

LEGISLATIVE #

120023A

ORDINANCE NO. 120023

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3 **An ordinance of the City of Gainesville, Florida, amending the Land**
4 **Development Code relating to outdoor lighting; by adding new definitions to**
5 **Section 30-23 Definitions; by deleting a subsection of Section 30-93 Gasoline**
6 **and alternative fuel service stations (GN-554), and food stores (MG-54) with**
7 **accessory gasoline and alternative fuel pumps; by amending Section 30-114**
8 **Off-site parking facilities for uses in MU-1 or MU-2 districts; by deleting a**
9 **subsection of Section 30-160 Submittal requirements; by amending a**
10 **subsection of Section 30-307 Nature park district; by deleting a subsection of**
11 **Section 30-330 Design requirements for vehicle parking; by adding a new**
12 **Section 30-344 Outdoor lighting; by deleting subsections of Section 30-345**
13 **General performance standards; by deleting Section 30-345.1 Nonconforming**
14 **luminaires; by deleting a subsection of Appendix A. – Special Area Plans,**
15 **Section 4. – Special Area Plan For Traditional City; by amending a**
16 **subsection of Appendix A. – Special Area Plans, Section 8. – Special Area**
17 **Plan Southeast Gainesville Renaissance Initiative Area; providing directions**
18 **to the codifier; providing a severability clause; providing a repealing clause;**
19 **and providing an immediate effective date.**
20
21

22 **WHEREAS,** notice was given as required by law that the text of the Land Development
23 Code of the City of Gainesville, Florida, be amended and a public hearing was then held by the
24 City Plan Board on April 26, 2012; and

25 **WHEREAS,** at least ten (10) days notice has been given once by publication in a
26 newspaper of general circulation notifying the public of this proposed ordinance and of public
27 hearings in the City Hall Auditorium, First Floor, City Hall, in the City of Gainesville; and

28 **WHEREAS,** public hearings were held pursuant to the notice described above at which
29 hearings the parties in interest and all others had an opportunity to be and were, in fact, heard.

30 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
31 **CITY OF GAINESVILLE, FLORIDA:**

32 **Section 1.** Subsection 30-23(c) of the Land Development Code is amended to add the
33 following definitions. Except as amended herein, the remainder of Subsection 30-23(c) remains

1 in full force and effect.

2 **Sec. 30-23 (c). - Definitions.**

3

4 Canopy means a covered structure open for pedestrian and/or vehicular access. This
5 definition shall include, but shall not be limited to, canopies associated with drive-throughs of
6 retail and financial establishments and fueling stations.

7

8 Floor area means the sum of the horizontal areas of all floors of a building, or buildings,
9 on a development site, measured from the exterior faces of exterior walls. Included within such
10 sum shall be the areas of attic spaces with a vertical structural clearance of at least seven feet.
11 Also included are floors of interior balconies or mezzanines, and floors of any other space
12 reasonably usable for any purpose, including but not limited to garages, carports, patios, porches,
13 decks, elevators, stairwells, and canopies.

14

15 Footcandle means a unit of measure expressing the quantity of light received on a surface
16 (assumed to be a horizontal plane unless otherwise specified), and measurable with an
17 illuminance meter (i.e., light meter).

18

19 Full-cutoff fixture means a luminaire from which no light is emitted at or above a
20 horizontal plane drawn through the lowest light-emitting portion of the luminaire and no more
21 than 10% of the lamp's intensity is emitted at or above an angle 10° below that horizontal plane,
22 at all lateral angles around the luminaire. A full-cutoff luminaire, by definition, is also "fully
23 shielded."

24

25 Glare means excessive brightness in the field of view that causes visual discomfort or
26 reduced visibility.

27

28 Illuminance means a quantity of incident light, measured in footcandles.

29

30 Light pollution means any adverse effect of artificial light including, but not limited to,
31 glare, light trespass, skyglow, energy waste, and impacts on the nocturnal environment.

32

33 Light trespass means light emitted by a luminaire that is cast beyond the boundaries of
34 the property on which the luminaire is sited.

35

36 Luminaire means a complete lighting unit (i.e., fixture), consisting of a lamp, or lamps
37 and ballast(s) when applicable, together with the parts designed to distribute the light (e.g.,
38 reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power
39 supply.

40

41 Maximum Uniformity Ratio means the maximum level of illuminance in relation to the
42 minimum level of illuminance for a given area. For example, a maximum uniformity ratio of
43 10:1 means that for a given area, the minimum level of illuminance shall be no less than 10
44 percent of the maximum level of illuminance.

1
2 Pole height means the vertical distance measured from the average grade level on the
3 ground to the base of the luminaire.
4

5 Shielded fixture means a luminaire that includes an adjustable mounting device allowing
6 aiming in any direction and contains a shield, louver, visor, or baffle to reduce direct view of the
7 lamp.
8

9 Uniformity Ratio means the average level of illuminance in relation to the minimum level
10 of illuminance for a given area. For example, a uniformity ratio of 4:1 means that for a given
11 area, the minimum level of illuminance shall be no less than 25 percent of the average level of
12 illuminance.
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14 **Section 2.** Subsection 30-93(e) of the Land Development Code is deleted in its entirety.

15 The remainder of Section 30-93 remains in full force and effect.

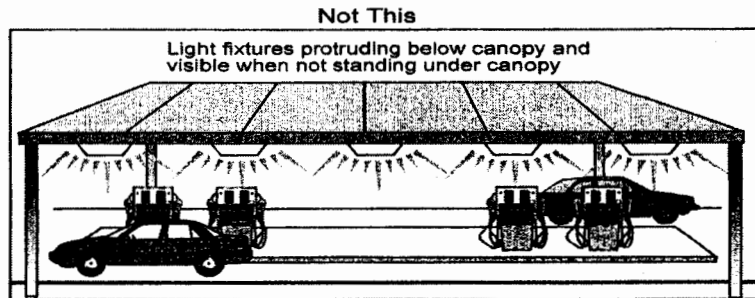
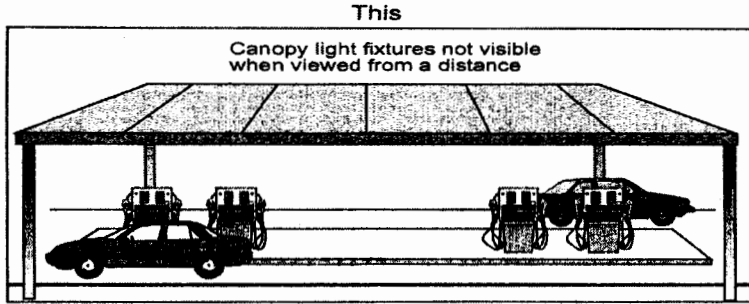
16 **Sec. 30-93. – Gasoline and alternative fuel service stations (GN-554), and food stores (MG-**
17 **54) with accessory gasoline and alternative fuel pumps.**

