

ORDINANCE NO. 2015 – 12

TOWN OF BLUFFTON, SOUTH CAROLINA

AN ORDINANCE AMENDING ARTICLE 5 DESIGN STANDARDS OF THE UNIFIED DEVELOPMENT ORDINANCE TO REVISE THE APPLICABILITY OF LIGHTING STANDARDS

WHEREAS, the Town of Bluffton desires to improve the general safety, welfare, health and properties of the citizens of the Town of Bluffton; and,

WHEREAS, to establish the necessary provisions to accomplish the above, the Town of Bluffton has authority to enact resolutions, ordinances, regulations, and procedures pursuant to South Carolina Code of Laws 1976, Section 5-7-30; and,

WHEREAS, the Town of Bluffton's Town Code and Ordinances provide guidance and requirements for development within the Town of Bluffton through regulations set forth to protect and promote the health, safety, and welfare of the Town's citizens, as espoused through the provisions of the Town of Bluffton Comprehensive Plan and as authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Title 6, Chapter 29 of the Code of Laws for South Carolina; and

WHEREAS, the Town of Bluffton Town Council adopted the aforementioned standards, which are known as the Unified Development Ordinance, Chapter 23 of the Code of Ordinances for the Town of Bluffton, South Carolina on October 11, 2011 through Ordinance 2011-15; and

WHEREAS, The Unified Development Ordinance unifies the subdivision, land use, development/design regulations as well as the Old Town Bluffton Historic District Code into a single set of integrated, updated, and streamlined standards; and

WHEREAS, the Unified Development Ordinance, Article 5, Design Standards provides the current regulations pertaining to development standards related to lighting requirements for parking lots for development, redevelopment, changes of use, and public parking facilities; and,

WHEREAS, the Town Council shall from time to time examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest changes as deemed appropriate; and,

WHEREAS, the Town of Bluffton Town Council desires to amend Article 5, Design Standards, Section 5.12.3.A.1, General Standards to revise the applicability of lighting standards from parking lots larger than 10 spaces to any parking area serving a non-residential use or is shared between multiple residential dwelling units.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, in accordance with the foregoing, the Town hereby amends the Code of Ordinances for the Town of Bluffton, Chapter 23, Unified Development Ordinance as follows:

SECTION 1. AMENDMENT. The Town of Bluffton hereby amends the Code Ordinances for the Town Of Bluffton, South Carolina, Chapter 23, Unified Development Ordinance by adopting and incorporating an amendment to Section 5.12.3.A.1, General Standards of Article 5, Design Standards as shown in Exhibit A, which is attached and incorporated hereto.

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. ORDINANCE IN FULL FORCE AND EFFECT. This entire Ordinance shall take full force and effect upon adoption.

DONE, RATIFIED AND ENACTED this Fourteenth day of April , 2015.

This Ordinance was read and passed at first reading on March 10, 2015.

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

ATTEST:

Sandra Lunceford, Town Clerk
Town of Bluffton, South Carolina

A public hearing was held on this Ordinance on April 14, 2015.

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

ATTEST:

Sandra Lunceford, Town Clerk
Town of Bluffton, South Carolina

This Ordinance was passed at second reading held on April 14, 2015.

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

ATTEST:

Sandra Lunceford, Town Clerk
Town of Bluffton, South Carolina

ARTICLE V – DESIGN STANDARDS

Sec. 5.12 Lighting

5.12.1 Intent

It is the intent of this Section to protect the health, safety, and welfare of the public by recognizing that sites may need to be illuminated for safety, security, and visibility for occupants, users, pedestrians, and motorists. To do so, this Section provides standards for various forms of lighting that will:

- A. Minimize light pollution;
- B. Maintain safe nighttime environment;
- C. Preserve the restful quality of nighttime by eliminating intrusive artificial light and lighting that unnecessarily contributes to “sky glow”;
- D. Reduce light trespass from light sources onto adjacent properties;
- E. Conserve electrical energy; and
- F. Curtail the degradation of the nighttime visual environment.

