.102(J)(7).
6. Municipal lighting installed within public rights-of-way, for the principal purpose of illuminating streets, sidewalks, bicycle facilities, or multi-modal pathways within or adjacent to a public street, refer to section 153.102(J)(8). No exemption shall apply to any lighting fixture located within a public right-of-way when its purpose is to illuminate areas within or outside the right-of-way not directly associated with providing safety for one or more modes of transportation by the general public.

## **(E) Light Measurement Technique**

Measurements shall be made at three feet (3') above finished grade, with the light registering portion of the meter held parallel to the ground, pointing up for horizontal readings (for spill light) and at the brightest light source for maximum vertical light readings (for glare). The meter shall have an accuracy tolerance of no greater than plus or minus five (5) percent. Measurements shall be taken with a light meter that has been calibrated within two (2) years. Light levels are specified, calculated and measured in footcandles (FC), and should be taken after a one hundred (100) hour burn-in time, which will more accurately register the lighting levels affecting the subject site and adjacent properties and public rights-of-way.

## **(F) Outdoor Illumination Plan Required**

Any development activity that proposes outdoor illumination shall include a detailed outdoor illumination plan as part of the Landscape Plan submission. When no landscape plan would be necessary, an outdoor lighting plan shall be submitted and approved prior to any permit for lighting installation. This outdoor illumination plan shall at a minimum include:

1. Lighting fixture cut sheets for all exterior lighting fixtures such as: type of unit, color of unit, wattage of unit, lumen output of unit, and the cut-off classification of the unit. Any lighting fixture requiring a pole on which to be mounted shall include the pole specification, clearly stating the proposed pole height (including concrete base).
2. A photometric (ISO foot-candle) site plan that shows typical foot-candle contours within all property lines. The submitted lighting plan shall be in accordance with IESNA standards for uniformity, and show all maximum/minimum and average/minimum light levels. Points of light shown on the plan shall be a maximum of ten (10) feet apart. The light grid diagram may show the locations a maximum of thirty (30) feet apart within that portion of a site which is designed for and utilized as an existing or proposed vehicle loading or maneuvering area, outdoor storage area not accessible to the general public, or outdoor sports fields, courts, pools, or similar facility, any of which covers three (3) acres or more in area. The scaled site plan drawing shall show locations of all existing and proposed exterior lighting in relation to all property lines, building outlines, parking and curbing, required preserved or new landscape areas, and above ground storm water detention areas. If any proposed lighting fixture is indicated as being within close proximity to an existing or proposed tree, or that an existing or proposed tree may partially or

completely block light from the fixture onto the intended surface, now or in the future, then a written explanation for the lighting fixture location must be included.

3. When a phased plan is proposed such that one or more building sites may not be clearly determined or the architecture of a building may not be confirmed, but grading or other land disturbing activity is proposed, then a note on the lighting plan must be included to state this plan is a partial compliance document, and must clearly indicate what is included here and what remains to be submitted at a future date.

4. When a single-family subdivision includes common areas such as common open space, pathways, parking lots and clubhouses, a lighting plan as defined here is required as part of the preliminary plan review process for any subdivision of land. See 152.25 and 26 of the Subdivision Ordinance.

5. Plan certification by a licensed illumination professional holding the PE, LC or CLEP certification, **or similar certification that indicates proficiency in the design of outdoor illumination, a lighting manufacturer, or the local electric utility**. The designer shall verify the plans meet the Town's design requirements and illumination standards.

## **(G) General Illumination Design Standards**

1. All new lighting installations and renovations to existing lighting fixtures adjacent to a residentially zoned or used property shall show the intent to limit horizontal light levels at property lines to one (1) footcandle initial (burn-in) illumination. All new lighting installations and renovations to existing lighting fixtures adjacent to a commercial property shall show the intent to limit footcandle (FC) levels at property lines to two (2) footcandles initial illumination. In addition, vertical light readings shall not exceed one and one half (1.5) FC at any point along the site perimeter. When the horizontal initial illumination level exceeds these standards at any given point, then the average illumination level at the property line within fifty feet (50') of that point shall not exceed one (1) FC for adjacent residential or two (2) FC for adjacent nonresidential, and a written explanation why the limit cannot be met shall be provided on the plan. The applicant shall incorporate additional evergreen plant materials at the place where the perimeter lighting level exceeds the given standards.

2. The maximum horizontal light level allowed at any point on a given parcel or property (with the exception of automobile dealerships, service stations and sporting facilities) shall not exceed twenty (20) footcandles initial. The minimum light level within any portion of a property, other than single-family residential, which is intended to be utilized by residents, employees, customers or visitors shall be maintained at 0.50 footcandles. The maximum light level allowed at any point on an automobile dealership (display or parking area) shall not exceed fifty (50) footcandles initial. The maximum light level allowed under a canopy on a service station property shall not exceed thirty (30) footcandles initial. All outdoor sporting facilities shall be illuminated to IESNA standards, with great care taken to minimize spill light at the property lines. Refer to section 153.102(J)(3) for guidelines applying to outdoor sporting facilities.

3. All lighting fixtures rated 150 watts (incandescent lamp or appropriate lumen equivalent) or less may be used without restriction to light distribution (non-cutoff classification) except when the luminaire creates direct glare perceptible to persons on a public right of way, or into the window openings of a residential dwelling unit. Care should be taken to minimize light trespass across property lines. Internal louvers or "glare shields" should be provided where the emitted light becomes a hindrance. House side shields may also be effective in reducing light trespass.

4. All lighting fixtures rated between 175 watts and 400 watts \*\*\* (incandescent lamp or appropriate lumen equivalent) shall be rated as a "full cutoff" type when placed in the aiming position for which they are designed.

5. All lighting fixtures rated above 400 watts \*\*\* (incandescent lamp or appropriate lumen equivalent) shall be listed as a "full cutoff" distribution only, and shall not emit any light above the horizontal plane of the fixture when placed in the aiming position for which they are designed. With exception of sporting facilities, the light source should not be visible (within reason) from adjacent properties or the public street right-of-way.

6. All building wall mounted lighting fixtures, or wall packs, shall be of the full cutoff type.

7. All lighting fixtures illuminating building facades, steeples, trees, billboards, signs, flags, etc. (vertical surfaces lighted from the bottom up) shall not exceed 150 watts\*\*\* (incandescent lamp or appropriate lumen

equivalent), with the exception of Department of Transportation highway signage luminaires, which must comply with federal DOT standards. Lighting fixtures shall be selected, located, aimed and shielded so that direct illumination is focused exclusively on the item being illuminated, and away from adjacent properties and the public street right-of-way. Only US, State or local Government flags may be lit with uplight.

8. All outdoor lighting fixtures shall be located a minimum of ten (10) feet from a property or right-of-way line, and should be kept out of and at least two (2) feet away from any required perimeter or streetscape buffer, and tree save area. Where the required separation from a property or right-of-way line cannot be achieved due to on-site improvements, a written explanation of the alternative spacing shall be included on the plan drawing.

9. The layout of outdoor lighting fixtures shall be designed so that the poles do not interfere with other elements of the approved site plan such as trees, landscaping or parking. In general, poles shall be kept at least twenty (20) feet away from the trunk of any large maturing tree and at least ten (10) feet away from any small maturing tree. When a fixture is proposed near an existing preserved tree, the pole shall be no closer to the trunk than ten (10) feet from a small maturing tree or twenty (20) feet from a large maturing tree, or the tree's root protection zone, whichever is greater.

