



25 to Section 163.3174, Florida Statutes, held a public hearing on September 22, 2022, and voted  
26 to recommend the City Commission approve this text change to the Land Development Code;  
27 and

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

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

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

35 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**  
36 **FLORIDA:**

37 **SECTION 1.** Section 30-2.1 of the Land Development Code is amended as follows. Except as  
38 amended herein, the remainder of Section 30-2.1 remains in full force and effect.

39 **Section 30-2.1. Definitions.**

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41 Pedestrian means a person who travels, especially along a road or developed area, by foot or  
42 any other mode of travel permitted to use sidewalks or multi-use paths/trails.

43  
44 Pedestrian area means an area used by pedestrians in which vehicular traffic is not permitted,  
45 including sidewalks and areas designated by signs or obstructions as pedestrian walkways or  
46 access areas.

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48  
49 **SECTION 2.** Section 30-6.12 of the Land Development Code is amended as follows. Except as  
50 amended herein, the remainder of Section 30-6.12 remains in full force and effect.

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

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

- 53 1. Protect and promote the public health, safety, and welfare;
- 54 2. Promote safety and security in vehicular use and pedestrian use areas;
- 55 3. Protect adjacent properties, the environment and wildlife, and the night sky from
- 56 adverse lighting impacts such as light pollution, light trespass, glare, excessive lighting,
- 57 and offensive light sources;
- 58 4. Promote energy and resource efficient lighting; ~~and~~
- 59 5. Encourage the use of crime prevention through environmental design (CPTED)
- 60 fundamentals in the design of lighting installations; and
- 61 6. Promote the safety and security of pedestrians and motorists, especially at
- 62 intersections, street crossings, and mid-block crossings.

63 B. *Applicability.* All outdoor lighting uses within the city, including but not limited to multi-

64 family residential, nonresidential, public and private recreational and institutional uses,

65 architectural, and landscape lighting.

66 C. *Exemptions.*

- 67 1. Properties with a single-family or two-family dwelling.
- 68 2. Lighting for public rights-of-way, public streets, and approved private streets that are
- 69 specifically regulated by separate ordinances or other state or federal regulations.
- 70 3. Lighting necessary for emergency equipment and work conducted in the interests of law
- 71 enforcement, fire rescue, storm debris clean-up or other similar public safety efforts.
- 72 4. Lighting for construction, renovation, or repair of roads and utilities.
- 73 5. Temporary general construction lighting, which shall be regulated in accordance with
- 74 building construction standards and shall be valid during the active period of a building
- 75 permit.
- 76 6. Sign lighting, ~~which is regulated elsewhere~~ as regulated in this Land Development Code.
- 77 7. Lighting required by federal or state laws or regulations.
- 78 8. Luminaires with fully shielded light sources, provided the total output of the fixture does
- 79 not exceed 1800 lumens.
- 80 9. Luminaires with diffuse lensing, provided the total output of the fixture does not exceed
- 81 900 lumens.
- 82 10. Point source, or other types of unshielded fixtures, provided the total output of the
- 83 fixture does not exceed 600 lumens.

84 11. Low-voltage landscape lighting, provided the lighting is shielded in such a way as to  
85 eliminate glare and light trespass.

86 D. *General requirements.*

87 1. *Luminaire design and operation.*

88 a. Fixture placement, distribution, wattage, orientation, and mounting height shall  
89 maximize the efficient and effective use of light output, and minimize light trespass,  
90 light pollution and glare, including the projection of light skyward or beyond the  
91 primary object being illuminated. Fixtures using directional optics and located  
92 adjacent to property boundaries shall be oriented in such a way as to minimize glare  
93 onto adjacent properties.

94 b. Lighting of horizontal surfaces shall be fully shielded full-cutoff fixtures and shall be  
95 aimed downwards.

96 c. Lighting of non-horizontal surfaces shall be designed, installed and aimed so as not  
97 to project light output beyond the object being illuminated, skyward, onto a public  
98 roadway, or onto adjacent uses.

99 d. Luminaires shall consist of the most energy efficient light sources.

100 e. The maximum mounting height of area lighting shall not exceed 30 feet when  
101 located within 75 feet of a single-family use or single-family zoning district.

