



25 **WHEREAS**, this ordinance, which was noticed as required by law, will amend the text of the Land  
26 Development Code as described herein; and

27 **WHEREAS**, the City Plan Board, which acts pursuant to the authority granted in Section 4.02 of  
28 the Charter Laws of the City of Gainesville and which acts as the Local Planning Agency pursuant  
29 to Section 163.3174, Florida Statutes, held a public hearing on May 25, 2023, and voted to make  
30 a recommendation to the City Commission regarding the subject of this ordinance; and

31 **WHEREAS**, at least ten days' notice has been given once by publication in a newspaper of general  
32 circulation notifying the public of this proposed ordinance and of public hearings in the City Hall  
33 Auditorium located on the first floor of City Hall in the City of Gainesville; and

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

36 **WHEREAS**, the City Commission finds that the Land Development Code text amendment  
37 described herein is consistent with the City of Gainesville Comprehensive Plan.

38 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
39 **FLORIDA:**

40 **SECTION 1.** Section 30-6.12 of the Land Development Code is amended as follows. Except as  
41 amended herein, the remainder of Section 30-6.12 remains in full force and effect.

42 **Section 30-6.12. Outdoor lighting.**

43 A. *Purpose.* To provide regulations for outdoor lighting that will:

- 44 1. Protect and promote the public health, safety, and welfare;
- 45 2. Promote safety and security in vehicular use and pedestrian use areas;
- 46 3. Protect adjacent properties, the environment and wildlife, and the night sky from adverse  
47 lighting impacts such as light pollution, light trespass, glare, excessive lighting, and  
48 offensive light sources;

- 49 4. Promote energy and resource efficient lighting;
- 50 5. Encourage the use of crime prevention through environmental design (CPTED)
- 51 fundamentals in the design of lighting installations; and
- 52 6. Promote the safety and security of pedestrians and motorists, especially at intersections,
- 53 street crossings, and mid-block crossings.
- 54 B. *Applicability.* All outdoor lighting uses within the city, including but not limited to multi-family
- 55 residential, nonresidential, public and private recreational and institutional uses,
- 56 architectural, and landscape lighting.
- 57 C. *Exemptions.*
- 58 1. Properties with a single-family or two-family dwelling.
- 59 2. Lighting for public rights-of-way, public streets, and approved private streets that are
- 60 specifically regulated by separate ordinances or other state or federal regulations.
- 61 3. Lighting necessary for emergency equipment and work conducted in the interests of law
- 62 enforcement, fire rescue, storm debris clean-up or other similar public safety efforts.
- 63 4. Lighting for construction, renovation, or repair of roads and utilities.
- 64 5. Temporary general construction lighting, which shall be regulated in accordance with
- 65 building construction standards and shall be valid during the active period of a building
- 66 permit.
- 67 6. Sign lighting as regulated in this Land Development Code.
- 68 7. Lighting required by federal or state laws or regulations.
- 69 8. Luminaires with fully shielded light sources, provided the total output of the fixture does
- 70 not exceed 1800 lumens.
- 71 9. Luminaires with diffuse lensing, provided the total output of the fixture does not exceed
- 72 900 lumens.
- 73 10. Point source, or other types of unshielded fixtures, provided the total output of the fixture
- 74 does not exceed 600 lumens.
- 75 11. Low-voltage landscape lighting, provided the lighting is shielded in such a way as to
- 76 eliminate glare and light trespass.
- 77 D. *General requirements.*
- 78 1. *Luminaire design and operation.*
- 79 a. Fixture placement, distribution, wattage, orientation, and mounting height shall
- 80 maximize the efficient and effective use of light output, and minimize light trespass,
- 81 light pollution and glare, including the projection of light skyward or beyond the
- 82 primary object being illuminated. Fixtures using directional optics and located