10. All floodlights shall include top and side shielding, and be aimed at least forty-five (45) degrees below the horizontal.

11. To eliminate unneeded lighting, exterior lighting systems are encouraged to include automatic timers, dimmers, sensors, or similar controls that will turn off lights during daylight hours and when the site is not occupied or open for business.

12. All fixtures and lamps shall be maintained in good working order, and replacement lamps and fixtures shall match approved plans. Landscaping shall be maintained in a manner that does not obstruct security lighting while not damaging or removing required landscape materials. Dark pockets on developed portions of any site other than single family residential should be corrected. The property owner and occupant shall be jointly responsible for lighting system maintenance. The provisions of NCGS 136-32.2 shall also be the responsibility of the property owner and occupants.

## **(H) Special Design Requirements**

The following criteria shall be followed for all outdoor lighting designs. Submission of lighting plans providing documentation that all of the following applicable criteria are met is necessary for approval. When any of these criteria cannot be met, or when sufficient documentation is not provided to clearly show compliance, then the Planning Director may request further documentation prior to plan approval.

The maximum mounted fixture height (grade to top of fixture) for all ground mounted or building mounted lighting fixtures, except those used for sporting facilities, shall be as follows:

1. Commercial and mixed use property – 32 feet
2. Residential property (single or multi-family) – 20 feet
3. Pedestrian pathways or sidewalks separate from road rights-of-way – 16 feet
4. Public right-of-way for non-transportation-related lighting (i.e., signs) – 16 feet

## **(I) Prohibited Uses of Lighting**

1. Unshielded flood lights, except for residential floodlights rated 100 watts\*\*\* (incandescent lamp or appropriate lumen equivalent) or less, that are permitted but must be aimed towards the ground, and not towards adjacent properties.

2. Unshielded lamps or fixtures, except those used for private residential swimming pools, hot tubs, semi-enclosed decks or porches and similar accessory structures. See also 153.102(G)(3) and (7) for further

standards.

3. Any flashing, moving, or twinkling within lighting fixtures. Changing of colors in architectural accent lighting only may occur when each hue displayed is constant for a minimum of ~~thirty (30)~~ **eight (8)** seconds and the change between colors is gradual, not immediate. Such fixtures shall be carefully aimed so as not to spill over onto signs or other features.

## **(J) Standards For Specific Uses**

### **1. Gas and Service Station Canopies**

All lighting fixtures mounted on the underside of canopies must be “full-cutoff” classified, being either completely recessed/flush in the canopy, or having solid sides on a surface mounted fixture (canopy edges do not qualify as shielding).

The light source shall be metal halide, ceramic metal halide or LED.

Lighting levels under the canopy shall be no greater than thirty (30) footcandles. Areas outside the pump island canopy shall be illuminated as to provide proper safety to customers, but shall be limited and not exceed twenty (20) footcandles initial.

### **2. Motor Vehicle Dealership Standards**

Outdoor areas where nighttime motor vehicle sales activity takes place and where accurate color perception of the vehicles by customers is required are allowed specific lighting level provisions. The display areas for new and used vehicles available for sale which are accessible to the general public during business operating hours shall not exceed fifty (50) foot candles. Other areas of the dealership property, such as inventory storage or repair vehicle storage, which are not intended for vehicle display, shall be designed to not exceed twenty (20) foot candles, although some portions within the site may slightly exceed this limit due to close proximity to a display area.

All lighting within a dealership display area shall be automatically reduced in light level by twenty-five percent (25%) after 11:00 PM or within one (1) hour after close of daily business, whichever is earlier, and shall not return to full intensity before 8:00 AM.

### **3. General Outdoor Sporting Facility/Performance Area Lighting Standards**

The mounting height of outdoor sports field and outdoor performance area lighting fixtures shall not exceed eighty (80) feet from finished grade unless approved prior to construction by the Board of Adjustment through a variance process.

All outdoor sports field and outdoor performance area lighting fixtures shall be equipped with the manufacturer’s maximum glare control package (louvers, shields, visors or similar devices). The fixtures must be aimed so that their beams are directed and fall within the primary playing field or performance area. Other on-site improvements, such as parking lots and concession or restroom facilities, should not rely on lighting from the playing fields or performance area, but shall have separate lighting designed not to exceed twenty (20) foot candles initial lighting levels when combined with any spill light from the fields, and not create any areas of public access and use which are void of a minimum of 0.5 FC maintained while the facility is open to the public.

The hours of operation for the sports field lighting system for any game or event shall not exceed 8:00AM to 11:00PM. An exception to this time limit may be granted for tournament play which has been weather-delayed, or when a tournament or production is scheduled in advance with a final game or program to occur beyond 11:00 PM. The facility’s property owner and management/production authority for the tournament or event are jointly responsible for providing notice of potential time extension to the Town Manager and adjacent property owners/occupants. Written notice may be distributed to adjacent property owners/occupants by first class mail postmarked 48 hours in advance or door hang tags at least 24 hours in advance of the event. Written notice shall be provided to the Town Manager by e-mail and first class mail postmarked 48 hours in advance of the event.

**Lighting of planning fields or performance areas shall only be turned on when activity is scheduled and occurring. When scheduled activities are completed prior to 11:00 PM, the field or performance area lights shall be turned off (when egress lighting is separate) or reduced in light level by at least fifty percent (50%) within one hour after conclusion of play or other activity. When there are no scheduled activities at a sports field or performance area, then the lighting of them shall not be turned on.**

The security and egress illumination lighting systems may remain turned on for any amount of time deemed necessary to remove people safely.

Light levels for sports field illumination shall comply with, but not exceed IESNA standards. Where new sporting facility lighting is installed adjacent to an existing residential property, the intent shall be made for all installations to limit property line light levels to a maximum horizontal level of three (3) foot candles initial, and a maximum vertical level of one and one-half (1.5) foot candles at the property line of any developed residential parcel. When not installed adjacent to a residential property, light levels at the property line shall not exceed a maximum horizontal level of four (4) foot candles initial and a maximum vertical level of two (2) foot candles at the property line of any developed parcel or right-of-way. All possible means of shielding must be applied if this level has not been met. Owner must prove to the appropriate permitting authority that these means have been exhausted, and the intent has been made to meet these goals.

Additional landscape screening may be necessary at select locations in order to reduce spill light on adjacent property. The lighting plan shall include a notation that the owner shall be responsible for providing additional landscaping or other visual screening within nine (9) months of the verified light readings at identified points along the property line which are in excess of intended limits. This additional screening shall be approved as an amended landscape plan prior to installation.

#### **4. Standards for Mixed Use Developments with Multiple Parcels**

When a mixed use development exists or is proposed which would include two or more parcels sharing infrastructure improvements such as driveway curb cuts, parking lots, dumpster enclosures, and internal private drives, then the light level limits at interior perimeter property lines between nonresidentially used parcels do not apply. All lots within the mixed use development which are not designed for exclusive residential use and not bisected by a public street shall be treated as a single tract for purposes of perimeter light levels. The light levels listed at 153.102(G)(1) will apply to any property line within the mixed use development adjacent to a public right-of-way or adjacent to any parcel zone or used exclusively for residential purposes.

#### **5. Security Lighting**

Outdoor security lighting should be designed to provide safety to a building occupant, while effectively allowing proper surveillance, though not to exceed lighting levels described in subsections 153.102(G)(1) and (2).

