

Zoning Motion 2020-1, UDO Text Amendments to Outdoor Illumination

TO: Matthews Planning Board Members
DATE: June 16, 2020
FROM: Mary Jo Gollnitz, Senior Planner

During the Public Hearing for Text Amendments to Outdoor Illumination, questions were raised regarding the lack of lighting in certain areas of parking lots. The concern was with the proposed reduction of footcandles at the property lines and if it could cause additional dark spots and lack of safety.

Staff has researched neighboring communities' requirements for footcandle levels at the property line. The results:

- Mint Hill---no specific requirements
- Huntersville---1.0 onto adjacent property or public road
- Indian Trail---1.0 residential and 2.0 commercial
- Charlotte---no specific requirements

Staff is comfortable bringing the commercial requirement footcandle limit back up to 2.0 of initial illumination at the property line (in Section 155.609.7.A). The text as presented at the Public Hearing reads:

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)~~ one (1) footcandle~~s~~ initial illumination.

Staff suggests that the Planning Board forward a favorable recommendation of zoning Motion 2020-1 Text Amendment to Outdoor Illumination to the Board of Commissioners: 1) as presented at the Public Hearing or 2) revert the text in Section 155.609.7.A back to two (2) foot candles.

DRAFT---FOR APPROVAL

**STATEMENT OF CONSISTENCY WITH LOCAL ADOPTED GROWTH POLICIES
Planning Board Recommendation on Zoning-Related Issues**

ZONING APPLICATION # _____

ZONING MOTION # _____ **2020-1** _____

ADMINISTRATIVE AMENDMENT _____

Matthews Planning Board adopts the checked statement below:

- A) The requested zoning action, as most currently amended, is recommended for **approval**, and has been found to be **CONSISTENT** with the Matthews Land Use Plan (or other document(s)), as follows:

CONSISTENT: because it updates text language to match current technology requirements and it provides additional definitions in order to assist developers in understanding the regulations

REASONABLE: The text amendment is reasonable because it promotes public safety through best practice standards.

OR

- B) _____ The requested zoning action, as most currently amended, is **not approved**, and has been found to be **INCONSISTENT** with the Matthews Land Use Plan (or other document(s)), as follows:

INCONSISTENT: The text amendment is inconsistent with the Land Use Plan because it requires illumination standards that are difficult to enforce.

NOT REASONABLE: The text amendment is not reasonable as it would create an expansion of requirements on developers.

(In each case, the Statement must explain why the Board deems the action reasonable and in the public interest (more than one sentence). Reasons given for a zoning request being "consistent" or "not consistent" are not subject to judicial review.)

Date: *June 23, 2020*