- 83 adjacent to property boundaries shall be oriented in such a way as to minimize glare  
84 onto adjacent properties.
- 85 b. Lighting of horizontal surfaces shall be fully shielded full-cutoff fixtures and shall be  
86 aimed downwards.
- 87 c. Lighting of non-horizontal surfaces shall be designed, installed and aimed so as not to  
88 project light output beyond the object being illuminated, skyward, onto a public  
89 roadway, or onto adjacent uses.
- 90 d. Luminaires shall consist of the most energy efficient light sources.
- 91 e. The maximum mounting height of area lighting shall not exceed 30 feet when located  
92 within 75 feet of a single-family use or single-family zoning district.
- 93 f. Sites shall not exceed an average vertical illuminance of 0.5 footcandles at a height of  
94 five feet above the mounting height of the highest luminaire. This requirement shall  
95 be provided at a parallel horizontal over the area where surface level data are  
96 provided.
- 97 g. Controls shall be provided that automatically extinguish all outdoor lighting when  
98 sufficient daylight is available. Automatic lighting controls are not required for the  
99 interior of parking structures.
- 100 h. A property owner/representative may and is encouraged to reduce any required level  
101 of lighting output by up to 50 percent of the otherwise required value after the site  
102 closes or is no longer in use for the night. Uniformity ratios shall meet the otherwise  
103 required values.
- 104 i. The placement of light poles in landscape islands is discouraged. Separate islands  
105 should be created for the placement of light poles. Poles may be placed within the  
106 perimeter and interior landscape strips in locations that avoid conflicts with existing  
107 and required trees. Notwithstanding the above, where special designs, tree  
108 separation, pole arm extensions and reduced pole heights are feasible, a pole may be  
109 placed within a landscape island after review and approval by the appropriate  
110 reviewing body.
- 111 j. Except in emergencies by police, fire, utilities, medical personnel, aircraft warning  
112 lights or for meteorological data gathering purposes, the use of exposed light sources,  
113 search lights, flood lights, lasers, lighting or lights that pulse, flash, rotate or simulate  
114 motion is prohibited. No exceptions or variances shall be permitted.

115 2. *Light trespass standards.*

- 116 a. Unless otherwise provided in this section, lighting shall have illuminances,  
117 uniformities and glare control in accordance with the published standards of the  
118 Illuminating Engineering Society of North America (IESNA).
- 119 b. Light trespass measured line-of-site at the property line of the receiving property shall  
120 not exceed the following levels:

- 121 i. 1.0 footcandles for non-residential and multi-family sites.  
122 ii. 0.5 footcandles for residential sites.  
123 iii. 0.4 footcandles for nature parks.  
124 iv. 5.0 footcandles for public and private streets.
- 125 1) *Alleys*. This standard shall be decreased to 2.0 footcandles where an alley of  
126 20 feet or less separates a receiving property that has a single-family use or  
127 zoning.
- 128 2) *Automobile dealers*. This standard shall be increased to 10 footcandles for  
129 public streets abutting automobile dealers along Main Street north of NW 16<sup>th</sup>  
130 Avenue and along NW 39<sup>th</sup> Avenue between NE 2<sup>nd</sup> Street and NE 10<sup>th</sup> Street,  
131 provided that portion of the receiving public street is at least 500 feet from  
132 any property with single-family use or zoning. Light trespass at private streets  
133 shall meet the above requirements.
- 134 E. *Specific illumination requirements*. In addition to the general requirements applicable to all  
135 outdoor lighting uses, the following requirements for specific outdoor lighting uses or areas  
136 shall apply. If provisions in this subsection conflict with any of the general requirements, the  
137 provisions in this subsection shall prevail.
- 138 1. *Recreational lighting*. Lighting for outdoor recreational uses (including mounting heights  
139 above 30 feet, where appropriate) may be designed in accordance with the published  
140 standards of the Illuminating Engineering Society of North America (IESNA).
- 141 2. *Nature parks*. Buildings shall not be externally illuminated on any vertical faces fronting a  
142 nature park.
- 143 3. *Building entrances, exteriors and site security*. Lighting shall be provided for the general  
144 security of areas, including building entrances, stairways, ramps, main walkways,  
145 dumpsters, other site accessory structures, pedestrian entrance/exit points, and vehicular  
146 use areas.
- 147 a. Lighting levels at building entrances/exits and around buildings shall not exceed an  
148 average horizontal illuminance of 5.0 footcandles at ground level, a uniformity ratio  
149 of 6:1 and a maximum uniformity ratio of 10:1.
- 150 b. Lighting levels on pedestrian walkways and at pedestrian entrances/exits of vehicular  
151 use areas of multi-family developments shall maintain a minimum horizontal  
152 illuminance of 1.0 footcandles at ground level.
- 153 c. Pedestrian walkways greater than 30 feet from the edge of a building or vehicular use  
154 area shall maintain a minimum horizontal illuminance of 0.2 footcandles at ground  
155 level.