The use of motion sensors, timers, photocells or other means to activate lighting during nighttime hours is required to conserve energy, provide safety, and promote compatibility between different land uses.

In order to direct light downward and minimize the amount of spill light, all security lighting fixtures shall be shielded and aimed so that the main beam is directed toward the ground or designated area where security lighting is needed.

#### **6. Architectural Accent Lighting**

Lighting fixtures used to accent architectural features, materials, colors, style of buildings, landscaping or art shall be located, aimed and shielded so that light is directed only on those features. Such fixtures shall be aimed or shielded to minimize light spill from the source in conformance with the luminaire standards.

Accent lighting shall not generate excessive light levels, cause glare, or direct light beyond the façade onto neighboring properties, streets or night sky.

US, State or Government flags may be illuminated from below provided such lighting is focused primarily on the individual flag or flags, and to limit light spill into the night sky. These fixtures must conform with Section 153.102(G)(7).

**7. Temporary Outdoor Lighting**

Any temporary outdoor lighting that conforms to the requirements of this section shall be allowed. Any temporary lighting that does not conform to these outdoor lighting standards may be permitted after considering: (a) the public and/or private benefits that will arise from the temporary lighting; (b) any annoyance or safety problems that may result from the use of the temporary lighting, and (c) the duration of the temporary nonconforming lighting. The applicant shall provide a detailed description of the proposed temporary outdoor lighting to the Planning Director for review and approval.

**8. Public and Private Roadways**

Where lighting is provided, all streets, sidewalks, bicycle facilities, and multi-modal pathways should be sufficiently illuminated to ensure the security of the street right-of-way and safety of pedestrians present in the area.

Street lighting must be included on all new residential and commercial streets. In addition, street lighting must be installed on the perimeter of the development along a thoroughfare or boulevard, as well as any collector road.

For a new subdivision, a lighting layout and overall design is required in the subdivision design submittal documents as a part of the preliminary plan review process. Lighting plan submittals shall include the fixture, lamp, pole height and the method of shielding being used.

Subdivision developers are required to have the roadway lighting design approved by the Public Works Department with design assistance from the appropriate power company, and shall then submit the approved design to the power company prior to installing the assemblies. An accurate scale reference must be included on all layout drawings.

When lighting is provided, private roads and drives, and public or private off-road pathways and greenways shall be sufficiently illuminated to ensure users' safety and security.

All new lighting fixtures must be installed on new steel, fiberglass, aluminum, wood or concrete poles.

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## (E) Light Measurement Technique

Measurements shall be made at three feet (3') above finished grade, with the light registering portion of the meter held parallel to the ground, pointing up for horizontal readings (for spill light) and at the brightest light source for maximum vertical light readings (for glare). The meter shall have an accuracy tolerance of no greater than plus or minus five (5) percent. Measurements shall be taken with a light meter that has been calibrated within two (2) years. Light levels are specified, calculated and measured in footcandles (FC), and should be taken after a one hundred (100) hour burn-in time, which will more accurately register the lighting levels affecting the subject site and adjacent properties and public rights-of-way.

## (F) Outdoor Illumination Plan Required

Any development activity that proposes outdoor illumination shall include a detailed outdoor illumination plan as part of the Landscape Plan submission. When no landscape plan would be necessary, an outdoor lighting plan shall be submitted and approved prior to any permit for lighting installation. This outdoor illumination plan shall at a minimum include:

1. Lighting fixture cut sheets for all exterior lighting fixtures such as: type of unit, color of unit, wattage of unit, lumen output of unit, and the cut-off classification of the unit. Any lighting fixture requiring a pole on which to be mounted shall include the pole specification, clearly stating the proposed pole height (including concrete base).
2. A photometric (ISO foot-candle) site plan that shows typical foot-candle contours within all property lines. The submitted lighting plan shall be in accordance with IESNA standards for uniformity, and show all maximum/minimum and average/minimum light levels. Points of light shown on the plan shall be a maximum of ten (10) feet apart. The light grid diagram may show the locations a maximum of thirty (30) feet apart within that portion of a site which is designed for and utilized as an existing or proposed vehicle loading or maneuvering area, outdoor storage area not accessible to the general public, or outdoor sports fields, courts, pools, or similar facility, any of which covers three (3) acres or more in area. The scaled site plan drawing shall show locations of all existing and proposed exterior lighting in relation to all property lines, building outlines, parking and curbing, required preserved or new landscape areas, and above ground storm water detention areas. If any proposed lighting fixture is indicated as being within close proximity to an existing or proposed tree, or that an existing or proposed tree may partially or

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completely block light from the fixture onto the intended surface, now or in the future, then a written explanation for the lighting fixture location must be included.

3. When a phased plan is proposed such that one or more building sites may not be clearly determined or the architecture of a building may not be confirmed, but grading or other land disturbing activity is proposed, then a note on the lighting plan must be included to state this plan is a partial compliance document, and must clearly indicate what is included here and what remains to be submitted at a future date.

4. When a single-family subdivision includes common areas such as common open space, pathways, parking lots and clubhouses, a lighting plan as defined here is required as part of the preliminary plan review process for any subdivision of land. See 155.405.9.A. Proposed Conditions.

5. Plan certification by a licensed illumination professional holding the PE, LC or CLEP certification. The designer shall verify the plans meet the Town's design requirements and illumination standards.

## (G) General Illumination Design Standards

1. All new lighting installations and renovations to existing lighting fixtures adjacent to a residentially zoned or used property shall show the intent to limit horizontal light levels at property lines to one (1) footcandle initial (burn-in) illumination. All new lighting installations and renovations to existing lighting fixtures adjacent to a commercial property shall show the intent to limit footcandle (FC) levels at property lines to two (2) footcandles initial illumination. In addition, vertical light readings shall not exceed one and one half (1.5) FC at any point along the site perimeter. When the horizontal initial illumination level exceeds these standards at any given point, then the average illumination level at the property line within fifty feet (50') of that point shall not exceed one (1) FC for adjacent residential or two (2) FC for adjacent nonresidential, and a written explanation why the limit cannot be met shall be provided on the plan. The applicant shall incorporate additional evergreen plant materials at the place where the perimeter lighting level exceeds the given standards.

2. The maximum horizontal light level allowed at any point on a given parcel or property (with the exception of automobile dealerships, service stations and sporting facilities) shall not exceed twenty (20) footcandles initial. The minimum light level within any portion of a property, other than single-family residential, which is intended to be utilized by residents, employees, customers or visitors shall be maintained at 0.50 footcandles. The maximum light level allowed at any point on an automobile dealership (display or parking area) shall not exceed fifty (50) footcandles initial. The maximum light level allowed under a canopy on a service station property shall not exceed thirty (30) footcandles initial. All outdoor sporting facilities shall be illuminated to IESNA standards, with great care taken to minimize spill light at the property lines. Refer to section 153.102(J)(3) for guidelines applying to outdoor sporting facilities.

3. All lighting fixtures rated 150 watts (incandescent lamp or appropriate lumen equivalent) or less may be used without restriction to light distribution (non-cutoff classification) except when the luminaire creates direct glare perceptible to persons on a public right of way, or into the window openings of a residential dwelling unit. Care should be taken to minimize light trespass across property lines. Internal louvers or "glare shields" should be provided where the emitted light becomes a hindrance. House side shields may also be effective in reducing light trespass.