102 f. Sites shall not exceed an average vertical illuminance of 0.5 footcandles at a height  
103 of five feet above the mounting height of the highest luminaire. This requirement  
104 shall be provided at a parallel horizontal over the area where surface level data are  
105 provided.

106 g. Controls shall be provided that automatically extinguish all outdoor lighting when  
107 sufficient daylight is available. Automatic lighting controls are not required for the  
108 interior of parking structures.

109 h. A property owner/representative may and is encouraged to reduce any required  
110 level of lighting output by up to 50 percent of the otherwise required value after the  
111 site closes or is no longer in use for the night. Uniformity ratios shall meet the  
112 otherwise required values.

113 i. The placement of light poles in landscape islands is discouraged. Separate islands  
114 should be created for the placement of light poles. Poles may be placed within the  
115 perimeter and interior landscape strips in locations that avoid conflicts with existing  
116 and required trees. Notwithstanding the above, where special designs, tree  
117 separation, pole arm extensions and reduced pole heights are feasible, a pole may  
118 be placed within a landscape island after review and approval by the appropriate  
119 reviewing body.

120 j. Except in emergencies by police, fire, utilities, medical personnel, aircraft warning  
121 lights or for meteorological data gathering purposes, the use of exposed light

122 sources, search lights, flood lights, lasers, lighting or lights that pulse, flash, rotate or  
123 simulate motion is prohibited. No exceptions or variances shall be permitted.

124 2. *Light trespass standards.*

125 a. Unless otherwise provided in this section, lighting shall have illuminances,  
126 uniformities and glare control in accordance with the published standards of the  
127 Illuminating Engineering Society of North America (IESNA).

128 b. Light trespass measured line-of-site at the property line of the receiving property  
129 shall not exceed the following levels:

130 i. 1.0 footcandles for non-residential and multi-family sites.

131 ii. 0.5 footcandles for residential sites.

132 iii. 0.4 footcandles for nature parks.

133 iv. 5.0 footcandles for public and private streets.

134 1) *Alleys.* This standard shall be decreased to 2.0 footcandles where an alley of  
135 20 feet or less separates a receiving property that has a single-family use or  
136 zoning.

137 2) *Automobile dealers.* This standard shall be increased to 10 footcandles for  
138 public streets abutting automobile dealers along Main Street north of NW  
139 16<sup>th</sup> Avenue and along NW 39<sup>th</sup> Avenue between NE 2<sup>nd</sup> Street and NE 10<sup>th</sup>  
140 Street, provided that portion of the receiving public street is at least 500 feet  
141 from any property with single-family use or zoning. Light trespass at private  
142 streets shall meet the above requirements.

143 E. *Specific illumination requirements.* In addition to the general requirements applicable to all  
144 outdoor lighting uses, the following requirements for specific outdoor lighting uses or areas  
145 shall apply. If provisions in this subsection conflict with any of the general requirements, the  
146 provisions in this subsection shall prevail.

147 1. *Recreational lighting.* Lighting for outdoor recreational uses (including mounting heights  
148 above 30 feet, where appropriate) may be designed in accordance with the published  
149 standards of the Illuminating Engineering Society of North America (IESNA).

150 2. *Nature parks.* Buildings shall not be externally illuminated on any vertical faces fronting  
151 a nature park.

152 3. *Building entrances, exteriors and site security.* Lighting shall be provided for the general  
153 security of areas, including building entrances, stairways, ramps, main walkways,  
154 dumpsters, other site accessory structures, pedestrian entrance/exit points, and  
155 vehicular use areas.

156 a. Lighting levels at building entrances/exits and around buildings shall not exceed an  
157 average horizontal illuminance of 5.0 footcandles at ground level, a uniformity ratio  
158 of 6:1 and a maximum uniformity ratio of 10:1.

- 159 b. Lighting levels on pedestrian walkways and at pedestrian entrances/exits of  
160 vehicular use areas of multi-family developments shall maintain a minimum  
161 horizontal illuminance of 1.0 footcandles at ground level.
- 162 c. Pedestrian walkways greater than 30 feet from the edge of a building or vehicular  
163 use area shall maintain a minimum horizontal illuminance of 0.2 footcandles at  
164 ground level.
- 165 d. There shall be a minimum horizontal illuminance of 1.0 footcandles at ground level  
166 within five feet of dumpsters, site accessory structures and areas that are of the type  
167 known to be prone to illicit behavior or victimization.
- 168 e. Unimproved areas of a site may be so defined and excluded from the lighting plan.

