

December 8, 2008

Mayor Foy and Town Council Members  
Town of Chapel Hill  
405 MLK Jr. Boulevard  
Chapel Hill, NC 27514

RE: Consent Agenda Item 4i.  
Pending Land Use Management Ordinance Text Amendments

Dear Mayor Foy and Council Members:

Consent agenda item 4i refers to “pending text amendments” to the LUMO and proposes Public Hearing dates. There may in fact be draft language for several of these items, but there was not a draft of proposed changes as of last Friday, according to town staff, for the two items about which I am concerned. These are Signs and Lighting.

SIGNS

During the past 2 months, I have been working on Unified Sign Plans and Ground Sign applications for University Mall and Rams Plaza and have discovered a number of text errors in Section 5.14 of the LUMO. In addition, in my view, definitions that need to be clarified include those for display area, sign area, ground-signs, and pylon-signs.

More importantly, the size and height of permitted ground signs for non-residential uses are insufficient for safe viewing by drivers. The current sign regulations are over 20 years old and were designed for communication when the primary roads were 2-lane, not 4-lane and high riding SUV's and trucks were not the norm.

Small, but important changes to the permitted size and height of signs would significantly improve the safety and visibility of the communication that we expect of our business community. And these changes can take place without a negative effect on our visual environment.

For these reasons:

1. I ask that you schedule the hearing on proposed changes to Sign Regulations for the February 16, 2009 Public Hearing Agenda rather than the January 26, 2009 Business Meeting Agenda.
2. I also ask that you have the town staff include the Community Design Commission, the Chamber of Commerce, the Downtown Partnership, and interested and experienced designers in the process of text editing changes and possible changes to standards for ground and pylon signs.

To allow for sufficient time for consideration and comment by interested parties, I ask that the schedule for this activity be as follows:

- January 21, 2009 Staff Report and Recommendations Distributed to the Community Design Commission and Public
- January 28, 2009 Community Design Commission Review & Recommendation
- February 3, 2009 Planning Board Review & Recommendation
- February 10, 2009 Staff Report and Recommendations Distributed to Council & Public
- February 16, 2009 Council Public Hearing
- March 2009 or after Council Adopt appropriate changes to Sign Regulations.

### LIGHTING – DARK SKIES LIGHTING INITIATIVE

An initiative to limit the amount of night light and its direction is very important. The current town standards are strong and the Community Design Commission in its review and approval of plans carefully considers the effects of light on adjoining property. Nevertheless, a review of standards and their cumulative effect is something we should be doing regularly.

However, we need to be mindful the number of locations and considerations wherein having sufficient lighting is important for safety, the perception of safety. Several situations come immediately to mind:

Neighborhood Business Centers – For example, Chapel Hill North, where Council Members and members of the Northern Area Task Force cited the low level of lighting in Chapel Hill North as a factor in considering that center to be pedestrian friendly and safe.

Downtown Chapel Hill – I believe the Council and most of the community recognize the need for additional lighting in Downtown. In spite of our awareness of this need, since the visit many of us took to Madison, WI and others took to Ann Arbor, MI this fall, we seem have put the schedule for improvements into the traditional Chapel Hill process of plan slowly, implement even more slowly program.

It is disturbing to me to see the issues of lighting - where safety is absolutely essential - put in the slow lane, while we move more rapidly on plans to reduce lighting elsewhere.

I request that you have the town staff include the business community, the Chamber of Commerce, the Downtown Partnership, the Community Design Commission, and designers included within the review of lighting standards and in particular develop a lighting standard that provides a safe environment in the Downtown and our neighborhood commercial centers.

Thank you for considering these comments.

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