4. All lighting fixtures rated between 175 watts and 400 watts \*\*\* (incandescent lamp or appropriate lumen equivalent) shall be rated as a "full cutoff" type when placed in the aiming position for which they are designed.

5. All lighting fixtures rated above 400 watts \*\*\* (incandescent lamp or appropriate lumen equivalent) shall be listed as a "full cutoff" distribution only, and shall not emit any light above the horizontal plane of the fixture when placed in the aiming position for which they are designed. With exception of sporting facilities, the light source should not be visible (within reason) from adjacent properties or the public street right-of-way.

6. All building wall mounted lighting fixtures, or wall packs, shall be of the full cutoff type.

7. All lighting fixtures illuminating building facades, steeples, trees, billboards, signs, flags, etc. (vertical surfaces lighted from the bottom up) shall not exceed 150 watts\*\*\* (incandescent lamp or appropriate lumen equivalent), with the exception of Department of Transportation highway signage luminaires, which must

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comply with federal DOT standards. Lighting fixtures shall be selected, located, aimed and shielded so that direct illumination is focused exclusively on the item being illuminated, and away from adjacent properties and the public street right-of-way. Only US, State or local Government flags may be lit with uplight.

8. All outdoor lighting fixtures shall be located a minimum of ten (10) feet from a property or right-of-way line, and should be kept out of and at least two (2) feet away from any required perimeter or streetscape buffer, and tree save area. Where the required separation from a property or right-of-way line cannot be achieved due to on-site improvements, a written explanation of the alternative spacing shall be included on the plan drawing.

9. The layout of outdoor lighting fixtures shall be designed so that the poles do not interfere with other elements of the approved site plan such as trees, landscaping or parking. In general, poles shall be kept at least twenty (20) feet away from the trunk of any large maturing tree and at least ten (10) feet away from any small maturing tree. When a fixture is proposed near an existing preserved tree, the pole shall be no closer to the trunk than ten (10) feet from a small maturing tree or twenty (20) feet from a large maturing tree, or the tree's root protection zone, whichever is greater.

10. All floodlights shall include top and side shielding, and be aimed at least forty-five (45) degrees below the horizontal.

11. To eliminate unneeded lighting, exterior lighting systems are encouraged to include automatic timers, dimmers, sensors, or similar controls that will turn off lights during daylight hours and when the site is not occupied or open for business.

12. All fixtures and lamps shall be maintained in good working order, and replacement lamps and fixtures shall match approved plans. Landscaping shall be maintained in a manner that does not obstruct security lighting while not damaging or removing required landscape materials. Dark pockets on developed portions of any site other than single family residential should be corrected. The property owner and occupant shall be jointly responsible for lighting system maintenance. The provisions of NCGS 136-32.2 shall also be the responsibility of the property owner and occupants.

## **(H) Special Design Requirements**

The following criteria shall be followed for all outdoor lighting designs. Submission of lighting plans providing documentation that all of the following applicable criteria are met is necessary for approval. When any of these criteria cannot be met, or when sufficient documentation is not provided to clearly show compliance, then the Planning Director may request further documentation prior to plan approval.

The maximum mounted fixture height (grade to top of fixture) for all ground mounted or building mounted lighting fixtures, except those used for sporting facilities, shall be as follows:

1. Commercial and mixed use property – 32 feet
2. Residential property (single or multi-family) – 20 feet
3. Pedestrian pathways or sidewalks separate from road rights-of-way – 16 feet
4. Public right-of-way for non-transportation-related lighting (i.e., signs) – 16 feet

## **(I) Prohibited Uses of Lighting**

1. Unshielded flood lights, except for residential floodlights rated 100 watts\*\*\* (incandescent lamp or appropriate lumen equivalent) or less, that are permitted but must be aimed towards the ground, and not towards adjacent properties.

2. Unshielded lamps or fixtures, except those used for private residential swimming pools, hot tubs, semi-enclosed decks or porches and similar accessory structures. See also 153.102(G)(3) and (7) for further standards.

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3. Any flashing, moving, or twinkling within lighting fixtures. Changing of colors in architectural accent lighting only may occur when each hue displayed is constant for a minimum of thirty (30) seconds and the change between colors is gradual, not immediate. Such fixtures shall be carefully aimed so as not to spill over onto signs or other features.

## **(J) Standards For Specific Uses**

### **1. Gas and Service Station Canopies**

All lighting fixtures mounted on the underside of canopies must be “full-cutoff” classified, being either completely recessed/flush in the canopy, or having solid sides on a surface mounted fixture (canopy edges do not qualify as shielding).

The light source shall be metal halide, ceramic metal halide or LED.

Lighting levels under the canopy shall be no greater than thirty (30) footcandles. Areas outside the pump island canopy shall be illuminated as to provide proper safety to customers, but shall be limited and not exceed twenty (20) footcandles initial.

### **2. Motor Vehicle Dealership Standards**

Outdoor areas where nighttime motor vehicle sales activity takes place and where accurate color perception of the vehicles by customers is required are allowed specific lighting level provisions. The display areas for new and used vehicles available for sale which are accessible to the general public during business operating hours shall not exceed fifty (50) foot candles. Other areas of the dealership property, such as inventory storage or repair vehicle storage, which are not intended for vehicle display, shall be designed to not exceed twenty (20) foot candles, although some portions within the site may slightly exceed this limit due to close proximity to a display area.

All lighting within a dealership display area shall be automatically reduced in light level by twenty-five percent (25%) after 11:00 PM or within one (1) hour after close of daily business, whichever is earlier, and shall not return to full intensity before 8:00 AM.

### **3. General Outdoor Sporting Facility/Performance Area Lighting Standards**

The mounting height of outdoor sports field and outdoor performance area lighting fixtures shall not exceed eighty (80) feet from finished grade unless approved prior to construction by the Board of Adjustment through a variance process.

All outdoor sports field and outdoor performance area lighting fixtures shall be equipped with the manufacturer’s maximum glare control package (louvers, shields, visors or similar devices). The fixtures must be aimed so that their beams are directed and fall within the primary playing field or performance area. Other on-site improvements, such as parking lots and concession or restroom facilities, should not rely on lighting from the playing fields or performance area, but shall have separate lighting designed not to exceed twenty (20) foot candles initial lighting levels when combined with any spill light from the fields, and not create any areas of public access and use which are void of a minimum of 0.5 FC maintained while the facility is open to the public.

The hours of operation for the sports field lighting system for any game or event shall not exceed 8:00AM to 11:00PM. An exception to this time limit may be granted for tournament play which has been weather-delayed, or when a tournament or production is scheduled in advance with a final game or program to occur beyond 11:00 PM. The facility’s property owner and management/production authority for the tournament or event are jointly responsible for providing notice of potential time extension to the Town Manager and adjacent property owners/occupants. Written notice may be distributed to adjacent property owners/occupants by first class mail postmarked 48 hours in advance or door hang tags at least 24 hours in advance of the event. Written notice shall be provided to the Town Manager by e-mail and first class mail postmarked 48 hours in advance of the event.

The security and egress illumination lighting systems may remain turned on for any amount of time deemed necessary to remove people safely.

