

**AN ORDINANCE
AMENDING SECTION 4-17 OF THE CITY OF NORTH CHARLESTON CODE OF
ORDINANCES, APPENDIX A, ZONING REGULATIONS, TO REVISE SITE
LIGHTING REQUIREMENTS**

WHEREAS, the City of North Charleston is empowered to regulate land use to ensure orderly growth and harmony among neighboring uses; and

WHEREAS, the City of North Charleston's PRIME Comprehensive Plan recommends fostering a sense of security and enhancing the character and design standards of corridors and spaces; and

WHEREAS, changes to the site lighting requirements are proposed to provide additional conditions; and

WHEREAS, pursuant to a duly advertised public meeting held on February 13, 2023, it has been recommended to the Mayor and Council by the Planning Commission that the zoning text should be amended to revise the site lighting requirements.

Now, therefore, be it ordained and enacted by the Mayor and Council that certain provisions of the Zoning Regulations, as amended, be further amended as follows in **EXHIBIT A** attached hereto and incorporated herein.

THE WITHIN ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS ADOPTION BY CITY COUNCIL.

Ordained in City Council this 23rd day of March, in the year of our Lord, 2023, and in the 246th year of Independence of the United States of America.


R. KEITH SUMMEY, MAYOR

APPROVED AS TO FORM:


LEGAL COUNSEL

ATTEST:


COURTNEY HEYWARD, MUNICIPAL CLERK

**NORTH CHARLESTON CITY COUNCIL
AGENDA ITEM**

Meeting of March 23, 2023

DATE: February 14, 2023

ITEM TITLE: An Ordinance Amending Section 4-17 of the City of North Charleston Code of Ordinances, Appendix A, Zoning Regulations, to Revise Site Lighting Requirements

SUBMITTED BY: Planning Commission

CONTACT PERSON: Megan Clark, Planning Division Director, (843) 740-2617

SUMMARY EXPLANATION:

A text amendment to Section 4-17 is proposed to require commercial and industrial properties that have 10 or more parking spaces to provide site lighting when existing site improvements are proposed to expand by 20% or more.

STAFF RECOMMENDATION:

Approval

BOARD, COMMISSION, COMMITTEE RECOMMENDATIONS:

The Planning Commission held a public hearing on February 14, 2023, and voted unanimously to recommend approval of the proposed amendment (7-0-0).

COUNCIL COMMITTEE RECOMMENDATION:

March 16, 2023 the Public Safety Committee voted unanimously to recommend approval the Ordinance as presented.

COUNCIL ACTION:

On March 9, 2023 Mayor Summey stated without objection this item will be referred to the Public Safety Committee for further study and recommendation.

Exhibits
Resolution ___ Ordinance X Contract ___ Minutes X Plan/Map ___ Transfer of Funds X Other

EXHIBIT A

Section 4-17. Site lighting:

- (a) ~~In general. Submittal of a lighting plan shall be required as a part of the site plan review process.~~

The following specifications shall be provided as follows:

(i) Street and site lighting shall be of low intensity from a concealed light source and with effective provisions made to prevent spill-over into adjoining properties or roadways. Any spill-over from a commercial or industrial site into a residential area shall not exceed one-half footcandle measured at the property line of the site of the light source nearest the residential area.

(ii) Lighting shall in no way interfere with the vision of oncoming motorists.

(iii) Light fixtures in residentially zoned areas shall be limited in height to eighteen (18) feet using cutoff fixtures.

(iv) Light fixtures in commercial and industrially zoned areas:

(1) Commercially zoned properties shall be limited in height to twenty-four (24) feet using full cutoff fixtures. Cutoff fixtures may also be used, provided the maximum pole mounted height is no greater than eighteen (18) feet.

(2) Light fixtures in industrially-zoned areas shall be limited in height to thirty (30) feet using full cutoff fixtures. Cutoff fixtures may also be used, provided in commercially and industrially zoned areas with a the maximum pole mounted height of is no greater than eighteen (18) feet.

(3) Site Lighting shall be required on commercially and industrially zoned properties where ten or more parking spaces are provided.

a. No existing building, structure or vehicular use area shall be reoccupied by a new use, or expanded or enlarged by fifty (50) per cent or more unless site lighting is provided on site. Enlargement involving twenty (20) to fifty (50) per cent of the existing building shall provide site lighting for the enlargement only. Enlargements involving less than twenty (20) per cent shall not be required to provide site lighting.

(v) Street lighting fixtures in the right-of-way of a major arterial roadway shall be limited in height to forty (40) feet. ~~Submittal of a lighting plan shall be required as a part of the site plan review process.~~

- (b) *Partial exceptions.*

- (i) To the extent federal regulatory requirements exist, site lighting associated with air travel shall be exempt from the requirements of this section other than the requirement that a site lighting plan be submitted as a part of the site review process. Examples of such exempted lighting may include, but shall not be limited to, such things as runway lighting, navigational lighting, and hazard lighting such as lights marking bridges and towers.

- (ii) Site lighting for approved outdoor recreation areas such as athletic fields may exceed eighteen (18) feet in height and, to the least possible extent required in order to provide adequate field illumination, may employ other than cutoff-style fixtures. In all cases provisions shall be made to prevent spill-over into adjoining properties or roadways to the maximum reasonable extent possible. Light spill-over for such uses shall not be limited to the one footcandle standard set forth within subsection "a" above. Lighting shall in no way interfere with the vision of oncoming motorists. Submittal of a lighting plan shall be required as a part of the site plan review process.
- (c) *Exemptions.* The following are not regulated by this ordinance:
 - (i) Building façade lighting in commercial or industrial zoning district. For shielded directional façade lighting up to forty (40) lumens per square foot (total lumens from all of the light sources divided by the area of façade being illuminated by that light) where the lights are properly aimed and shielded to not shine visible glare into the public right-of-way or onto adjacent or nearby properties.
 - (ii) Low voltage landscape lighting. Electric lighting powered at less than fifteen (15) volts and limited to lamps of less than fifty (50) watts or less, not mounted to poles or buildings, for the purpose of illuminating trees, shrubbery and other natural external elements where the lights are properly aimed and shielded to not shine visible glare into the public right-of-way or onto adjacent or nearby properties.

(Ord. No. 2006-46, 7-25-06; Ord. No. 2008-08, 1-24-08; Ord. No. 2011-039, 7-28-2011; Ord. No. 2011-050, 12-8-2011)