18 (e) ~~Lighting.~~ The requirements for lighting are as follows:

19 ~~(1) Remote areas. Areas on the apron away from the gasoline pump islands, used for~~
20 ~~parking or vehicle storage, shall be illuminated in accordance with the requirements for~~
21 ~~parking areas as set forth in section 30-330(a)(4).~~

22 ~~(2) Areas around pump islands. Areas within six feet of a pump island or under canopies~~
23 ~~shall be designed to maintain a minimum average horizontal illuminance of at least 2.0~~
24 ~~footeandles and a maximum average of no more than ten footeandles. The uniformity ratio~~
25 ~~(ratio of average to minimum illuminance) shall be no greater than 5:1. The above lighting~~
26 ~~must be delineated on a photometric plan.~~

27 ~~(3) Fixtures. Light fixtures mounted on or under canopies shall be full cut-off~~
28 ~~classification as defined by the IESNA, or recessed so that the lens cover is flush with the~~
29 ~~bottom surface (ceiling) of the canopy.~~



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Figure 1. Canopy Lighting

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(NOTE TO CODIFIER: Delete the above two graphics that comprise Figure 1.)

5

~~(4) Alternatives. As an alternative or supplement to recessed lights, indirect lighting may be used where light is aimed at the underside of the canopy and reflected back down. In this case the light fixtures must be shielded so that all direct illumination is focused exclusively on the underside of the canopy.~~

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~~(5) Prohibited lights. Lights shall not be mounted on the top or sides of the canopy when not part of a permitted sign, and the sides (fascias) of the canopy shall not be illuminated, unless the illumination is part of a permitted sign.~~

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~~(6) The submittal requirements of section 30-160(d), Land Development Code, shall be met.~~

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Section 3. Section 30-114 of the Land Development Code is amended to read as follows:

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Sec. 30-114. – Off-site parking facilities for uses in MU-1 or MU-2 districts.

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Off-site parking facilities for uses permitted by right in MU-1 or MU-2 zoning districts shall be by special use permit under the following conditions, as determined by the appropriate reviewing board:

- (a) The MU-1 and MU-2 use must be permitted by right and contain at least one dwelling unit. The special use permit shall be revoked if all dwelling units are discontinued.
- (b) The parking facility must be located within 300 feet of the main entrance of the principal structure (measured to the nearest point of the parking facility).
- (c) The parking facility shall be composed of surface parking areas only.
- (d) Parking facilities shall not replace an existing building unless the city manager or designee determines the building is in a dilapidated condition.
- (e) Parking facilities shall be accessed by a local, collector or arterial street. Access from local streets shall only be permitted if it is determined that the proposed access is the safest and most appropriate.
- (f) Fifty percent of the parking shall be unpaved unless otherwise approved.
- (g) Parking facilities located adjacent to or directly opposite residential development, land zoned for residential development, or public right-of-way shall be:
 - (1) Separated by a perimeter landscaped area at least nine feet in width;
 - (2) Completely screened by an appropriate screening material such as masonry, vegetation or wood to obtain a minimum 95 percent opacity at time of installation. The minimum height for the screening shall be four feet. The types of screening material required shall be based on the compatibility of the material with the overall character of the neighborhood.
- (h) The following design requirements shall apply:
 - (1) Landscape plans shall be signed and sealed by a landscape architect registered in the State of Florida.
 - (2) The interior landscaping requirements for vehicular use areas shall be met according to Section 30-252 of the land development code.
 - (3) Where a fence is required or proposed it must be set back to allow vegetation to be placed along the street side completely on private property. In certain circumstances some landscaping may be allowed in the public right-of-way with the approval of affected city departments provided there will be no obstruction to pedestrian, vehicle or utility access or the efficient operation of the adjacent transportation system.
 - (4) Fencing shall be designed to include vertical projections such as pickets every ten linear feet. Vertical projection heights should be varied or the fence top line should be scalloped.
- ~~(e)~~(i) Sidewalks and appropriate pedestrian street-crossing facilities shall be provided where it is determined that the volume of traffic warrants such crossings.

1 ~~(f) Adequate lighting shall be provided to ensure safe use of the parking facility.~~
 2 ~~Lighting shall be designed to ensure it does not create a nuisance to existing uses.~~
 3 ~~Lighting shall be strategically located to provide the required lighting intensity~~
 4 ~~without creating glare and direct illumination to adjacent properties. In historic~~
 5 ~~districts carriage lamps and pedestrian level street lamps are encouraged.~~

6 ~~(g)~~(j) Existing natural vegetation may be used to satisfy or complement the required
 7 screening and buffering.

8 ~~(h)~~(k) The minimum lot size for the parking facility shall be based on the ability of the
 9 parcel to accommodate proposed parking and all landscaping and screening
 10 requirements.

11
 12 **Section 4.** Subsection 30-160(d)(33) of the Land Development Code is deleted in its
 13 entirety. The remainder of Subsection 30-160(d) remains in full force and effect.