Light levels for sports field illumination shall comply with, but not exceed IESNA standards. Where new sporting facility lighting is installed adjacent to an existing residential property, the intent shall be made for all installations to limit property line light levels to a maximum horizontal level of three (3) foot candles initial, and a maximum vertical level of one and one-half (1.5) foot candles at the property line of any developed residential parcel. When not installed adjacent to a residential property, light levels at the property line shall not exceed a maximum horizontal level of four (4) foot candles initial and a maximum vertical level of two (2) foot candles at the property line of any developed parcel or right-of-way. All possible means of shielding must be applied if this level has not been met. Owner must prove to the appropriate permitting authority that these means have been exhausted, and the intent has been made to meet these goals.

Additional landscape screening may be necessary at select locations in order to reduce spill light on adjacent property. The lighting plan shall include a notation that the owner shall be responsible for providing additional landscaping or other visual screening within nine (9) months of the verified light readings at identified points along the property line which are in excess of intended limits. This additional screening shall be approved as an amended landscape plan prior to installation.

#### **4. Standards for Mixed Use Developments with Multiple Parcels**

When a mixed use development exists or is proposed which would include two or more parcels sharing infrastructure improvements such as driveway curb cuts, parking lots, dumpster enclosures, and internal private drives, then the light level limits at interior perimeter property lines between nonresidentially used parcels do not apply. All lots within the mixed use development which are not designed for exclusive residential use and not bisected by a public street shall be treated as a single tract for purposes of perimeter light levels. The light levels listed at 153.102(G)(1) will apply to any property line within the mixed use development adjacent to a public right-of-way or adjacent to any parcel zone or used exclusively for residential purposes.

#### **5. Security Lighting**

Outdoor security lighting should be designed to provide safety to a building occupant, while effectively allowing proper surveillance, though not to exceed lighting levels described in subsections 153.102(G)(1) and (2).

The use of motion sensors, timers, photocells or other means to activate lighting during nighttime hours is required to conserve energy, provide safety, and promote compatibility between different land uses.

In order to direct light downward and minimize the amount of spill light, all security lighting fixtures shall be shielded and aimed so that the main beam is directed toward the ground or designated area where security lighting is needed.

#### **6. Architectural Accent Lighting**

Lighting fixtures used to accent architectural features, materials, colors, style of buildings, landscaping or art shall be located, aimed and shielded so that light is directed only on those features. Such fixtures shall be aimed or shielded to minimize light spill from the source in conformance with the luminaire standards.

Accent lighting shall not generate excessive light levels, cause glare, or direct light beyond the façade onto neighboring properties, streets or night sky.

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US, State or Government flags may be illuminated from below provided such lighting is focused primarily on the individual flag or flags, and to limit light spill into the night sky. These fixtures must conform with Section 153.102(G)(7).

**7. Temporary Outdoor Lighting**

Any temporary outdoor lighting that conforms to the requirements of this section shall be allowed. Any temporary lighting that does not conform to these outdoor lighting standards may be permitted after considering: (a) the public and/or private benefits that will arise from the temporary lighting; (b) any annoyance or safety problems that may result from the use of the temporary lighting, and (c) the duration of the temporary nonconforming lighting. The applicant shall provide a detailed description of the proposed temporary outdoor lighting to the Planning Director for review and approval.

**8. Public and Private Roadways**

Where lighting is provided, all streets, sidewalks, bicycle facilities, and multi-modal pathways should be sufficiently illuminated to ensure the security of the street right-of-way and safety of pedestrians present in the area.

Street lighting must be included on all new residential and commercial streets. In addition, street lighting must be installed on the perimeter of the development along a thoroughfare or boulevard, as well as any collector road.

For a new subdivision, a lighting layout and overall design is required in the subdivision design submittal documents as a part of the preliminary plan review process. Lighting plan submittals shall include the fixture, lamp, pole height and the method of shielding being used.

Subdivision developers are required to have the roadway lighting design approved by the Public Works Department with design assistance from the appropriate power company, and shall then submit the approved design to the power company prior to installing the assemblies. An accurate scale reference must be included on all layout drawings.

When lighting is provided, private roads and drives, and public or private off-road pathways and greenways shall be sufficiently illuminated to ensure users' safety and security.

All new lighting fixtures must be installed on new steel, fiberglass, aluminum, wood or concrete poles.

\* \* \* \* \*

### 155.609.1 Purpose and Intent

It is the purpose and intent of this Outdoor Illumination Section to accomplish the following:

- A. To encourage the use of lighting design practices and systems that will: 1) minimize glare, light trespass and light pollution; 2) conserve energy and resources while maintaining nighttime safety, security and productivity; and 3) to curtail the degradation of the nighttime visual environment.
- B. To establish clear and comprehensive outdoor lighting standards with an emphasis on reducing glare and light trespass by requiring, in most circumstances, full cut-off (preferred) lighting fixtures.
- C. To allow for outdoor lighting that is appropriate for the task and to establish light fixture height, wattage, distribution and illumination limits that will help prevent light trespass to adjacent properties.
- D. To establish specific standards for certain land uses that typically have unique lighting requirements, such as (but not limited to) automotive dealerships, service stations, and outdoor sporting facilities.

### 155.609.2 Applicability

This outdoor lighting standard applies to any development, expansion or improvement within non-residential districts and non-residential uses in residential districts, any multi-family housing or mixed development which incorporates residential units, athletic fields, and the construction of parking lots where such developments include the installation of new outdoor lighting fixtures or the replacement of existing lighting fixtures. All new construction projects shall have enough exterior lighting to meet the minimum safety and security requirements of the ICC, the National Electrical Code (NEC) and the North Carolina Building Code (NCBC) family of codes including the NC Energy Conservation Code. The replacement of an existing lighting fixture is defined as a change of the type of fixture; a change in the mounting height of a fixture on a pole, building, or other structure; or a change in the location of a lighting fixture. All of these applications require compliance with this section. Routine lighting fixture maintenance such as replacement of lamps, ballast, starter, photo control, or similar components will not constitute the need to comply with this ordinance, and is permitted provided such changes do not result in a higher wattage or higher lumen output.

### 155.609.3 Definitions

**Direct Glare** – The effect causing visual discomfort resulting from insufficiently shielded light sources in the field of view.

**Direct Illumination** – Center of a beam, or main beam angle of a lighting fixture.

**Fixture** – A gas-powered, battery-powered, solar-powered or electrically powered device that is secured to a wall, ceiling, pole, or post that is used to hold one or more lamps (or jets) and is intended to emit light.

**Flood Light** – Any light fixture or lamp that incorporates a reflector or a refractor to concentrate light output into a directed beam in a particular direction.

**Footcandle (FC)** - A quantitative unit measuring the amount of light cast onto a given point, measured as one lumen per square foot.

**Full Cutoff Fixture** - An outdoor light fixture shielded or constructed in such a manner that it emits no light above the horizontal plane of the fixture.

**IESNA** - The Illuminating Engineering Society of North America, a non-profit professional organization of lighting specialists that has established recommended design standards for various lighting applications.

**Maintained-Initial (Burn-in) Illumination** – The measured amount of illumination after approximately one hundred (100) hours of burn-in time.

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**Lamp** – The component of a luminaire that produces the light.

**Light Source** - The element of a lighting fixture that is the point of origin of the lumens emitted by the fixture.

**Light Trespass** - Effects of light that strays from the intended purpose and becomes an annoyance, a nuisance, or a deterrent to visual performance. As such, light trespass should always be considered negative, unlike spill light, which can have positive or negative attributes. Light trespass is the encroachment of light causing annoyance, loss of privacy, or other nuisance.