156 d. There shall be a minimum horizontal illuminance of 1.0 footcandles at ground level  
157 within five feet of dumpsters, site accessory structures and areas that are of the type  
158 known to be prone to illicit behavior or victimization.

159 e. Unimproved areas of a site may be so defined and excluded from the lighting plan.

160 4. *Pedestrian areas.*

161 ~~a. Lighting levels in transect zones U1 to U3 and any residential development must~~  
162 ~~maintain an average horizontal illuminance of 1.8 footcandles at ground level, a~~  
163 ~~uniformity ratio of 6:1, and a maximum uniformity ratio of 10:1.~~

164 ~~b. Lighting levels in transect zones U4 to U7 and any mixed-use development must~~  
165 ~~maintain an average horizontal illuminance of 2.4 footcandles at ground level, a~~  
166 ~~uniformity ratio of 4:1, and a maximum uniformity ratio of 10:1.~~

167 ~~c. Lighting levels in transect zones U8 to DT and any commercial development must~~  
168 ~~maintain an average horizontal illuminance of 2.5 footcandles at ground level, a~~  
169 ~~uniformity ratio of 4:1, and a maximum uniformity ratio of 10:1.~~

170 a. Lighting levels for pedestrian areas in transect zones U1 to U3 and any residential  
171 development must maintain an average horizontal illuminance of 1.0 footcandles at  
172 ground level, an average uniformity ratio of 6:1 or less.

173 b. Lighting levels for pedestrian areas in transect zones U4 to DT and any mixed-use or  
174 non-residential development must maintain an average horizontal illuminance of 2.0  
175 footcandles at ground level, an average uniformity ratio of 4:1 or less, and a maximum  
176 uniformity ratio of 10:1 or less.

177 5. *Alley lighting.*

178 a. Alley lighting in residential developments must maintain an average horizontal  
179 illuminance of ~~1.2~~ 1.0 footcandles at ground level, and a ~~an~~ average uniformity ratio  
180 of ~~6:1~~ or less.

181 b. Alley lighting in mixed-use and non-residential developments must maintain an  
182 average horizontal illuminance of ~~1.8~~ 2.0 footcandles at ground level, and a ~~an~~ an  
183 average uniformity ratio of ~~6:1~~ or less and a maximum uniformity ratio of 10:1 or less.

184 ~~c. Alley lighting in commercial developments must maintain an average horizontal~~  
185 ~~illuminance of 2.4 footcandles at ground level, and a uniformity ratio of 6:1.~~

186 6. *Roadways.*

187 a. Lighting levels for roadways in transect zones U1 to U3 and any residential  
188 development must maintain an average horizontal illuminance of 0.4 footcandles at  
189 ground level, and an average uniformity ratio of 6:1 or less.

190 b. Lighting levels for roadways in transect zones U4 to DT and any mixed-use or non-  
191 residential development must maintain an average horizontal illuminance of 1.2  
192 footcandles at ground level, and an average uniformity ratio of 3:1 or less.

193 6.7. Vehicular use areas.