14 **Sec. 30-160. - Submittal requirements.**

15
 16 (d) *Preliminary development plan.* Each preliminary development plan shall include the
 17 following:

18 ~~(33) — A photometric plan. For all development plans requiring development plan review~~
 19 ~~by a reviewing board, the plan shall be certified by a registered architect or engineer, or lighting~~
 20 ~~professional holding a current LC (lighting certification) from the National Council on~~
 21 ~~Qualifications for the Lighting Profession (NCQLP), as providing illumination in accordance~~
 22 ~~with the applicable standards set forth in sections 30-330(a)(4) and 30-345(b)(8) and (9). For~~
 23 ~~development plans requiring staff review only, the city manager or designee shall determine~~
 24 ~~whether such a lighting plan is required. Plans shall indicate the location, height and types of~~
 25 ~~lights (manufacturer's catalog cut, including make and model numbers and glare~~
 26 ~~reduction/control devices), footcandle grid to illustrate light levels required, uniformity ratio,~~
 27 ~~lamp wattage, shades, deflectors, beam direction, luminous area for each source of light and a~~
 28 ~~statement of the proposed hours when the luminaries will be on and when they will be~~
 29 ~~extinguished.~~

30 **Section 5.** Subsection 30-307(a)(3) of the Land Development Code is amended to read
 31 as follows:

32 **Sec. 30-307. – Nature park and public conservation/preservation areas district.**

33
 34 (a) *Application and administration.*

35
 36 (3) *Requirements and procedures.*

- 1 a. *Development plan requirements.* Refer to Article VII, pertaining to
- 2 development plan review process.
- 3 b. ~~*Building and lighting*~~ *Height limits.*
- 4 1. Maximum building height: 35 feet.
- 5 2. ~~Maximum lighting height: 45 feet.~~
- 6 3. Maximum transmitter tower height: 80 feet.
- 7 ~~e. *Exterior lighting control.* All exterior lighting shall be shielded or~~
- 8 ~~directed away from the park. No exterior lighting shall cause~~
- 9 ~~illumination in excess of four tenths footcandle measured at the~~
- 10 ~~park boundary. Buildings shall not be externally illuminated on the~~
- 11 ~~faces fronting the park, except that exterior lighting of building~~
- 12 ~~entrances, exits or loading docks is permitted. Downlights shall be~~
- 13 ~~used for area lighting instead of full globe lights or any similar~~
- 14 ~~type of light which illuminates in all directions.~~
- 15 ~~dc.~~ *Stormwater control.* Refer to section 30-270.
- 16 ~~ed.~~ *On-site transfer of development intensity and density.* In order to
- 17 protect nature parks and public conservation/preservation areas,
- 18 development intensity and density for building areas may be
- 19 transferred from areas near the park to areas remote from the park
- 20 within the same property or adjacent property under same
- 21 ownership and zoning category.
- 22 ~~f e.~~ *Buffer/Fencing.* In order to avoid encroachment by invasive exotic
- 23 plants, pets, livestock and fowl, and yard or trash debris, new
- 24 development on parcels larger than 2 acres or new subdivisions
- 25 must leave a buffer at least 25 feet in width extending from the
- 26 boundary of the nature park and public conservation/preservation
- 27 area to be left in a generally undisturbed native plant condition.
- 28 Buffers must remain common open space or within the boundaries
- 29 of a single lot or parcel. As an alternative to the buffer
- 30 requirement, where sufficient justification is presented (such as,
- 31 but not limited to, hardship due to configuration of the property,
- 32 the extensive presence of invasive exotic plants or a need to
- 33 confine pets) and approved at the time of development review, new
- 34 development adjacent to a nature park and public
- 35 conservation/preservation area may be allowed to install and
- 36 maintain a fence along the property boundary between the nature
- 37 park and public conservation/preservation area and the
- 38 development area.
- 39

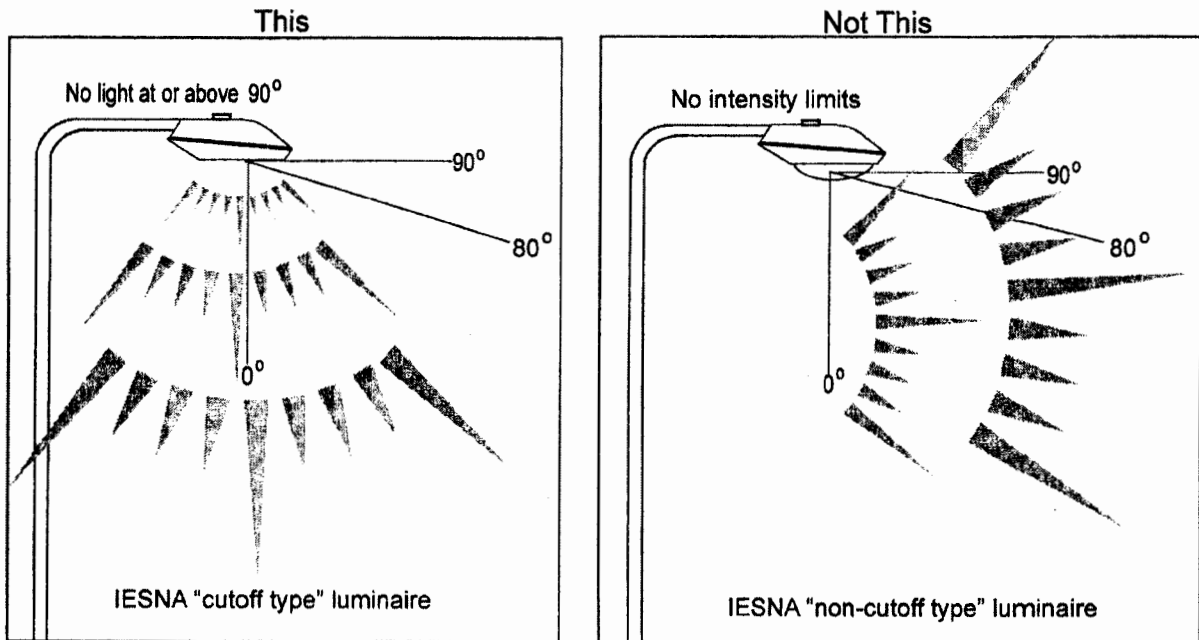
40 **Section 6.** Subsection 30-330(a)(4) of the Land Development Code is deleted in its

41 entirety. The remainder of Subsection 30-330(a) remains in full force and effect.