**Lumen** – A unit of luminous flux.

**Luminaire** – A complete lighting system including a lamp or lamps and a fixture.

**Maintained Illumination** – The amount of illumination below which the light level is not supposed to fall throughout system life measured at 70% of rated lamp life.

**Mounted Fixture Height** – The height of a complete fixture from the top point of any part of the fixture to the ground directly below where the supporting pole or wall or other support structure meets the ground surface.

**Outdoor Lighting** – The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

**Outdoor Performance Area.** A facility other than a sports field or stadium predominantly or completely without roofed structures intended for spectators to observe educational, recreational, or cultural programming, and where tickets may be sold or fees collected for the activity. This may include but is not limited to an outdoor amphitheater, an outdoor movie theater, or similar facility with seating around the perimeter.

**Shielding** - A design feature or a device that is applied to a luminaire to prevent its luminous output from being visible from selected locations or horizontal and/or vertical angles.

**Sky Glow** - The brightening of the night sky that results from the reflection of radiation (visible and non-visible) scattered from the constituents of the atmosphere (gaseous molecules, aerosols, and particulate matter), in the direction of the observer. It comprises two separate components:

**Natural sky glow** - that part of the sky glow, which is attributable to radiation from celestial sources and luminescent processes in the earth's upper atmosphere.

**Artificial sky glow** - that part of the sky glow which is attributable to man-made sources of radiation (e.g., outdoor electric lighting), including radiation that is emitted directly upwards and radiation that is reflected from the earth's surface.

**Spill Light.** – Visible light (usually unwanted) which extends beyond the limit of the area which the light is intended to illuminate.

**Temporary Light** – Any lighting fixture or instrument producing light that can be moved or relocated in a moments notice.

**Wall Pack** - A type of light fixture typically surface-mounted on a vertical wall surface.

**\*\*\* Watts** – The measure of the amount of energy (electricity) an incandescent fixture uses. Lamps are typically rated for efficiency by noting lumens per watt.

## 155.609.4 General Exemptions

The following lighting applications are exempt from the requirements of this section:

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- A. Emergency Lighting: Lighting required for public safety, in the reasonable determination of the inspection official holding authority.
- B. DOT Lighting: Department of Transportation highway signage luminaires, which must comply with federal DOT standards.
- C. Decorative Lighting: Low wattage fixtures (lamps under eight watts or 100 lumens) used for holiday decorations and annual civic events, or temporary or permanent building tubing fixtures which follow architectural features on buildings.
- D. Individual residential lighting that is not reviewed as part of a development plan.
- E. Illumination being installed for temporary usage only, refer to section 155.609.10. ~~E G.~~
- F. Municipal lighting installed within public rights-of-way, for the principal purpose of illuminating streets, sidewalks, bicycle facilities, or multi-modal pathways within or adjacent to a public street, refer to section 155.609.10. ~~F H.~~ No exemption shall apply to any lighting fixture located within a public right-of-way when its purpose is to illuminate areas within or outside the right-of-way not directly associated with providing safety for one or more modes of transportation by the general public.

## 155.609.5 Light Measurement Technique

Measurements shall be made at ~~three feet (3')~~ ~~above finished grade, (ground level),~~ with the light registering portion of the meter held parallel to the ground, pointing up for horizontal readings (for spill light) and at the brightest light source for maximum vertical light readings (for glare). The meter shall have an accuracy tolerance of no greater than plus or minus five (5) percent. Measurements shall be taken with a light meter that has been calibrated within ~~three (3)-two (2)~~ years. Light levels are specified, calculated and measured in footcandles (FC), and should be taken after a one hundred (100) hour burn-in time, which will more accurately ~~read "maintained" lighting levels- register the lighting levels affecting the subject site and adjacent properties and public rights-of-way.~~

## 155.609.6 Outdoor Illumination Plan Required

Any development activity that proposes outdoor illumination shall include a detailed outdoor illumination plan as part of the Landscape Plan submission. When no landscape plan would be necessary, an outdoor lighting plan shall be submitted and approved prior to any permit for lighting installation. This outdoor illumination plan shall at a minimum include:

- A. Lighting fixture cut sheets for all exterior lighting fixtures such as: type of unit, color of unit, wattage of unit, lumen output of unit, and the cut-off classification of the unit. Any lighting fixture requiring a pole on which to be mounted shall include the pole specification, clearly stating the proposed pole height (including concrete base).
- B. A photometric (ISO foot-candle) site plan that shows typical foot-candle contours within all property lines. The submitted lighting plan shall be in accordance with IESNA standards for uniformity, and show all maximum/minimum and average/minimum light levels. Points of light shown on the plan shall be a maximum of ~~five (5)-ten (10)~~ feet apart. The light grid diagram may show the locations a maximum of thirty (30) feet apart within that portion of a site which is designed for and utilized as an existing or proposed vehicle loading or maneuvering area, outdoor storage area not accessible to the general public, or outdoor sports fields, courts, pools, or similar facility, any of which covers three (3) acres or more in area. The scaled site plan drawing shall show locations of all existing and proposed exterior lighting in relation to all property lines, building outlines, parking and curbing, required preserved or new landscape areas, and above ground storm water detention areas. If any proposed lighting fixture is indicated as being within close proximity to an existing or proposed tree, or that an existing or proposed tree may partially or completely block light from the fixture onto the intended surface, now or in the future, then a written explanation for the lighting fixture location must be included.

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- C. When a phased plan is proposed such that one or more building sites may not be clearly determined or the architecture of a building may not be confirmed, but grading or other land disturbing activity is proposed, then a note on the lighting plan must be included to state this plan is a partial compliance document, and must clearly indicate what is included here and what remains to be submitted at a future date.
- D. When a single-family subdivision includes common areas such as common open space, pathways, parking lots and clubhouses, a lighting plan as defined here is required as part of the preliminary plan review process for any subdivision of land. See 155.405.9.A. Proposed Conditions.
- E. Plan certification by a licensed illumination professional holding the PE, LC or CLEP certification, ~~or similar certification that indicates proficiency in the design of outdoor illumination, a lighting manufacturer, or the local electric utility. The certification must verify that the plans~~ The designer shall verify the plans meet the Town's design requirements and illumination standards.