5.12.2 Applicability

The standards in this Section shall apply to any proposed exterior light source. The UDO Administrator shall review any building or site to determine compliance with the requirements under this Section. Whenever a person is required to obtain a Development Permit, Certificate of Appropriateness, Building Permit, or Electrical Permit for outdoor lighting from the Town of Bluffton, the Applicant shall submit sufficient information to enable the UDO Administrator to determine whether the proposed lighting will comply with this Section.

5.12.3 Standards

A. General Standards

1. Any parking area serving a non-residential use or is shared by three or more residential dwelling units shall meet the requirements set forth in this Section. These standards do not apply to shared private driveways.
2. Exterior architectural, display and decorative lighting visible from adjacent properties shall be generated from a concealed light source with low-level fixtures.
3. Any lighting fixture shall be of such design, so as to minimize the amount of ambient lighting perceptible from adjacent properties.
4. In no case shall any lighting impair the vision of motorists.
5. All interior lighting shall be so designed to prevent the light source or high levels of light from being visible from adjacent properties.

6. Entrances into developments from the highway may be lighted for traffic safety reasons, provided such lighting is approved by the agency maintaining the roadway is in conformance with the American Association of State Highway and Transportation Officials (AASHTO) Roadway Lighting Guide.
7. A combination of pole, building, ground, and sign mounted lighting, including accent lighting, can be used to meet the lighting requirements of this section.

B. Light Fixtures

1. Any light fixture shall be a cutoff luminaire whose source is completely concealed with opaque housing and shall not be visible from any street. This provision includes lights on mounted poles, as well as architectural display and decorative lighting visible from adjacent properties.
2. Fixtures shall be mounted in such a manner that the cone of light is not directed at any property line of the site.
3. Only incandescent, fluorescent, metal halide, LED, mercury vapor or color corrected high-pressure sodium light may be used. The same type of lighting must be utilized for all fixtures and light sources on the site.
4. Only white or off-white (light yellow tones) may be used for any light source.
5. Lighting poles may not exceed a height of 20 feet.

C. Sign Illumination

1. The brightness of an illuminated sign shall not exceed 30 foot-candles at any one point on the sign face. Illumination shall be by an externally located steady stationary light source, shielded and directed solely at the sign. Light sources to illuminate signs shall neither be visible from any street right-of-way nor cause glare hazardous to pedestrians or vehicle drivers or so as to create a nuisance to adjacent properties.
2. Spotlighting of signs shall be restricted to not more than one shielded light fixture per side for sign faces up to 40 square feet and not more than two shielded light fixtures per side for larger sign faces.
3. No face lit sign or light boxes are permitted where light projects through the face of the sign. Signs shall not have light-reflecting or translucent backgrounds.
4. Colored lamps are not permitted.
5. Backlighting of signs-text and graphics using halo glow or illumination behind opaque channel lettering or logos shall be permitted provided the sign text and graphics are opaque and the rear surface is not reflective. Only internally illuminated signs are permitted where reverse channel letters are used with a light source projected to the rear of the sign to permit a halo effect.

6. Exterior lighting shall be designed and arranged so as to minimize glare and reflection. Lighting shall be low-intensity, shielded from adjacent parcels.

D. Illumination Levels

1. All site lighting shall be designed so that the level of illumination measured in foot-candles (fc) at any one point meets the standards below. The UDO Administrator shall have the discretion to allow limited flexibility as to variations in the illumination levels, if the proposed levels deviate from the following standards.

Table 5.12.3.D.1 Illumination Levels			
Location or Type of Lighting	Minimum Level (FC)	Average Level (FC)	Maximum Level (FC)
Landscape and decorative	0.0	0.50	5.0
Commercial parking areas	0.6	2.40	10.0
Multifamily residential parking areas	0.2	1.50	10.0
Canopy Area Lighting	2.0	12.0	20.0
Areas for display or outdoor merchandise	1.0	5.0	15.0
Walkways and streets	0.2	1.0	10.0