42 **Sec. 30-330. - Design requirements for vehicle parking.**

1 (a) *Off-street parking.* Off-street vehicle parking, including public parking facilities, shall be
 2 designed, constructed and maintained in accordance with the following standards and
 3 regulations:

4 ~~(4) *Lighting.* All off street parking facilities shall be continuously lighted after dark~~
 5 ~~throughout the hours that they are in use by the public. Such lighting shall be designed to~~
 6 ~~maintain an average horizontal illuminance not to exceed 2.5 footcandles, and a minimum~~
 7 ~~horizontal illuminance of 0.5 footcandles. The uniformity ratio (ratio of average to~~
 8 ~~minimum illuminance) shall be no greater than 5:1, and the maximum to minimum~~
 9 ~~uniformity ratio shall be no greater than 15:1. Multiple family dwellings must provide~~
 10 ~~parking area lighting sufficient to light the area for pedestrians entering and exiting the~~
 11 ~~parking area. All other uses and development, shall, at a minimum, meet the standards~~
 12 ~~provided in the "IESNA Lighting Handbook: Recommended Maintained Illuminances for~~
 13 ~~Open and Covered Parking Facilities, Latest Edition (hereinafter IESNA)" for pedestrian~~
 14 ~~safety. All lighting fixtures serving parking lots shall be full cut off fixtures as defined by~~
 15 ~~IESNA. Cut off type (as defined by the IESNA) decorative light fixtures of either~~
 16 ~~pedestrian or intermediate height (such as Washington globe, lantern, pendant, or other such~~
 17 ~~decorative fixtures) may be allowed by the appropriate reviewing board, or city manager or~~
 18 ~~designee for development plans requiring only staff review. A photometric plan shall be~~
 19 ~~provided in compliance with section 30-160(d). Parking lot lighting locations shall not be in~~
 20 ~~conflict with required trees or any existing trees required to remain on the property. The~~
 21 ~~maximum height of fixtures shall not exceed 30 feet, except as regulated by an adopted~~
 22 ~~special area plan or other applicable regulations.~~



24
 25 Figure 1. Full Cut-Off Fixture

1 (NOTE TO CODIFIER: Delete the above two graphics that comprise Figure 1.)

2 ~~Transformer boxes or utility poles should not be located within required parking lot landscape~~
 3 ~~islands. Where transformer boxes or utility poles are located within such islands, the island~~
 4 ~~should be designed so the required tree will still have the minimum of 140 square feet.~~
 5

6 Section 7. A new Section 30-344 is created and added to the Land Development Code.

7 **Sec. 30-344. – Outdoor lighting.**

8
 9 (a) Purpose.

10
 11 (1) To provide regulations for outdoor lighting that will:

- 12
 13 a. Protect and promote the public health, safety, and welfare;
 14 b. Promote safety and security in vehicular use areas;
 15 c. Protect neighbors, the environment, and the night sky from adverse
 16 lighting impacts such as light pollution, light trespass, glare,
 17 excessive lighting, and offensive light sources; and
 18 d. Promote energy and resource efficient lighting.

19
 20 (b) Applicability. All outdoor lighting uses within the City including, but not limited
 21 to, multi-family residential, commercial, industrial, public and private recreational
 22 and institutional uses, architectural, and landscape lighting.

23
 24 (c) Exemptions.

- 25
 26 (1) Properties with a single-family or two-family dwelling.
 27 (2) Lighting for public rights-of-way, public streets, and approved private
 28 streets.
 29 (3) Lighting necessary for emergency equipment and work conducted in the
 30 interests of law enforcement, fire rescue, storm debris clean-up or other
 31 similar public safety efforts.
 32 (4) Lighting for construction, renovation, or repair of roads and utilities.
 33 (5) Temporary general construction lighting, which shall be regulated in
 34 accordance with building construction standards and shall be valid during
 35 the active period of a building permit.
 36 (6) Holiday decorative lighting.
 37 (7) Sign lighting, which is regulated elsewhere in this Land Development
 38 Code.
 39 (8) Lighting required by federal or state laws or regulations.

40
 41 (d) General requirements.
 42

(1) Luminaire design and operation.

- a. For the lighting of predominately horizontal surfaces such as, but not limited to, parking areas, recreational areas, and building entrances, luminaires shall be full-cutoff fixtures and shall be aimed downwards.
- b. For the lighting of predominately non-horizontal surfaces such as, but not limited to, facades, landscaping, fountains, displays, and statuary, luminaires shall be shielded and shall be installed and aimed so as to not project output past the object being illuminated, skyward, onto a public roadway, or onto adjacent uses.
- c. Lighting shall be designed, located, aimed, shielded, and maintained so as to minimize light pollution.
- d. Luminaires shall consist of lighting at least as energy and resource efficient as high performance LED lighting.
- e. Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automaton system or lighting energy management system, all with battery or similar backup power. Automatic lighting controls are not required for the interior of parking structures.
- f. Vegetation and landscaping may be required to control glare and light trespass; however, vegetation screens shall be planted and maintained in a manner that does not obstruct security lighting. Where landscaping is used for light screening, it shall be in addition to the applicable landscaping requirements listed in Article VIII of the Land Development Code. During development plan review, the Technical Review Committee shall determine whether existing vegetation is adequate to meet the required screening needs or whether additional light screening vegetation is necessary to supplement the existing standards of Article VIII.
- g. The use of search lights, lasers, lighting or lights that pulse, flash, rotate or simulate motion for advertising or promotions is prohibited. No exceptions or waivers shall be permitted.

(2) Pole height.

- a. Except as otherwise regulated by this section, the height of luminaires shall not exceed 30 feet.
- b. During approval of a development plan, building permit or special use permit, the appropriate reviewing board, city manager or designee may permit by special exception pole heights up to 50 feet provided the following conditions are met:

1. The development for which the special exception is requested has a total floor area of 100,000 square feet or greater;
2. Any property adjacent to the property for which a special exception is requested has a zoning that allows a similar use; and
3. The special exception is requested for an area that is greater than 75 feet from any adjacent property that either contains a residential dwelling or that has a residential zoning district classification as established by section 30-41.

In granting the special exception, the city may impose any reasonable conditions, restrictions or limitations to preserve and promote the purpose and intent of this section.

(3) Illumination standards.

- a. Lighting shall have illuminances, uniformities and glare control in accordance with the published standards of the Illuminating Engineering Society of North America (IESNA).
- b. Except as follows, light trespass onto adjacent property shall not exceed 1.0 footcandles measured line-of-sight from any point on the receiving property.
 1. Residential property. Light trespass onto any adjacent property that either contains a residential dwelling or that has a residential zoning district classification as established by section 30-41 shall not exceed 0.5 footcandles measured line-of-sight from any point on the receiving property.
 2. Nature parks. Light trespass onto any adjacent nature park shall not exceed 0.4 footcandles measured line-of-sight from any point on the receiving nature park.

(e) Specific requirements.

In addition to the general requirements applicable to all outdoor lighting uses, this subsection outlines additional requirements for the following specific outdoor lighting uses or areas. If provisions in this subsection conflict with any of the general requirements, the provisions in this subsection shall prevail.