## 155.609.7 General Illumination Design Standards

- A. All new lighting installations and renovations to existing lighting fixtures adjacent to a residentially zoned or used property shall show the intent to limit ~~footcandle (FC)~~ horizontal light levels at property lines to ~~an average of~~ one (1) footcandle ~~maintained initial (burn-in) illumination~~. All new lighting installations and renovations to existing lighting fixtures adjacent to a commercial property shall show the intent to limit footcandle (FC) levels at property lines to ~~an average of~~ two (2) footcandles ~~maintained initial illumination~~. In addition, vertical light readings shall not exceed one and one half (1.5) FC at any point along the site perimeter. When the horizontal initial illumination level exceeds these standards at any given point, then the average illumination level at the property line within fifty feet (50') of that point shall not exceed one (1) FC for adjacent residential or two (2) FC for adjacent nonresidential, and a written explanation why the limit cannot be met shall be provided on the plan. The applicant shall incorporate additional evergreen plant materials at the place where the perimeter lighting level exceeds the given standards.
- B. The maximum horizontal light level allowed at any point on a given parcel or property (with the exception of automobile dealerships, service stations and sporting facilities) shall not exceed twenty (20) footcandles ~~maintained initial~~. The minimum light level within any portion of a property, ~~other than single-family residential, which may be intended to~~ be utilized by residents, employees, customers or visitors shall be ~~maintained at~~ 0.50 footcandles. The maximum light level allowed at any point on an automobile dealership (display or parking area) shall not exceed fifty (50) footcandles ~~maintained initial~~. The maximum light level allowed under a canopy on a service station property shall not exceed thirty (30) footcandles ~~maintained initial~~. All outdoor sporting facilities shall be illuminated to IESNA standards, with great care taken to minimize spill light at the property lines. Refer to section 155.609.10.B C. for guidelines applying to outdoor sporting facilities.
- C. All lighting fixtures, ~~(regular lamps and flood lamps)~~ rated 150 watts\*\*\* (incandescent lamp or appropriate lumen equivalent) or less may be used without restriction to light distribution (non-cutoff classification) except when the luminaire creates direct glare perceptible to persons on a public right of way, or into the window openings of a residential dwelling unit. Care should be taken to minimize light trespass across property lines. Internal louvers or "glare shields" should be provided where the emitted light becomes a hindrance. House side shields may also be effective in reducing light trespass.
- D. All lighting fixtures rated between 175 watts and 400 watts (inclusive) \*\*\* (incandescent lamp or appropriate lumen equivalent) shall be rated as a "full cutoff" type when placed in the aiming position for which they are designed.
- E. All lighting fixtures ~~(regular lamps and flood lamps)~~ rated above 400 watts \*\*\* (incandescent lamp or appropriate lumen equivalent) shall be listed as a "full cutoff" distribution only, and shall not emit any light above the horizontal plane of the fixture when placed in the aiming position for which they are designed. With exception of sporting facilities, the light source should not be visible (within reason)

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from adjacent properties or the public street right-of-way.

- F. All building wall mounted lighting fixtures, or wall packs, shall be of the full cutoff type.
- G. All lighting fixtures illuminating building facades, steeples, trees, billboards, signs, flags, etc. (vertical surfaces lighted from the bottom up) shall not exceed 150 watts\*\*\* (incandescent lamp or appropriate lumen equivalent), with the exception of Department of Transportation highway signage luminaires, which must comply with federal DOT standards. Lighting fixtures shall be selected, located, aimed and shielded so that direct illumination is focused exclusively on the item being illuminated, and away from adjacent properties and the public street right-of-way. Only US, State or local Government flags may be lit with uplight.
- H. All outdoor lighting fixtures shall be located a minimum of ten (10) feet from a property or right-of-way line, and should be kept out of and at least two (2) feet away from any required perimeter or streetscape buffer, and tree save area. Where the required separation from a property or right-of-way line cannot be achieved due to on-site improvements, a written explanation of the alternative spacing shall be included on the plan drawing.
- I. The layout of outdoor lighting fixtures shall be designed so that the poles do not interfere with other elements of the approved site plan such as trees, landscaping or parking. In general, poles shall be kept at least twenty (20) feet away from the trunk of any large maturing tree and at least ten (10) feet away from any small maturing tree. When a fixture is proposed near an existing preserved tree, the pole shall be no closer to the trunk than ten (10) feet from a small maturing tree or twenty (20) feet from a large maturing tree, or the tree's root protection zone, whichever is greater.
- J. All floodlights shall include top and side shielding, and be aimed at least forty-five (45) degrees below the horizontal.
- K. To eliminate unneeded lighting, exterior lighting systems are encouraged to include automatic timers, dimmers, sensors, or similar controls that will turn off lights during daylight hours and when the site is not occupied or open for business.
- L. All fixtures and lamps shall be maintained in good working order, and replacement lamps and fixtures shall match approved plans. Landscaping shall be maintained in a manner that does not obstruct security lighting while not damaging or removing required landscape materials. Dark pockets on developed portions of any site other than single family residential should be corrected. The property owner and occupant shall be jointly responsible for lighting system maintenance. The provisions of NCGS 136-32.2 shall also be the responsibility of the property owner and occupants.

## 155.609.8 Special Design Requirements

The following criteria shall be followed for all outdoor lighting designs. Submission of lighting plans providing documentation that all of the following applicable criteria are met is necessary for approval. When any of these criteria cannot be met, or when sufficient documentation is not provided to clearly show compliance, then the Planning Director may request further documentation prior to plan approval.

The maximum mounted fixture height (grade to top of fixture) for all ground mounted or building mounted lighting fixtures, except those used for sporting facilities, shall be as follows:

- A. Commercial and mixed use property – 32 feet
- B. Residential property (single or multi-family) – 20 feet
- C. Pedestrian pathways or sidewalks separate from road rights-of-way – ~~42~~ 16 feet
- D. Public right-of-way for non-transportation-related lighting (i.e., signs) – 16 feet

## 155.609.9 Prohibited Uses of Lighting

# SUPERSEDED

- A. Unshielded flood lights, except for residential floodlights rated 100 watts\*\*\* (incandescent lamp or appropriate lumen equivalent) or less, that are permitted but must be aimed towards the ground, and not towards adjacent properties.
- B. Unshielded lamps or fixtures, except those used for private residential swimming pools, hot tubs, semi-enclosed decks or porches and similar accessory structures. See also 155.609.7.C. and G. for further standards.
- C. Any flashing, moving, or twinkling ~~or changing of colors~~ within lighting fixtures. Changing of colors in architectural accent lighting only may occur when each hue displayed is constant for a minimum of thirty (30) seconds and the change between colors is gradual, not immediate. Such fixtures shall be carefully aimed so as not to spill over onto signs or other features.

## 155.609.10 Standards For Specific Uses

### A. Gas and Service Station Canopies

All lighting fixtures mounted on the underside of canopies must be “full-cutoff” classified, being either completely recessed/flush in the canopy, or having solid sides on a surface mounted fixture (canopy edges do not qualify as shielding).

The light source shall be metal halide, ceramic metal halide or LED.

Lighting levels under the canopy shall be no greater than thirty (30) footcandles. Areas outside the pump island canopy shall be illuminated as to provide proper safety to customers, but shall be limited and not exceed twenty (20) footcandles ~~maintained initial~~.

### B. Motor Vehicle Dealership Standards

Outdoor areas where nighttime motor vehicle sales activity takes place and where accurate color perception of the vehicles by customers is required are allowed specific lighting level provisions. The display areas for new and used vehicles available for sale which are accessible to the general public during business operating hours shall not exceed fifty (50) foot candles. Other areas of the dealership property, such as inventory storage or repair vehicle storage, which are not intended for vehicle display, shall be designed to not exceed twenty (20) foot candles, although some portions within the site may slightly exceed this limit due to close proximity to a display area..

All lighting within a dealership display area shall be automatically reduced in light level by twenty-five percent (25%) after 11:00 PM or within one (1) hour after close of daily business, whichever is earlier, and shall not return to full intensity before 8:00 AM.

### C. General Outdoor Sporting Facility/Performance Area Lighting Standards

The mounting height of outdoor sports field and outdoor performance area lighting fixtures shall not exceed eighty (80) feet from finished grade unless approved prior to construction by the Board of Adjustment through a variance process.