169 4. Pedestrian areas.

- 170 a. Lighting levels in transect zones U1 to U3 and any residential development must  
171 maintain an average horizontal illuminance of 1.8 footcandles at ground level, a  
172 uniformity ratio of 6:1, and a maximum uniformity ratio of 10:1.
- 173 b. Lighting levels in transect zones U4 to U7 and any mixed-use development must  
174 maintain an average horizontal illuminance of 2.4 footcandles at ground level, a  
175 uniformity ratio of 4:1, and a maximum uniformity ratio of 10:1.
- 176 c. Lighting levels in transect zones U8 to DT and any commercial development must  
177 maintain an average horizontal illuminance of 2.5 footcandles at ground level, a  
178 uniformity ratio of 4:1, and a maximum uniformity ratio of 10:1.

179 5. Alley lighting.

- 180 a. Alley lighting in residential developments must maintain an average horizontal  
181 illuminance of 1.2 footcandles at ground level, and a uniformity ratio of 6:1.
- 182 b. Alley lighting in mixed-use developments must maintain an average horizontal  
183 illuminance of 1.8 footcandles at ground level, and a uniformity ratio of 6:1.
- 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.

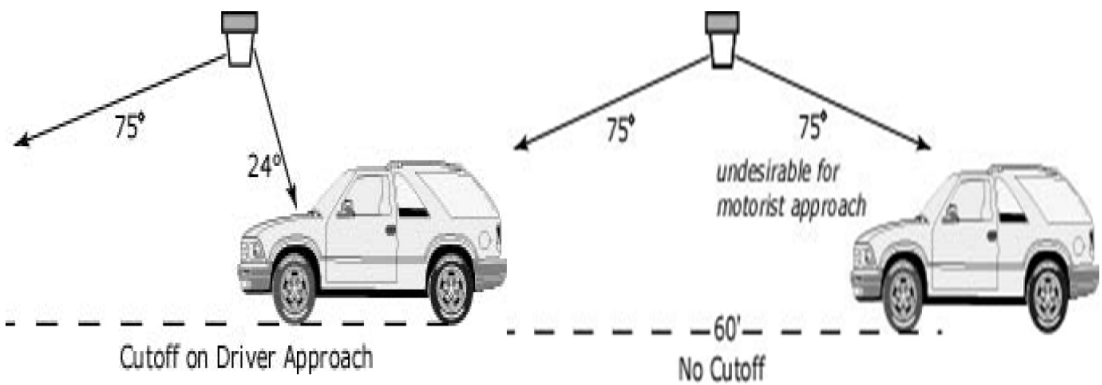
186 6.4. Vehicular use areas.

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

194 7.5. Parking structures.

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

212  
 213 **Figure 1—Transverse Coverage and Cutoff based on 8-foot Mounting Height**  
 214 **Transverse Coverage and Cutoff based on 8-foot Mounting Height**  
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216  
 217 **Table 1:**

	Min. Horizontal Illuminance (footcandles)	Max. Uniformity Ratio	Min. Vertical Illuminance* (footcandles)
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.			

218

219 8.6- Vehicular use areas canopy lighting.

220 a. Luminaires mounted on or under canopies shall be full-cutoff fixtures or recessed so  
 221 that the lens cover is flush with the bottom surface (ceiling) of the canopy, as  
 222 demonstrated in Figure 2. Lighting may also be shielded by fixtures or the edge of  
 223 the canopy so that light is restrained to 85° or less from vertical as shown in Figure 2.  
 224 Luminaires shall not result in glare and shall meet light trespass standards applicable  
 225 to adjacent properties.

226 b. Lighting within six feet of the canopy shall maintain a minimum horizontal  
 227 illuminance of 2.0 footcandles at ground level and shall not exceed an average  
 228 horizontal illuminance of 10 footcandles, a uniformity ratio of 5:1, and a maximum  
 229 uniformity ratio of 10:1.