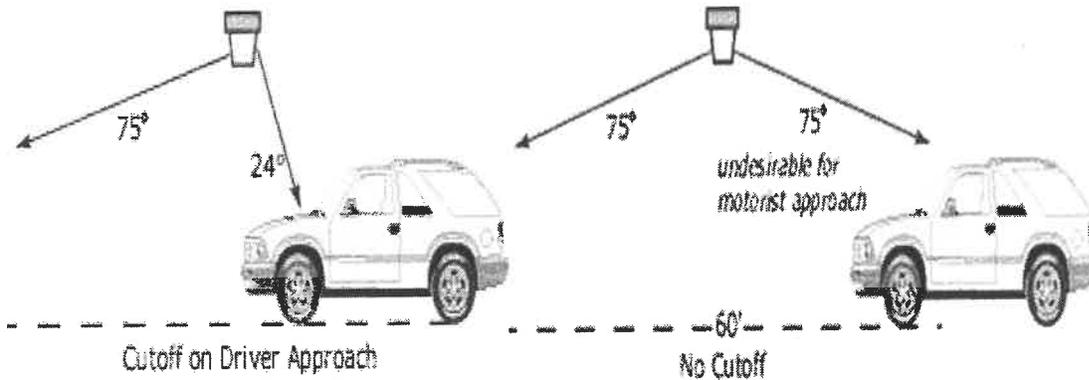
- 194 a. Lighting shall be uniform throughout the parking lot, with no dark patches or pockets,  
195 for safety and identification of features.
- 196 b. Lighting shall maintain a minimum horizontal illuminance of 0.5 footcandles at ground  
197 level and shall not exceed an average horizontal illuminance of 2.5 footcandles, a  
198 uniformity ratio of 5:1, and a maximum uniformity ratio of 15:1. An applicant may  
199 elect to use the building entrance and outdoor lighting standards on portions of  
200 vehicular use areas within 30 feet of a building.

201 7.8. Parking structures.

- 202 a. *Applicability.* These standards for parking structures shall apply to any multilevel  
203 parking structure and any floor of a building, including but not limited to the first floor  
204 and/or basement level, used for parking or storage of vehicles. However, when either  
205 the top floor of a building used for parking or storage of vehicles or the top floor of a  
206 multilevel parking structure is uncovered and open to the sky, said floor shall be  
207 regulated in accordance with the standards for parking lots but shall have luminaires  
208 that do not exceed a height of 15 feet. Where covered parking areas are restricted in  
209 depth to one vehicle length, lighting shall be provided in accordance with the building  
210 entrances, exteriors and site security provisions above.
- 211 b. Luminaires shall be full-cutoff, semi-cutoff and/or refractor high intensity discharge  
212 (HID) or LED fixtures. The exact type, configuration and placement of luminaires shall  
213 be designed to prevent glare, cavern effect and to facilitate vertical illumination of the  
214 floor so that drivers are able to discern objects within the facility. Luminaires used in  
215 driving lanes shall not emit greater than 50 percent of the light output above an angle  
216 of 38 degrees on driver approach and 75 degrees on driver retreat.
- 217 c. Lighting intensities for all floors, ramps, entrance/exit areas, and stairways shall be as  
218 listed in Table 1.

219

220 **Figure 1—Transverse Lighting Coverage.**  
 221 **Transverse Coverage and Cutoff based on 8-foot Mounting Height**  
 222



223  
 224 **Table 1:**

	<b>Min. Horizontal Illuminance (footcandles)</b>	<b>Max. Uniformity Ratio</b>	<b>Min. Vertical Illuminance* (footcandles)</b>
Basic per floor	1	10:1	0.5
Ramps Day	2	10:1	1
Ramps Night	1	10:1	0.5
Entrance Areas Day	50	-	25
Entrance Areas Night	1	10:1	0.5
Stairways	10	-	1

\* Measured facing the drive aisle at five feet above the parking surface at the point of the lowest horizontal illuminance.

225  
 226 **8.9. Vehicular use areas canopy lighting.**

- 227 a. Luminaires mounted on or under canopies shall be full-cutoff fixtures or recessed so  
 228 that the lens cover is flush with the bottom surface (ceiling) of the canopy, as  
 229 demonstrated in Figure 2. Lighting may also be shielded by fixtures or the edge of the  
 230 canopy so that light is restrained to 85° or less from vertical as shown in Figure 2.  
 231 Luminaires shall not result in glare and shall meet light trespass standards applicable  
 232 to adjacent properties.
- 233 b. Lighting within six feet of the canopy shall maintain a minimum horizontal illuminance  
 234 of 2.0 footcandles at ground level and shall not exceed an average horizontal  
 235 illuminance of 10 footcandles, a uniformity ratio of 5:1, and a maximum uniformity  
 236 ratio of 10:1.
- 237 c. Indirect lighting where light is aimed upward at the underside of the canopy and  
 238 reflected back down from the underside of the canopy may be used when luminaires