- (1) Recreational lighting. Lighting for outdoor recreational uses (including pole heights) may be designed in accordance with the published standards of the Illuminating Engineering Society of North America (IESNA).

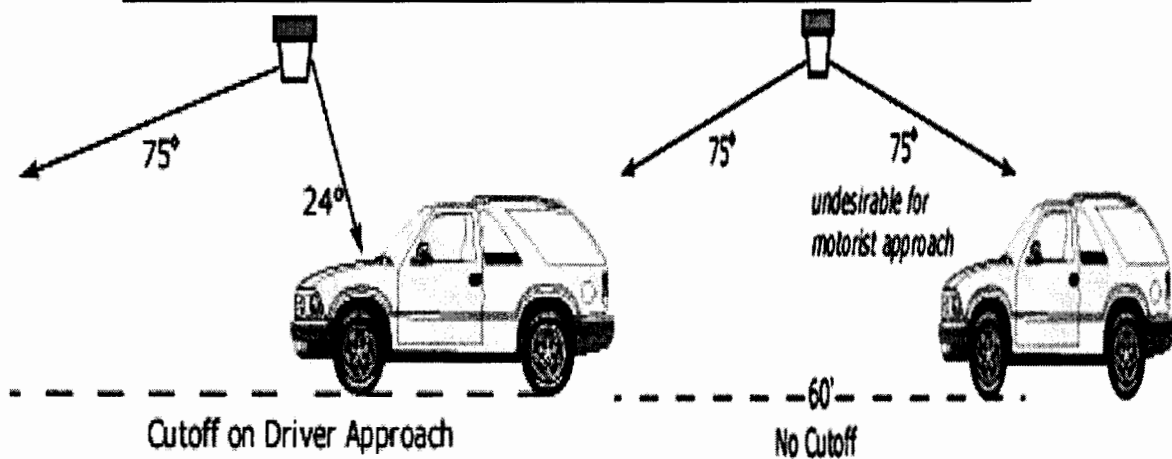
- 1 (2) Nature parks. Buildings shall not be externally illuminated on any vertical
2 faces fronting a nature park.
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- 4 (3) Building exteriors. Lighting provided for the general security of areas
5 such as, but not limited to, building entrances, stairways, ramps and main
6 walkways shall not exceed an average horizontal illuminance of 5
7 footcandles at ground level, a uniformity ratio of 6:1, a maximum
8 uniformity ratio of 10:1, and an average vertical illuminance of 0.2
9 footcandles measured 5 feet above the height of the luminaire.
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- 11 (4) Parking lots.
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- 13 a. Lighting shall be uniform throughout the parking lot, with no dark
14 patches or pockets, for safety and identification of features.
15 b. Luminaire locations shall not be in conflict with existing and
16 proposed landscaping.
17 c. Except as provided in the next subsection, lighting shall maintain a
18 minimum horizontal illuminance of 0.5 footcandles at ground level
19 and shall not exceed an average horizontal illuminance of 2.5
20 footcandles, a uniformity ratio of 5:1, and a maximum uniformity
21 ratio of 15:1.
22 d. Parking lots within 75 feet of any adjacent property that either
23 contains a residential dwelling or that has a residential zoning
24 district classification as established by section 30-41 shall meet the
25 following requirements:
26
- 27 1. Luminaires shall be full-cutoff fixtures from which no light
28 is emitted at or above an angle of 80° from the pole;
29 2. The height of luminaires shall not exceed 15 feet; and
30 3. Lighting shall maintain a minimum horizontal illuminance
31 of 0.2 footcandles at ground level and shall not exceed an
32 average horizontal illuminance of 1.0 footcandles, a
33 uniformity ratio of 5:1, a maximum uniformity ratio of
34 10:1, and an average vertical illuminance of 0.1 footcandles
35 measured 5 feet above the height of the luminaire.
36
- 37 e. Multiple-family residential developments shall have additional
38 lighting at the entrance and exit points of parking lots sufficient to
39 light the area for pedestrians entering and exiting the parking area.
40 Lighting levels at entrances and exits shall maintain a minimum
41 horizontal illuminance of 1.0 footcandles at ground level.
42 f. Lighting shall be provided in accordance with this section
43 throughout the nighttime hours of operation and/or use by the
44 public of a business or facility. However, lighting shall be
45 automatically extinguished no later than one hour after the close of

business or facility operation and/or use by the public. After-hours security lighting may be permitted when such lighting does not exceed fifty (50) percent of the number of luminaires or the illumination level required or permitted during regular nighttime operation hours.

(5) Parking structures.

- a. Applicability. These standards for parking structures shall apply to any multilevel parking structure and any floor of a building, including but not limited to the first floor and/or basement level, used for parking or storage of vehicles. However, when either the top floor of a building used for parking or storage of vehicles or the top floor of a multilevel parking structure is uncovered and open to the sky, said floor shall be regulated in accordance with the standards for parking lots but shall have luminaires that do not exceed a height of 15 feet.
- b. Luminaires shall be full-cutoff, semi-cutoff and/or refractor High Intensity Discharge (HID) fixtures. The exact type, configuration and placement of luminaires shall be designed to prevent glare, cavern effect and to facilitate vertical illumination of the floor so that drivers are able to discern objects within the facility. Designs shall attain a cutoff angle of 24° to 38° on driver approach and 60° to 75° on driver retreat as shown in Figure 1.
- c. Lighting intensities for all floors, ramps, entrance/exit areas, and stairways shall be as listed in Table 1.