230 c. Indirect lighting where light is aimed upward at the underside of the canopy and  
 231 reflected back down from the underside of the canopy may be used when  
 232 luminaires are shielded so that all direct illumination is focused exclusively on the  
 233 underside of the canopy and when the average vertical illuminance does not exceed  
 234 0.5 footcandles at five feet above the canopy level.

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

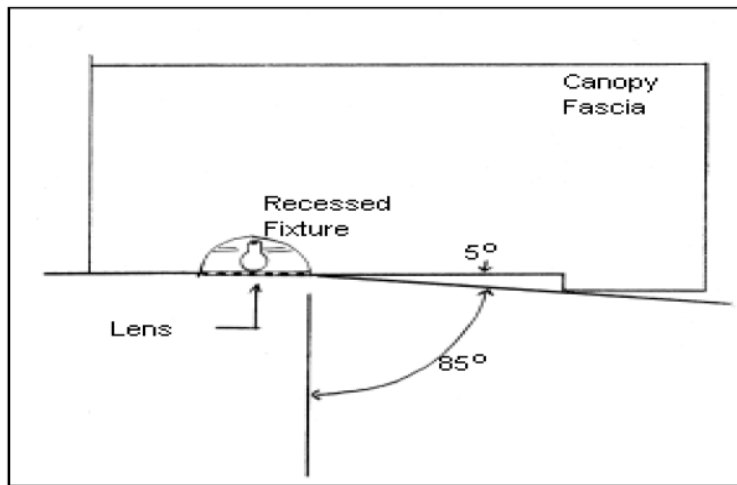
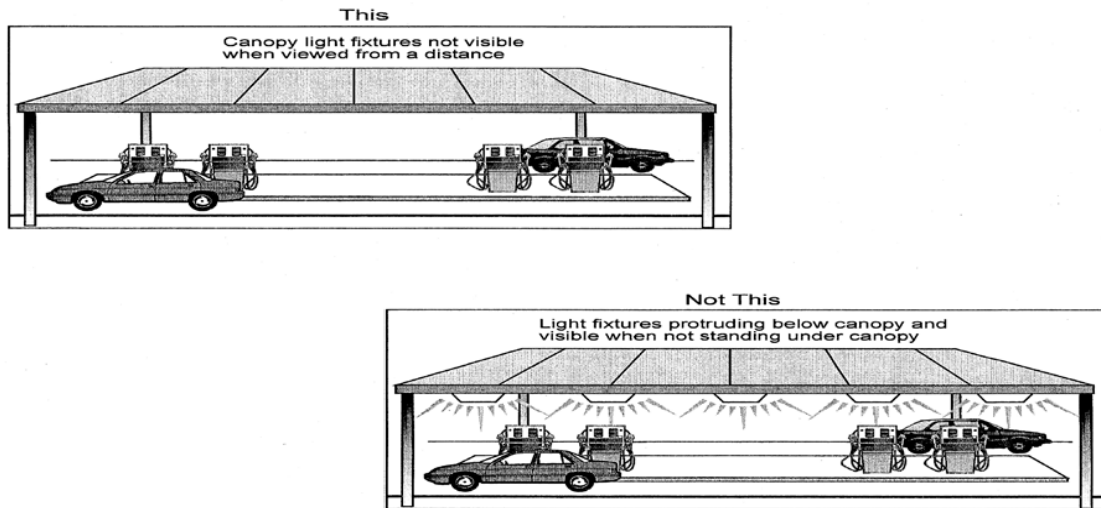
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239 Figure  
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## 2—Canopy

Lighting



241

242 9.7. Gasoline and other fuel dispensing uses.

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

248 10.8. Vehicle and automobile dealerships along Main Street north of NW 16<sup>th</sup> Avenue and  
249 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  
250 from residential.

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

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

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

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

264 a. Fixture designation.

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

267 c. Mounting height.

268 d. Light source type and wattage.

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

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

276 a. Average, maximum and minimum illuminance.

277 b. Average and maximum uniformity ratios.

278 c. The ordinance section applicable to the area.

279 5. Landscaping information demonstrating that the site lighting and existing and proposed  
280 landscaping have been coordinated to minimize conflict between vegetation and  
281 intended light distribution, both initially and at vegetation maturity.