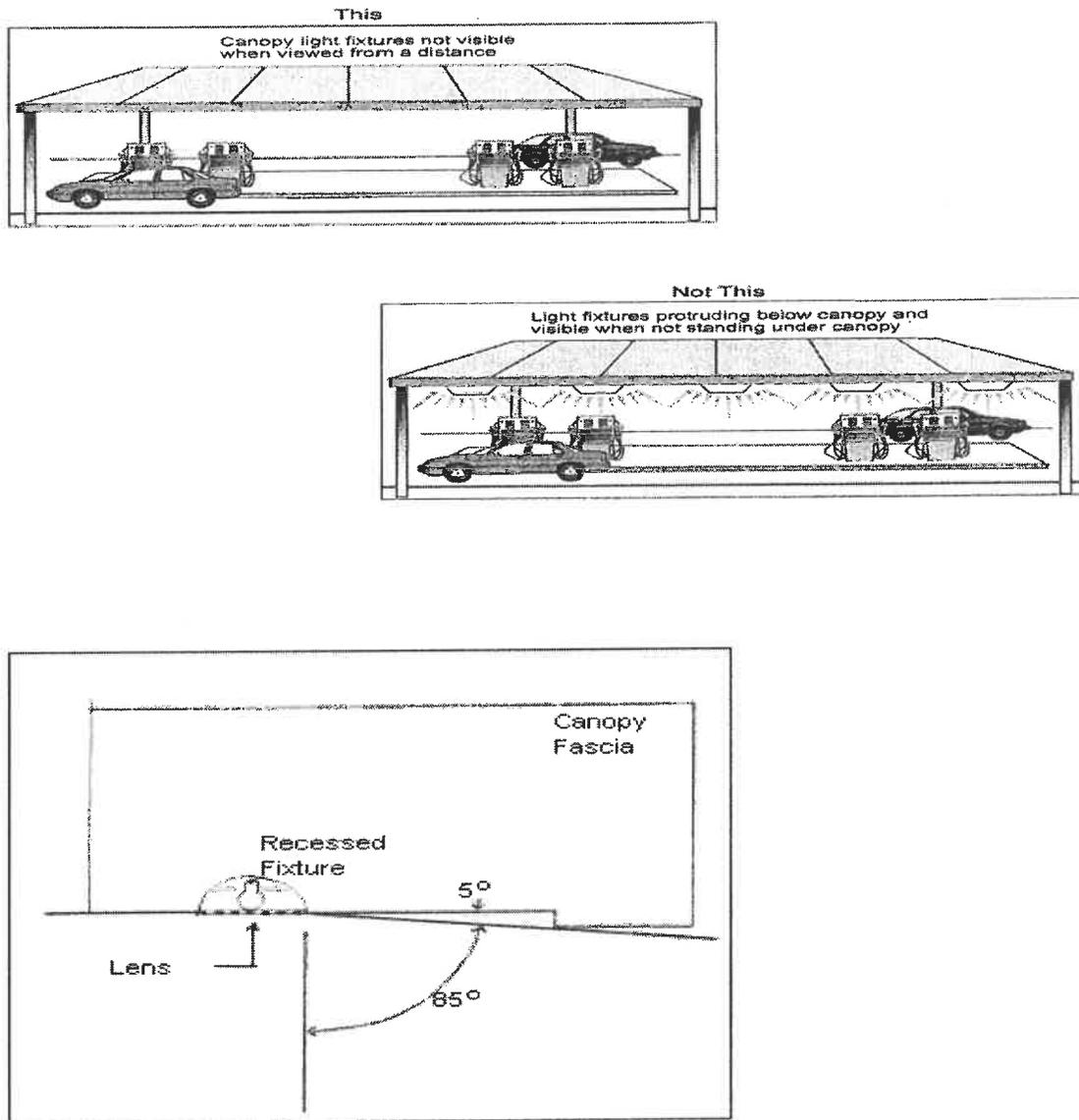
239 are shielded so that all direct illumination is focused exclusively on the underside of  
240 the canopy and when the average vertical illuminance does not exceed 0.5  
241 footcandles at five feet above the canopy level.