All outdoor sports field and outdoor performance area lighting fixtures shall be equipped with ~~a~~ the manufacturer’s maximum glare control package (louvers, shields, visors or similar devices). The fixtures must be aimed so that their beams are directed and fall within the primary playing field or performance area. Other on-site improvements, such as parking lots and concession or restroom facilities, should not rely on lighting from the playing fields or performance area, but shall have separate lighting designed not to exceed twenty (20) foot candles initial lighting levels when combined with any spill light from the fields, and not create any areas of public access and use which are void of a minimum of 0.5 FC maintained while the facility is open to the public.

# SUPERSEDED

The hours of operation for the sports field lighting system for any game or event shall not exceed 8:00AM to 11:00PM. An exception to this time limit may be granted for tournament play which has been weather-delayed, or when a tournament or production is scheduled in advance with a final game or program to occur beyond 11:00 PM. The facility's property owner and management/production authority for the tournament or event are jointly responsible for providing notice of potential time extension to the Town Manager and adjacent property owners/occupants. Written notice may be distributed to adjacent property owners/occupants by first class mail postmarked 48 hours in advance or door hang tags at least 24 hours in advance of the event. Written notice shall be provided to the Town Manager by e-mail and first class mail postmarked 48 hours in advance of the event.

The security and egress illumination lighting systems may remain turned on for any amount of time deemed necessary to remove people safely.

Light levels for sports field illumination shall comply with, but not exceed IESNA standards. Where new sporting facility lighting is installed adjacent to an existing residential property, the intent shall be made for all installations to limit property line light levels to ~~an average of three (3) footcandles at grade level~~ a maximum horizontal level of three (3) foot candles initial, and a maximum vertical level of one and one-half (1.5) foot candles at the property line of any developed residential parcel. When not installed adjacent to a residential property, light levels at the property line shall not exceed ~~an average of four (4) footcandles at grade level~~ a maximum horizontal level of four (4) foot candles initial and a maximum vertical level of two (2) foot candles at the property line of any developed parcel or right-of-way. All possible means of shielding must be applied if this level has not been met. Owner must prove to the appropriate permitting authority that these means have been exhausted, and the intent has been made to meet these goals.

Additional landscape screening may be necessary at select locations in order to reduce spill light on adjacent property. The lighting plan shall include a notation that the owner shall be responsible for providing additional landscaping or other visual screening within nine (9) months of the verified light readings at identified points along the property line which are in excess of intended limits. This additional screening shall be approved as an amended landscape plan prior to installation.

## D. Standards for Mixed Use Developments with Multiple Parcels

When a mixed use development exists or is proposed which would include two or more parcels sharing infrastructure improvements such as driveway curb cuts, parking lots, dumpster enclosures, and internal private drives, then the light level limits at interior perimeter property lines between nonresidentially used parcels do not apply. All lots within the mixed use development which are not designed for exclusive residential use and not bisected by a public street shall be treated as a single tract for purposes of perimeter light levels. The light levels listed at 155.609.7.A. will apply to any property line within the mixed use development adjacent to a public right-of-way or adjacent to any parcel zone or used exclusively for residential purposes.

(drawing may be helpful here)

## E. Security Lighting

Outdoor security lighting should be designed to provide safety to a building occupant, while effectively allowing proper surveillance, though not to exceed lighting levels described in subsections 155.609.7.A. and B.

The use of motion sensors, timers, photocells or other means to activate lighting during nighttime hours is required to conserve energy, provide safety, and promote compatibility between different land uses.

In order to direct light downward and minimize the amount of spill light, all security lighting fixtures shall be shielded and aimed so that the main beam is directed toward the ground or designated area where security lighting is needed.

## F. Architectural Accent Lighting

Lighting fixtures used to accent architectural features, materials, colors, style of buildings, landscaping or art shall be located, aimed and shielded so that light is directed only on those features. Such fixtures shall be aimed or shielded to minimize light spill from the source in conformance with the luminaire standards.

Accent lighting shall not generate excessive light levels, cause glare, or direct light beyond the façade onto neighboring properties, streets or night sky.

US, State or Government flags may be illuminated from below provided such lighting is focused primarily on the individual flag or flags, and to limit light spill into the night sky. These fixtures must conform with Section 155.609.7.G.

## G. Temporary Outdoor Lighting

Any temporary outdoor lighting that conforms to the requirements of this section shall be allowed. Any temporary lighting that does not conform to these outdoor lighting standards may be permitted after considering: (a) the public and/or private benefits that will arise from the temporary lighting; (b) any annoyance or safety problems that may result from the use of the temporary lighting, and (c) the duration of the temporary nonconforming lighting. The applicant shall provide a detailed description of the proposed temporary outdoor lighting to the Planning Director for review and approval.

## H. Public and Private Roadways

Where lighting is provided, all streets, ~~and~~ sidewalks, bicycle facilities, and multi-modal pathways should be sufficiently illuminated to ensure the security of the street right-of-way and safety of pedestrians present in the area.

Street lighting must be included on all new residential and commercial streets. In addition, street lighting must be installed on the perimeter of the development along a thoroughfare or boulevard, as well as any collector road.

For a new subdivision, a lighting layout and overall design is required in the subdivision design submittal documents as a part of the preliminary plan review process. Lighting plan submittals shall include the fixture, lamp, pole height and the method of shielding being used.

Subdivision developers are required to have the roadway lighting design approved by the Public Works Department with design assistance from the appropriate power company, and shall then submit the approved design to the power company prior to installing the assemblies. An accurate scale reference must be included on all layout drawings.

When lighting is provided, private roads and drives, and public or private off-road pathways and greenways shall be sufficiently illuminated to ensure users' safety and security.

All new lighting fixtures must be installed on new steel, fiberglass, aluminum, wood or concrete poles.

\* \* \* \* \*

Changes shown in orange reflect conversations with representatives of Duke Energy on 12-9-11 and Musco Lighting on 12-28-11, and include suggested additions/revisions from initial presentation to Town Board on 12-12-11

\*\*\* I would like to replace the wattage breakpoints with lumens, which measure amount of light from a lamp rather than energy usage, so it doesn't matter what lamp technology is used, what color light is emitted, or whether light is intended to be focused toward a narrow point or diffused widely. I do not at this point have necessary conversions. A 100 watt incandescent lamp is generally equivalent to 1600 lumens, and a 150 watt incandescent is roughly equivalent to 2600 lumens, but I have not found any table for higher wattage fixtures.

**ZONING MOTION 2012-1**  
**INITIATED BY MATTHEWS BOARD OF COMMISSIONERS**

**MOTION TO CHANGE:**                      x   TEXT  
   DISTRICT BOUNDARIES  
(IF FOR A CHANGE IN DISTRICT BOUNDARIES, LIST PARCEL(S) AFFECTED)

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**DATE OF INITIAL DISCUSSION TO SET HEARING 1-9-12**

**PUBLIC HEARING DATE 2-13-12**

**PROPOSED ACTION**  
Add new section on Outdoor Lighting at 153.102.

**AFFECTED AND/OR ADJACENT PROPERTY OWNERS NOTIFIED NA**

**ATTACHMENTS INCLUDE Proposed new text at 153.102**

**PROTEST PETITION FILED?**                   YES (IF YES, DATE)  
  NA NO

**OTHER COMMENTS:** This text has been drafted to work within the new Unified Development Ordinance, but can also be added to the Town's current Zoning Ordinance. The draft text was prepared with assistance from Dave Alber of DMA Lighting, with revisions crafted to suit the Town of Matthews' needs.