Figure 1 – Transverse Lighting Coverage
Transverse Coverage and Cutoff based on 8 foot Mounting Height



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Table 1:

	<u>Minimum Horizontal Illuminance (footcandles)</u>	<u>Maximum Uniformity Ratio</u>	<u>Minimum Vertical Illuminance* (footcandles)</u>
<u>Basic per floor</u>	<u>1</u>	<u>10:1</u>	<u>.5</u>
<u>Ramps Day</u>	<u>2</u>	<u>10:1</u>	<u>1</u>
<u>Ramps Night</u>	<u>1</u>	<u>10:1</u>	<u>.5</u>
<u>Entrance Areas Day</u>	<u>50</u>	-	<u>25</u>
<u>Entrance Areas Night</u>	<u>1</u>	<u>10:1</u>	<u>.5</u>
<u>Stairways</u>	<u>2</u>	-	<u>1</u>
<u>*Measured facing the drive aisle at 5 feet above the parking surface at the point of the lowest horizontal illuminance.</u>			

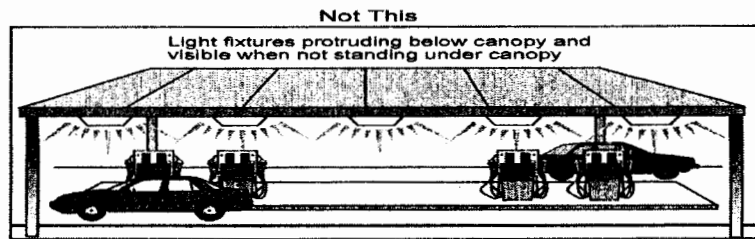
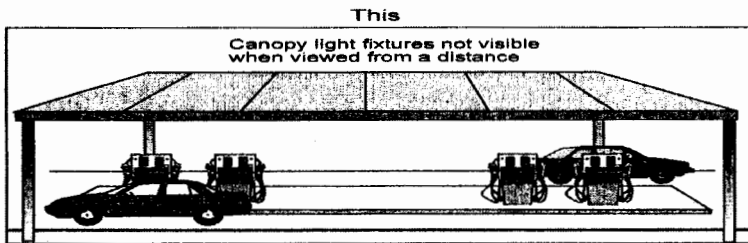
(6) Canopy lighting.

- a. Luminaires mounted on or under canopies shall be full-cutoff fixtures, or recessed so that the lens cover is flush with the bottom surface (ceiling) of the canopy as demonstrated in Figure 2. Lighting may also be shielded by fixtures or the edge of the canopy so that light is restrained to 85° or less from vertical as shown in Figure 2.
- b. Lighting within six feet of the canopy shall maintain a minimum horizontal illuminance of 2.0 footcandles at ground level and shall not exceed an average horizontal illuminance of 10 footcandles, a uniformity ratio of 5:1, and a maximum uniformity ratio of 6:1.
- c. Indirect lighting where light is aimed upward at the underside of the canopy and reflected back down from the underside of the canopy may be used when luminaires are shielded so that all direct illumination is focused exclusively on the underside of the canopy and when the average vertical illuminance does not exceed 0.5 footcandles at 5 feet above the canopy level.
- d. Luminaires shall not be mounted on the top or sides (fascias) of the canopy when not part of a permitted sign. The sides (fascias) of the canopy shall not be illuminated in a manner other than that prescribed under the section of the Land Development Code regulating signs.

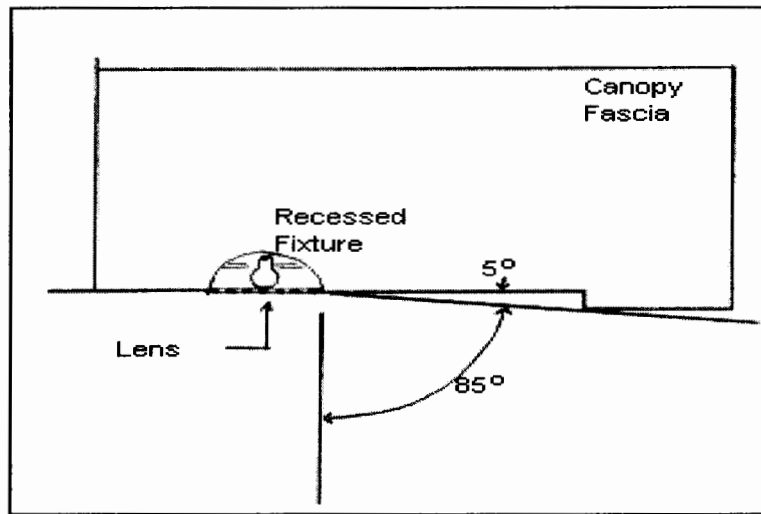
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e. Lighting shall be provided in accordance with this section throughout the nighttime hours of operation and/or use by the public of a business or facility. However, lighting shall be automatically extinguished no later than one hour after the close of business or facility operation and/or use by the public. After-hours security lighting may be permitted when such lighting does not exceed fifty (50) percent of the number of luminaires or the illumination level required or permitted during regular nighttime operation hours.

Figure 2 – Canopy Lighting



13



14

1
2 (f) Lighting plan submission. Lighting plans demonstrating compliance with the
3 requirements of this section shall be submitted to the technical review committee
4 for review and approval for development plan review, a building permit, and
5 special use permit applications. Lighting plans shall be certified by a registered
6 architect, engineer, or lighting professional holding a current lighting certification
7 (LC) from the National Council on Qualifications for the Lighting Profession
8 (NCQLP) as providing illumination in accordance with the applicable standards
9 of this section and shall include the following information:

- 10
11 (1) A brief written narrative, with accompanying plan or sketch, which
12 demonstrates the objectives of the lighting.
13 (2) A statement of the proposed hours when the luminaires will be on and
14 when they will be extinguished.
15 (3) A layout of all existing and proposed luminaires by type, location,
16 mounting height, aiming direction, orientation, lamp, and photometry.
17 (4) Description of the proposed equipment, including luminaire catalog cuts,
18 glare reduction devices, lamps, lamp color temperature, on/off control
19 devices, mounting heights, mounting methods, pole foundation details,
20 and pole protection means.
21 (5) Manufacturer specification sheets, cut-sheets or other manufacturer-
22 provided information for all existing and proposed luminaires, including
23 designation as full-cutoff fixtures if applicable and/or required.
24 (6) Photometric data and drawings to illustrate how light sources are shielded
25 to prevent spillover lighting and how the aiming of lights will prevent light
26 trespass and glare to drivers, pedestrians, adjacent properties, and the night
27 sky.
28 (7) An illustration showing lighting levels (illuminance in footcandles),
29 uniformity ratios, lamp wattages, shades, deflectors, beam directions, and
30 luminous areas for each source of light.
31 (8) A photometric grid showing footcandle readings every 10 feet within the
32 property or site, and 25 feet beyond the property lines, plotted out to 0.0
33 footcandles. The map or grid shall be drawn to a scale acceptable to the
34 City Manager or designee, but in no instance to a scale smaller than one
35 inch equals 100 feet. Iso-footcandle contour line style plans are also
36 acceptable.
37 (9) Landscaping information demonstrating that the site lighting and existing
38 and proposed landscaping have been coordinated to minimize conflict
39 between vegetation and intended light distribution, both initially and at
40 vegetation maturity.
41 (10) A description of adjacent properties that may be adversely impacted by the
42 lighting. The lighting plan may require the inclusion of illuminance
43 values on specific adjacent properties (e.g. adjacent properties with
44 residential dwellings).