242 d. Luminaires shall not be mounted on the top or sides (fascias) of the canopy when not  
243 part of a permitted sign. The sides (fascias) of the canopy shall not be illuminated in a  
244 manner other than that prescribed under the sign code.

245

246 **Figure 2—Canopy Lighting**

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248

249 **9-10. Gasoline and other fuel dispensing uses.**

250 a. In addition to the requirements listed above for vehicular use area canopy lighting,  
251 lighting shall not exceed an average horizontal illuminance of 20 footcandles at  
252 ground level under the canopy and within an area of six feet from the edge of the  
253 canopy. Lighting shall not exceed a uniformity ratio of 5:1 and a maximum uniformity  
254 ratio of 10:1.

255 ~~10.11.~~ *Vehicle and automobile dealerships along Main Street north of NW 16<sup>th</sup> Avenue and*  
256 *along NW 39<sup>th</sup> Avenue between NE 2<sup>nd</sup> Street and NE 10<sup>th</sup> Street; when more than 500 feet*  
257 *from residential.*

258 a. Lighting shall not exceed an average horizontal illuminance of 50 footcandles at  
259 ground level.

260 F. *Lighting plan submission and review.* Lighting plans demonstrating compliance with the  
261 requirements of this section must be submitted to the applicable reviewing authority for  
262 review and approval for development plan review, a building permit, or special use permit  
263 applications. Lighting plans must be certified by signature and seal of a registered architect,  
264 engineer, or lighting professional holding a current lighting certification (LC) from the  
265 National Council on Qualifications for the Lighting Profession (NCQLP) as providing  
266 illumination in accordance with the applicable standards of this section and must include the  
267 following information:

268 1. A layout of all existing and proposed luminaires with location, designation, mounting  
269 height and orientation.

270 2. A schedule of all fixtures that includes the following information:

271 a. Fixture designation.

272 b. Fixture distribution information for area lighting fixtures, such as IESNA Type III, Type  
273 IV, or Type V.

274 c. Mounting height.

275 d. Light source type and wattage.

276 3. An illustration showing lighting levels (illuminance in footcandles) for each source of light.  
277 Separate calculations shall be performed for each area of the site, such as parking lots,  
278 building entry areas, and light trespass on receiving property boundaries. The boundary  
279 of each area shall be clearly indicated and the area shall be labeled. The calculations shall  
280 be performed on a grid at a maximum of every ten feet.

281 4. A table of photometric calculations indicating, at a minimum, the following values for  
282 each area:

283 a. Average, maximum and minimum illuminance.

284 b. Average and maximum uniformity ratios.

285 c. The ordinance section applicable to the area.

