



Town of Southern Shores

"A Town of Volunteers"

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Ordinance # 02-09-023

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF SOUTHERN SHORES

BE IT ORDAINED by the Council of the Town of Southern Shores, North Carolina, the Zoning Ordinance is amended as follows:

Part I. Section 6.04 Outdoor Lighting

A. Intent

Outdoor lighting standards are hereby established to provide desirable levels of lighting for adequate visibility, safety and security without unreasonably interfering with the use and enjoyment of neighboring properties. This ordinance is designed to provide uniform distribution of light that minimizes light trespass and controls glare on and off the property. All outdoor lighting shall be planned, erected, altered and maintained in accordance with the following provisions.

B. Lighting Prohibited

1. Light fixtures that imitate an official highway or traffic control light or sign are prohibited.
2. Light fixtures in the direct line of vision with any traffic control light or sign are prohibited.
3. Light fixtures that have a flashing or intermittent pattern of illumination are prohibited.
4. Privately owned light fixtures located in the public right-of-way are prohibited.
5. Light fixtures that are a source of glare by their design, orientation or intensity are prohibited.
6. Searchlights are prohibited except when used by federal, state or local authority.
7. Light fixtures that violate any law of the State of North Carolina relative to outdoor lighting are prohibited.
8. General purpose area and sports floodlights are prohibited except to illuminate building facades and outdoor recreational uses.
9. Illumination of the public beach and estuarine waters from uses that are not water dependent shall be prohibited.
10. Lighting of windsocks, fountains or flags is prohibited, excepting the United States flag, North Carolina flag, official flag of the Town of Southern Shores or permitted flag sign.
11. Unshielded open vertical light fixtures are prohibited.

C. General Provisions

1. All light sources shall be designed, oriented or shielded so that light produced on-site shall be contained within the perimeter of the site.
2. Exterior lighting shall not provide in excess of 1 foot candle of light (forward or back lighting) measured at the property line of any adjacent property.
3. All wiring for outdoor lighting not located on a building shall be placed underground.
4. Principal buildings shall be lighted for security at intensity no greater than permitted in the table below.
5. Floodlights shall not exceed five hundred (500) watts. When placed in a cluster the combined wattage shall not exceed the foot-candle permitted in the table below.
6. Lighting fixtures shall be designed to withstand a minimum wind velocity of one hundred thirty (130) miles per hour (3 second gust).
7. Freestanding light fixtures within commercial parking lots shall not exceed 35 feet in height, measured from ground level or lowest surrounding ground elevation. All other areas shall not exceed 18 feet in height, measured from ground level. *For purposes of this Ordinance, "Ground Level" shall be interpreted to mean the original site elevation before any site work or fill material is added.*
8. The following lighting intensity levels, measured at ground level in foot-candles, shall be exempt from these restrictions. Permitted intensity levels may be approved by Town Council for reasonable cause.

D. Site Plan Requirements

The town shall require an outdoor lighting plan for review as part of the site plan review process for all uses other than One and Two Family Dwelling Units. Lighting plans submitted for review shall provide:

1. The rationale for the proposed lighting plan.
2. Evidence that a lower lighting level than that requested would not provide sufficient illumination.
3. Rationale for why the selected option was chosen for the particular site.
4. The stamp/seal, license number and signature of the design responsible for the plan. Design professional must be a professional engineer, architect or landscape architect professional licensed to practice in the State of North Carolina

Type of Outdoor Area or Use	Permitted Range of Average Foot-Candles Minimum – Maximum
<i>Parking Areas</i>	
Commercial parking lots	4.0 – 7
Industrial Warehouses	0.5 – 1
<i>Building Exteriors</i>	
Loading platforms	10
Commercial entrances	5
Architectural	1
<i>Security</i>	
Commercial	1
Industrial	1
Walkways/roads	1

<i>Recreational</i>	
Baseball/football/soccer	25
Tennis/handball/volleyball	20
Basketball	10
Swimming Pool	10
Playground	5

E. Light Fixture (Luminaire) Specifications

As part of the site plan submittal, the design professional shall provide manufacturers technical specification sheets describing the fixtures to be used.

F. Measurements

1. Measurements are to be made in foot-candles with a direct reading, portable light meter.
2. Unless otherwise specified, the meter sensor shall be mounted not more than 6 inches above ground level in a horizontal position to measure horizontal illumination. Vertical illumination shall be measured at a height of 5' with the sensor mounted not more than 6 inches from the wall surface and the meter sensor in the vertical position.

G. Inspection

All outdoor lighting fixtures may be subject to annual inspection by the Code Enforcement Officer to assure compliance with the provisions of this Ordinance. When a fixture fails to comply, the Code Enforcement Officer shall give written notice to the owner of the property on which the fixture(s) are located stating that the fixture shall be brought up into compliance or removed at the Owner's expense within thirty (30) days of receipt of the notice. The remedies set out in Article XI. of this ordinance shall also apply to this section.

PART II. All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed.

PART III. This ordinance shall be in full force and effect from and after the 3rd day of September 2002.

ATTEST:

Carril Gordon
Town Clerk

Paul Santolucito
Mayor

VOTE: 5 Ayes 0 Nays

APPROVED AS TO FORM:

[Signature]
Town Attorney