1 (11) For parking structures, the lighting plan shall include the following
 2 additional information:

- 3
- 4 a. Minimum horizontal and vertical lighting intensities for each floor,
 5 floor ramps, entrance areas and stairways. Data may be requested
 6 for certain daylight periods.
- 7 b. Uniformity ratios and maximum uniformity ratios for each floor,
 8 floor ramps, entrance areas and stairways. Data may be requested
 9 for certain daylight periods.
- 10 c. The cutoff angles on driver approach and retreat.
- 11 d. Any cavern effects from light shielding.

12

13 (g) *Waivers.* During approval of a development plan, building permit or special use
 14 permit, the appropriate reviewing board, city manager or designee may permit a
 15 waiver for one or more of the requirements of this section. An applicant
 16 requesting a waiver shall submit a lighting plan as described in this section and
 17 the appropriate reviewing board, city manager or designee may have the request
 18 and lighting plan reviewed, at the applicant's expense, by a registered architect,
 19 engineer, or lighting professional holding a current lighting certification (LC)
 20 from the National Council on Qualifications for the Lighting Profession
 21 (NCQLP). The appropriate reviewing board, city manager or designee may permit
 22 a waiver only when an applicant demonstrates that:

- 23
- 24 (1) The requested waiver is consistent with and promotes the purpose and
 25 intent of this section;
- 26 (2) The applicant otherwise meets the requirements of this section;
- 27 (3) A unique situation or hardship exists as a result of conditions peculiar to
 28 the property and not due to the actions of the applicant; and
- 29 (4) The requested waiver is necessary to ensure compatibility and consistency
 30 with the surrounding properties.

31

32 In granting a waiver, the appropriate reviewing board, city manager or designee
 33 may impose any reasonable conditions, restrictions or limitations to preserve and
 34 promote the purpose and intent of this section.

35

36 (h) *Nonconforming luminaires and lighting.* Any luminaire or lighting installation
 37 lawfully existing on December 20, 2012, that does not conform with the
 38 requirements of this ordinance shall be deemed legally nonconforming.

- 39
- 40 (1) A nonconforming luminaire or lighting installation shall be made to
 41 conform with the requirements of this section when:
- 42
- 43 a. Minor corrective action, such as re-aiming or shielding, can
 44 achieve conformity with the applicable requirements of this
 45 section;

- 1 b. 50% or more of the existing luminaires on a property are replaced;
- 2 c. The number of existing luminaires on a property is increased by
- 3 50% or more; or
- 4 d. The city manager or designee deems the nonconforming luminaire
- 5 or lighting installation a safety hazard.
- 6
- 7 (2) A development that becomes nonconforming with this section due to a
- 8 change in operational hours from daytime only to include nighttime
- 9 operation shall be required to comply with these regulations within ninety
- 10 (90) days of the effective date of the change.
- 11

12 **Section 8.** Subsections 30-345(b)(8) and 30-345(b)(9) of the Land Development Code
 13 are deleted in their entirety. The remainder of Subsection 30-345(b) remains in full force and
 14 effect.

15 **Sec. 30-345. - General performance standards.**

16 (b) Showing of probable compliance. Uses and activities required to comply with this section
 17 shall make a showing of probable compliance with the performance standards described in this
 18 section. This showing shall be in the form of a letter submitted with a zoning compliance permit
 19 or development plan, as applicable, prepared by a professional engineer licensed by the State of
 20 Florida, certifying that the use or activity [complies] with all performance standards described in
 21 this section.

22 ~~(8) *Lighting.* Any light installation which provides for re-aiming of the fixture shall be~~
 23 ~~aimed in compliance with this section.~~

24 ~~a. *Light trespass and glare.* Any development adjacent to a residential use shall not~~
 25 ~~create light trespass of more than 0.5 footcandles measured perpendicularly from the~~
 26 ~~light source at a distance of 25 feet from the property line. Any light trespass onto~~
 27 ~~adjacent non-residential properties shall not exceed 1.0 footcandle measured~~
 28 ~~perpendicularly from the light source at a distance of 25 feet from the property line.~~
 29 ~~Roadway lighting is exempt from light trespass requirements. Directional luminaires~~
 30 ~~such as floodlights, spotlights, sign lights and area lights shall be so installed and~~
 31 ~~aimed that they illuminate only the task intended and that the light they produce does~~
 32 ~~not shine directly onto neighboring properties or roadways. Building facade lighting,~~
 33 ~~sports lighting and other applications using floodlights shall have glare shielding~~
 34 ~~(external or internal shields) to prevent light trespass and light pollution. All lighting~~
 35 ~~shall be designed, hooded or shielded to direct light so that no illumination source or~~
 36 ~~glare creates a nuisance to any adjoining property or unreasonably interferes with the~~
 37 ~~lawful use and enjoyment of any adjoining property.~~

38 ~~b. *Exterior lighting.* Lighting which is provided for the security of areas such as, but~~

1 ~~not limited to, building entrances, stairways, ramps and main walkways or for a~~
 2 ~~permitted outdoor use of land (such as ball parks) shall not under any circumstances~~
 3 ~~exceed a maximum average maintained illumination of 25 footcandles at ground level,~~
 4 ~~and uniformity ratio of 6:1. Exterior wall mounted lighting shall be full cut-off~~
 5 ~~fixtures (as defined by IESNA). The maximum lighting intensity permitted for the~~
 6 ~~security of the areas described above, for permitted outdoor land uses, or pole heights,~~
 7 ~~other than those located in off street parking facilities, may be increased by the~~
 8 ~~appropriate reviewing board through site plan review, or the board of adjustment by~~
 9 ~~obtaining a special exception if site plan review is not required, provided that the~~
 10 ~~applicant establishes that such an increase meets the following standards: a. the~~
 11 ~~increase in intensity is reasonably required for security purposes for the use or for~~
 12 ~~conducting the permitted outdoor use; b. the increase in intensity will not result in a~~
 13 ~~nuisance to adjoining properties and does not interfere with the lawful use and~~
 14 ~~enjoyment of adjoining properties; and c. necessary screening will be erected or exists~~
 15 ~~and maintained to reduce the impact of the increase in intensity on adjoining~~
 16 ~~properties.~~

17 ~~e.—Outdoor recreational lighting. Lighting installations for outdoor recreational uses~~
 18 ~~(including pole heights) shall be designed in accordance with IESNA standards, as~~
 19 ~~outlined in report number RP 6-88, or any update thereto.~~

20 ~~d.—Height. The maximum height of light fixtures, except as otherwise regulated by~~
 21 ~~this section, shall not exceed 30 feet.~~

22 ~~(9) Light pollution. All building lighting for security or aesthetics will be fully cut-off~~
 23 ~~type, not allowing any upward distribution of light.~~

24
 25 **Section 9.** Section 30-345.1 of the Land Development Code is deleted in its entirety.