- 286 5. Landscaping information demonstrating that the site lighting and existing and proposed  
287 landscaping have been coordinated to minimize conflict between vegetation and  
288 intended light distribution, both initially and at vegetation maturity.
- 289 6. Topographic variations on site and any significant change in grade or elevation of the  
290 surrounding sites.
- 291 7. A brief written narrative describing the proposed luminaires, mounting heights, control  
292 devices and schemes, applicable calculation zones, and a summary of the adjacent  
293 properties. This may be provided as notations on the lighting plan or in a separate  
294 attachment on the preparer's letterhead.
- 295 8. Manufacturer specification sheets, cut-sheets, or other manufacturer-provided  
296 information for all existing and proposed luminaires. Photometric reports generated from  
297 manufacturer-provided IES data, where available. All components of lighting systems,  
298 including fixtures, brackets, poles, conduits, wiring, and connectors, installed within  
299 public rights-of-way must conform to the materials and installation standards of the City's  
300 utilities department (Gainesville Regional Utilities).
- 301 9. For parking structures, the lighting plan shall include the following additional information:
- 302 a. Minimum horizontal and vertical lighting intensities for each floor, floor ramps,  
303 entrance areas and stairways. Data may be requested for certain daylight periods.
- 304 b. Uniformity ratios and maximum uniformity ratios for each floor, floor ramps, entrance  
305 areas and stairways. Data may be requested for certain daylight periods.
- 306 c. The cutoff angles on driver approach and retreat.
- 307 G. *Variances.* During approval of a development plan or building permit, the appropriate  
308 reviewing authority may approve a variance for one or more of the requirements of this  
309 section. The appropriate reviewing authority may approve a variance only when the applicant  
310 demonstrates, in addition to meeting all of the review criteria for a variance in article III, that  
311 the applicant is using an alternate methodology, technique, or approach that is consistent  
312 with IESNA standards and that meets the intent and purpose of the lighting ordinance. At the  
313 expense of the applicant, the appropriate reviewing authority may request an independent  
314 review by a registered architect, engineer, or lighting professional holding a current lighting  
315 certification (LC) from the National Council on Qualifications for the Lighting Profession  
316 (NCQLP).
- 317 H. *Nonconforming luminaires and lighting.*
- 318 1. A legally nonconforming luminaire or lighting installation shall be made to conform with  
319 the requirements of this section when any of the following situations applies:
- 320 a. Minor corrective action, such as re-aiming or shielding, can achieve conformity with  
321 the applicable requirements of this section;
- 322 b. Fifty percent or more of the existing luminaires on a property are replaced;

- 323 c. The number of existing luminaires on a property is increased by 50 percent or more;  
324 d. The city manager or designee deems the nonconforming luminaire or lighting  
325 installation a safety hazard; or  
326 e. A development is expanded or remodeled at a cost that exceeds 50 percent of the  
327 assessed value of the site or structures as determined by the Alachua County Property  
328 Appraiser. Assessed valuation shall be determined by reference to the official  
329 property tax assessment rolls of the year of the expansion and/or remodel.
- 330 2. A development that becomes nonconforming with this section due to a change in  
331 operational hours from daytime only to include nighttime operation shall be required to  
332 comply with these regulations within 90 calendar days of the effective date of the change.
- 333 3. To prevent safety hazards, nonconforming luminaires and temporary luminaires that  
334 direct light towards streets or parking lots and that cause disability glare shall be either  
335 shielded or re-directed within 90 calendar days of notification by the city.

336

337 **SECTION 2.** It is the intent of the City Commission that the provisions of Sections 1 of this  
338 ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,  
339 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or  
340 relettered in order to accomplish such intent.

341 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
342 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
343 finding will not affect the other provisions or applications of this ordinance that can be given  
344 effect without the invalid or unconstitutional provision or application, and to this end the  
345 provisions of this ordinance are declared severable.

346 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such  
347 conflict hereby repealed.

348 **SECTION 5.** This ordinance will become effective immediately upon adoption.

349

350 PASSED AND ADOPTED this 21<sup>st</sup> day of September, 2023.

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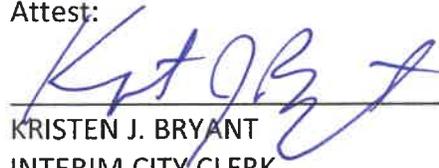
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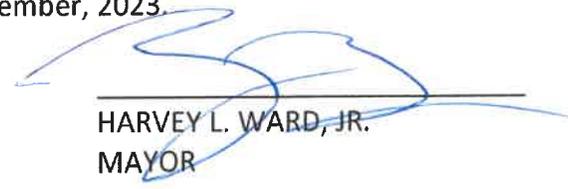
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Attest:

  
KRISTEN J. BRYANT  
INTERIM CITY CLERK

  
HARVEY L. WARD, JR.  
MAYOR

Approved as to form and legality:

  
DANIEL M. NEE  
CITY ATTORNEY

360 This ordinance passed on first reading this 7<sup>th</sup> day of September, 2023.

361

362 This ordinance passed on second reading this 21<sup>st</sup> day of September, 2023.