282 6. Topographic variations on site and any significant change in grade or elevation of the  
283 surrounding sites.

284 7. A brief written narrative describing the proposed luminaires, mounting heights, control  
285 devices and schemes, applicable calculation zones, and a summary of the adjacent

286 properties. This may be provided as notations on the lighting plan or in a separate  
287 attachment on the preparer's letterhead.

288 8. Manufacturer specification sheets, cut-sheets or other manufacturer-provided  
289 information for all existing and proposed luminaires. Photometric reports generated  
290 from manufacturer-provided IES data, where available.

291 9. For parking structures, the lighting plan shall include the following additional  
292 information:

293 a. Minimum horizontal and vertical lighting intensities for each floor, floor ramps,  
294 entrance areas and stairways. Data may be requested for certain daylight periods.

295 b. Uniformity ratios and maximum uniformity ratios for each floor, floor ramps,  
296 entrance areas and stairways. Data may be requested for certain daylight periods.

297 c. The cutoff angles on driver approach and retreat.

298 G. *Variances*. During approval of a development plan or building permit, the appropriate  
299 reviewing authority may approve a variance for one or more of the requirements of this  
300 section. The appropriate reviewing authority may approve a variance only when the  
301 applicant demonstrates, in addition to meeting all of the review criteria for a variance in  
302 article III, that the applicant is using an alternate methodology, technique, or approach that  
303 is consistent with IESNA standards and that meets the intent and purpose of the lighting  
304 ordinance. At the expense of the applicant, the appropriate reviewing authority may  
305 request an independent review by a registered architect, engineer, or lighting professional  
306 holding a current lighting certification (LC) from the National Council on Qualifications for  
307 the Lighting Profession (NCQLP).

308 H. *Nonconforming luminaires and lighting*.

309 1. A legally nonconforming luminaire or lighting installation shall be made to conform with  
310 the requirements of this section when any of the following situations applies:

311 a. Minor corrective action, such as re-aiming or shielding, can achieve conformity with  
312 the applicable requirements of this section;

313 b. Fifty percent or more of the existing luminaires on a property are replaced;

314 c. The number of existing luminaires on a property is increased by 50 percent or more;

315 d. The city manager or designee deems the nonconforming luminaire or lighting  
316 installation a safety hazard; or

317 e. A development is expanded or remodeled at a cost that exceeds 50 percent of the  
318 assessed value of the site or structures as determined by the Alachua County  
319 Property Appraiser. Assessed valuation shall be determined by reference to the  
320 official property tax assessment rolls of the year of the expansion and/or remodel.

321 2. A development that becomes nonconforming with this section due to a change in  
322 operational hours from daytime only to include nighttime operation shall be required to

323 comply with these regulations within 90 calendar days of the effective date of the  
324 change.

325 3. To prevent safety hazards, nonconforming luminaires and temporary luminaires that  
326 direct light towards streets or parking lots and that cause disability glare shall be either  
327 shielded or re-directed within 90 calendar days of notification by the city.

328

329 **SECTION 3.** It is the intent of the City Commission that the provisions of Sections 1 and 2 of  
330 this ordinance become and be made a part of the Code of Ordinances of the City of Gainesville,  
331 Florida, and that the sections and paragraphs of the Code of Ordinances may be renumbered or  
332 relettered in order to accomplish such intent.

333 **SECTION 4.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or  
334 the application hereof to any person or circumstance is held invalid or unconstitutional, such  
335 finding will not affect the other provisions or applications of this ordinance that can be given  
336 effect without the invalid or unconstitutional provision or application, and to this end the  
337 provisions of this ordinance are declared severable.

338 **SECTION 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of  
339 such conflict hereby repealed.

340 **SECTION 6.** This ordinance will become effective immediately upon adoption.

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343 **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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\_\_\_\_\_  
LAUREN POE  
MAYOR

349 Attest:

Approved as to form and legality:

350

351 \_\_\_\_\_

\_\_\_\_\_

352 OMICHELE D. GAINEY

DANIEL M. NEE

353 CITY CLERK

INTERIM CITY ATTORNEY

354 This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

355

356 This ordinance passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2022.