26 **~~Sec. 30-345.1. Nonconforming luminaires.~~**

27 ~~All lamps, light fixtures and lighting systems (hereinafter "luminaires") lawfully in place prior to~~
 28 ~~February 11, 2002, shall be deemed legally nonconforming. However, if cumulatively at any~~
 29 ~~time, 50 percent or more of the existing outdoor light fixtures are replaced, or number of outdoor~~
 30 ~~light fixtures is increased by 50 percent or more, then all outdoor light fixtures shall conform to~~
 31 ~~the provisions of section 30-160, section 30-330, and section 30-345. A development plan~~
 32 ~~amendment shall be certified by a registered engineer or architect, or lighting professional~~
 33 ~~holding a current L.C. (lighting certificate) from the National Council on Qualifications for the~~
 34 ~~Lighting Profession (NCQLP). Additionally, nonconforming luminaires that direct light toward~~
 35 ~~streets or parking areas that cause glare so as to cause a public nuisance should be either shielded~~
 36 ~~or re-directed within 30 days of notification.~~

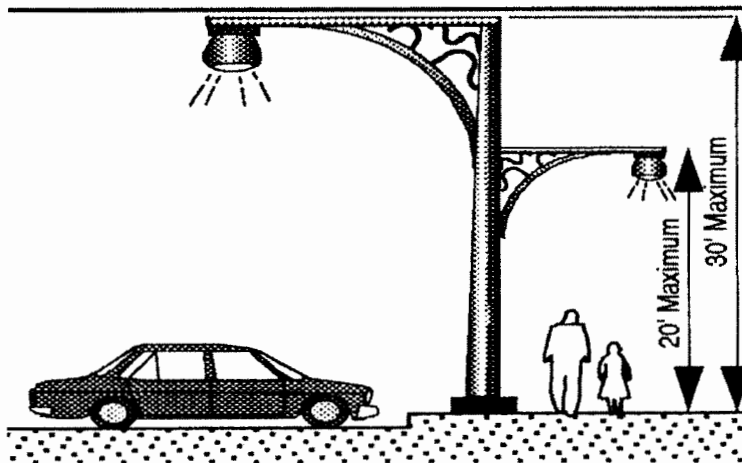
37
 38 **Section 10.** Subsection (q) of Appendix A. – Special Area Plans, Section 4. – Special
 39 Area Plan For Traditional City of the Land Development Code is deleted in its entirety. The

1 remainder of Appendix A. – Special Area Plans, Section 4. – Special Area Plan For Traditional
2 City remains in full force and effect.

3
4 (q) ~~Lighting.~~

5 (1) ~~Intent.~~ Appropriate lighting can enhance the intimate, pleasant, romantic
6 character the City seeks to promote in the Traditional City area. Lighting
7 designed for cars tends not to be human scaled and detracts from a
8 pleasant ambiance. Lights on tall structures cause light pollution by
9 easting light into areas not needed by pedestrians. In addition, the lights
10 present a poor, bleached out atmosphere as the pedestrian views an area
11 from afar, and hides the nighttime sky completely.

12 (2) ~~Standard.~~ Lighting, if installed, shall be *pedestrian style* lighting along all
13 sidewalks and around bicycle parking areas. If lighting is installed,
14 structures must be no more than 20 feet high in pedestrian-oriented and
15 parking areas and no more than 30 feet high if they are street lights. (see
16 Figure 20)
17



18 #20 Street and pedestrian lighting maximums

19
20
21 #20 Street and Pedestrian Lighting Maximums

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23 (NOTE TO CODIFIER: Delete the above graphic #20)

24
25 Building, wall, and freestanding exterior lighting fixtures shall be directed
26 downward in order to reduce glare onto *adjacent* properties and streets.

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Section 11. Subsection (d)(5)d. of Appendix A. – Special Area Plans, Section 8. –
Special Area Plan Southeast Gainesville Renaissance Initiative Area of the Land Development
Code is amended to read as follows:

d. *Lighting.* ~~Lighting shall be provided to ensure a safe environment, but shall not cause areas of light trespass or light pollution in violation of Sec.30-345. Pedestrian-scaled lighting at an appropriate height determined by the City shall be placed along the public sidewalk in the buffer area or on the edge of the sidewalk nearest to the street at a spacing no greater than eighty (80) feet. Lighting shall be located as close as possible to the center point between adjacent street trees to avoid interference by the tree canopy.~~ Lighting shall be placed along the public sidewalk buffer area or on the edge of the sidewalk nearest to the street at a spacing no greater than eighty (80) feet. Outdoor lighting shall otherwise be provided in accordance with Sec. 30-344.

Section 12. It is the intention of the City Commission that the provisions of Sections 1 through 11 of this ordinance shall become and be made a part of the Code of Ordinances of the City of Gainesville, Florida, and that the sections and paragraphs of this ordinance may be renumbered or relettered in order to accomplish such intentions.

Section 13. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

Section 14. All ordinances, or parts of ordinances, in conflict herewith are to the extent of such conflict hereby repealed.

Section 15. This ordinance shall become effective immediately upon final adoption. However, this ordinance shall not apply to any application that is filed with and determined complete by the City prior to the effective date of this ordinance.

1

2 **PASSED AND ADOPTED** this _____ day of _____, 2012.

3

4

5

6

CRAIG LOWE
MAYOR

7

8

9 ATTEST:

Approved as to form and legality

10

11

12

13 _____
KURT M. LANNON
14 CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY

15

16 This ordinance passed on first reading this _____ day of _____, 2012.

17

18 This ordinance passed on second reading this _____ day of _____, 2012.