



MEMORANDUM

Office of the City Attorney

LEGISLATIVE ITEM NO. 000516

Phone: 334-5011/Fax 334-2229
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TO: Mayor and City Commission

DATE: February 11, 2002

FROM: City Attorney

**CITY ATTORNEY
SECOND READING**

SUBJECT: Ordinance No. 0-01-34, Petition No. 147TCH-00PB

An ordinance of the City of Gainesville, Florida, relating to outdoor lighting; Providing for Intent and Purpose; amending Section 30-23(c) of the Land Development Code by adding definitions; amending Subsection 30-160(d)(33) of the Land Development Code to require a photometric plan be included as part of a preliminary development plan; amending Subsection 30-330(a)(4) of the Land Development Code setting requirements for lighting of off-street parking facilities; amending Section 30-345 of the Land Development Code setting general performance standards on lighting; creating and adding subsection 30-93(e) to the Land Development Code establishing lighting requirements for gasoline and alternative fuel service stations; creating and adding Section 30-345.1 to the Land Development Code, providing for nonconforming luminaires and a schedule for compliance; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed ordinance as revised.

COMMUNITY DEVELOPMENT STAFF REPORT

In recent years, lighting intensity has become an issue in the City of Gainesville, particularly in regards to the lighting of parking lots, gas stations and light trespass onto adjacent properties. The proposed ordinance includes more specific and enforceable standards related to site plan submittal requirements, lighting intensity levels for off street parking facilities, general performance standards related to glare, light trespass, exterior lighting, outdoor recreation and light fixture height, and specific requirements for gas stations. Many of the proposed changes are based on Illuminating Engineering Society of North America (IESNA) standards, a renowned organization in the lighting industry which maintains standards on state of the art technology and up to date research and recommendations for various lighting scenarios.

The public hearing for this petition was held at the May 29, 2000 City Commission meeting, and was approved with a 5-0 vote. Since the approval several changes were made and are included in the proposed ordinance. Some of those changes were for clarification purposes. The more substantial changes include the addition of two definitions in Section 30-23 for "luminaire" and

“Illuminating Engineering Society of North America”. Illustrations were added in Section 30-330 to illustrate a “full cut-off fixture” and in Section 30-93 to illustrate “gas station canopy lighting”. Additionally, a new section 30-345.1 was created and revised related to nonconforming luminaires.

CITY ATTORNEY MEMORANDUM

The City Commission, at its meeting of May 29, 2001, authorized the city attorney’s office to prepare and advertise the necessary ordinance amending the Land Development Code of the City of Gainesville. Staff recommends a revision to the ordinance on page 4 (as shown by italics) that would permit certain cut-off decorative light fixtures in parking areas.

Prepared and Submitted by:


Marion J. Radson, City Attorney

MJR/afm

Attachment

Passed on first reading on 1/28/02 by a vote of 4-0.